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Notices of question of Privilege dated 30 November, 2015 and 3 December, 2015 given by Sarvashri Hukum Singh, Narendra Keshav Sawaikar and Dr. Kirit Somaiya, MPs respectively against the Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

[Laid on the Table on 20 December, 2017]

December, 2017/*Agrahayana*, 1939 (*Saka*)

EIGHTH REPORT

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[Presented to the Speaker, Lok Sabha on 13 December, 2017]

[Laid on the Table on 20 December, 2017]



LOK SABHA SECRETARIAT
NEW DELHI

December, 2017/Agrahayana, 1939 (Saka)

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**PERSONNEL OF THE COMMITTEE OF PRIVILEGES
(2017-2018)**

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12. Shri Rakesh Singh
13. Shri Sushil Kumar Singh
14. Dr. Kirit Somaiya
15. Prof. (Dr.) Ram Shankar, MP

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- | | | | |
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NINTH REPORT OF COMMITTEE OF PRIVILEGES

(SIXTEENTH LOK SABHA)

I. Introduction

I, the Chairperson of the Committee of Privileges, having been authorized by the Committee to submit the report on their behalf, present this eighth report to the Speaker, Lok Sabha on the notices of question of privilege dated 30 November, and 03 December, 2015 given by Sarvashri Hukum Singh, Narendara Keshav Sawaikar and Dr. Kirit Somaiya MPs respectively against the Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

2. The Committee in all held ten sittings in the matter. The relevant minutes of these sittings form part of the Report and are appended hereto.

3. The Committee at their sitting held on 16 February, 2016 considered the matter. The Committee decided to hear Sarvashri Hukum Singh, Narendra Keshav Sawaikar and Dr. Kirit Somaiya, MPs in the first instance.

4. At their second sitting held on 17 October, 2016, the Committee examined on oath Shri Hukum Singh, MP.

5. The Committee at their third sitting held on 03 November, 2016 examined on oath Shri Narendra Keshav Sawaikar and Dr. Kirit Somaiya, MPs who were co-complainants in the matter. The Committee also decided to summon the Editor, Outlook Magazine to tender evidence before the Committee.

6. The Committee, at their fourth sitting held on 13 February, 2017, took evidence of the Senior Editor and the incumbent Editor-in-Chief, Outlook Magazine.

7. The Committee at their fifth sitting held on 30 June, 2017, took evidence of the Former Editor-in-Chief, Outlook Magazine.

8. The Committee at their sixth sitting held on 30 August, 2017 took on record the admission of lapse and unconditional apology tendered by the Senior Editor, the incumbent Editor-in-Chief and the former Editor-in-Chief and that at the instance of the Committee, the incumbent Editor-in-Chief and the former Editor-in-Chief had tendered written submissions tendering their apology, a copy each of which was placed before the Members for their reference.

9. The Committee at their seventh sitting held on 06 September, 2017 decided to further hear the former Editor, Outlook, Shri Krishna Prasad in the matter and directed that he may be summoned before the Committee on 15 September, 2017, and thereafter, they would take a final view in the matter.

10. The Committee at their eighth sitting held on 15 September, 2017 considered the apology letter of the Former Editor-in-Chief, Outlook Magazine and directed the Committee Secretariat to prepare a draft report in the matter for their consideration.

11. The Committee at their ninth sitting held on 9 October, 2017 considered the draft report, deliberated and decided to defer the adoption of the draft report after publication of an „Apology“ by the Outlook Magazine.

12. At their tenth sitting held on 14 November, 2017, the Committee considered the revised draft report incorporating the „Apology“ subsequently published in the 23 October, 2017 issue of the Outlook Magazine and after some deliberations adopted it. The Committee then authorized the Chairperson to finalize the report

accordingly and present the same to the Speaker, Lok Sabha and thereafter, to lay the same in the House.

II. Facts of the Case

13. On 30 November, 2015 during a discussion under Rule 193 on the situation arising out of incidents of intolerance in the country, Shri Mohd. Salim, MP leveled allegations against Shri Rajnath Singh, MP and Union Home Minister by relying on a misleading content of an article published in the Outlook Magazine wherein certain remarks were attributed to Shri Rajnath Singh, Union Home Minister.

In a strong rebuttal to the allegations made by Shri Mohd. Salim, MP, Shri Rajnath Singh in the Lok Sabha during the debate on 30 November, 2015, stated as under:-

“In my entire parliamentary life, I had never been hurt so much as by the impugned words made against me today. I am of the firm view that if any Home Minister makes such statement, he has no moral right to stay in office. Madam Speaker, I seek your protection. I am very much hurt by this. Not only the Members of this House, but also the members of the minority community of India know that Rajnath Singh can never make such statement. Whenever I speak, I speak with responsibility and in measured language. I have been deeply hurt and I seek your protection, Hon’ble Speaker.”

14. Thereafter, Hon’ble Speaker, gave the following ruling in the matter:-

“Hon. Members, during the discussion under rule 193 on the situation arising out of incidents of intolerance in the country, Shri Mohd. Salim made certain allegations against the hon. Home Minister. I have heard the submissions made by Shri Bhartruhari Mahtab and other Members also in this regard. Under the provisions of rule 353 of the Rules of Procedure and Conduct of Business in Lok Sabha, no allegation by a Member may be made unless an adequate notice has been given. After due consideration, I find that the statements by Shri Mohd. Salim have been made without giving advance notice. Therefore, the remarks of Shri Mohd. Salim shall not form part of the proceedings.”

15. On the same day *i.e.*, 30 November, 2015, Shri Hukum Singh, MP gave a notice of question of privilege against Shri Mohd. Salim, MP and Editor, Outlook for making false allegations against Shri Rajnath Singh, Home Minister. The member also raised the matter in the House on the same day *i.e.*, 30 November, 2015.

16. Subsequently, similar notices dated 03 December, 2015 from Dr. Kirit Somaiya, MP and Shri Narendra Keshav Sawaikar and four other Members were also received alleging breach of privilege against Shri Mohd. Salim, MP and the Editor and Reporter of the Outlook Magazine for publishing alleged false content and attributing it to Shri Rajnath Singh. It was *inter alia* stated by them that the impugned remark which appeared in the 'Outlook dated 16 November, 2015, read as under:-

"...the current strife is uncharted territory. It has the imprimatur of the „first Hindu ruler after 800 years“."

Dr. Kirit Somaiya MP also raised the matter in the House on 3 December, 2015.

17. In their notices, the Members sought privilege proceedings against Shri Mohd. Salim, MP besides the Editor and Reporter of the Outlook Magazine. However, the thrust of the question of privilege was primarily based upon the impugned remarks made on the floor of the House by Shri Mohd. Salim, MP, which were since expunged by the Hon'ble Speaker under the provisions of Rule 380 of the Rules of Procedure and Conduct of Business in Lok Sabha. The effect in law of the order of the Speaker to expunge a portion of the speech of a member may be as if that portion had not been spoken. (p. 296, Kaul and Shakdher 6th edn.)

18. In view of the allegations made by the members and statement made by Shri Rajnath Singh, who is also a member of this House and Home Minister, Hon'ble Speaker under powers under Rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha, referred the notices of Sarvashri Hukum Singh, Narendra Keshav Sawaikar and Dr. Kirit Somaiya MPs to the Committee of Privileges for examination, investigation and report on 16 December, 2015.

III. Evidence

Evidence of Hukum Singh, MP

19. Shri Hukum Singh, MP, during his evidence, before the Committee on 17 October, 2016, *inter alia* stated as follows:-

“....., during a discussion on intolerance on 30 November, 2017, several Members participated. Shri Mohd. Salim cast aspersions on the Hon'ble Shri Rajnath Singh, Union Home Minister and accused him of spreading

communalism and read out certain observation which caused interruptions in the House. Though the observations made by him are no more a part of the proceedings as Speaker Madam had got it deleted, those words were very hurtful.” The Home Minister himself intervened and said that „in my entire life I have ever behaved in a way to allow anyone to accuse me of communalism and whatever has been said about me has hurt me very much“. He also threw a challenge asking as to when and in whose presence did he say such a thing but Shri Salim kept defending himself saying repeatedly that the Home Minister himself is spreading communalism and talks about it. I am not able to reproduce exactly the observations he made but whatever I heard has hurt me deeply and despite being such a senior member, he made such a remark without any proof or ground and on being asked by the Home Minister whether he was present there when such allegations were being made, he refused. Later, he referred to some Magazine where he had read it and leveled the allegation on that basis. He made allegations first and referred to the Magazine later. Whatever he said was certainly a breach of privilege of the Home Minister and all of us. If he had any personal proof or had heard then he could have said that he had heard it but making allegations on the basis of a Magazine are certainly wrong and also a breach of privilege.”

20. In the light of the observations made by Hon^{ble} Speaker deleting the words spoken by Shri Mohd. Salim from the proceedings, the Committee sought to know from the member as to whether he had anything to say relating to the Magazine which was now being proceeded against, Shri Hukum Singh responded stated as under:-

“Madam, I have not read the Magazine nor do I possess it and it is available neither in the library nor on the internet. The Magazine has completely disappeared from the site and I cannot quote it now.”

21. When the attention of the witness was drawn to the regret expressed by the Outlook Magazine for erroneously attributing the remark in their story to the Home Minister, Shri Hukum Singh stated as follows:-

“Madam, I have got some clarity after reading it. A statement made by some senior leader has been imputed to the Home Minister by the Magazine. If a Magazine of national level works with such irresponsibility where a statement by one is imputed to someone else then it is a very unfortunate matter. It means whatever damage they could do, they have done. Whoever would have read the Magazine would form a low image of the Minister. Its rebuttal by the Magazine would not reach everyone. They have crossed all limits of irresponsibility and therefore I would request the committee to take action against the Magazine which calls itself a national Magazine and casts aspersions on the Home Minister. However, your decision, whatever it is, would be final.”

