



Paid News in Indian Dimension

KEYWORDS

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ABSTRACT *Paid News is a scandalous phenomenon in Indian media, in which mainstream media. Found to be systematically engaged in publishing favorable articles in exchange for payment. Bloomberg claimed that Paid News was rotting India's democracy. The Press Council of India tried to bury its own investigative report on the phenomenon of Paid News.*

Sponsors of Paid News are part of two major groups: politicians and businessmen, although celebrities also play key roles in these scandals. Sponsors would like to advance their interests and achieve their goals, for example politicians want to promote their ideals.

Growing deterioration of the Indian media institution as such the bane of 'paid news' is not only the manifestation of the economic policies pursued as consequent to globalisation have also exposed almost all institutions of parliamentary governance. The Press Council of India (PCI) has described it as an expression of prevailing organised corrupt practices in the media world diagnosing the malady of 'paid news' afflicting the media outlets, a sub-committee.

The First Press Commission report referred to how the government manipulates the media outlets through insertion of advertisements. Mrs Shiela Dikshit insisted that her government had every right to propagate its achievements through ads like feature story. She, thus, gave a new meaning to the paid news practice: that the government has a right to give 'ad-news' for election publicity and the rich candidate has a right to dole out money for 'paid news' for publicity. 'Paid news' in fact is only a 'new form or design' and a new name for the policy of doling out advertisement for a specific purpose. And the 'paid news' practice is an extension of that only.

During elections in the parliamentary set-up, political parties and their candidates in their individual capacity dole out advertisements and insertion of such propaganda material is the product of the globalised economic environment. The constitutional duties of Parliament Members underwent a change as they were separated from the collective responsibility of framing policy and programmes with the advent of globalization.

INTRODUCTION

Media, which is considered as the fourth pillar of democracy, not only acts as a repository of public trust but also plays a significant role in shaping the human mind. All forms of programmes/articles have their significance in doing so, particularly "News" which aims at providing correct and timely information to the people.

"News", according to the Press Council of India (PCI), is meant to be factual, neutral, fair and objective, whereas information and opinion from "Advertisements" are paid for, by corporate entities, Governments, organizations or individuals. However, off late a trend of presenting the paid information as news content has spread at remarkable pace in some sections of the Media. There have been a number of media reports which state that sections of the electronic and print media have received monetary considerations for publishing or broadcasting in favor of particular individuals or organizations or corporate entities, what is essentially "advertisement" disguised as "news" and this has been commonly referred to as the "Paid News Syndrome".

"Paid News" is not a recent phenomenon. In fact the phenomenon is old, complex and deep rooted in the system. Regarding genesis of "Paid News", quoting to the Memorandum of Andhra Pradesh Union of Working Journalists (APUWJ), the Press Council of India in its Sub-Committee Report on "Paid News" during General Election, 2009 had stated that the syndrome, during the general elections of

2004, small and local newspapers in towns and district headquarters in some parts of Andhra Pradesh and Gujarat started this practice in an organized way.

Distinction between „News“ and „Advertisements“

In the recent years in India, there is no clear distinction between "News" and "Advertisements". When the advertisements are surreptitious as news or when news is shown/published by selling editorial space it becomes very difficult for the viewer/reader to distinguish between news and advertorials/advertisements.

It becomes hard to distinguish whether a particular programme or review is a legitimate one or is it paid for.

Need for defining Paid News

There are challenges in defining and determining what constitutes or qualifies as „paid news“. The increasing trend of presenting advertisements in the garb of news has posed a need for having a comprehensive definition for "Paid News" so that "News" and "Advertisements" can be clearly demarcated². There is a urgent need to formulate a comprehensive legal definition of "paid news", in consultation with stakeholders.

COMPLEXITIES INVOLVED IN ESTABLISHING "PAID NEWS"

The issue of „Paid News" is complex as it may be a treaty between two private parties with mutual consent or could

be a clandestine financial transaction which is difficult to establish. Because of the clandestine financial transactions involved in „Paid News“ it becomes extremely difficult to establish the violation by itself, and therefore it becomes difficult to prove the menace particularly in case of visual media. Because of the complexities involved, „circumstantial evidence“ forms the basis of consideration for proving this.

Methodology:

Researcher has used qualitative and quantitative method to assess whether the paid news is more important and priority among the IT-BT, BPO, Government Sector, Film, Industry and among the political parties.

Sampling Techniques: Randomly, researcher has chosen University of Mysore as a geographical boundary for collecting samples. However, he has extracted equally samples among the girls and boys respondents. Total number of respondents are in 200 figure.

Test: T-Test, Chi-Square, Pearson Test, Co-Relation Test and various tests were used to draw results and discussions.

Null Hypothesis:

- 1 Paid news are in much more practice than advertisement in recent era.
- 2 Advertisements are not more creative and impressive than paid news all over the Industry
- 3 Political parties and NGO'S and Govt's are haunting behind media for getting published.
- 4 Paid news are more vibrant than other form perhaps more lucrative.

