

News Broadcasting Standards Authority
Order No. 106 (2021)

Order of NBSA on Letter dated 14.10.2020 from Ministry of Information and Broadcasting regarding the alleged violation of Programme Code by NDTV 24x7

Complaint:

MoI&B vide its letter dated 14.10.2020 requested NBSA to inquire into a news report broadcast by NDTV 24x7 on 14.10.2020 which related to the Tanishq advertisement and the attack on the Tanishq showroom on 12.10.2020 in Gandhidham, Gujarat.

It was stated that they had been informed by the SP, Gandhidham that no attack or ransacking of the showroom had actually taken place and that the impugned news report aired by the channel between 13:00:34 hrs. and 13:15:30 hrs. was based on false propaganda and rumour. It was therefore, asserted that the broadcaster had by virtue of broadcasting the alleged false news report, violated Rule 6(1)(d) of the Programme Code as enshrined under the Cable Television Networks Rules, 1994 which inter alia states that *"No programme should be carried in the cable service which contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half-truths"*.

Accordingly, it was suggested that NBSA urgently enquires into the matter and send its comments to the Ministry by 19.10.2020 on or before 1700 hrs.

In reply, NBSA vide letter dated 15.10.2020, informed the Under Secretary, MOI&B that as per the News Broadcasting Standards Regulations (Regulations), the letter received from MOI&B has been forwarded by email on 15.10.2020 to the broadcaster to respond to the complaint within 7 days of receipt of the same, with a copy to MOI&B. The procedure for dealing with complaints is detailed in the Regulations and in the interest of justice, NBSA has to follow the Regulations while considering and deciding upon the complaint/s. In sending the complaint and seeking a response from the broadcaster, NBSA has taken the first step in this regard. The broadcaster has been directed to respond within 7 days along with other details relating to the broadcast. In view of the above, NBSA will attempt to decide upon the matter at the earliest.

Response from the Broadcaster

The broadcaster through its reply dated 21.10.2020, stated that the letter dated 14.10.2020 issued by MoI&B was regarding a news report which was aired on NDTV 24x7 on 14.10.2020 between 13:00:34 hrs and 13:15:30 hrs. In the said letter MoI&B stated that the news report about Tanishq advertisement and the subsequent attack on the Tanishq showroom on 12.10.2020 in Gandhidham, Gujarat was false and appears to have violated Rule 6(1)(d) of the Programme Code.

The broadcaster noted that the objection of MoI&B to the impugned news report, related to the use of the term "*attack*" to describe the events that unfolded at the Tanishq showroom on the night of 12.10.2020. The broadcaster stated that on 14.10.2020, the news channel became aware of the Tanishq showroom incident from its sources. According to the broadcaster, it was confirmed through multiple sources that some men had barged into the Tanishq showroom and threatened the manager demanding that he posts a note apologizing for a Tanishq advertisement, which advertisement according to the broadcaster actually promoted inter-faith harmony. The manager, under duress, agreed and an apology which was pasted on the showroom. The broadcaster stated that the video and photographic evidence of the incident also exists. This incident had been widely reported in all sections of the media. It also highlighted the other news reports that alleged that a mob of nearly 100-120 men had gathered at the showroom.

The broadcaster asserted that neither the channel nor its representatives had claimed that physical violence was committed at the show room. The use of the term 'attack' was metaphorical as an 'attack' can be verbal also. The impugned news report, including all terminology, neither carried deliberate misinformation nor was it indicative of a casual approach to reporting a big story. According to the broadcaster, a review of the showroom's footage clearly reflected that the demand issued by the outsiders seeking an apology was hardly in the spirit of peace.

Further, the broadcaster stated that as soon as the Gujarat police handling the area informed the broadcaster that the manager had been merely threatened and the showroom was not vandalized, the broadcaster updated the information, as "Breaking News" and ran it as a headline. The broadcaster submitted a CD containing the records of different reports that clearly showed that the news was being updated to reflect new comments coming in and the actual situation on ground as it evolved.

