

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION No.12051 of 2019**

**ORDER:** (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. Vivek Jain, learned counsel appears as *Amicus Curiae*.

Ms. Vladimeer Khaton, learned counsel appears for the petitioner.

Mr. S. Rahul Reddy, learned Special Government Pleader attached to the Office of the learned Additional Advocate General appears for the respondents.

2. In this Writ Petition, which has been filed by Telangana Urdu Working Journalists Union, the petitioner has assailed the validity of action of the respondents in issuing G.O.Ms.No.239 dated 15.07.2016 by which allocation of Accreditation Cards to the working journalists has been made on the basis of the language of the newspapers. The petitioner

has assailed the validity of aforesaid G.O.Ms.No.239 *inter alia* on the ground that the same is illegal and arbitrary. The petitioner in addition seeks a direction to the respondents to consider the representations dated 26.08.2017, 18.09.2017, 23.01.2018 and 10.06.2019. In order to appreciate the grievance of the petitioner, relevant facts need mention which are stated infra.

3. The petitioner is a union of Urdu Journalists of Print and Electronic Media of the State of Telangana and is a body registered under the provisions of the Trade Unions Act, 1926. The petitioner has been constituted with an object to uplift the fraternity of Urdu Journalists and to ameliorate their condition at District and Mandal Levels in the State of Telangana.

4. The State Government in the year 1999 framed a policy for recognition of Media Representatives by the State Government for the purpose of access to all sources of official information in the State Government, as well as to grant benefit of the schemes framed by the Government to such Journalists. The erstwhile State Government had in exercise of

its executive power framed a policy which was known as Andhra Pradesh Media Accreditation Rules, 2005. Under the aforesaid Rules which are executive in nature, three categories of newspapers, namely, Big Dailies and Periodicals, Medium Dailies and Periodicals and Small Dailies and Periodicals were recognized for the purpose of grant of Accreditation. The aforesaid grant of recognition to the said three categories was based on number of copies in circulation and number of pages in circulation of the said newspapers and dailies.

5. After the new State of Telangana came into existence, the State Government framed another policy decision for grant of Accreditation to the Journalists of Print and Electronic Media. Accordingly, the same was published vide G.O.Ms.No.239 dated 15.07.2016 known as 'Telangana Media Accreditation Rules, 2016' (hereinafter referred to as 'the 2016 Rules'). Under the said 2016 Rules, the State Government decided to restrict the benefit of Accreditation on the basis of language of the newspapers. The said fact is evident from Schedules-B, C and F appended to the 2016 Rules which are extracted below for the facility of reference.

**SCHEDULE - B****ENTITLEMENT OF ACCREDITATION FOR EMPANELLED MEDIUM TELUGU DAILIES****(Circulation between 25,000 and 75,000)**

S.No.	Category	State Level	District Level	Constituency Level
1	12 or above main Demy size pages+ 12 or above District Tabloid pages	10 Correspondents+ 5 Desk Journalists+ 2 Photographers	1 Correspondent+ 1 Photographer	1 Correspondent
2	10 or above main Demy size pages+ 10 or above District Tabloid pages	7 Correspondents+ 3 Desk Journalists+ 2 Photographers	1 Correspondent+ 1 Photographer	1 Correspondent
3	8 or above main Demy size pages+ 8 or above District Tabloid pages	4 Correspondents+ 2 Desk Journalists+ 1 Photographer	1 Correspondent	1 Correspondent
4	Others (not covered by above)	2 Correspondents+ 1 Desk Journalist + 1 Photographer	1 Correspondent	1 Correspondent (If circulation is more than 250 in constituency)

**SCHEDULE - C****ENTITLEMENT OF ACCREDITATION FOR BIG & MEDIUM URDU DAILIES****(Circulation above 25,000)**

Sl.No.	Description of the Newspaper	State Level	District Level	Constituency Level
1	12 or above main Demy size pages	10 Correspondents+ 5 Desk Journalists+ 2 Photographers	2 Correspondents 1 Photographer	1 Correspondent
2	Others (not covered by above)	2 Correspondents+ 1 Desk Journalist + 1 Photographer	1 Correspondent	1 Correspondent (if circulation is more than 250 in constituency)

**SCHEDULE - F****ENTITLEMENT OF ACCREDITATION FOR EMPANELLED SATELLITE NEWS CHANNELS**

Sl. No	Category	State Level					District Level	ITDA Agency	Constituency Level
		Eligibility	Sports	Cultural	Films	Cartoonist			
1	Telangana Telugu Channels	12 Correspondents+ 12 Desk Journalists+ 12 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent	2 Correspondents+ 2 Cameraman	1 Correspondent cum Cameraman	1 Correspondent cum Cameraman
2	Multi State Telugu channels	10 Correspondents+ 10 Desk Journalists+ 10 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent+ 1 Cameraman	1 Correspondent	2 Correspondents+ 2 Cameraman	1 Correspondent cum Cameraman	1 Correspondent cum Cameraman
3	National Channels (English/ Hindi)	2 Correspondents+ 2 Desk Journalists + 2 Cameramen	NIL	NIL	NIL	NIL	NIL	NIL	NIL
4	Telangana Urdu Channels	4 Correspondents+ 4 Desk Journalists + 4 Cameramen	NIL	NIL	NIL	NIL	1 Correspondents + 1 Cameraman	NIL	NIL

1. Managements are required to sponsor a minimum of 33% Women for Desk Journalists which is mandatory.

6. From perusal of Schedule-B, it is evident that four categories have been provided in respect of Telugu Dailies on the basis of newspapers and periodicals which have circulation between 25,000 and 75,000 copies.