Below given table indicates ratio of respondents about impact of paid news in media in 21 st century.				
Number of Respondents in gender		Total Number of respondents 200.		
Boys	Girls	Yes	No	Neutral
100	100	87	63	50
Ratio		87%	42 %	35%

Results and discussions: As per per the indications 82 % of respondents have said that paid news is more effective and attractive in present days.63 % of respondents have denied that paid news are not much impressive .Remaining 82% of respondents have not expressed their views and opinions .

Editorial Section v/s Management/Owners of Media Houses

“Paid News“ is not only the outcome of the convergence of the editorial, advertising, public relations (PR), lobbying group and the “industry“ but is also due to the decline in independence of the journalists/reporters. The emergence of 4 contract system of employment is the primary cause for erosion of the independence of journalists/reporters as the system has the effect of reducing their status to mere marketing agents.

According to the Press Council of India (PCI), there should be a clear distinction between the management and editorial staff in media companies and that the independence of the editor should be maintained and safeguarded.

Working conditions and the issue of wage of Media Personnel

Most of the media organizations are not implementing the recommendation of the Wage Board and around 80 per

cent of the Journalists are getting very less wage. Most of the journalists/reporters are working on contract basis and are given commission on bringing advertisements and in the process they have started working as market representatives.

Private Treaties

“Private Treaty“ is an agreement between the media company and another non-media company in which the latter transfers certain shares of the company to the former in-lieu of Advertisements, space and favorable coverage. “Private Treaties“ are another form of paid news and they militate against the rights of people to be informed accurately and truthfully.

Cross Media Holdings/Ownership

There is a lack of restriction on ownership across media segments (print, TV or internet) or between content and distribution which could give rise to monopolistic practices. The Telecom Regulatory Authority of India (currently examining the issue) is urged to present its recommendations and the Ministry of Information & Broadcasting would be taking conclusive action on those recommendations.

For once – and after a very long time – we have half a debate over sleaze and greed in the Indian Big Media. Only half because the active half – those extorting money and plugging propaganda and advertising as ‘news’ – have so far stayed silent on the controversy in even their own newspapers and television channels. Let's be optimistic. Maybe that's an indication that they've taken a hit. During the 2004 polls, the then Chief Election Commissioner wrote a letter to ‘a leading Mumbai daily’, asking who had paid for an advertisement that seemed quite suspect. The paper declined to answer that question, suggesting the query was an infringement on the freedom of the press.

ECTORAL PROCESS

It would be incorrect to say that ‘Paid News’ is purely an election time phenomenon. However, its impact on general public comes in a big way during elections.

The election-time “Paid News“ has three dimensions viz. (i) the reader or the viewer does not get a correct picture of the personality or performance of the candidate in whose favor or against he decides to cast his vote; (ii) contesting candidates perhaps do not show it in their election expense account thereby violating the Conduct of Election Rules; and (iii) those newspapers and television channels which received money in cash but did not disclose it in their official statements or accounts violate the Companies Act 1956 as well as the Income Tax act 1961.

“Paid News“, in the General and Assembly Elections, have indicated as to how democratic process is being affected by this syndrome. However, the Election Commission's historic verdict in October, 2011, disqualifying Uttar Pradesh's then sitting MLA, Smt. Umlesh Yadav from contesting again for three years under Section 10A of the Representation of the People Act, 1951, for suppressing expenditure in her election accounts, has set a trend by making her not only the first political victim of the paid news phenomenon but also the first sitting legislator to be disqualified for excessive expenditure.

The Election Commission has initiated measures to check incidents of election time paid news. The Commission has issued instructions to Chief Electoral Officers of all the States to constitute District level and State level Media

Certification and Monitoring Committees (MCMC) for scrutiny of paid news. These Committees have been instructed to do vigorous scrutiny of electronic media, print media and other modes of mass communication in order to locate political advertisements in the garb of news coverage appearing during the election period. In addition, the Commission has also constituted a Committee at its own level to examine references from State level MCMCs and to support policy formulation for issues related to paid news and those related to usage of electronic and print media for campaigning by parties and candidates.

The Election Commission of India has forwarded a proposal for amendment in the Representation of People Act, 1951 and Conduct of Election Rules, 1961 to include publishing and abetting of publishing paid news for furthering the prospects of election of any candidate or prejudicially affecting the prospects of election of any candidate as an electoral offence with exemplary punishment. The issue of paid news has been included in the agenda for all party meeting on issues relating to electoral reforms. Besides, the issue of electoral reforms in its entirety has been referred to the Law Commission of India for consideration and to suggest comprehensive measures for changes in the law⁵.

