

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9208 of 2015

- =====
1. Rahul Deo, 5th Year Student of Chanaya National Law University, S/o Ishwar Prasad, C/o- Satyasen Kumar , At+ P.O.- Kalisthan, Hisua , P.S.- Hisua, Distt- Nawadah, Bihar, Currently Residing at Boy's Hostel, Chanakya National Law University, Nyaya Nagar, Mithapur Patna, Bihar- 800001.
 2. Rajeev Ranjan , 3rd Year student of Chanakya National Law University, S/o Yougendra Prasad , At- Hirdan Bigha, P.O.+ P.S.- Barhiya, Dist. - Lakhisarai, Bihar, Currently Residing at Boy's Hostel , Chanakya National Law University, Nyaya Nagar, Mithapur, Patna, Bihar-800001.

.... Petitioner/s

Versus

1. The Union of India through Home Secretary, , Ministry of Home Affairs, New Delhi.
2. The State of Bihar through its Chief Secretary, Secretariat, Patna, State- Bihar.
3. The Director General of Police , Patna , State – Bihar.
4. The Press Council of India (PCI) Through Secretary, Soochna Bhavan, 8- C.G.O. Complex Lodhi Road, New Delhi- 110003.
5. The Advertising Standards Council of India (ASCI) through Secretary 717/b, AURUS Chambers S S Amrutwar Marg, Worli, Mumbai-400018, State - Maharastra.
6. The Prabhat Khabar, through its Editor, Adyeta Bhawan, Behind ICICI Bank, Boring Road Chowk, Patna 800001.
7. Dainik Jagaran through its Editor 172/92/11B/2, Rashmi Complex, 5th Floor Circle No. 243, Postal And Telecom Colony , Kidwaipuri, Patna- 800001, Inside P&T Colony, District- Patna, Bihar.
8. Dainik Bhaskar through its Editor 301, Dukhan Ram Plaza , Exhibition Road, Patna- 800001, Behind HDFC Bank, District- Patna , Bihar.
9. The Hindustan Times, through its Editor, Budh Marg, Patna GPO, Patna- 800001, District- Patna, Bihar.
10. Hindustan through its Editor, Budh Marg, Patna, Patna- 800001, Districiti- Patna, Bihar.
11. The Times of India , through its Editor Times House, Fraser Road, Patna GPO,



Patna-800001.

12. The Ministry of Communication and Information Technology through its
Secretary, Lodhi Road, New Delhi.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
Mr. Satyendra Prasad Singh, Advocate

For the UOI : Mr. Rajesh Kumar Verma, CGC
For the EOU : Mr. Vishwanath Prasad Sinha, Senior Advocate
Mrs. Soni Shrivastava, Advocate

For the PCI : Mr. Sanjeev Kumar, Advocate
For the Respondent Nos. 9 & 10 : Mr. Kumar Ravish, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 16-03-2017

In this petition filed *pro bono publicano*, the petitioners have come out with a grievance that in daily newspapers published in the State of Bihar, advertisement under the caption, “Classified” are published everyday propagating advertisement by various agencies in the matter of calling for applications, distribution of benefits under the Government Schemes, appointments and various other factors, which are fraudulent in nature, not *bona fide* and are misleading, the public at large, fall in trap to this misleading classified advertisements and are duped or *thuged* in a very easy manner, *inter alia*, contending that the Press Counsel of India, which is the statutory regulatory authority, is not taking any steps in this



regard. Petitioners want this Court to issue a mandamus and take action against the persons, who are indulged in and permitting such publication of classified newspaper items or advertisement.

2. On a notice being issued, counsel appearing for the Press Council of India invites our attention to the Press Council (Procedure for Inquiry) Regulations, 1979 and the procedure contemplated from Rule 3 onwards, wherein a detailed statutory procedure has been laid down for making complaints with regard to irregularities, if any, committed by the Newspapers and the procedure for enquiry as contemplated in this Statutory Rule.

3. That apart, counsel appearing for the Economic Offences Wing points out that on certain complaints received by the Economic Offences Wing, they have already investigated into the matter and chargesheet and challans have been filed in the Competent Court of law in certain cases.

4. Be that as it may, we find that the petitioners have approached this Court without making any complaint before the Press Council of India which is the statutory regulatory authority empowered to take action with regard to the grievances as has been made in this writ petition.

5. That being so, it is not appropriate for us to make any indulgence into all these areas of complicated factual disputes



and thereafter grant reliefs to the petitioners, when the petitioners have a statutory remedy by filing a detailed complaint before the Press Council of India and the Press Council of India is competent to look into the matter, on a complaint being filed as contemplated in law, will deal with the matter according to the procedure provided under the law.

6. With the aforesaid observations, the writ application stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.03.2017
Transmission Date	