Evidence of Narendra Keshav Sawaikar, MP

22. Shri Narendra Keshav Sawaikar, MP, during his evidence, before the Committee on 03 November, 2016, *inter alia* submitted as follows:-

“In fact, there were two aspects of my complaint. However, the first aspect is the statement made by Mohd. Salim, MP. So far as the first aspect is concerned, since it has been expunged, that forms no part of this. So far as second part of complaint is concerned, it is against the Editor of Outlook Magazine as well as the report by Mr. Pranay Sharma. The report was

published in the Outlook Magazine on 16th of November, 2015 and the statement in the report was: “The current strife is uncharted territory. It has the imprimatur of the „first Hindu ruler after 800 years“.” It has been said that Shri Rajnath Singh, the hon. Home Minister of India has made this statement in view of the election of Shri Narendra Modi, the hon. Prime Minister of India. The submission that I would like to make is that the Press should be more vigilant and responsible while reporting the statements because in this case the statement which was published was said to be based on the statement made by the hon. Home Minister of India. In fact, that was sought to be relied upon in the Parliament. Had it not be expunged, it would have been formed a part of proceedings also and if it had been formed a part of the proceedings, it could have been a reference or otherwise a record for the posterity and would have been used by the Members as well as by the researchers while studying this particular aspect of the issue. Therefore, my humble submission is that the statement which was made and which has been reported in the Outlook Magazine was intentional, baseless and unsubstantiated. During the course of the proceedings I was also present. In fact, the hon. Home Minister, time and again, pointed out that the statement was not made by him. The statement was published on 16th of November, 2015 and only on 1st of December, 2015 the clarification was issued and the statement was withdrawn. But in the meantime the statement was used in the Parliament. Therefore, so far as privilege proceedings are concerned, they should proceed as against the Editor of the Outlook Magazine and the reporter concerned because the Editor has published the entire story as well as the statement. In this regard, I would like to rely upon the 7th Edition of Practice and Procedure of Parliament by M.N. Kaul and Shakhder. Please refer to page no.1213. It says: “Parliamentary Privileges and the Press – The

question of privilege of the Parliament vis-à-vis of the Press arises mainly in two ways – publication of the proceedings of the Parliament and comments casting reflections on either House, its Members, Committees or the officers. Then, please refer to page no.1214. It says: “Any such publication or disclosure is treated as a gross breach of privilege of the House. Similarly, publication of such portion of the debates as have been expunged from the proceedings of the House by order of the Speaker is a breach of the privilege and contempt of the House and accordingly punishable. The Press has also to guard itself against printing or publishing any libels casting any reflections on the characters or proceedings of the House or its Committees or any Member or for relating to his character or conduct as a Member of Parliament as such, publication would constitute a breach of privilege and contempt of the House. Now, I would like to elaborate on this aspect because the statement which has been published relates to the hon. Home Minister of India and when he was the Home Minister of India, it is said that he had made that particular statement when he was the Home Minister of India and duly elected by following the due process. Therefore, in fact, the Outlook Magazine, before it could publish the statement, should have verified and tried to find out whether the statement had been really made. Had it been made, the Outlook would not have published the withdrawal statement in their issue dated December 1, 2015. So, in my humble submission, so far as the Outlook is concerned, the proceedings should be taken forward because though the statement has been withdrawn, but on the day when the statement was made use of by the hon. MP, it was very much part of the statement which was published by the Outlook. So, in my respectful submission, so far as the Outlook is concerned, the privilege proceedings should be carried forward.”

23. On being asked as to how he came to the conclusion that there was a *mala fide* intention and not just an error or mistake, as submitted by the Magazine, Shri Sawaikar stated as follows:-

“Madam, in my application, what I have said is that there are two aspects. One aspect was relating to the statement which was made by the hon. Member, Shri Mohd. Salim, in the Parliament. That has been expunged. So, in my complaint, I have said that while dealing with this other aspect of the matter is concerned, that is, *Outlook* Magazine, a statement ought not to have been published because it was not verified. Since in December 1, 2015 issue they have withdrawn the statement. That is all. I have not said *mala fide*, but it should have been verified before publishing.”

24. When asked as to what, according to him, are the norms of fair journalistic practice especially on matters relating to reporting on the sitting Members of Parliament and what are the fair parameters on the basis of which a journalist should take precaution and take it forward in any reporting, Shri Sawaikar stated as follows:-

“Madam, in fact, while reporting, it so happens many a time – I am also a Member of Parliament - that the journalists do not even attend the press briefings or interviews. In that case, the information is just passed on from one person to the other. While reporting, it is said that they said that it is their own story, but at the same time, it is never verified and checked. In spite of that, it is being published in dailies or Magazines. In the given circumstances or present circumstances also, it is the responsibility of the Press people to verify the statements before publishing them in the dailies as well as in the Magazines or editorials.”

Evidence of Dr. Kirit Somaiya, MP

25. On 03 November, 2016, Dr. Kirit Somaiya, during his evidence before the Committee, *inter alia* submitted as follows:-

“Madam, on 13th November, 2015, when the discussion started after the Question Hour, the whole country was, in a way, watching the Lok Sabha TV live. Through the Lok Sabha TV channel and various other TV channels, the country and also the world watching the proceedings. It was a very sensitive issue. During the discussion on issue raised by Shri Mohd. Salim, while trying to stress or insist about intolerance of the Government, particularly the behaviour of the Government and the senior ministers of the Government, Mr. Salim went on quoting the *Outlook* Magazine. He stated that “The current strife is uncharted territory. It has the imprimatur of the first Hindu ruler after 800 years (to quote Shri Rajnath Singh, Home Minister of Government of India on Modi’s election victory). When we go through the Outlook Magazine issue, particularly, that news item / story, one thing is very clear that the reporter and editor of outlook Magazine had made up their mind to present a negative picture of the Government in the country and abroad reflecting intolerance and aggressive hindutva and has quoted different persons and leaders of not only this country but also outside to put forward their own point of view. The whole objective of the story seems to be nothing, but to create a climate of disharmony and communal tension within the country. The way this article in the Outlook Magazine has been written quoting different people, international politicians, experts, social activists and thereafter, in the midst of all, putting such a sentence on the Home Minister of the country is a very serious matter. Due to government control and the responsive behaviour of the political parties and the maturity

of Indian people and the representatives, it could not be misused beyond a limit. The intention is very clear. According to me, as you have quoted some rule regarding Hon'ble member, Shri Mohd. Salim, I will not go much into that part. I was present there. All TV channels, media, social media and the internet were flashing this quotation after the break. I would request all the Committee Members to try and understand. What would have been the position if some incident had taken place even at a single place due to this misreporting. When this article was published, its clarification thereafter did not come at the end of Outlook Magazine itself. It came fifteen days later which is a long time. It means that for the next 15 days Outlook went ahead insisting on this and only after the issue was raised in Parliament and only after the Home Minister went on record in the Parliament saying that he had not quoted such a thing and thereafter they clarified. The intention of the Magazine should be checked. I would request the Committee to consider filing of a criminal case against the Magazine. If we let it go so lightly, someone else will publish wrong news and offer apology. This cannot be the law. What were they doing for the last fifteen days. Why did they not bother to recheck about it. I am very much doubtful about the intention of the Magazine. This is one point.

Secondly, the Magazine decided the intention first and then published the story and, therefore, I would request the Committee to take strict action against the reporter, editor and the owner because such misquotations cause law and order situation in the country. If someone says he withdraws after making such a mistake, it is not acceptable."

Evidence of Shri Pranay Sharma

26. During his evidence before the Committee held on 13 February, 2017, Shri Pranay Sharma, the Senior Editor, Outlook Magazine, , *inter alia* submitted as follows:-

“Madam Chairperson and Members, What had happened was absolutely a genuine mistake on our part. We do accept that the due diligence that we should have shown in cross-checking the facts, did not take place, as a result, the embarrassment and harassment was caused to the hon. Minister and the other Members. We have deep regret and tender our unqualified apology for this. The moment it came to our notice, we tried to take corrective measures. We changed it in our web edition. We sent personal letters to both the Minister and the Member who had raised it. We once again apologise before this Committee.”

27. When asked about the respective roles of the Correspondent, Editor, and Editor-in-Chief and as to how does the whole system operate insofar as their Magazine is concerned, Shri Sharma stated as follows:-

“When we had decided to do a cover story on this, it was the Chief Editor who looked at it. It was re-written; certain things were brought up and down, which is usually sentences getting reconstructed. All that usually happens; that is a very routine way the work takes place. In this case, the same story had gone to the Chief Editor who had seen it, who had re-worked it, and then it went up; but I think because the cover story usually is kept till the last day that is the time available and we were also under pressure.”

28. On being asked about the persons responsible for the article/story and how the events unfolded in the matter, Shri Sharma stated as under:-

“Madam, it is Pranay Sharma. I was the one under whose byline it went. It went up to the Chief Editor Shri Krishna Prasad. He is our former Chief Editor. After he passed it, it went to the Desk. Our Desk looks at all the stories including the cover story. The Desk also must have seen it but since the Chief Editor had already had a look at it, I think the Desk may have seen it as much as they normally do since it was kept till the last date. I think how quickly they could release the page would have been where the error crept in.”

29. When the Committee wanted to know as to what is the mechanism in the Magazine to verify and test the veracity of a story, Shri Sharma stated as under:-

“Madam, usually, we are very sure about the facts. We cross-check with our sources. If we are doing a story or if we are quoting someone, in the normal general work we make sure that the quote is that person’s. In this case, we missed that. It was a human error. When the quote was used, Shri Rajnath Singh’s name got into it. It should not have been there. We should have been more careful. I can only repeat what I have been saying.”

30. When asked whether it was not his responsibility to cross-check the source of information, whatsoever so as to establish its veracity, Shri Sharma stated as under:-

“Madam, In this case, it was presumed that the quote which was there was correct. It was the person to whom it was attributed where the error crept in. The quote was correct but the person to whom it was attributed was wrong. That was the mistake.”