7. From perusal of Schedule-C, it is axiomatic that the benefit of Accreditation is given only to the categories of journalists employed in Urdu Newspapers which are publishing 12 or above number of pages or others which do not fall in the said category.

8. From perusal of Schedule-F, it is clear that the benefit of Accreditation is given for empanelled satellite news channels. In the aforesaid Schedule-F, benefit of Accreditation has been extended on the basis of language of the news channels. Thus, it is evident that more Accreditation Cards are being given to the journalists in Telugu Newspapers and Periodicals.

9. The petitioner association has therefore assailed the validity of aforesaid G.O.Ms.No.239 insofar as the benefit of

Accreditation has been extended to the working journalists on the basis of language of the newspaper.

10. We have requested Mr. Vivek Jain, learned counsel, to assist this Court as learned *Amicus Curiae*.

11. We have heard learned *Amicus Curiae*, learned counsel for the petitioner and learned Special Government Pleader attached to the Office of the learned Additional Advocate General.

12. The issue which arises for consideration in this Writ Petition is whether the State Government by way of an policy can decide to grant benefit of Accreditation to the working journalists on the basis of language of a newspaper.

13. It is well settled in law that the Courts cannot sit in judgment over the wisdom of the policy evolved by the State Government. Interference in exercise of powers of judicial review can be made by a Court with a policy decision only on the grounds of *mala fides*, unreasonableness, arbitrariness or unfairness (see **Ugar Sugar Works vs. Delhi**

**Administration**<sup>1</sup>). It is equally well settled legal proposition that scope of judicial review of a Government policy is well defined. The Courts do not act as an appellate authority examining the correctness, suitability and appropriateness of a policy. The Courts cannot interfere with the policy either on the ground that a better, fairer and wiser alternative is available. However, the power of judicial review is available in case the policy is arbitrary and is violative of mandate contained in Article 14 of the Constitution of India (see **Vivek Sharma vs. Union of India**<sup>2</sup>). It is equally well settled that every action of the executive Government must be informed by reason and should be free from arbitrariness, which is the very essence of rule of law (see **Ramana Dayaram Shetty vs. International Airport Authority of India**<sup>3</sup>).

14. In the backdrop of aforesaid well settled legal principles, we may now advert to the facts of the case on hand. We have carefully perused the counter filed on behalf of the

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<sup>1</sup> (2001) 3 SCC 635

<sup>2</sup> (2023) 3 SCC 1

<sup>3</sup> (1979) 3 SCC 489

respondents. In para 7 of the counter, it has been stated as under:

“In reply to para 7, it is respectfully submitted that the G.O.Ms.No:239, G.A. (I&PR) Department, was issued on Dt: 15.07.2016 in which the State Media Accreditation Committee and the District Media Accreditation Committee was constituted with the nominees of the then existing Journalists Associations. The Petitioner Association i.e., Telangana Urdu Working Journalists Association was registered on 11.08.2017. Therefore their association could not be included in the Accreditation Committees both at State level and at District level. The Government has extended the present Accreditation Committees both at State and District level for the years 2019-20. However, their request will be examined and necessary action will be taken as per the rules.”

15. The aforesaid explanation is far from satisfactory. No justification has been offered in the counter for making a criterion for grant of Accreditation on the basis of language of a newspaper. If the State Government decides to accord benefit of a welfare scheme, namely, Accreditation, to the working journalists, it has to be granted on fair, rational and reasonable criteria. The fair and rational is criteria could be the number of copies in circulation or number of pages in circulation of a newspaper or periodical. However, the language of a newspaper, irrespective of number of pages or



number of copies in circulation, cannot furnish reasonable and just criteria for extending the benefit of Accreditation. The respondents have utterly failed to offer any explanation for restricting the number of Accreditation Cards to only to the categories of Urdu newspapers and periodicals.

16. For the aforementioned reasons, Schedule-C and Schedule-F of the 2016 Rules are hereby quashed. Needless to state that the State Government shall formulate the guidelines by taking into account the rational and reasonable standard for granting the benefit of Accreditation to the working journalists in Urdu Newspapers and Periodicals as well as for empanelled satellite news channels within a period of two (2) months from today.

17. Before parting, we must place on record our appreciation for the able assistance rendered by Mr. Vivek Jain, learned *Amicus Curiae*.

18. The Writ Petition is accordingly disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

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**ALOK ARADHE, CJ**

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**ANIL KUMAR JUKANTI, J**

12<sup>th</sup> JULY, 2024.  
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