

NewsBroadcastersAssociation



10th **ANNUAL REPORT**
2016-17

Board of Directors

News Broadcasters Association



M. K. Anand



K.V.L. Narayan Rao



Rajat Sharma



Rahul Joshi



Avinash Pandey



Rajiv Singh



Anuradha Prasad



M.V. Shreyams Kumar



I. Venkat



News Broadcasters Association

Board of Directors	Mr. M.K. Anand Bennett, Coleman & Co. Ltd.	Vice President
	Mr. K.V.L. Narayan Rao New Delhi Television Ltd.	Honorary Treasurer
	Mr. Rajat Sharma Independent News Service Pvt. Ltd.	
	Mr. Rahul Joshi TV18 Broadcast Ltd.	
	Mr. Avinash Pandey ABP News Network Pvt. Ltd.	
	Mr. Rajiv Singh Zee Media Corporation Ltd.	
	Mrs. Anuradha Prasad News24 Broadcast India Ltd.	
	Mr. M.V. Shreyams Kumar Mathrubhumi Printing & Publishing Co. Ltd.	
	Mr. I. Venkat Eenadu Television Pvt. Ltd.	
Secretary General	Mrs. Annie Joseph	
Auditors	S.S. Kothari Mehta & Co Chartered Accountants	
Bankers	Bank of India Bank of Baroda	
Registered Office	Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar, New Delhi – 110 087	
Corporate Office	Mantec House, 2 nd Floor, C- 56/5 Sector 62, Noida – 201301	

CIN: U22211DL2007NPL165480

Message from Vice President, NBA

August 30, 2017



M. K. Anand
Vice President

Dear Members,

It is my privilege to present the tenth Annual Report of the News Broadcasters Association, outlining the activities of the past year. In the last ten years NBA has become a unified voice of the news genre. NBA has engaged with the Government & Statutory Authorities on various issues concerning the Industry. We have succeeded in some and are pursuing others to find solutions.

Digitization of cable television has been completed and with effect from 1.4.2017 analogue signals have been shut off except in Chennai, which is yet to get digitized. Digitization unfortunately has not been a game changer for the news broadcasters. The issues of carriage fee, placement fees and other fees continues to burden the news broadcasters, and is seriously impacting the bottom line of the news broadcasters.

Rates for DAVP advertisements has been an area of great concern. Despite several years of representations and follow up with the Ministry of Information and Broadcasting, to get a fair price for DAVP advertisements, this year when the Advertisement Policy was announced in June 2017, broadcasters have again got a raw deal. Members of NBA were surprised to note that by the “rate formula” proposed, broadcasters would get even lower rates than what they were already getting for DAVP advertisements. It is unfortunate that due to this issue many broadcasters have voluntarily decided not to apply for DAVP empanelment. NBA is vigorously following up this matter with the Ministry of Information and Broadcasting. We are sure, the MoI&B, will understand the concerns of NBA as to why it is not possible to accept the “rate formula” and find an amicable solution so that all broadcasters would be beneficiaries to receive government advertisements at reasonable/ economical rates.

Another major area of concern is the outstanding dues of DAVP, which is pending for several years. NBA is glad to note that the Ministry of Information & Broadcasting has constituted a Standing Coordination Committee to sort out the issues relating to outstanding payments of TV, Print and Radio. NBA is represented on the Committee. NBA has submitted to DAVP the outstanding dues of member broadcasters, which is Rs 56.79 crores. Dues of Rs. 32.52 crores of MoI&B have also been submitted separately to MoI&B. NBA has requested the MoI&B, the parent Ministry, to request DAVP to expedite the payments and also to release the money to make these payments.



While the present membership of NBA commands 80% of the viewership, the membership of NBA has not grown over the years. We hope news broadcasters will see the value of being associated with the NBA and make the choice to join the NBA. We look forward to welcoming more regional news broadcasters into our fold in the years ahead. This year, the NBA Board has taken a decision to open Associate Membership to digital news content broadcasters. NBA is also broadening its scope through initiatives on research, training, seminars etc. All these initiatives will add value to the NBA membership. NBA has decided to do a workshop next year along with the Public Media Alliance, UK, the modalities of which are being worked out. We would continue to diligently serve our membership by working on the agreed objectives.

NBA's model of self-regulation has succeeded primarily because of the advice and wise counsel that our members and editors receive from the Chairperson & Independent Members of the NBSA. I would like to place on record our sincere gratitude to the Justice (Retd.) R. V. Raveendran, Chairperson and Independent Members of the NBSA for their invaluable support and time. As we look ahead, we must stand firm in our belief that self-regulation is the best model for regulating the news media. We must also work together to observe our standards and guidelines both in letter and spirit. We hope the NBA's Code of Ethics and the Redressal Regulations are adopted by the MoI&B as a part of the Programme Code under the Cable TV Rules, which will further strengthen self-regulation. The Ministry of Information and Broadcasting has been very proactive. All complaints, petitions received by the MoI&B with regard to the Members of NBA are forwarded to NBSA for its consideration.

I would like to express my sincere gratitude to the Board and Members of the NBA for their constant support. I would also like to thank Mr. Ashok Venkatramani and Mr. Ashish Bagga, both Board members and holding office of President NBA, who stepped down during the year. Their contributions were of immense value to the Association. I would like to thank Mrs. Annie Joseph, NBA Secretary General for spearheading NBA's initiatives and for her efficient management of the Association's ever widening range of activities. I would also like to thank the entire team assisting her in the day to day management of the NBA Secretariat, Legal Counsel, Financial and Corporate Consultants as well as the Auditors of NBA and Bankers.