The broadcaster stressed that news is an evolving process. A responsible news channel reports the latest information and all relevant updates in real-time and with careful attention to facts as well as reporting all sides of the story. The broadcaster submitted that it followed this process even in the present case as it always does and is committed to doing. Further, it stated that it was not the only news organization to report on the incident in this fashion. Several other media organizations also reported the incident. The broadcaster also stated that there are plenty of news reports about the coverage of this story that points out how the story was reported upon by NDTV, including all terminology and the said story was neither deliberate misinformation nor indicative of a casual approach to report a big story.

The broadcaster stated that they seemed to have been singled out by MoI&B which has sought an enquiry on whether NDTV report on Gujarat violated Rule 6(1)(d) of the Programme Code.

The broadcaster stated that did not violate any provisions of the Programme Code and they are committed to upholding the core values of journalism in conformity with the various guidelines issued by NBSA and other statutory authorities.

NBSA decided to call both the parties for a hearing.

On being served with notices, the following persons were present at the hearing on 26.11.2020:

Ministry of Information and Broadcasting

The Under Secretary vide email dated 26.11.2020 stated as follows:

I am directed to refer to your email dated 24.11.2020 on the above subject and to say that the matter was taken cognizance by EMMC *suo moto* and accordingly no complaint exists. Further, 'News Broadcasting Standards Regulations' adopted by NBA also allows it to take *suo moto* initiative. Therefore, you are requested to proceed accordingly; no representative from the Ministry of I&B is required for that purpose. It is also requested to intimate this Ministry about outcome of the action taken in the matter.

Broadcaster:

The following persons appeared on behalf of the broadcaster:

Mrs. Sonia Singh, Editorial Director

Mr. Nikhil Guliani, Legal Counsel, NDTV

Submissions of the Broadcaster

The broadcaster submitted that it had received the information from its sources that the Tanishq store had been “attacked”. NDTV proactively reached out to the police and corroborated and updated the word from “*attack*” to “*threat*” and “*target*”. There was a time gap of one and a half hours in getting the police version. Thereafter, NDTV carried the police version in its broadcasts several times, which was not contradicted by the company. The broadcaster denies the allegation made by MOI&B that the channel had broadcast false news. The broadcaster stated that several media houses carried the story. The broadcaster drew the attention of NBSA to the article dated 14.10.2020 in the Indian Express, which reported the incident in detail of around 120 people gathered in front of the showroom and six or seven of them later barged in and hurled abuses at the staff. The broadcaster also reiterated all the submissions made in its reply dated 21.10.2020.

Decision of NBSA

NBSA considered the complaint, submissions made by the broadcaster and also viewed the footage.

NBSA was of the view that there was nothing objectionable in the telecast of the broadcaster. The broadcaster had updated the news continuously by giving the police version several times in its broadcasts at different points of time. The broadcaster had done its due diligence while reporting on the new story and had removed the word “attack” as the news story evolved.

NBSA was of the view that the complaint was untenable as the broadcaster had broadcast information received from a verified reliable source. NBSA found no violations of the Code of Ethics and Broadcasting Standards or the NBSA Guidelines in the said broadcast and therefore it decided to close the complaint with the above observations and inform MoI&B and the broadcaster accordingly.

NBSA directs NBA to send:

- (a) A copy of this Order to the complainant and the broadcaster;
- (b) Circulate this Order to all Members, Editors & Legal Heads of NBA;
- (c) Host this Order on its website and include in its next Annual Report and
- (d) Release the Order to media.

It is clarified that any statements made by the parties in the proceedings before the NBSA while responding to the complaint and putting forth their view points, and any finding or observations by NBSA in regard to the broadcasts, in its proceeding or in this Order, are only in the context of examination as to whether there are any violations of any broadcasting standard or guidelines. They are not intended to be 'admissions' by the broadcaster, nor intended to be 'findings' by NBSA in regard to any civil/criminal liability.

Sd/-

**Justice A.K Sikri (Retd.)
Chairperson**

**Place: New Delhi
Date: June 16, 2021**