31. On being asked about the procedure for verification of any information feedback, Shri Sharma stated as under:-

“Madam, usually we call back and cross-check with the person concerned and try to find out what he has said reportedly or otherwise. We do this regularly. In this case, as I have been repeating it, it just went unnoticed unnecessarily. We should have been more careful about that. It was part of a larger story. The quote was used but the entire thrust was not on the Home Minister. Had it been so, many more people would have checked. Since it was one of the quotes, it just slipped in. That is a mistake. That is what I am talking about. It was not the intention to drag his name unnecessarily but in this case as the story stands his name got into it and the kind of embarrassment and harassment it has caused has also been there. This is why I am saying, we tender unqualified apology for what has happened.”

32. Enquired about the methodology adopted in cases where any Member of Parliament or that of a Minister was involved, Shri Sharma stated as under:-

“Madam, if we are quoting a politician, a Minister or a Member of Parliament, we make sure that this is his quote. We cross check it. If we had done twice, we would do it three or four times now and at different level to ensure that his kind of a mistake does not happen again.”

33. When asked whether the Magazine follows the same procedure for the Web Edition and who looks after it, Shri Sharma stated as under:-

“Madam, I do not look after the web edition. So, I presume that they would be doing the same thing. The Chief Editor looks after it.”

34. On being asked about the corrective measures taken by him, Shri Sharma stated as under:-

“Madam, after this incident which led to the kind of harassment, it was a huge embarrassment also for us because we would not like our name to be associated with anything which is wrong. We have built a reputation and we would like to stick to it in a positive manner. We have gone back to the drawing book, tried to see where did we go wrong, how did it slip in and to make sure that when it comes to the Editor from the Correspondent, he cross-checks the facts. It goes to the Desk. The Desk again cross-checks the fact and finally the head of the Desk goes through it again to make sure that these kind of mistakes do not happen.”

35. When asked about the measures taken by him to restore the reputation of the Magazine which has been tarnished due to this episode, he stated as under:-

“Madam, we have personally apologised to him. We have tried to change what is within our control on the web edition. We have apologised it and made it very-very clear. We have come before the Press Council also where the matter was raised. We have also tendered our apology there. We are here before the Privilege Committee and once again we tender an apology.”

36. When the Committee wanted to know whether apology had been published as a cover story of the Outlook because this was a cover story, he replied saying that it had been published prominently on the Web.

Evidence of Shri Rajesh Ramachandran, Editor-in-Chief, Outlook Magazine

37. In his evidence before the Committee held on 13 February, 2017, Shri Rajesh Ramachandran, Editor-in-Chief, Outlook Magazine, *inter alia* submitted as follows:

“Madam, at the outset, I would like to say that I was not there when this happened. I joined Outlook Magazine only on 16th August, 2016, that is, hardly six months ago. The impugned article was published in November, 2015.”

38. When asked as to who was the Editor-in-Chief at that point of time, Shri Ramachandran stated as under:-

“Madam, at that point of time, it was Shri Krishna Prasad. So, I have absolutely no knowledge of what had transpired and why this article was published and why this reference was made. I have brought some documents along with me to make myself clear. One is the Magazine.”

39. Enquired as to whether Editor-in-Chief prior to the week he joined continued to be the Editor-in-Chief, Shri Ramachandran replied in the affirmative.

38. When the Committee sought to know whether the replacement was simultaneous and he continued to be Editor-in-Chief on the date of publication, Shri Ramachandran replied in the affirmative.

40. On being asked to bring on record the documents pertaining to replacement of the former Editor-in- Chief and any communication by the Board or by the company in this regard, Shri Ramachandran replied that he was aware of a notice put out by the management on 13th of August saying that he had been appointed. He further stated that his appointment letter happened much earlier in the last week of July and therefore he would not know exactly what happened to him and how he was served a notice. He also stated that he was talking about what he knows.

41. When asked about the corrective measures taken by the Magazine post incident Shri Ramachandran replied as under:-

“Madam, I checked this out with the office and this is not first-hand information but this is what I had collected from the office about the corrective steps that the office had taken soon after the publication and the realisation of the mistake. So, on November 30th, there was a letter from the Ministry of Home Affairs. As a response to that letter, the then Associate Managing Editor, Mr. Suneet Arora, wrote a letter saying that the quote was erroneously attributed to be Union Home Minister. In this regard, Outlook had released regret on November 30, 2015, a copy of which is attached with this communication. This is dated 1st of December. A regret was published on the website.”

42. On being asked as to whether the regret was still on the website, Shri Ramachandran replied as under:-

“I think it was very prominently displayed on the home page at that point in time and as events overcome, it goes into archives.”

When asked if the "report" published by the Magazine goes into archives, would it not take an effort to search it, Shri Ramachandran replied that they had printed the regret also in the Magazine.

43. The Committee desired to know as to whether the Magazine had corrected the mistakes committed by his predecessors and if so, in what manner, in response, Shri Ramachandran replied as under:-

“Madam, I was not the part of that process if any. I am unsure whether I am the result of that process. I am not sure about that because I was not a party

to that process, if at there was any. I was just unaware of all these things. I was working elsewhere and then I got an opportunity to join them in August. But as a responsible journalist and as the Editor of the Outlook, I am appearing before the Committee and saying that what was done was absolutely wrong. It is not even a matter of simply saying: „sorry“. It was terrible and that too about a reputed parliamentarian and the Home Minister of the country. It was really wrong. So, we admit it. Even before, my predecessor had also sent out letters of apology to the Home Minister and to the other hon. MP, Mr. Salim, who had raised this issue. All that was done. It was not as if it was not done. I can only underscore and underline by saying that I totally dissociate myself and I completely disagree with this kind of scurrilous attempt at calumny. There is no doubt about that.”

44. Subsequently, as directed by the Committee, Shri Ramachandran, Editor-in-Chief, Outlook *vide* his letter dated 15 February, 2017 forwarded his written comments wherein he tendered his unconditional apology and also detailed the measures taken to ensure that such mistakes do not creep in the articles in future. The same reads as under:-

“This has reference to the evidence I gave before the Honourable Committee on February 13, 2017. I was instructed by the Honourable Committee to tender an apology in writing and also to explain the measures that I have instituted to ensure that erroneous news reports do not get published in *Outlook Magazine*.

At the outset, the incumbent Editor-in-Chief, I am extending my unconditional apology to the Committee for the Magazine attributing a wrong statement to the Honourable Union Home Minister, Shri Rajnath

Singh. Though I was in no way linked to the publishing of the impugned article in the issue dated November, 16, 2015 (I was not even working with the Magazine, I was with the Economic Times during that period) , as a journalist and a reader, I feel Outlook Magazine should not have published an article wrongly attributing a quote to a national leader, causing him embarrassment.

As the famous saying goes, to err is human, but it is our responsibility to put into practice strict quality control measures to reduce human errors. After joining the Magazine in August, 2016, I have ensured that such mistakes do not creep in by putting in place a four-tier filter mechanism. First, the department head would vet an article and check facts. Then, a senior person would rewrite the article and verify the facts. Later, the copy desk while producing the pages will try and catch mistakes. And at the final stage, as the Editor, I read all proofs to avoid mistakes. In the six months I have spent here in my present role, by and large, I assure the Honourable Committee that this system has been effective and it is my constant endeavour to bring out an error-free Magazine.

Along with my personal apology, I would like to bring to the notice of the Honourable Committee my predecessor's efforts to make amends for the error. As soon as the mistake was noticed, the article was corrected online. Also, a letter of regret was released by the Magazine and the same was posted online. Later, the then Associate Managing Editor wrote separate letters of regret to the Honourable Union Home Minister, Shri Rajnath Singh, and Honourable Member of Lok Sabha, Shri Mohammed Salim, who had raised this issue in the House. Subsequently, in the issue dated December, 14, 2015, the Magazine prominently carried, on Page 9, an

"erratum" where it was clearly mentioned that "*Outlook* deeply regrets the lack of diligence in verifying the source of the statement. It was not our intention to denigrate the Home Minister or Parliament. *Outlook* sincerely regrets the embarrassment caused to Mr. Rajnath Singh and Mr. Mohammed Salim.

I am attaching a copy of all the documents -regret notice posted online, letters of regret and expression of regret published in the Magazine."

45. Copies of the documents as furnished by Shri Ramachandran *viz.* corrected version of the article online, Report posted online by the Magazine, letters of regrets to the Hon'ble Minister of Home Affairs, "Erratum" to the article published in their December 14, 2015 edition are annexed as Annexuresto.....in the Report.

Evidence of Shri Krishna Prasad, Former Editor-in-Chief, Outlook Magazine

46. In his evidence before the Committee held on 30 June, 2017, Shri Krishna Prasad, Former Editor-in-Chief, Outlook Magazine, , *inter alia* submitted as follows:-

“Hon. Members of Parliament, in the first instance, I submit that lowering the esteem of Members of the highest temple of democracy, the Parliament of India, has always been farthest from my mind. In fact, I have always believed that the greatest achievement of India since Independence is that democracy has not only survived but has taken deep roots and resides firmly in the heart of every Indian. I further submit that in an otherwise laudatory

article on the Prime Minister in the issue dated November 16, 2015 of *Outlook*, a remark to the effect that Shri Narendra Modi was the „First Hindu ruler after 800 years“ was erroneously attributed to the MP and Union Home Minister, Shri Rajnath Singh. This statement had actually been made by Shri Ashok Singhal of the Vishwa Hindu Parishad. Shri Singh was, however, present on the stage at the event where the said comment was made. As the Editor-in-Chief of *Outlook* Magazine at that time, and as the line editor who rewrote copy submitted by reporters, this one and any other, I take full and sole responsibility for the unintended editorial error, as I would do any other. On the date the issue came up in the Lok Sabha, which is the first time this unintended editorial error was brought to our notice, the offending line was removed immediately from the Magazine's website.”