Best wishes,

M. K. Anand

Notice

NOTICE is hereby given that the 10th Annual General Meeting of the Members of News Broadcasters Association will be held on Tuesday, the 19th September, 2017, at 12.00 noon at Marigold, India Habitat Center, Lodhi Road New Delhi 110003, to transact the following business:

Ordinary Business

1. To receive, consider and adopt the Audited Financial Statement of the Company for the financial year ended March 31, 2017 together with Auditor's Report and Director's Report thereon and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:
“**RESOLVED THAT** the Audited Financial Statement of the Company for the financial year ended March 31, 2017, together with Auditor's Report and Director's Report thereon, be and are hereby approved and adopted.”
2. To ratify the appointment of M/s S.S. Kothari Mehta & Co., Chartered Accountants, as Statutory Auditors of the Association, to hold office from the conclusion of this Annual General Meeting (AGM) till the conclusion of the fourteenth AGM of the Company to be held in the year 2021 and to fix their remuneration and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:
“**RESOLVED THAT** pursuant to the provisions of Section 139 and other applicable provisions, if any, of the Companies Act, 2013 and the Companies (Audit and Auditors) Rules, 2014, as amended from time to time, the Company hereby ratifies the appointment of M/s S.S. Kothari Mehta & Co., Chartered Accountants, as Statutory Auditors of the Company to hold office from the conclusion of this Annual General Meeting (AGM) till the conclusion of the fourteenth AGM of the Company to be held in the year 2021, at such remuneration as may be determined by the Board of Directors of the Association.”

Special Business

3. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:



“RESOLVED THAT Mr. Rajiv Singh who was appointed as a Permanent Director of the Association by the Board of Directors on October 27, 2016 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.”

4. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT Mr. Avinash Pandey who was appointed as a Permanent Director of the Association by the Board of Directors on November 22, 2016 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.”

5. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT Mrs. Anuradha Prasad who was appointed as an Additional Director on February 1, 2012 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing her candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.”

6. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT Mr. M.V. Shreyams Kumar who was appointed as an Additional Director on March 29, 2014 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.”

7. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:



“RESOLVED THAT Mr. I. Venkat who was appointed as an Additional Director on February 17, 2017 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.”

**By Order of the Board of Directors of
News Broadcasters Association**

A handwritten signature in blue ink that reads 'Annie Joseph'.

Annie Joseph
Secretary General

Place: New Delhi
August 30, 2017

Explanatory Statement Pursuant to Section 102 of the Companies Act, 2013

Item No. 3

The Board of Directors of the Association appointed Mr. Rajiv Singh as a Permanent Director on October 27, 2016 subject to approval of General Body meeting on the Board of NBA. The office of his Directorship expires on the date of this Annual General Meeting. The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company.

None of the Directors, except Mr. Rajiv Singh in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 3 of this Notice.

Item No. 4

The Board of Directors of the Association appointed Mr. Avinash Pandey as a Permanent Director on November 22, 2016 subject to approval of General Body meeting on the Board of NBA. The office of his Directorship expires on the date of this Annual General Meeting. The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company.



None of the Directors, except Mr. Avinash Pandey in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 4 of this Notice.

Item No. 5

Mrs. Anuradha Prasad was appointed as an Additional Director on February 1, 2012 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. The office of her Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one Member proposing her candidature, which has been duly seconded by another Member, for her appointment as Director, liable to retire at the next Ordinary General Body Meeting under Articles 16 and 22 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item are available for inspection by Members at the Registered Office of the Company.

None of the Directors, except Mrs. Anuradha Prasad in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 5 of this Notice.

Item No. 6

Mr. M.V. Shreyams Kumar was appointed as an Additional Director on March 29, 2014 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. The office of his Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, liable to retire at the next Ordinary General Body Meeting under Articles 16 and 22 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company.

None of the Directors, except Mr. M.V. Shreyams Kumar in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 6 of this Notice.



Item No. 7

Mr. I. Venkat was appointed as an Additional Director on February 17, 2017 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. The office of his Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, liable to retire at the next Ordinary General Body Meeting under Articles 16 and 22 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company.

None of the Directors, except Mr. I. Venkat in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 7 of this Notice.

**By Order of the Board of Directors of
News Broadcasters Association**

Annie Joseph
Secretary General

Place: New Delhi
August 30, 2017

Notes

1. Member entities should provide Board Resolution under Section 113 of the Companies Act, 2013 authorizing person(s) who will represent them at the Annual General Meeting. Such person(s) shall be deemed to be Member present in person.
2. A Member entitled to attend and vote at Annual General Meeting is entitled to appoint a proxy to attend and vote on poll instead of himself and the proxy need not be a Member of the Company. The proxy, in order to be valid must be deposited at the Registered Office of the Association not less than 48 hours before the commencement of the meeting.
3. A Statement pursuant to Section 102 (1) of the Companies Act, 2013 relating to Special Business to be transacted at the meeting is annexed hereto.
4. Members are requested to bring their copy of the Annual Report to the Meeting.
5. No person other than the authorized representative of the Member entity or his/her duly appointed proxy as aforesaid shall be entitled to attend the Annual General Meeting of the Association.
6. Members desirous of having any information on accounts are requested to send their queries to NBA at its Registered Office, at least seven days before the date of the AGM, to make the requisite information available at the meeting.
7. Members/Proxies attending the meeting are requested to bring the attendance slip, as appended to this Notice, duly filled in and present the same at the venue of the Annual General Meeting. No photocopies of the attendance slip will be accepted.
8. Relevant documents referred to in the accompanying Notice and the Statement are open for inspection by Members at the Registered Office of the Company on all working days, except Saturdays, during business hours up to the date of Meeting.
9. Members who have not registered their e-mail addresses so far are requested to register their e-mail address for receiving all communication, including Annual Report, Notices etc. from the Company electronically.

