
FAQ on Paid News

Q. What is Paid News?

- A. Paid News has been defined by PCI as – “Any news or analysis appearing in any media (Print & Electronic) for a price in cash or kind as consideration”. The Commission has generally accepted the definition given by PCI.

Q. How is advertisement different from news?

- A. The PCI guidelines say – news should be clearly demarcated from advertisements by printing disclaimers, and it should be strictly enforced by all publications. It must always carry a credit line and should be set in a typeface that would distinguish it from advertisements. Besides, advertisement is meant to promote, while news is meant to inform.

Q. What made ECI to check Paid News

- A. Commission has experienced the problem of Paid News on the ground during the electoral process. Political parties and media groups also approached the Commission, requesting to take strong steps against Paid News. The Parliament also discussed the issue. There was consensus among all political parties in their meeting with the Commission on 4th October 2010 and again on 9th March, 2011 that stringent measures should be taken against Paid News.

Q. What are the adverse effects of Paid News?

- A.
1. In the election arena, Paid News misleads the public, causes undue influence on voters and affects their Right to Information.
 2. It seeks to circumvent election expenditure laws/ceiling, through covert expenditure.
 3. It disturbs the level playing field among political parties & candidates.

Q. How to keep a check on Paid News?

- A.
1. Self regulation by media and political functionaries.
 2. Strict implementation of existing mechanisms to curb the menace in the electoral field.
 3. Sensitize people and stakeholders on the subject.

Q. What are the steps taken by the ECI to make Paid News an electoral offence?

A. The Commission has proposed Amendment in the R P Act 1951, to provide therein that publishing and abetting the publishing of ‘Paid News’ for furthering the election prospect of any candidate or for prejudicially affecting the election prospect of any candidate be made an electoral offence under chapter-III of Part-VII of the R P Act, 1951 with punishment of a minimum of two years imprisonment.

Q. What mechanism has been developed by the ECI to curb Paid News?

A. The Commission has appointed Media Certification & Monitoring Committee (MCMC) at District level and State level to monitor media for Paid News. They scrutinise all newspapers and electronic media, in order to locate political advertisement in the garb of news coverage and take necessary action against the concerned candidates.

Q. What is the membership of District and State level MCMC?

A. The membership of District MCMC is:

1.1 The District level MCMC shall be formed in each district with the following members:

- (a) DEO/RO (of Parliamentary Constituency)
- (b) ARO (not below SDM)
- (c) An intermediary expert/Social media expert (to be chosen by the RO subject to the eligibility criteria)
- (d) Central Govt. I & B Ministry official (if any in the district)
- (e) Independent Citizen/Journalist as may be recommended by PCI
- (f) DPRO/District Information Officer/equivalent – Member Secretary

The membership of State level MCMC:

- (a) The Chief Electoral Officer, Chairman
- (b) Any Observer appointed by the Election Commission of India
- (c) One expert to be co-opted by the Committee.
- (d) Officer of Indian Information Service (IIS), (at the level of US/DS) posted in the State/UT, representing a media Department of Government of India

as separate from the expert at (c)above.

- (e) Independent citizen or journalist as nominated by PCI (if any)
- (f) Addl/Jt CEO in charge of Media (Member Secretary)
- (g) An intermediary expert/Social media expert (to be chosen by the CEO subject to the eligibility criteria)

Q. What are the functions of District level MCMC?

- A. District MCMC examines complaints/issues of Paid News through a monitoring arrangement. It scans all media e.g. print media, electronic media, cable network, etc. In the suspected cases of Paid News, it intimates the Returning Officer who then issues notices to candidates for inclusion of expenditure on the published matter in their election expenses account or notional expenditure based on DIPR/DAVP rates in their election expenses account.

Q. What are the functions of State level MCMC

- A. State level Media Certification and Monitoring Committee (MCMC) examines all the cases of Paid News on appeal against the decision of District level MCMC and cases that they may take up suo motu, in which it directs the concerned Returning Officer to issue notice to the candidate. The State level MCMC shall dispose off the case within 96 hrs of receipt of appeal and convey the decision to the Candidate with a copy to District level MCMC.

Q. What is ECI level Committee and its functions?

- A. A Committee has been constituted at ECI level to deal with the paid news cases. This Committee examines cases of Paid News on appeal against the decision of State level MCMCs and also the references received from State level MCMCs. The candidate may appeal to this Committee against the decision of State level MCMC within 48 hrs of receiving of order from the State level Committee. The National level Committee on Paid News comprise of senior officers from AIR, DAVP and ECI.

Q. Who can issue notice to the candidate, if recommended by State/ District MCMC to do so?

- A. Returning Officer of the election concerned can only issue the notice to the candidate on the recommendation of MCMC.

Q. Where can a candidate appeal against the decision of State level MCMC?

A. The candidate may appeal against the decision of District level MCMC to State level MCMC and against the decision of State level MCMC to Election Commission of India. The decision of the Commission is final.

Q. What is the time frame for making appeal against the decision of District level and State level MCMCs?

A. If the decision of District level MCMC is not acceptable to the candidate, he/ she may appeal to State level MCMC within 48 hrs. of receipt of the decision, with information to the District level MCMC. The candidate may also appeal against the decision of State Level MCMC to Election Commission within 48 hrs. of receiving of order from this Committee. The decision of the Commission is final.

Q. What is the action against the political candidates in the decided cases of Paid News?

A. In established cases of Paid News its actual or notional expenditure based on DIPR/DAVP rates is added in the candidate's election expenses accounts. Besides, name of the candidate is also displayed on the respective CEO's website.

Q. What is the action against the media houses in the decided cases of Paid News?

A. Once the cases are decided as Paid News, ECI refers the cases of print media and electronic media to PCI and National Broadcasting Standards Authority (NBSA) respectively for taking necessary action in the matter.

Q. What are the criteria to adjudge paid news?

A. There can only be illustrations but no clinching or exhaustive list is available from any authenticated source. Some of the illustrations are:

- a. Identical articles with photographs and headlines appearing in competing publications either carrying by-lines of different authors around the same time or without any author's name.
- b. On the same page of specific newspapers, articles praising competing candidates claiming that both are likely to win the same election.

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- c. News item stating that one candidate is getting the support of each and every section of society eugolising him and that he would win elections from the constituency.
 - d. Small events involving a candidate being given exaggerated/repeated coverage and/or the opponents' news are not covered at all.
 - e. PCI case decision on Paid News and previous decisions by MCMC of ECI can also serve as sources of guidance.

Q. From which time Paid News Cases may be taken into account against the Candidate during an election?

- A. Paid News Cases may be taken into account from the date of filling of nomination by the candidate.