A correction accompanied by a full apology was published at the same time, prominently on the Magazine's website. The clarification read:-

“*Outlook* deeply regrets the lack of diligence in verifying the source of the statement. It was not our intention to denigrate the home minister or Parliament. *Outlook* sincerely regrets the embarrassment caused to Mr. Rajnath Singh and Mr. Mohammad Salim. The online version of the said article has been corrected to put the facts on record.”

The above clarification and apology was also issued as an Urgent Press Release to the media on the same date, that is, November 30, 2015. This was widely covered by the media. A permanent clarification was also inserted at the bottom of the webpage of the article. It continues to remain on the website of the Magazine to this day. The addendum reads:-

“The story has been edited to correct an error. A remark made by the late

Ashok Singhal of the VHP was erroneously attributed to Union Home Minister, Shri Rajnath Singh. *Outlook* deeply regrets the lack of diligence in verifying the source of this statement.”

Although I have since remitted office as the Editor-in-Chief of *Outlook*, I herein reiterate that neither I nor anyone else in *Outlook* had any intention to denigrate the Home Minister or Parliament. Further, on my own behalf and on behalf of *Outlook*, I once again sincerely regret the embarrassment caused to both, the hon. MPs and the House.”

47. When asked as to how and why he allowed the impugned statement/remarks pass without taking care to have it verified, Shri Prasad stated:-

“My due apologies to the Chair for not having addressed this properly. It was not my intent. I am sorry about that..... Sure, I did this mistake. First, as I said in my written submission, this is an unintended editorial error..... As a line editor, as the Editor-in-Chief, I take absolutely full responsibility for the error. I am not even saying that the reporter put it in. What happens in a Magazine is that it is done at various stages. There are several layers before it actually sees the light of day. There are things that a reporter might not even have put in, in terms of language or content. There are many facts and stories. That may be added.”

While admitting candidly that it was his mistake, the witness stated:-

"I am saying I added it.....I have written I have written it down. It is my error. I am the final responsibility. Even if there is no error from my part, as the Editor-in-Chief, I take full responsibility. But in this case, I certainly admit that I put that line in. I make no bones about it.”

48. On being asked about the verification he did before inserting the impugned

remarks, Shri Krishna Prasad replied as under:-

“No, I am saying that there are processes. It is an error. May I just disabuse you of the notion that this is deliberate? I have nothing to do with any of the parties concerned. Frankly, I have not spoken to the gentleman here, I mean the Minister or the Member of Parliament. There is no deliberate intent. There is no effort on my side whatsoever to have inserted this deliberately. If it is there, it is because of oversight, or perhaps, ignorance as you said it was lack of intelligence. Maybe, it is all of those. I fully admit to the error. I am sorry about it but I do believe that this is a human error. It is not caused deliberately, there is no intent, there is no purpose and there is no objective. There is has been no phone conversation and no dealing whatsoever with either the Member of Parliament or the Minister.

49. When asked to clarify as to how this idea came to his mind that Shri Rajnath Singh had made this statement, Shri Krishna Prasad replied as under:-

“I am sorry if I sound too repetitive. I must really try to convince you that it is unintended. I will try to say how this happened. Journalists, perhaps, foolishly try, as the hon. Member said rightly, to make too much of their own memories sometimes and it is very often possible that we do depend just on memory because of the speed at which the things happen, we depend on our memory sometimes to substantiate something, we remember something or we pull out something from our deep memory. It is just my belief that it was said and I do remember a picture accompanying the headline which was in a Hindi newspaper, it was a horizontal story, it is just that which went in and for which I completely take all the blame for it. Therefore, there is no deliberate intent. There is no other way I can convince you.

It is the memory which failed me, perhaps, because of growing age, over confidence or position, as the hon. Member said. But this is inadvertent. That is not deliberate at any stage. I did not even know that that was an error till it was brought to our notice because we lived in our own world and I was not in the country when this was first raised in this House. I did not even know that this had happened. Even as we speak, I am quite surprised that this happened the way it did. I am really glad to Mr. Singh that he did not say this. I am very happy to say the opposite which is no problem with me at all. Therefore, to me, this is an error which is not deliberate. It is unintended and editorial human error because in Magazine, in newspaper, at TV station, like Parliament, is one of the greatest human operations. When a Maruti car is manufactured, it is the same car whether it is manufactured by me or by someone else. But in a newspaper, Magazine or at a TV station which is a human operation, we do make these mistakes and we do correct them. I would lay before you the fact that we have sought and taken every step to correct that mistake as quickly as possible and gone all out in doing so. Therefore, I would really try to repeatedly tell you that there is no motive here and I have zero connections with the story except the rewriting part because that happens, as a matter of rule, with every Magazine story. If you have seen the history of Magazines, every Magazine story is about rewriting and the capsulation in a Magazine is rewriting which is the charm of a Magazine. In doing so, we make mistakes. It is not the only mistake we have made, we have made many mistakes. Often times, we correct ourselves, we also seek your apology for it and we also keep a permanent clarification for it. Therefore, in my mind, it is a mistake.

To me, as a man who comes from a family which for one hundred years or more has belonged to a family of the greatest priest in the Kingdom of Mysore. I do know what „Hinduism“ stands for which is that we correct ourselves, we say sorry if we are wrong and we have done each of those things. To me, I would think that this is a mistake and I am sorry. We have expressed that apology to everybody concerned. I would let that be simply because it is just one of those things that have happened. It is not deliberate. I cannot see a pattern in my mind. I have nothing at all to say here. If one wants to say opposite, one could easily say this. That is not my intent here. This is a human error and one should take note of a human error. Who does not make an error? Therefore, I just stay with that and not overstate my point.”

50. On being asked as to whether the Magazine had a methodology and/or procedure to crosscheck with the third person as to whether he has made the statement, written this or spoken about this before going to report on the matter, Shri Prasad stated as under:-

“Yes, I think we do. Most professional organisations do and I would argue to you that Outlook is a seriously professional operation. We almost always depend on newspaper clippings, library support and we do make phone calls sometimes..... We have a good library system.”

51. On being asked as to why he did not make a call to the office of the Home Minister or the Minister himself before doing the report and to crosscheck whether he had anything to say in the matter Shri Prasad stated as under:-

“No, we did not make that call because we do not end up making calls for everything that happens. In a Magazine, typically in an issue, we will have

about 45,000 to 50,000 words and maybe we will have about 400 or 500 people quoted in a Magazine in various ways – political, business or whatever. It is not always possible unless our reporters have themselves done those stories to corroborate those things. In a Magazine, usually what happens is that each of those stories are done by staffers and if they are, first hand, quoting somebody, we have no issues most of the times. In fact, there are times even when we have personally met somebody and we have misquoted somebody and we correct that too in other stories that might happen. But there are also places when to beef up stories, when to substantiate the point that has been made, you depend not just on primary reporting, but also the secondary and tertiary reporting. Here, the fault seems to have been that in the tertiary reporting of the story, we may have faulted and for which, we have asked for apologies.

But I think, the process is a very simple process, but more complicated than you would see a newspaper or a Magazine. In a TV station, a person can have the record and quote. It may be a first person account where a person has taken down. It may be a second-hand quote which he has taken on phone. It may be a third-hand thing which we are using from a library resource or any other resource that is available. So, there are these faults that creep in. This is not the first fault. I would hazard to say that there will be faults forever in history, in the future to come because that is the way newspapers and Magazines work. We tend to get along and correct it. It is really a bad Magazine or a bad publication which does not do that effort.

You asked me as to whether we called the Secretariat. No, we did not call his Secretariat.”

52. To a specific query whether he is associated with any of the print media in any capacity, Shri Prasad replied in the negative.

53. When asked whether a clarification/correction to the impugned report was published in the material version also, Shri Prasad replied as under:-

“Yes. We published the same clarification in the very next issue”

On being asked whether the clarification was prominently displayed, Shri Prasad stated:-

Yes. I think it was displayed in a full box on the Letters Page, which is the first editorial page of the Magazine.

He added:-

"Outlooks letter's page is most read.....Secondly that is our first editorial page. There is no other page to put it in. It was put most prominently in letters page which is the most read in a Magazine."

54. Subsequently as directed by the Committee, Shri Prasad furnished his written submissions in the matter along with a brief note on measures/steps to avoid recurrence of such errors in future. The written submission as furnished by Shri Prasad reads as under:-

“In the first instance, I submit that lowering the esteem of Members of the Highest Temple of Democracy has always been farthest from my mind. In fact, I have always believed that the greatest achievement of India since Independence is that Democracy has not only survived but has taken deep roots and resides firmly in the heart of every Indian.

I further submit that in an otherwise laudatory article on the Prime Minister in the issue dated November 16, 2015 of Outlook, a remark to the effect that Shri Narendra Modi was the “First Hindu ruler after 800 years” was erroneously attributed to the MP and Union Home Minister, Shri Rajnath Singh.

This statement had actually been made by Shri Ashok Singhal of the Vishwa Hindu Parishad (VHP). Shri Singh was, however, present on the stage at an event where the said comment was made.

As the Editor-in-Chief of Outlook at the time, and as the line editor who rewrote the copy submitted by reporters, I take full and sole responsibility for the unintended editorial error, as I would do any other, as mandated by the PRB Act, 1867, and subsequently clarified by the Hon’ble Supreme Court of India.

Therefore, I believe the issue before the Privileges Committee is to investigate if this unintended error of attribution constitutes a breach of privilege, not who did it.

On the date the issue came up in the Lok Sabha, which is the first time the error of attribution was brought to our notice, the offending line was removed immediately from the Magazine’s website.

A correction accompanied by a full apology, was published at the same time, prominently on the Magazine’s website.