Directors' Report to the Members

The Directors have pleasure in presenting the 10th Annual Report of your Association together with Audited Accounts for the period from April 1, 2016, to March 31, 2017.

Financial Review

	31.03.2017 (Amount in Rs.)	31.03.2016 (Amount in Rs.)
Income from Subscription	1,07,25,000	1,06,00,000
Other Income	30,77,776	29,61,549
Depreciation and amortization expense	10,53,777	10,57,338
Total Expenditure	1,33,86,316	1,18,88,507
Surplus/(Deficit) after depreciation and tax carried to Members' General Reserve	4,16,460	16,73,042

Out of the excess of income and expenditure of Rs. 23,58,336 (previous year Rs. 22,00,807) has been transferred to special reserve.

Change in Nature of Services

There is no change in nature of services provided by the Association.

Directors

Mrs. Anuradha Prasad, Mr. M.V. Shreyams Kumar and Mr. I. Venkat were appointed as Additional Directors on February 1, 2012, March 29, 2014 and February 17, 2017 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. Mr. Rajiv Singh and Mr. Avinash Pandey have been appointed as Directors on 27.10.2016 and 22.11.2016 by the Board of Directors in terms of Article 17 of the Articles of Association, not liable to retire by rotation. Dr. Bhaskar Das and Mr. Ashok Venkatramani have tendered their resignation from the Board of the Association during the period under report.

Events occurred between the end of the financial year of the Company to which the financial statements relate and the date of the report, Mr. Ashish Bagga tendered his resignation from the Board w.e.f. 31.7.2017.



Membership of Association

The number of Members/Associate Members of the Association are 24 broadcasters representing 64 channels.

Auditors & Auditors' Report

M/s S.S. Kothari Mehta & Co., Chartered Accountants, were appointed as the Statutory Auditors of the Association, to hold office from the conclusion of 9th AGM held on 21st September, 2016 until the conclusion of the 14th AGM of the company to be held in year 2021 (subject to ratification of their appointment by the members at every AGM) at such remuneration as may be determined by the Board of Directors of the Association.

The Association has received letter from them to the effect that their appointments, if made, would be within the prescribed limits under Section 141(3)(g) of the Companies Act, 2013 and also that they are not disqualified for re-appointment.

The members are requested to ratify the appointment of the Statutory Auditors at the ensuing AGM.

The Statutory Auditors' Report on the Financial Statement of the Association for the financial year ended 31st March, 2017 is self explanatory and do not require further comments in the Directors' report. The Audit Report does not contain any qualification, reservation or adverse remark.

Report on Conservation of Energy, Technology Absorption, Foreign Exchange Earnings and Outgo etc.

Information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with The Companies (Accounts) Rules, 2014 is given hereunder:

Energy conservation measures taken by the Association include: (1) use of LED/CFL lighting in the entire office area; (2) improved insulation using ceramic fiber in the heat treatment furnaces; (3) installation of heat reflecting film on windows of air-conditioned areas etc. At present, Association has not taken any steps for utilization of alternate source of energy and no capital investment has been made on energy conservation equipment.

And other information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with the Companies (Accounting) Rules, 2013 regarding technology absorption is not applicable to the Association being involved in welfare services to its Members.

Association has no foreign exchange earnings and outgo during the period.

Directors' Responsibility Statement

Pursuant to Section 134(5) of the Companies Act, 2013, it is hereby confirmed:



- (i) that in the preparation of the annual accounts, the applicable accounting standards had been followed along with proper explanation relating to material departures, if any;
- (ii) that the Directors had selected such accounting policies and applied them consistently and made judgments and estimates that are reasonable and prudent so as to give a true and fair view of the state of affairs of the Association at the end of the accounting year and of the surplus of the Association for that year;
- (iii) that the Directors had taken proper and sufficient care for the maintenance of adequate accounting records in accordance with the provisions of this Act for safeguarding the assets of the Association and for preventing and detecting fraud and other irregularities;
- (iv) that the Directors had prepared the annual accounts on a going concern basis;
- (v) the Directors had devised proper systems to ensure compliance with the provisions of all applicable laws and that such systems were adequate and operating effectively.

Extract of Annual Report

An extract of the Annual Return in Form No. MGT – 9 as provided under Sub-Section (3) of Section 92 which shall form part of the Board’s report is attached as Annexure A.

Meetings of the Board

Five meetings of the Board of Directors were held on 3.8.2016, 21.9.2016, 21.9.2016, 22.11.2016 and 17.2.2017 during the financial year.

Particulars of loans, guarantees or investments under Section 186 of Companies Act, 2013:

Company has not given any loan or provided any guarantees or made investment to any person under Section 186 of Companies Act, 2013.

