

The Press Council Act, 1974

(ACT NO. XXV OF 1974)

An Act to establish a Press Council.

WHEREAS it is expedient to establish a Press Council for the purpose of preserving the freedom of the Press and maintaining and improving the standard of newspapers and news agencies in Bangladesh;

It is hereby enacted as follows:-

Short title

1. This Act may be called the Press Council Act, 1974.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-

(a) “Chairman” means the Chairman of the Council;

(b) “Council” means the Press Council established under section 3;

(c) “editor” means the person who controls the selection of the matter that is published in a newspaper;

(d) “member” means a member of the Council;

(e) “newspaper” means any periodical work containing public news or comments on public news and includes such other class of printed periodical work as the Government may, by notification in the official Gazette, declare to be newspaper;

(f) “prescribed” means prescribed by rules made under this Act;

(g) “working journalist” means a person who is a whole-time journalist and is employed as such in, or in relation to, any newspaper establishment and includes an editor, a leader writer, news editor, sub-editor, feature writer, reporter, correspondent, copy tester, cartoonist, news photographer, caligraphist and proof-reader.

**Establishment
of the
Council**

3. (1) With effect from such date as the Government may, by notification in the official Gazette, appoint, there shall be established, in accordance with the provisions of this Act, a Council to be called the Press Council.

(2) The Council shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

**Composition
of the
Council**

4. (1) The Council shall consist of a Chairman and fourteen other members.

(2) The Chairman shall be a person who is, ¹[or has been,] or is qualified to be appointed as, a Judge of the Supreme Court of Bangladesh and shall be nominated by the President of Bangladesh.

(3) Of the other members,-

(a) three shall be working journalists nominated by such association of working journalists as the Chairman may notify in this behalf;

(b) three shall be editors of newspapers and news agencies nominated by such association of editors of newspapers and news agencies as the Chairman may notify in this behalf;

(c) three shall be persons who own or manage newspapers and news agencies nominated by such association of owners or managers of newspapers and news agencies as the Chairman may notify in this behalf;

(d) three shall be persons having special knowledge or practical experience in respect of education, science, art, literature and law of whom respectively one shall be nominated by the University Grants Commission, one by the Bangla Academy and one by the Bangladesh Bar Council; and

(e) two shall be members of Parliament nominated by the Speaker:

Provided that before notifying any association under clause (a), clause (b) or clause (c), the Chairman shall consult such associations of persons of

the category concerned and such individuals or interests concerned as he thinks fit:

Provided further that no working journalist who is an editor of any newspaper or news agency or who owns or manages any newspaper or news agency shall be eligible for nomination under clause (a):

Provided further that no editor who owns or manages any newspaper or news agency shall be eligible for nomination under clause (b):

Provided further that not more than one person having interest in any newspaper or news agency or group of newspapers or news agencies shall be eligible for nomination under clause (a), clause (b) or clause (c).

(4) Where any nominating body referred to in clause (a), clause (b), clause (c) or clause (d) fails to send the names of its nominees to the Chairman when invited by him to do so or where a nominating body does not exist for the time being, the Chairman may nominate members to represent the category concerned.

(5) The names of persons nominated under this section shall be forwarded to the Government and shall be notified by the Government in the official Gazette and every such nomination shall take effect from the date on which it is so notified.

**Term of
office of
Chairman
and
members**

5. (1) Save as otherwise provided in this section, the Chairman shall hold office for a period of three years and shall be eligible for re-nomination for one further term.

(2) Save as otherwise provided in this section, a member shall hold office for a period of two years and shall be eligible for re-nomination for one further term.

(3) Where a person nominated as a member under clause (a), clause (b) or clause (c) of sub-section (3) of section 4 is censured under the provisions of sub-section (1) of section 12, he shall cease to be member of the Council.

(4) Where a person is nominated to be a member of the Council by virtue of his holding an office or appointment, he shall cease to be such member as soon he ceases to hold that office or appointment.

(5) A member shall be deemed to have vacated his seat if he absents himself without excuse, sufficient in the opinion of the Chairman, from three consecutive meetings of the Council.

(6) The Chairman may resign his office by giving notice in writing to the Government and any other member may resign his office by giving notice in writing to the Chairman, and upon such resignation being accepted by the Government or the Chairman, as the case may be, he shall be deemed to have vacated his office.

(7) Any vacancy arising under sub-section (2), sub-section (3), sub-section (4) or sub-section (5) or otherwise shall be filled, as soon as may be, by nomination made by the same authority by which and in the same manner in which the member vacating office was nominated and the member so nominated shall hold office for the remaining period for which the member in whose place he is nominated would have held office.

**Conditions
of service
of
Chairman
and
members**

6. (1) The Chairman shall be a whole-time officer and shall be paid such salary as the Government may determine.

(2) A member shall receive such allowances or fees for attending the meetings of the Council as may be prescribed.

Committees

7. The Council may constitute from amongst its members such committees as it may deem necessary to assist it in the discharge of its functions:

Provided that the Council may co-opt as members of such committees persons who are not members of the Council.

**Meetings of
the Council**

8. (1) The Council shall meet at such times and places as may be provided by regulations made under this Act:

Provided that, until such regulations are made, the Chairman may summon a meeting of the Council at such time and place as he may deem

expedient by notice addressed to each member.

(2) To constitute a quorum at a meeting of the Council, not less than six members, including the Chairman, shall be present.

(3) The meetings of the Council shall be presided over by the Chairman, and, in the absence of the Chairman, by a member nominated by the Chairman.

(4) All questions at a meeting of the Council shall be decided by a majority of the members present and voting, and, in the case of equality of votes, the person presiding shall have a second or casting vote.

**Vacancies,
etc. not to
invalidate
acts or
proceedings
of the
Council**

9. No act or proceeding of the Council shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Council.

**Appointment
of
Secretary,
etc.**

10. The Council may appoint a Secretary and such other employees as it considers necessary for the efficient performance of its functions on such terms and conditions as may be determined by regulations made under this Act.

**Object and
functions of
the Council**

11. (1) The object of the Council shall be to preserve the freedom of the Press and to maintain and improve the standard of newspapers and news agencies in Bangladesh.

(2) The Council may, in furtherance of its object, perform the following functions, namely:-

(a) to help newspapers and news agencies to maintain their freedom;

(b) to build up a code of conduct for newspapers and news agencies and journalists in accordance with high professional standard;

(c) to ensure on the part of newspapers and news agencies and journalists the maintenance of a high standard of public taste and to foster a due sense of both the rights and responsibilities of citizenship;