The clarification read:-

"In a Lok Sabha debate on November 30, 2015, Mr. Mohammad Salim, the honourable Member of Parliament of the CPI-M, referred to an „Outlook“

cover story („The Mirror States“, dated November 16, 2015). In this story, a remark (“first Hindu ruler after 800 years”) made by the late Ashok Singhal of the Vishwa Hindu Parishad was erroneously attributed to Union Home Minister Rajnath Singh. „Outlook“ deeply regrets the lack of diligence in verifying the source of the statement. It was not our intention to denigrate the home minister or Parliament. Outlook sincerely regrets the embarrassment caused to Mr. Rajnath Singh and Mr. Mohammad Salim. The online version of the said article has been corrected to put the facts on record.”

The above clarification and apology was printed in the very next issue of Outlook.

It was also issued as an Urgent Press Release on November 30, 2015. This was widely covered by large sections of the media.

A permanent clarification was also inserted on the web page of the article. It continues to remain on the website to this day.

It reads:-

“The story has been edited to correct an error. A remark (“first Hindu ruler after 800 years”) made by the late Ashok Singhal of the VHP was erroneously attributed to Union Home Minister Rajnath Singh. Outlook deeply regrets the lack of diligence in verifying the source of this statement.”

Although I have since remitted office as the Editor-in-Chief of Outlook, I herein reiterate that neither I, as the Editor nor anyone else in the Outlook had any intention to denigrate the Home Minister or Parliament.

Further, on my own behalf and on behalf of Outlook, I once again sincerely regret the embarrassment caused to both the honorable MPs and the House."

55. Later on, Shri Krishna Prasad, Former Editor-in-Chief, Outlook Magazine vide his e-mail dated 15th September, 2017 have revised his earlier written submission wherein he has also tendered his unconditional apology to both the honorable MPs and the House.

56. As directed by the Committee an „Apology“ was also published by the Outlook Magazine in its issue dated 23 October, 2017. The same reads as under:

“In the Outlook cover story dated November 16, 2015 a remark (“first Hindu ruler after 800 years”) made by the late Ashok Singhal of the Vishwa Hindu Parishad was wrongly attributed to Union Home Minister Shri Rajnath Singh. Outlook deeply regrets this unfortunate, inadvertent error and apologises unconditionally for the embarrassment caused to Shri Rajnath Singh. The reference to him in the report is retracted.

Editor-in-Chief”

57. A copy of the „Apology“ published in the 23rd October, 2017 is annexed to the Report as Annexure _____.

IV. Findings and Conclusions

58. The Committee note that the main issues of contentions as emanating from the question of Privilege raised by Sarvashri Hukum Singh, Narendra Keshav Sawaikar and Dr. Kirit Somaiya, MPs“ are as follows:-

- (i) The Outlook Magazine allegedly imputed an unsavory remark against Shri Rajnath Singh, Home Minister in their article/story published in their Magazine wherein he is reported to have said "...the current strife is uncharted territory. It has the imprimatur of the „first Hindu ruler after 800 years“." which is false, defamatory and contradictory to the records, and had tarnished his image.
- (ii) The Editor-in-Chief did not seek to verify the veracity of the facts either from the Office of the Home Minister or from the Minister himself, before publishing the libelous article.

59. The Committee find that originally the impugned remarks attributed to the Home Minister was not there in the article/story when it was filed by the Senior Editor but it was interpolated by the Editor-in-Chief at his level before sending it to the news desk, from where it was finally sent for publication.

60. The Committee note that the Senior Editor had expressed deep regret and tendered unconditional apology for the grave lapse though he had not put in the impugned remarks in the article which were inserted by the Editor-in-Chief himself in the article.

61. The Committee also note that the incumbent Editor-in-Chief, Shri Rajesh Ramachandran had categorically stated that "*what was done was absolutely wrong..... and that he totally dissociates himself and completely disagrees with this kind of scurrilous attempt at calumny.*" He emphasized that there was never any intention to carry libelous or even unfair or hurtful report about any Member of Parliament or the Minister or the Parliament itself and that they hold the Members, Ministers and the Parliament in utmost respect and can never harbour any malice against them or this august institution.

62. The Committee have also taken a considered note the honest admission of lapse by the then Editor-in-Chief, Outlook Magazine, Shri Krishna Prasad (retired in August, 2016). Shri Krishna Prasad graciously admitted and owned up the lapse and took the responsibility as the then Editor-in-Chief of Outlook Magazine for the incorrect and defamatory reporting.

63. Taking note of the allegations made by the members in their notices of question of privilege, the plea taken by the incumbent Editor-in-Chief Outlook Magazine who had alleged to have breached the privilege of the Home Minister and, the explanation offered by the Senior Editor and former-Editor-in Chief in the matter. The Committee are of the view that the matter primarily involves the following issues:-

- (i) *Whether attribution of the impugned remarks to the Home Minister Shri Rajnath Singh in the article published by the Outlook Magazine was deliberate and intentional or was done inadvertently?*
- (ii) *Whether by publishing a false and defamatory news item, the Outlook Magazine tarnished the image of the Home Minister resulting in breach of his privilege?*

ISSUE NO. 1

Whether the attribution of the impugned remarks to the Home Minister in the article/story was deliberate and intentional or inadvertently?

64. The Committee note from the averments of the Senior Editor that he had originally not put the impugned lines in the article/story when it was filed by him. It was the then Editor-in-Chief, Shri Krishna Prasad who had interpolated it at his level and sent to desk for publication. Evidently, the then Editor-in-Chief did not

bother to crosscheck the content with the Senior Editor nor did he get verified from the library sources, and he entirely relied upon his own memory. Though, in hind sight this grave error could have been obviated by the Editor-in-Chief, he rather chose to rely upon his memory, which had obviously failed him and as a consequence it had undoubtedly caused damage to the reputation of the Union Minister and sought to tarnish his image amongst his constituents.

65. The Committee are aghast to find as to how the former Editor-in-Chief, with his long journalistic experience, failed to adhere to the basic journalistic norms while doing/preparing a story/article and had thrown all caution to the wind, especially while attributing the impugned remarks to a person of a status of the Union Home Minister. The Committee, therefore, evidently are of the view that no due diligence was done by the Editor-in-Chief.

66. Nevertheless from the averments of the former Editor-in-Chief, Shri Krishna Prasad, the Committee are inclined to believe that there appears to be no political motive or objective or any deliberate intention to denigrate the reputation of the Home Minister. Further Shri Prasad had stated that he did not even know that it was an error till it was brought to his notice, and he was not in the country when the matter was first raised in the Lok Sabha.

67. The Committee do note that Shri Prasad was very candid and forthcoming in his admission of the mistake when he stated that "he take full and sole responsibility for the unintended editorial error, as it would do any other." In his deposition, Shri Prasad expressed his profound regret and subsequently in his written comments/submission furnished to the Committee, he expressed unconditional apology. Taking note of all the facts and circumstances on record and given the fact that there appears to be no *malafide* intention on the part of Shri

Prasad, the Committee, are of the considered view to allow the matter to rest and do not want proceed further against Shri Prasad.

ISSUE NO. 2

Whether by publishing a false and defamatory news item Outlook Magazine subjected the Home Minister to embarrassment and tarnished his image, resulting in breach of his privilege?

68. The Committee acknowledge that Media undoubtedly is the fourth pillar of democracy and by its constructive role makes the democracy participative, educative, lively and inclusive. The Committee find it pertinent to emphasize here that the media in general and print media in particular has an onerous responsibility cast upon them to disseminate the news and propagate their views in an objective and dispassionate manner without any malice or *malafide* intent towards any section of the society, moreso with regard to the legislators. However, when the media discharges its responsibility without due diligence and care, the result can at times be catastrophic and to the detriment of all stake holders.

69. The Committee wish to stress that the media in general has to uphold the principles of objectivity and truthfulness. The "Sensationalisation" and "Blowing out of Proportion" syndrome and the first to report (Press) approach has at times led to publishing of half-baked and unverified reports, which do more damage and result in consternation and embarrassment to all concerned.

70. Coming to the instant case, the Committee find that the Outlook Magazine in their article/story had wrongly attributed the remarks *viz.* "the current strife is uncharted territory. It has the imprimatur of the „first Hindu ruler after 800 years“ to the *Union Home Minister Shri Rajnath Singh which was totally baseless and unfounded, and was vehemently refuted by Shri Rajnath Singh himself in the Lok*

Sabha. What is perplexing to the Committee is the fact that till the matter was raised in the Lok Sabha, the Magazine was totally unaware of their lapse and it was only after the episode, they made necessary amends in the article online and also published erratum to the impugned news-item/remark in their next edition”

71. In view of the foregoing the Committee cannot but conclude that the impugned remarks published by the Outlook Magazine in their article portrays a negative image of Shri Rajnath Singh.

72. The Committee are also of the view that the instant article/story was not only misleading on facts but also appears to be neither informative nor probe-centric. It only shows the Member of Lok Sabha who is also the Union Home Minister, in poor light and also besmirches his carefully built image and character.

73. As regards privilege implications of the defamatory article/story published in the Magazine, the position in this regard stands settled as laid down in Practice and Procedure of Parliament by Kaul and Shakdher (6th edn. P. 293).

“It is a breach of privilege and contempt of the House to make speeches, or to print or publish any libels, reflecting on the character or proceedings of the House or its Committees, or any member of the House for or relating to his character or conduct as a member of Parliament...Speeches and writings reflecting on the House or its Committees or members are punished by the House as a contempt on the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them...In order to constitute a breach of privilege, however, a libel upon a member of Parliament must concern his character or conduct in his capacity as a member of the House and must be based on matters arising in the actual transaction of the business of the House.”

74. The Committee are, therefore, constrained to conclude that the news item published by the Editor-in-Chief against Shri Rajnath Singh, a Member of Lok Sabha and the Union Home Minister besides being defamatory, cast reflection on the discharge of his parliamentary duties and responsibilities and lowered his public image and reputation built over years. This tantamounts to breach of his privileges.