Particulars of contracts or arrangements with related parties referred to in Sub-Section (1) of Section 188 in the prescribed form:

Company does not have any related party transaction with any person in any form as asked in Form AOC_2 under Rule 8 of The Companies (Account) Rules, 2014.

Management Report

Management Report containing a brief review of the activities of the Association and the state of the Company’s affairs during the year under review is attached with this Report.

Material changes and commitments, if any, affecting the financial position of the Company which have occurred between the end of the financial year of the Company to which the financial statements relate and the date of the report:

Material changes occurred subsequent to the close of the financial year of the Company to which the balance sheet relates are: **None.**



A statement indicating development and implementation of a risk management policy for the Company including identification therein of elements of risk, if any, which in the opinion of the Board may threaten the existence of the Company:

Association is generating receipts through subscription from Members and provide them welfare services. At present, Company has not developed and implemented any such policy and system which nullify any type of risk on its existence.

Details of material and significant orders passed by the Regulators or Courts or Tribunal impacting the going concern status and Company's operations in future:

No such order is passed by any such Regulators or Courts or Tribunal which impacts the going concern status and Company's operations in future.

Details in respect of adequacy of internal financial controls with reference to financial statements:

The Company has in place adequate internal financial controls with reference to financial statements.

Acknowledgements

The Board of Directors wish to place on record their appreciation for the support and cooperation extended by every Member of the Association, the Secretariat, its Bankers and valuable contribution made by the Consultants, Counsels and officials of the Member Companies.

For and on behalf of the Board of Directors

Place: New Delhi
Dated: August 2, 2017

Sd/-
M.K. Anand
Vice President

Sd/-
K.V.L. Narayan Rao
Honorary Treasurer

Annexure - A

Form No. MGT-9

EXTRACT OF ANNUAL RETURN

as on the financial year ended on 31st March, 2017

[Pursuant to Section 92(3) of the Companies Act, 2013 and Rule 12(1) of the Companies (Management and Administration) Rules, 2014]

I. Registration and other details:

- i) CIN: **U22211DL2007NPL165480**
- ii) Registration Date: **3.7.2007**
- iii) Name of the Company: **News Broadcasters Association**
- iv) Category/ Sub-Category of the Company: **Company Limited by Guarantee
/Indian Non-Government Company**
- v) Address of the Registered office and contact details: **Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar, New Delhi-110087.**
- vi) Whether listed company: **No**
- vii) Name, Address and Contact details of Registrar and Transfer Agent, if any: **NA**

II. Principal business activities of the Company

All the business activities contributing 10 % or more of the total turnover of the Company shall be stated :-

Sl. No.	Name and Description of main products / services	NIC Code of the Product/ service	% to total turnover of the Company
1	Subscription from Members and welfare services	99959989	100%
2			
3			

III. Particulars of Holding, Subsidiary and Associate Companies :-

Sr. No	Name and address of the Company	CIN/GLN	Holding/ Subsidiary / Associate	% of shares held	Applicable Section
1	NA	NA	NA	NA	NA
2					

IV. Shareholding Pattern (Equity Share Capital Breakup as percentage of Total Equity)

(i) Category-wise Share Holding

Not applicable as the Company is a Section 8 Company (Guarantee Company)

Company does not have any shareholding

Category of Shareholders	No. of Shares held at the beginning of the year				No. of Shares held at the end of the year				% Change during the year
	Demat	Physical	Total	% of Total Shares	Demat	Physical	Total	% of Total Shares	
Promoter s (1) Indian a) Individual/ HUF b) Central Govt c) State Govt (s) d) Bodies Corp. e) Banks / FI f) Any Other.... Sub-total (A) (1):-	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
(2) Foreign a) NRIs - Individuals b) Other – Individuals c) Bodies Corp. d) Banks / FI e) Any Other.... Sub-total (A) (2):- Total shareholding of Promoter (A) = (A)(1)+(A)(2)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
B. Public Shareholding 1. Institutions a) Mutual Funds b) Banks / FI c) Central Govt d) State Govt(s)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	



e) Venture Capital Funds f) Insurance Companies g) FIIs h) Foreign Venture Capital Funds i) Others (specify) Sub-total	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
(B) (1):- 2. Non-Institutions a) Bodies Corp. i) Indian ii) Overseas b) Individuals i) Individual shareholders holding nominal share capital upto Rs. 1 lakh ii) Individual shareholders holding nominal share capital in excess of Rs 1 lakh c) Others (specify) Sub-total	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
(B)(2):- Total Public Shareholding (B)=(B)(1)+ (B)(2)									
C. Shares held by Custodian for GDRs & ADRs									
Grand Total (A+B+C)									

(ii) Shareholding of Promoters

Not applicable as the Company is a Section 8 Company (Guarantee Company)

Sr. No	Shareholders Name	Shareholding at the beginning of the year			Shareholding at the end of the year			% change in share holding during the year
		No. of Shares	% of total Shares of the Company	% of Shares Pledged / encumbered to total shares	No. of Shares	% of total Shares of the Company	% of Shares Pledged / encumbered to total shares	
1								
2								
3								
	Total							

(iii) Change in Promoters' Shareholding (please specify, if there is no change)**Not applicable as the Company is a Section 8 Company (Guarantee Company)**

