

Speech of Dr. S.Y. Quraishi, Election Commissioner of India at the Seminar on Paid News organized by EGI and IWPC on 13th March, 2010

Like most of you I too have grown with news. I have found news as essential in the conduct of my professional and personal life. Over the decades, the approach to news both from providers and receivers has changed quite a bit. But these changes have largely related to presentation and formats. But news has remained news. In the increasingly competitive world of media, we have come across terms like morning news, evening news, prime-time news, headline news, latest news and more recently breaking news. But, paid news? This coinage does not fall within the nationality of news even by the farthest stretch of imagination. In fact, it represents the epitome of anti-news. If you allow me to remove the layer of politeness provided by English language, the Hindi equivalent could be " Kharidi Hui Khabar", or "Bikau Khabar" or even something more outrageous, depending on the accuracy that a better translator can bring in. Paid news is downright unethical, and sinister.

I also understand that the malaise has now gone deep enough and cuts across print and electronic, regional and national and language and English media. For me, it is heartbreaking to know that young and talented reporters are being used as the new foot soldiers of this immoral news selling industry.

We at the Election Commission of India are seriously concerned, as all of you are. Many of us have been dealing with the problem of surrogate advertising for quite a while. Some instructions are in place to prevent stealthy advertising in favour of or against candidates. The success in this has only been moderate. But the new camouflage for advertising is "news". To some extent, the menace has played out its role in manipulating real estate and stock market; but this is not my official headache. We feel directly concerned with the infiltration of this evil into the election arena. We do realize with all seriousness the impact of this malpractice. It is against free and fair polls. It could derail democracy.

Paid news is not free speech. The Commission is concerned about the undue influence that paid news can create in the mind of the voter. The voter's right to correct and unbiased information needs protection. Our second concern is that paid news hoodwinks the enforcement of the expenditure ceiling, a key component in election management with particular importance for a level playing field.

I am happy that most political parties are speaking against paid news. I am even happier that there is a conspicuous uprising against it within the media. Not surprisingly, the protest is led by women and men from the editorial desk, because it is their space and their freedom, which is in maximum danger. The Commission has met senior most journalists of the country, mourning the new grave danger to their noble profession and yearning for remedies. It is heartening to note that the Government and Parliament are also seriously engaged to find a redressal. The churning is healthy and holds out hope.

Friends in media and politics have suggested that the Election Commission is powerful enough to deal with this problem. Well, we have some powers defined by the Constitution, Acts of Parliament and judicial pronouncements. We have to work within these. Our control runs only during the election period and applies generally to political parties and candidates. Politicians are more powerful. Members of Parliament alone have the power to legislate to bring the culprits of paid news to book. But, it is the media, which, to my mind retains the absolute power, derived from absolute freedom. In my estimate, the problem of paid news is best addressed by self-regulation that lends legitimacy to absolute power anywhere. Commission would again call upon politicians and media to press the delete button on paid news through active self- regulation. And if this does not happen, as seems to be the case, state interventions shall become unavoidable. While media has the absolute power to duly influence, exercise of undue influence is a misuse of media power and needs to be acted against, especially, in the context of elections.

Of course, this would require a consensus building. Fortunately in our country, a good cause or a good piece of legislation brings even opposite camps together. Our Model Code of Conduct during the elections is a shining example of restrictions voluntarily accepted by all political parties. This is a unique Indian institution that makes election managers across the world envious about. I need not tell this august gathering that this Code has worked wonderfully well. My suggestion is, can there be a code to check the de-stabilizing activity of paid news, to which there is voluntary and willing adherence.

Paid news is like a snake whose hood is down and tail gone underground. It is not quite feasible to take it head-on. It is also not easy to pull it out. There is circumstantial evidence of all type, but little proof. I am happy that the Press Council is engaged in finding ways to deal with the element of deceit in paid news and bring culpability over ground. The Commission has lent due support to their consultations and should do more, if necessary.

I understand that the Council is doing some serious enquiries. We look forward to their report on the subject, which is expected this month. The situation also warrants that the Election Commission keep a higher watch on the paid news phenomenon through our existing machinery of election related vigilance. We will do so. We will augment the machinery if necessary.

As I have often said, in the multi-dimensional mandate of election management, every problem has a solution, but often a good solution leads to a new problem. After serious consideration of the public damage caused by some campaign methods, the Commission put some restrictions on wall writings, hoardings, loudspeakers etc. The question as suggested by some is, whether the strict enforcement of defacement laws has contributed this worse sickness of paid news in the election arena. More importantly, has it denied a level playing field to those candidates and political parties, who by force or by will, are not accomplices in paid news. These are issues, which will need to be considered.

It is indeed ironical that I stand here today to raise a few questions at media. India's media is one of the strengths of the Election Commission. We often refer to them as one of our most formidable allies. We immensely benefit from media's role as watchdog. With all responsibility, I have to state that media has all too often been our eyes and ears in the conduct of elections. I fervently wish that the alliance between the Election Commission, political parties and the media that fortifies the world's largest democracy should not get diluted under the shadow of paid news. We must overcome.

* * * *