75. The Committee, however, note that soon after the error came to their notice, the then Editor-in-Chief, Outlook Magazine made amends for the error. The online version of the said article has been corrected to put facts on record. A clarification/correction was published on the Magazine website and the same was printed in the material version of its next issue datelined 14 December, 2015. Later, the then Associate Managing Editor wrote separate letters of regret to the Home Minister and Shri Mohd. Salim, Member of the Lok Sabha. Further, during their deposition the Senior Editor and the incumbent Editor-in-Chief expressed unconditional apology. Subsequently, the incumbent Editor-in-Chief in his written submissions also expressed unconditional apology which was taken on record by the Committee. Further, Shri Krishna Prasad, the former Editor-in-Chief, Outlook Magazine during his deposition expressed deep regret and, thereafter, in his revised written submissions tendered unconditional apology which was taken on record by the Committee. The Committee also find that the Outlook Magazine have subsequently published an „Apology“ in page 8 of their issue dated 23 October, 2016. *In view of these, the Committee unanimously decided not to proceed against the Magazine and close the matter.*

76. *In this context the Committee, however, wish to reiterate the guidelines enunciated by the Press Council of India which state that the fundamental objectives of journalism is to serve the people with news, views, comments and*

information on matters of public interest in a fair, accurate, unbiased, sober and decent manner. To serve this end, the Press is expected to conduct itself in keeping with certain norms of professionalism, universally recognized principles viz. accuracy and fairness in report, pre-publication verification of report, caution against defamatory writings and to faithfully report the proceedings of either House of Parliament without malice. The Committee are of the view that the Outlook Magazine failed to adhere to these basic tenets of journalism expected from a Magazine of its standing and reputation but given the steps taken by the Magazine post-incident to prevent creeping of such mistakes/errors, and assurance to endeavour to bring out an error-free Magazine, do not wish to make any recommendation in this regard.

V. RECOMMENDATIONS

77. The Committee wish to reiterate the guidelines enunciated by the Press Council of India which state that the fundamental objectives of journalism is to serve the people with news, views, comments and information on matters of public interest in a fair, accurate, unbiased, sober and decent manner. To serve this end, the Press is expected to conduct itself in keeping with certain norms of professionalism, universally recognized namely, accuracy and fairness in report, pre-publication verification of report, caution against

defamatory writings and to faithfully report the proceedings of either House of Parliament or Parliamentary Committees without malice. The Committee are of the considered view that the Outlook Magazine failed to adhere to these basic tenets of journalism but given the fact that there appears to be no malafide intention, do not wish to make any recommendation in this regard.

78. The Committee, however, keeping in view the ‘Apology’ published by the Outlook Magazine for the error made by it in the publication of the news item followed by the honest admission of lapse and error of judgment coupled with expression of genuine regrets and tendering of unconditional apology by the then Editor-in-chief, Outlook Magazine recommend that the matter be allowed to rest, particularly in view of the apology placed on record. The Committee expect that the Outlook Magazine would discourage such irresponsible reporting in future particularly about Parliament and its constituents and would sensitize its correspondents and reporters for strictly complying with a documented due diligence procedure for upholding the journalistic ethics.

**SMT. MEENAKASHI LEKHI
CHAIRPERSON
COMMITTEE OF PRIVILEGES**

**New Delhi
December, 2017**

MINUTES OF SITTINGS

MINUTES OF SEVENTEENTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Tuesday, 16 February, 2016 from 1130 hrs. to 1207 hrs. in Room No. 62, Parliament House, New Delhi.

PRESENT

Shri S.S. Ahluwalia - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Smt. Meenakashi Lekhi
4. Shri Kesineni(Nani)
5. Shri J. J. T. Natterjee
6. Shri Tathagata Satpathy
7. Shri Raj Kumar Singh
8. Shri Sushil Kumar Singh
9. Dr. Kirit Somaiya

LOK SABHA SECRETARIAT

- | | | | |
|----|------------------------|---|----------------------|
| 1. | Shri V. R. Ramesh | - | Additional Secretary |
| 2. | Ravindra Garimella | - | Joint Secretary |
| 3. | Shri M. K. Madhusudhan | - | Director |
| 4. | Dr. Rajiv Mani | - | Additional Director |

At the outset, the Chairperson extended a warm welcome to the members of the Committee. Thereafter, the Committee took up the first item of the agenda *i.e.* consideration of the memorandum regarding notices of

(Dr. Kirit Somaiya, MP and member of the Committee who had also given a notice of question of privilege in the matter recused himself from the deliberations on this item of agenda)

3. ***

4. ***

42

MINUTES OF THE EIGHTEENTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Monday, 17 October, 2016 from 1130 hrs. to 1310 hrs. in Room No. 62, Parliament House, New Delhi.

PRESENT

Smt. Meenkashi Lekhi - Chairperson

MEMBERS

2. Shri Anant Kumar Hegde
3. Shri Konda Vishweshwar Reddy
4. Shri Tathagata Satpathy
5. Shri Jyotiraditya M. Scindia
6. Shri Raj Kumar Singh
7. Shri Sushil Kumar Singh
8. Prof.(Dr.) Ram Shankar

LOK SABHA SECRETARIAT

- | | |
|----------------------------|-----------------------|
| 1. Shri Ravindra Garimella | - Joint Secretary |
| 2. Shri M. K. Madhusudhan | - Director |
| 3. Dr. Rajiv Mani | - Additional Director |

At the outset the Chairperson extended a warm welcome to the members of the Committee.

2. Thereafter, the Committee took up the next matter pertaining to the notices of question of Privilege dated 30 November, 2015 and 03 December, 2016 given by Shri Hukum Singh, Dr. Kirit Somaiya and Shri Narendra Keshav Sawaikar, MPs respectively against Shri Mohd. Salim, MP and Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister. The Chairperson apprised the Members that the thrust of the question of privilege was primarily based upon the impugned remarks made on the floor of the House by Shri Mohd. Salim, MP, which were since expunged by the Hon'ble Speaker under the provisions of Rule 380 of the Rules of Procedure and Conduct of Business in Lok Sabha. The effect in law of the order of the Speaker to expunge a portion of the speech of a member may be as if that portion had not been spoken. Hence no case exists against Shri Mohd. Salim, MP and therefore only the Editor of the Outlook Magazine would now be examined in this matter. The Chairperson, informed the Committee that Shri Hukum Singh, MP is present to depose before the Committee and the two other Members namely Dr. Kirit Somaiya and Shri Narendra Keshav Sawaikar, MPs have sought exemption from appearing before the Committee for evidence due to their pre-occupations. The Committee agreed to grant exemption from appearance to Dr. Kirit Somaiya and Shri Sawaikar, MPs from the sitting, as requested and decided to hear them at their next sitting.

Shri Hukum Singh, MP who was present was called before the Committee and administered oath.

(Verbatim record of the evidence was kept)

(The member then withdrew).

3.

The Committee then adjourned.

MINUTES OF THE NINETEENTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Thursday, 03 November, 2016 from 1130 hrs. to 1325 hrs. in Room No. 53, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri J.J.T. Natterjee
3. Shri Konda Vishweshwar Reddy
4. Shri Tathagata Satpathy
5. Shri Jyotiraditya M. Scindia
6. Prof.(Dr.) Ram Shankar

LOK SABHA SECRETARIAT

- | | | |
|----------------------------|---|---------------------|
| 1. Shri Ravindra Garimella | - | Joint Secretary |
| 2. Dr. Rajiv Mani | - | Additional Director |

At the outset the Chairperson extended a warm welcome to the members of the Committee. Thereafter, the Committee took up the first matter pertaining to the notices of question of Privilege dated 30 November, 2015 and 03 December, 2016 given by Shri Hukum Singh, Dr. Kirit Somaiya and Shri Narendra Keshav

Sawaikar, MPs respectively against Shri Mohd. Salim, MP and Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister. The Chairperson apprised the Members that the thrust of the question of privilege was primarily based upon the impugned remarks made on the floor of the House by Shri Mohd. Salim, MP, which were since expunged by the Hon'ble Speaker under the provisions of Rule 380 of the Rules of Procedure and Conduct of Business in Lok Sabha. The effect in law of the order of the Speaker to expunge a portion of the speech of a member may be as if that portion had not been spoken. Hence no case exists against Shri Mohd. Salim, MP and therefore only the Editor of the Outlook Magazine would now be examined in this matter.

Dr. Kirit Somaiya and Shri Narendra Keshav Sawaikar, MPs who were present were called in and examined on oath.

(Verbatim record of their evidence was kept)

(The members then withdrew).

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The Committee then adjourned.

MINUTES OF THE TWENTIETH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Monday, 13 February, 2017 from 1400 hrs. to 1545 hrs. in Room No. 62, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kesineni (Nani)
4. Shri J. J. T. Natterjee
5. Shri Jagdambika Pal
6. Shri Raj Kumar Singh
7. Shri Rakesh Singh

LOK SABHA SECRETARIAT

1. Shri Ravindra Garimella - Joint Secretary
2. Shri M. K. Madhusudhan - Director

Witnesses:-

Shri Pranay Sharma, Senior Editor, Outlook Magazine,

Shri Rajesh Ramachandran, Editor-in-Chief, Outlook Magazine.

At the outset, the Chairperson extended a warm welcome to the members of the Committee. Thereafter, the Committee took up for further consideration the matter regarding Notices of question of Privilege dated 30 November, 2015 and 3 December, 2015 given by Shri Hukum Singh, Dr. Kirit Somaiya and Shri Narendra Keshav Sawaikar, MPs respectively, against the Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

2. Shri Pranay Sharma, Senior Editor and Shri Rajesh Ramachandran, Editor-in-Chief, Outlook Magazine were called in separately and examined on oath. The witnesses made their submissions and also replied to the queries and clarifications sought by the Members of the Committee.