Sl. No.		Shareholding at the beginning of the year		Cumulative Shareholding during the year	
		No. of shares	% of total shares of the Company	No. of shares	% of total shares of the Company
	At the beginning of the year				
	Date wise increase / decrease in Promoters Shareholding during the year specifying the reasons for increase / decrease (e.g. allotment / transfer / bonus/ sweat equity etc):				
	At the end of the year				

(iv) Shareholding Pattern of top ten Shareholders (other than Directors, Promoters and Holders of GDRs and ADRs):**Not applicable as the Company is a Section 8 Company (Guarantee Company)**

Sl. No.		Shareholding at the beginning of the year		Cumulative Shareholding during the year	
		No. of shares	% of total shares of the Company	No. of shares	% of total shares of the Company
	For each of the top 10 Shareholders				
	At the beginning of the year				
	Date wise increase / decrease in Shareholding during the year specifying the reasons for increase / decrease (e.g. allotment / transfer / bonus / sweat equity etc):				
	At the end of the year (or on the date of separation, if separated during the year)				

(v) Shareholding of Directors and Key Managerial Personnel:**Not applicable as the Company is a Section 8 Company (Guarantee Company)**

Sl. No.		Shareholding at the beginning of the year	Cumulative Shareholding during the year		
		No. of shares	% of total shares of the Company	No. of shares	% of total shares of the Company
	At the beginning of the year				
	Date wise increase / decrease in Shareholding during the year specifying the reasons for increase / decrease (e.g. allotment / transfer / bonus/ sweat equity etc):				
	At the end of the year				



V. Indebtedness

Indebtedness of the Company including interest outstanding/accrued but not due for payment

	Secured Loans excluding deposits	Unsecured Loans	Deposits	Total Indebtedness
Indebtedness at the beginning of the financial year				
i) Principal Amount	NIL	NIL	NIL	NIL
ii) Interest due but not paid				
iii) Interest accrued but not due				
Total (i+ii+iii)				
Change in Indebtedness during the financial year				
• Addition	NIL	NIL	NIL	NIL
• Reduction				
Net Change	NIL	NIL	NIL	NIL
Indebtedness at the end of the financial year				
i) Principal Amount				
ii) Interest due but not paid				
iii) Interest accrued but not due				
Total (i+ii+iii)	NIL	NIL	NIL	NIL

VI. Remuneration of Directors and key Managerial Personnel

Company does not pay any remuneration to Directors of the Company.

Company does not have any key Managerial Personnel.

A. Remuneration to Managing Director, Whole-time Directors and/or Manager:

Sl. No.	Particulars of Remuneration	Name of MD/WTD/ Manager				Total Amount
		---	---	---	---	
1.	Gross salary (a) Salary as per provisions contained in Section 17(1) of the Income Tax Act, 1961 (b) Value of perquisites u/s 17(2) Income-tax Act, 1961 (c) Profits in lieu of salary under Section 17(3) Income Tax Act, 1961					
2.	Stock Option					
3.	Sweat Equity					
4.	Commission - as % of profit - others, specify					
5.	Others, please specify					
	Total (A)					
	Ceiling as per the Act					

B. Remuneration to other Directors:

Sl. No.	Particulars of Remuneration	Name of Directors				Total Amount
		----	---	---	---	
	3. Independent Directors • Fee for attending Board Committee meetings • Commission • Others, please specify					
	Total (1)					
	4. Other Non-Executive Directors • Fee for attending Board Committee meetings • Commission • Others, please specify					
	Total (2)					
	Total (B)=(1+2)					
	Total Managerial Remuneration					
	Overall ceiling as per the Act					

C. Remuneration to key Managerial Personnel other than MD/Manager/WTD
Not applicable as the Company is a Section 8 Company (Guarantee Company)

Sl. No.	Particulars of Remuneration	Key Managerial Personnel			
		CEO	Company Secretary	CFO	Total
1.	Gross salary (a) Salary as per provisions contained in Section 17(1) of the Income Tax Act, 1961 (b) Value of perquisites u/s 17(2) Income Tax Act, 1961 (c) Profits in lieu of salary under Section 17(3) Income Tax Act, 1961				
2.	Stock Option				
3.	Sweat Equity				
4.	Commission - as % of profit - others, specify				
5.	Others, please specify				
	Total				

**VII. Penalties / Punishment/ Compounding of Offences:**

There is no penalty/ punishment on the Company or its Directors or other officers.

Type	Section of the Companies Act	Brief Description	Details of Penalty/ Punishment/ Compounding fees imposed	Authority [RD/NCLT/ COURT]	Appeal made, if any (give Details)
A. COMPANY					
Penalty					
Punishment					
Compounding					
B. DIRECTORS					
Penalty					
Punishment					
Compounding					
C. OTHER OFFICERS IN DEFAULT					
Penalty					
Punishment					
Compounding					