The case of M/s Jindal Steel Power Limited and M/s Zee Ltd – highlighting loophole in the existing guidelines/code/ mechanism

The case of M/s Jindal Steel and Power Limited (JSPL) v/s M/s Zee News wherein M/s JSPL had alleged that M/s Zee News has aired considerable number of programmes containing wrong, manipulated, untrue and per-se defamatory contents against JSPL in violation of the provisions of Code of Ethics and Broadcasting Standards of the News Broadcasters Association and Rules framed under the Cable Television Networks (Regulation) Act, 1995. The matter has been referred to the Inter Ministerial Committee (IMC) to look into the violation of Programmes and Advertising codes by private satellite TV networks.

International Practices

No regulatory body viz. PCI/NBA, etc, has conducted any study to evaluate the mechanism adopted by other countries to tackle the menace of „Paid News“. The Government should take note of the Justice Leveson Report on the press and existing regulatory structure in the UK, and consider the recommendations of the report and their implementation while dealing with the issue.

MEASURES TO TACKLE THE MENACE OF “PAID NEWS”

With regard to regulating the menace of “Paid News“, some experts/stakeholders have advocated for State involvement whereas others have recommended for self-regulation and some other have suggested for multi-tier regulation including Ombudsman and self regulation as first tier of regulation and a body/authority / organisation with legal/statutory backing or limited external regulation at second tier. The various remedial measures suggested to curb the menace are as follows:

Efficacy of Self regulation

Self-regulation is a very good option to check the “paid news” phenomenon. However, self-regulation only offers partial solutions to the problem since there would always be offenders who would refuse to abide by voluntary codes of conduct and ethical norms that are not legally mandated.

The most critical issue for curbing “Paid News” is to have a regulatory mechanism as media resort to taking leverage under freedom of expression. Besides, majority of individuals/experts/stakeholders/organizations, except News Broadcasters Association (NBA), have advocated on the need for having an oversight/regulatory mechanism so as to curb the syndrome.

Role of Press Council of India (PCI)

Major recommendations made by the Press Council of India, in its “Report on Paid News” are as follows:

Representation of the People Act, 1951, be amended to make incidence of paid news a punishable electoral malpractice.

The Press Council of India must be fully empowered to adjudicate the complaints of „paid news“ and give final judgment in the matter.

Press Council Act be amended to make its recommendations binding and electronic media be brought under its purview, and

Press Council of India should be reconstituted to include representatives from electronic and other media

Regulation of advertisements by DAVP

The Directorate of Advertising and Visual Publicity (DAVP) is the nodal advertising agency for the Central Government under the Ministry of Information and Broadcasting. Various stakeholders alleged that the Government uses advertisements to arm-twist media houses for favourable coverage.

Complaint Redressal Mechanism/ Ombudsman

There is lack of systemic Complaint Redressal Mechanism/ Ombudsman in all the media houses for looking into the complaints of „Paid News“. The PCI opined that there should be an Ombudsman in all the media houses which can serve as the first tier of redressal/monitor mechanism. The complaints and redressal mechanism should be simple, effective and time-bound.

Penalty

The existing penal provisions have not served as an effective deterrent for the practice of paid news. There is lack of clarity regarding the jurisdiction of the designated authority to penalise offenders, given existence of multiple bodies like the MoIB, PCI, EMMC and ECI. A strict law has to be enacted both for print and electronic media to penalize all the party involved in paid news menace.

Transparency regarding Revenue/Assets of Media Houses and Right to Information Act, 2005

In spite of having all the existing guidelines and norms, when the media is asked for disclosure of the source of the income of the newspapers or details of revenue from advertisements, some of them take an excuse that it is against their freedom of the Press and therefore they can not disclose it.

CONCLUSION

Free and fair elections are as important as a free and independent press, the issue of ‘Paid News’ needs to be addressed holistically. Apparently, A concerted, comprehensive and swift action from all stakeholders including the Government is urgently needed on this crucial matter. Nevertheless, All political parties are in need of name and

fame in this rat race, perhaps, they tend to do so by hook or crook. Despite, even private firms like reliance, Tata, and some educational institutions like Amity University, Lovely Professional University, IIPM, Sharada University are into dragging attention of students. So, they do get paid news just to hype the credentials of education sector and kind of service being rendered by top most education institutions. Apprehensively, Political parties, new ventures ,IT-BPO companies, NGO'S, Government sectors, celebrities are into to this kind of paid news culture . Eventually, news scribblers are acquaint of more wealth .Boom of paid news culture has been flourished in recent day for bringing one's own party or company forward in the eyes of "Jantha". Just to gain power, money , monopoly of sector .In spite, Advertisement is given less priority , and paid news has been given more importance in present 21st century .Hence, Advertisements are slightly vanishing and can not withstand in front row While, with paid form of news is still in practice. Over all view , paid news is more favorable than advertisements ,it has a sensational out spring in market. However, some sort of punitive regulations must be implemented to curtail this biased ,perpetual practice in main stream journalism.

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