(Verbatim record of the evidence was kept)

(The witnesses then withdrew)

The Committee, after some deliberations decided to call the previous Editor-in-Chief, Outlook Magazine, for oral evidence in the matter at its next sitting.

3. ***

The Committee then adjourned.

MINUTES OF THE TWENTY FIRST SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Friday, 30 June, 2017 from 1200 hrs. to 1345 hrs. in Lecture Hall „C“ BPST, Parliament Library Building, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kalyan Banerjee
4. Shri Konda Vishweshwar Reddy
5. Shri Tathagata Satpathy
6. Shri Raj Kumar Singh
7. Shri Rakesh Singh
8. Dr. Kirit Somaiya

LOK SABHA SECRETARIAT

Shri M. K. Madhusudhan - Director

WITNESSES:-

- (i) Sushree Sadhvi Savitri Bai Phule, MP
- (ii) Shri Krishna Prasad, Former Editor-in-Chief, Outlook Magazine.

At the outset, the Chairperson extended a warm welcome to the members of the Committee.

2. The Committee, thereafter, took up the next item of the agenda *i.e.* further consideration of the notices of question of Privilege dated 30 November, 2015 and 03 December, 2016 given by Shri Hukum Singh, Dr. Kirit Somaiya and Shri Narendra Keshav Sawaikar, MPs, respectively, against Shri Mohd. Salim, MP and Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

3. Shri Krishna Prasad, Former Editor-in-Chief, Outlook Magazine, who had been summoned was called in and examined on oath. The witness made his submissions and also replied to the queries and clarifications sought by the Members of the Committee. The Chairperson told the witness that he would be called again in case any further clarification was required from him and requested him to send the corrected version of the statement submitted by him to the Committee along with hard copies of the Outlook magazine, containing the impugned article and correction/clarification thereto.

(Verbatim record of the evidence was kept)

(The witness then withdrew)

The Committee then adjourned.

MINUTES OF THE TWENTY FIFTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Wednesday, 30 August, 2017 from 1130 hrs. to 1335 hrs. in Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kalyan Banerjee
4. Shri Kesineni (Nani)
5. Shri J. J. T. Natterjee
6. Shri Jyotiraditya M. Scindia
7. Shri Raj Kumar Singh
8. Dr. Kirit Somaiya
9. Prof. (Dr.) Ram Shankar

LOK SABHA SECRETARIAT

Shri M. K. Madhusudhan	-	Director
Ms. Miranda Ingudam	-	Deputy Secretary

WITNESSES:-

- (i) Dr. Kirit Somaiya, MP
- (ii) Shri Sanjay Dhotre, MP

(iii) Shri Soumya Bhattacharya, Managing Editor, Hindustan Times.

At the outset, the Chairperson extended a warm welcome to the members of the Committee.

2. ***

3. The Committee, thereafter, took up for further examination of the notices given by Sarvashri Hukum Singh, Narendra Sawaikar and Dr. Kirit Somaiya, MPs against the Editor, Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister. Dr. Kirit Somaiya, MP recused himself from the sitting since he is one of the complainants in the matter. The Chairperson apprised the Committee Members of the fact that the Senior Editor, the incumbent Editor-in-Chief and the former Editor-in-Chief had admitted to their lapse and tendered unconditional apology and that at the instance of the Committee, the incumbent Editor-in-Chief and the former Editor-in-Chief had tendered written submissions tendering their apology, a copy each of which was placed before the Members for their reference. The Committee, after some deliberation, decided to take up the issue at a future date.

The Committee then adjourned.

MINUTES OF THE TWENTY SIXTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Wednesday, 6 September, 2017 from 1400 hrs. to 1515 hrs. in Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kalyan Banerjee
4. Shri J. J. T. Natterjee
5. Shri Jagdambika Pal
6. Shri Konda Vishweshwar Reddy
7. Shri Sushil Kumar Singh
8. Dr. Kirit Somaiya
9. Prof. (Dr.) Ram Shankar

LOK SABHA SECRETARIAT

Shri Ravindra Garimella	-	Joint Secretary
Ms. Miranda Ingudam	-	Deputy Secretary

WITNESSES:-

- (i) Shri Chakshu Roy, Representatives, PRS Legislative Research
- (ii) Dr. Mandira Kala, Representatives, PRS Legislative Research

At the outset, the Chairperson extended a warm welcome to the members of the Committee.

2. ***

3. The Committee, thereafter, took up for further consideration the notices of question of privilege given by Sarvashri Hukum Singh, Narendra Sawaikar and Dr. Kirit Somaiya, MPs against the Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

(Dr. Kirit Somaiya, at this point of time, recused himself from the sitting of the Committee.)

4. The Committee, after some deliberations, decided to further hear the former Editor, Outlook, Shri Krishna Prasad in the matter and directed that he may be summoned before the Committee on 15 September, 2017, and thereafter, they would take a final view in the matter.

The Committee then adjourned.

MINUTES OF THE TWENTY SEVENTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Friday, 15 September, 2017 from 1400 hrs. to 1500 hrs. in Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kalyan Banerjee
4. Shri Kesineni (Nani)
5. Shri J. J. T. Natterjee
6. Shri Jagdambika Pal
7. Shri Jyotiraditya M. Scindia
8. Dr. Kirit Somaiya

LOK SABHA SECRETARIAT

Shri M. K. Madhusudhan	-	Director
Ms. Miranda Ingudam	-	Deputy Secretary

WITNESS:-

At the outset, the Chairperson extended a warm welcome to the members of the Committee.

2. ***

The Committee, thereafter, took up the next item of the agenda relating to the notices of question of privilege given by Sarvashri Hukum Singh, Narendra Sawaikar and Dr. Kirit Somaiya, MPs against the Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister for further consideration.

Dr. Kirit Somaiya, MP recused himself from the sitting at this point of time.

3. The Chairperson, then apprised the members of the revised comments furnished by Shri Krishna Prasad *vide* his e-mail letter dated 15 September 2017, wherein he has tendered an unconditional apology. The Committee deliberated on the issue and decided to accept the „Unconditional Apology“ tendered by him and treat the matter as closed.

4. The Chairperson then placed before the Committee a proposal for provision of Video-conferencing facility to Members and Witnesses for participation/deposing before Parliamentary Committee Sitzings in exceptional cases to which the Committee consented.

5. ***

6. The Chairperson directed the Committee Secretariat to prepare draft of Reports on the cases which have been finalized by the Committee, for their consideration.

The Committee then adjourned.

MINUTES OF THE TWENTY EIGHTH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Monday, 09 October, 2017 from 1400 hrs. to 1535 hrs. in Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Kalyan Banerjee
3. Shri Kesineni (Nani)
4. Shri J. J. T. Natterjee
5. Shri Tathagata Satpathy
6. Shri Rakesh Singh
7. Dr. Kirit Somaiya

LOK SABHA SECRETARIAT

Shri Ravindra Garimella	-	Joint Secretary
Ms. Miranda Ingudam	-	Deputy Secretary

WITNESS:-

- (i) Shri Abhay, the then District Magistrate, Bahraich, Uttar Pradesh.
- (ii) Shri Salikram Verma, the then Superintendent of Police, Bahraich, Uttar Pradesh.
- (iii) Shri Prakash Chaturvedi, CEO, National Spot Exchange Limited.

At the outset, the Chairperson extended a warm welcome to the members of the Committee.

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The Committee then adjourned.

MINUTES OF THE THIRTIETH SITTING OF THE COMMITTEE OF PRIVILEGES

The Committee sat on Tuesday, 14 November, 2017 from 1400 hrs. to 1427 hrs. in Committee Room „B“, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Smt. Meenakashi Lekhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Kalyan Banerjee
4. Shri Kesineni (Nani)
5. Shri J. J. T. Natterjee
6. Shri Konda Vishweshwar Reddy
7. Dr. Kirit Somaiya

LOK SABHA SECRETARIAT

Shri Ravindra Garimella - Joint Secretary

Shri M.K. Madhusudhan - Director

Ms. Miranda Ingudam - Deputy Secretary

At the outset, the Chairperson extended a warm welcome to the members of the Committee. The Committee then took up the draft reports on the following matters for consideration and adoption:

- (i) **** **** **** ****
- (ii) **** **** **** ****
- (iii) **** **** **** ****

(iv) Notice(s) of question of Privilege dated 30 November and 03 December, 2015 given by Sarvashri Hukum Singh, Narendra Keshav Sawaikar and Dr. Kirit Somaiya, MPs, against Shri Mohd. Salim, MP and Editor of Outlook Magazine for allegedly leveling false and baseless allegations against Shri Rajnath Singh, MP and Union Home Minister.

(During consideration of draft reports vis a vis CEO, NSEL and that of Outlook Magazine, Dr. Kirit Somaiya, MP, being a complainant in these two matters, recused from the sitting.)

2. The Committee, after some deliberation, adopted the reports mentioned at serial numbers **** , ****and (iv) above.

3. **** **** **** ****

The Committee then adjourned.

APPENDIX-I

To,

30 November, 2015

**Hon'ble Speaker,
Lok Sabha, New Delhi**

Respected Madam,

Hon'ble MP Mohammad Salim made false allegations against the Home Minister who is also a Member of this House. He could not produce any evidence in support of his allegations. He also quoted the magazine named OUTLOOK in support of his allegations. Hence I beg your permission to raise a question of privilege against Shri Mohammad Salim and also against the Editor of Outlook Magazine.

With regards,

**Sd/-
Hukum Singh**

To,

**Smt. Sumitra Mahajan
Hon'ble Speaker
Lok Sabha**

APPENDIX-II

To,

03 December, 2015

**Hon'ble Speaker,
Lok Sabha, New Delhi**

Sub: Misleading the House by submitting/referring/authenticating wrong/misleading information to damage the image of Hon'ble Prime Minister and Hon'ble Home Minister of India.