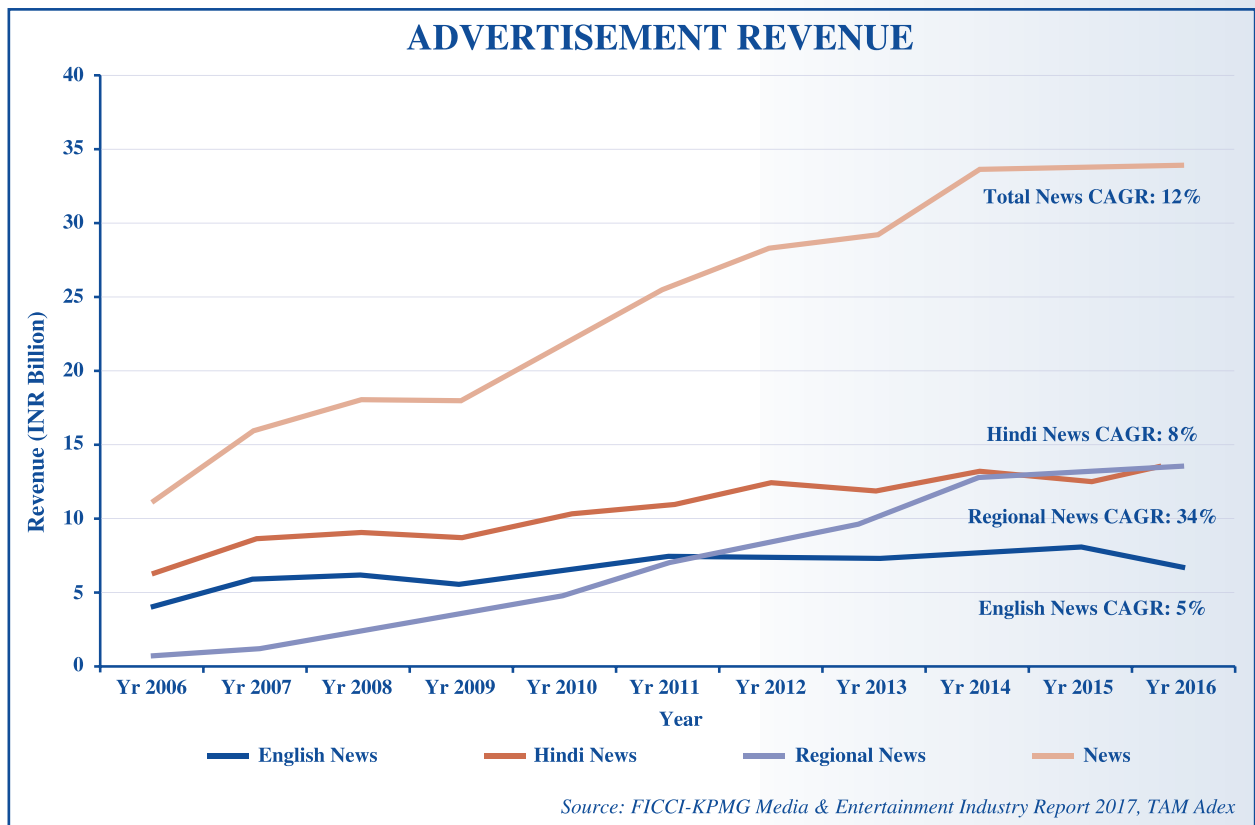
Sd/-
M.K. Anand
Vice President

Sd/-
K.V.L. Narayan Rao
Honorary Treasurer

Industry overview

According to the FICCI-KPMG Indian Media & Entertainment Industry Report 2017, India’s media and entertainment industry stood at INR 1,262.1 billion in 2016, a growth of 9.1% over the previous year. The television industry is at INR 588.3 billion which is a growth of 8.5% over the previous year.

The charts below indicate the growth in advertising of the news & current affairs genre during the years 2006-2016.



During the years 2006 – 2016, the revenue of news channels grew at a Compounded Annual Growth Rate (CAGR) of 12% where English news channels grew by 5%, Hindi news channels by 8% and regional news



channels by 34%. If one looks at the change with respect to previous year, news channels revenue in 2016 has remained stable.

The table below indicate the growth in viewership of the news & current affairs genre during 2015-2016.

Channel Genre	2015	2016	% Change
English News	1.49	1.48	-1%
Hindi News	107.0	126.6	18%
Regional News	108.9	188.8	73%
News	217.4	316.9	46%

Source: BARC | Average Weekly GRPs | All India Urban | 15+ | All Days | All Dayparts | Wk 21 2015 to Wk 52 2016

According to BARC, overall news genre grew by 46% from 217 GRPs in year 2015 to 317 GRPs in year 2016. The viewership for regional news grew by 73%, Hindi News by 18% while English News dropped by 1% as compared to last year.

The Ministry of Information & Broadcasting (MoI&B) in the present dispensation of Ms. Smriti Zubin Irani, Minister for Textiles and Information and Broadcasting, Col. Rajyavardhan Rathore, Minister of State for Information and Broadcasting, and under the earlier dispensation of Mr. Venkaiah Naidu, Minister for Urban Development and Poverty Elevation and Information and Broadcasting have been very proactive in handling issues of concern of the news broadcasters.

In the process of managing its policy environment, the Association draws constantly on the goodwill of the Government. During the year under review, the Association took up issues that concern news broadcasters with the Government from time to time. President NBA and the Board Members of NBA called on the following officials:

1. Mr. Ajay Mittal, former Secretary, MoI&B
2. Mr. R.S. Sharma, Chairperson, TRAI
3. Ms. Jayashree Mukherjee, Additional Secretary, MoI&B
4. Mr. M.K. Singla, Special Secretary, Internal Security, Home Ministry
5. Mr. Sanjay Murthy, Joint Secretary, MoI&B
6. Mr. K. Ganesan, Director General, DAVP

Industry Issues

Policy Guidelines for Empanelment of Private C&STV channels and fixation of rates for Government Ads by DAVP -2017

DAVP vide circular letter dated 9.6.2017 had circulated the “Policy Guidelines for Empanelment of Private C&STV channels and fixation of rates for Government Ads by DAVP -2017”, which was duly approved by the Ministry of Information and Broadcasting. The Policy was to be implemented by both DAVP & NFDC w.e.f. 1.7.2017.