Ref: CPM Member of Parliament, Shri Mohammad Salim's speech of 30.11.2015.

Respected Madam,

I would request you to admit my privilege motion and send it to the Privilege Committee of Lok Sabha for appropriate action.

Shri Mohammad Salim, MP. while taking part in discussion under Rule 193 on 30.11.2015 had given misleading/wrong information on the Floor of House and made allegations against Hon'ble Home Minister, Shri Rajnath Singh and Hon'ble Prime Minister, Shri Narendra Modi. He went on repeating the same and also quoted/substantiated and authenticated the issue of Outlook which seems to be mischievous.

Shri Salim quoted and also submitted issue of Outlook Magazine dated November 16, 2015 stating that „the current strife is uncharted territory. It has the imprimatur of the “first Hindu ruler after 800 years” (to quote Shri Rajnath Singh, Home Minister of Govt, of India on Modi's election victory)

On 30.11.2015 at around 1225 Hrs, the Speaker informed the House that Shri P. Karunakaran, who was to initiate the discussion under rule 193 on the situation arising out of incidents of intolerance in the country, had requested her that Shri Mohammad Salim might be permitted to initiate the discussion on his behalf and she had acceded to his request.

Mr. Salim in aggressive tone, time and again raised the issue of Outlook, read its contents and went ahead that the Hon'ble Home Minister, Shri Rajnath Singh has said „the current strife is uncharted territory. It has the imprimatur of the “first Hindu ruler after 800 years””. He also authenticated the Outlook magazine.

Within few hours of the Debate in Lok Sabha the Outlook Magazine withdrew their article, the version which they printed in the name of Shri Rajnath Singh was now shown as statement of Late Shri Ashok Singhal.

Subsequently, Home Minister, Shri Rajnath Singh strongly condemned the Outlook Magazine for misleading and lying the readers. He has categorically stated that never in his life he thought or made such a statement. He was very much upset and disturbed even after that Shri Salim refused to withdraw his statement. Some other Members including myself raised point of order under Rule 353 of the Rules of Procedure and Conduct of Business in Lok Sabha, no allegation by a Member may be made unless an adequate notice has been given.

Issue in brief:-

- i. Shri Salim knowingly misuse the information and created a furor and tried to damage the image of Hon'ble PM and HM;

- ii. The body language, aggressive tone and such type of misleading information can create problem of law and order in the country,
- iii. In spite of repeated clarifications, insistence of Home Minister, Shri Rajnath Singh, Shri Salim did not withdraw his statement;
- iv. Mr. Salim's statement that "aachi baat hai agar yai nahi bolte. Mai toa challenge deh raha hu". "Ha mai to bol raha hau mai toa chaunauti deh raha hu";
- v. The Outlook magazine also in irresponsible manner with- dubious intention tried to damage the image of Hon'ble PM and HM;
- vi. Outlook Magazine dated November 16, 2015 stating that „the current strife is uncharted territory. It has the imprimatur of the “first Hindu ruler after 800 years” (to quote Shri Rajnath Singh, Home Minister of Govt, of India on Modi's election victory)“;
- vii. The editorial board/editor of Outlook magazine knows very much and well informed that such type of misleading/misquote/irresponsibility information can create problem in the society,
- viii. After Hon'ble Speaker's decision, the portion of Shri Salim's statement was stuck down;
- ix. Now the Outlook magazine has issued a clarification that the statement (“first Hindu ruler after 800 years”) made by the late Ashok Singhal of the Vishwa Hindu Parishad was erroneously attributed to Union Home Minister Rajnath Singh;

- x. Mr. Salim's statement that "this is the tyranny of majority", "cover page hai November 16 issue of Outlook Pakistanisation of India";
- xi. Mr. Salim's stated that the Editor of Outlook authentic report karte hai and went on to give credit and also appreciate Outlook magazine;
- xii. Mr. Salim's statement that "sir, allow me to continue. I am not going back to that. I am going back from my words. What I have spoken, I have spoken. Let the Speaker take a decision.... In fact, I would have been happy if instead of Shri Modiji, Shri Rajnath Singh would have been the Prime Minister.

After seeing the above statement it becomes clear that Shri Salim's intention was to damage the image and performance of Hon'ble Home Minister, Shri Rajnath Singh and Hon'ble Prime Minister. His intention seems to be dubious. He went on authenticating the information quoted by Outlook Magazine which proved untruth. In spite of strong denial and clarification by Shri Rajnath Singh, Shri Salim refused to withdraw the statement; on the other hand he went ahead and challenged the House and Hon'ble Speaker.

I would like to request the Hon'ble Speaker that a privilege motion also be admitted against Shri Pranay Sharma, the Reporter of Outlook who published such article and the owner of the Outlook. The mischief of Outlook could have created havoc in the country. Without authenticating with mala fide intention outlook has made/published such statement in the name of country's Prime Minister. Such statement concerned with Hon'ble Prime Minister should have been checked twice before publishing. This was published on 16th November, 2015 but the clarification, correction and withdrawal came only on 1st December, 2015. This is very irresponsible,

mischievous behavior of Outlook Please allow me to move privilege against Outlook and send to the Privilege Committee.

I would also request you to once again watch the video visuals of Shri Salim's speech in Lok Sabha. The body language of Shri Salim is far from soft. The aggressive language, misleading information is certainly used to damage the image and duty of Hon'ble Home Minister Shri Rajnath Singh.

Thanking you,

**Sd/-
Dr. Kirit Somaiya**

To,

**Smt. Sumitra Mahajan
Hon'ble Speaker
Lok Sabha**

APPENDIX-III

To,

03 December, 2015

**Hon'ble Speaker,
Lok Sabha, New Delhi**

Sub: Misleading the House by submitting/referring/authenticating wrong/misleading information to damage the image of Hon'ble Prime Minister and Hon'ble Home Minister of India.

Ref: CPM Member of Parliament, Shri Mohammad Salim's speech of 30.11.2015.

Respected Madam,

I would request you to admit my privilege motion and send it to the Privilege Committee of Lok Sabha for appropriate action.

Shri Mohammad Salim, M.P. while taking part in discussion under Rule 193 on 30.11.2015 had given misleading/wrong information on the Floor of House and made allegations against Hon'ble Home Minister, Shri Rajnath Singh and Hon'ble Prime Minister, Shri Narendra Modi. He went on repeating the same and also substantiated his remarks by quoting from the issue of Outlook magazine published on 16th November, 2015.

Shri Salim also submitted that issue of Outlook magazine stating that the current strip is uncharted territory. It has the imprimatur of the "first Hindu ruler after 800 years" (to quote Shri Rajnath Singh, Home Minister of Govt, of India on Modi's election victory)

On 30.11.2015 at around 1225 Hrs, the Speaker informed the House that Shri P. Karunakaran, who was to initiate the discussion under rule 193 on the situation arising out of incidents of intolerance in the country, had requested her

that Shri Mohammad Salim might be permitted to initiate the discussion on his behalf and she had acceded to his request.

Home Minister, Shri Rajnath Singh strongly contested the claim made by Shri Salim for misleading the House and wrongly attributing the statement that was never made by him, He has categorically stated that never in his life he thought or made such a statement. Despite pointing out that the item in Outlook magazine is incorrect, Shri Salim refused to withdraw his statement. Some other Members including myself raised point of order under Rule 353 of the Rules of Procedure and Conduct of Business in Lok Sabha, ***no allegation by a Member may be made unless -tint adequate moths has been given.***

Issue in brief:-

- i. Shri Salim knowingly misused the information and created a furor and tarnished the image of Home Minister of India;
- ii. In spite of repeated clarifications and despite insistence of Home Minister, Shri Salim did not withdraw his statement;
- iii. The Outlook magazine has carried the report in an irresponsible manner without due diligence and with dubious intention in order to tarnish the image of Hon'ble HM;
- iv. The editorial board/editor of Outlook magazine is well aware that such type of misleading information and irresponsible reposting can have adverse impact on the minds of impressionable readers;
- v. Mr. Salim had stated that 'Editor of Outlook authentic report karte hai', and went on to give credit and also appreciate Outlook magazine;

- vi. Mr. Salim state that “Sir, allow me to continue. I am not going back to that. I am not going back from my words. What I have spoken, I have spoken.”

In view of the above, it becomes clear that Shri Salim’s intention was to tarnish the image of Hon'ble Home Minister, Shri Rajnath Singh, in spite of strong denial and clarifications given by Shri Rajnath Singh, Shri Salim refused to withdraw the statement; on the other hand he went ahead and challenged the House and Hon'ble Speaker. I would request you to once again watch the video visuals of Shri Salim's speech in Lok Sabha. The aggressive body language and his insistence on the misleading information quoted from Outlook magazine has tarnished the image of Hon'ble Home Minister Shri Rajnath Singh (Thus action, as deemed fit, may be taken in this regard).

I would like to request the Hon'ble Speaker that a privilege motion also be admitted against Shri Pranay Sharma, the Reporter of Outlook who published such article and also the owner of the Outlook magazine. Without authenticating and with *malafide* intention, Outlook has published such statement in the name of country's Home Minister. This was published on 16th November, 2015 but the clarification, correction and withdrawal came only on 1st December, 2015. This is highly irresponsible and mischievous behavior on part of Outlook magazine.

Thanking you,

Sd/-

Advocate Narendra Keshav Sawaikar

To,

**Smt. Sumitra Mahajan
Hon'ble Speaker
Lok Sabha**

ANNEXURE

APOLOGY

In the Outlook cover story dated November 16, 2015, a remark (“first Hindu Ruler after 800 years”) made by the late Ashok Singhal of the Vishwa Hindu Parishad was wrongly attributed to Union Home Minister Shri Rajnath Singh. Outlook deeply regrets this unfortunate, inadvertent error and apologises unconditionally for the embarrassment caused to Shri Rajnath Singh. The reference to him in the report is retracted.

Editor-in-Chief