NBA informed the then Secretary, Ministry of Information & Broadcasting vide letter dated 19.6.2017 that news broadcasters by the above Policy has got a raw deal as far as the rate fixation is concerned. NBA represented to the Secretary MoI&B and stated as follows :

1. NBA has been in discussion and representing since the year 2009 to get a “fair price” for DAVP rates. Arising out of the various meetings and representations made by NBA, the MoI&B in 2010 had constituted the Empanelment Advisory Committee (EAC) for empanelment of private C&STV channels with DAVP and fixation of rates of government advertisements released through TV channels. The intent of constituting the Committee NBA believed was certainly to understand the ground realities, the environment in which the news channels were operating, the parameters to be considered and thereafter fix rates which would be economically viable. NBA participated in the deliberations and also had several meetings with the then Chairman EAC, Secretary I&B & DG, DAVP. The contribution of NBA in this initiative was significant.
2. Thereafter, after two years of consultation with NBA, the Ministry of Information & Broadcasting on 16.5.2012 released the “Policy Guidelines for empanelment of Pvt. C&STV channels for Government advertisements by DAVP and other duly authorized agencies of the MIB”. NBA found that none of the suggestions given in our various representations, presentations and in our discussions, were considered while determining the rates for DAVP advertisements. On the contrary, news broadcasters in 2012 received lower rates than the 2007 rates, which were already uneconomical for the news broadcasters.
3. Arising out of various representations made by NBA, the Ministry of Information & Broadcasting constituted a High-Powered Committee in February 2013 to look into the issue relating to review of rates of news channels under the Chairmanship of then Additional Secretary, Ministry of MoI&B. NBA made a presentation before the High-Powered Committee and they were informed of the anomalies in the formula and the facts ignored which resulted in the news genre not getting a “fair price”. Several meetings were held with the then Additional Secretary MoI&B to explain the reasons why the news broadcasters were not getting the “fair price” and the actions to be taken by the MoI&B to get the “fair price”. After several meetings, the only demand that was accepted then was the broad time bands, which was notified on 12.6.2013 and to this extent modifications were made to the Policies dated 14.5.2012 and 5.9.2012. Several meetings were held thereafter, with the High-Powered Committee headed by the then Additional Secretary and senior officials in the MoI&B to find a solution to the impasse. Since, there was no resolution and it had become difficult to service DAVP advertisements based on rates offered, news broadcasters after December 2012 stopped carrying DAVP advertisements. On the assurance given by the MoI&B, that they would look into the issues, advertisements were resumed by the news broadcasters.
4. After a lapse of five years, the new Policy Guidelines issued on 8.6.2017 announced the rate formula for news channels and the different time bands in which the advertisements are to be carried.
5. The issues raised by NBA before the MoI&B relating to the new Policy were as follows :
 - (a) The formula prescribed in the Policy, news channels would once again get rates lower than what it currently receives, which is unheard of in any rate revision. This happened in 2007 too.
 - (b) The existing three time bands 06:00 – 11:59, 12:00 – 16:59, 1700 – 22:59. with 33:33:33 dispersion has been dispensed with. The current Policy states five time bands with no dispersion, which will be impossible for a news channel to service given the “live” environment it operates.



- (c) For the last 8 years, NBA has represented that in view of the considerable reach of the news channels and the universe it covers, the rates for news channels should be calculated on the basis of CPT and not on CPRP. This suggestion has been completely ignored.
- (d) Rates have been arrived at using BARC data for the period week 1-26 of 2016, which is nearly a year old.
- (e) BARC data used for calculating the formula includes both urban and rural data. Therefore, the same formula cannot be adopted across the board and conversion factor needs to be applied to get the benefit of the huge viewership the news genre garners.

As directed, by the then Secretary MoI&B, Secretary General NBA and Sales Heads of NBA met the Additional Secretary, Ministry of Information & Broadcasting on 20.6.2017 and explained the issues and requested her to hold back the implementation of the Policy until such time the concerns of the news broadcasters are considered and an amicable solution found. By communication dated 27.6.2017 to Additional Secretary MoI&B, the reasons were again reiterated by NBA as to why it would be difficult for the news broadcasters to implement the rate formula announced in the new Policy after a period of five years:

1. NBA has in all its representations/ submissions over the last several years suggested that the rates should be calculated based on CPT & not CPRP which has been completely ignored.
2. BARC data for the period 1-26 of 2016 for arriving at the TVR is not acceptable, as it is a year and a half old. BARC data for the period 1-26 of 2017 should be considered.
3. The base rate of 350 for calculating the rate for news channels is very low.
4. The prevalent rates of DAVP is based using TAM data, which then reported only urban data. BARC data now includes both urban & rural data. This implies that there is a phenomenal growth in viewership, which has not been factored in the new formula.
5. Five time bands (against the existing three time bands) is not acceptable. It will be impossible to service the inventory by news channels.
6. Classification of time bands is not acceptable. The classifications in the Policy are not as per industry practice.
7. 33:33:33 dispersion has been done away with in the new Policy, which has been working well for the last four years.
8. New Gross Rates being lower than the current net rates of DAVP, is not acceptable to the broadcasters. This implies that the new net rates will be even lower. Rate reduction has happened for the second time. In 2007 the broadcasters faced the same situation. Thereafter, after several years of consultation/ presentations with the officials of MoI&B & DAVP, the only result yielded was the modifications made on w.e.f 9.5.2013 to the then Policy.
9. With the above constraints and other constraints, the Policy requires 85% serviceability, failing which the channel will be de empanelled.
10. Despite servicing DAVP advertisements which are lower than the commercial card rates of broadcasters, there is no guarantee to receive payments on time. There is a huge accumulation of arrears which includes arbitrary deductions.



Additional Secretary was informed as per the Policy, the beneficiaries of the new Policy dated 8.6.2017 seem to be regional channels and first-time entrants. Other channels would receive lower rates, which was definitely not the intention of the Government and it should be equitable and fair to all the stake holders. The request of NBA to keep the implementation of the new Policy in abeyance was not considered by the MoI&B. The DAVP announced the rate list on 6.7.2017. The matter is being pursued with the MoI&B for an early settlement.

Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013 (3 of 2013) dated 22.3.2013

As reported earlier, the TRAI had issued the following regulations to amend the Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations, 2012 (15 of 2012), namely:

1. Duration of advertisements in a clock hour—No broadcaster shall, in its broadcast of a programme, carry advertisements exceeding twelve minutes in a clock hour.

Explanation: The clock hour means a period of sixty minutes commencing from 00.00 of an hour and ending at 00.60 of that hour (example: 14.00 to 15.00 hrs).

2. Power of the Authority to intervene—The Authority may, by order or direction issued from time to time, intervene for the purpose of protecting the interests of the subscribers or for ensuring compliance of the provisions of these regulations.
3. Reporting requirement—Every broadcaster shall, within fifteen days from the end of a quarter, submit to the Authority, in the format specified by it by order, the details of advertisements carried in its channel.

While making the above amendments, the TRAI took the view that the issue of excessive advertisements in violation of the existing rules, needs to be addressed for giving a respite to the consumers from onslaught of prolonged duration of advertisements and thereby to enhance the quality of viewing experience of TV channels. TRAI is also of the view that the restriction on maximum duration of advertisements carried in the programmes of a TV channel, as prescribed in the Cable Television Networks Rules is to be effectively enforced on a clock hour basis, to ensure quality of service to the consumers. With regard to the reporting requirement, the TRAI is of the view that there should be a proper monitoring mechanism in place. Accordingly, a reporting requirement has been incorporated in the regulation wherein the broadcasters are required to furnish to the Authority a report in the proforma and at intervals as specified by the Authority, from time to time.

NBA in its representation and meetings with the Ministry of Information and Broadcasting and TRAI explained all the issues involved (total dependence on advertising revenues, high carriage fees and little or no subscription revenues) and requested that the notification be kept in abeyance until digitization is completed and the resultant benefits of no carriage fees and credible subscription revenues would accrue. It was also explained that in so far as fixing the duration of maximum advertisements for channels was concerned, TRAI has only recommendatory or an advisory function. The final jurisdiction and authority to take decisions regarding the parameters for regulating maximum time for advertisements vests in the Ministry of Information and Broadcasting. Also, under the garb of “regulation of advertisements” through TRAI imposed restrictions, hitting at the finances of news channels, amounts to “Control of Content” and



these advertisement regulations are in violation of Article 19 (1) (g) of the Constitution of India, which entitles a citizen to inter alia carry-on any trade or business. Therefore, it was suggested to the TRAI that news channels should be exempted from this notification and an appropriate amendment be made in the Cable Act. Such exemption should be keeping in line with rest of the media such as newspapers, magazines, website etc., where there is no restriction on number of advertisements.

There has been no resolution in this matter. The matter is sub judice. The writ petition filed in the Delhi High Court is pending for final hearing.

Deletion of Rules 7(10) and 7(11) of the Cable TV Rules 1994 Representation to Ministry of Information and Broadcasting

As reported earlier, NBA has represented to the Secretary, Ministry of Information and Broadcasting that Rules 7(10) and 7(11) are commercially unworkable and unconstitutional for the following reasons:

- The said Rules operate to regulate advertisements on television channels in a manner that amounts to “content regulation” and such regulation is anathema to the constitutional scheme in our country.
- Advertisements are part of the free speech guarantee contained in Article 19(1) (a) of the Constitution of India, which is a fundamental right and a “preferred freedom” under the Constitutional scheme and any restriction upon such fundamental right to freedom of speech and expression can only be imposed by law which must pass the test of “reasonable restriction” within the meaning of the Article 19(2) of the Constitution of India, which the said Rules do not (as explained below).
- Advertising revenue is the lifeblood of the media and therefore restrictions imposed upon advertisements that may be carried on television channels would also amount to unreasonable restriction, violative of Article 19(1) (g) r/w 19(6) of the Constitution, which grants freedom to do business.
- Restrictions placed on advertisements will have the inevitable effect of exposing broadcasters to financial loss, by reason of decrease in advertisement inventory available with broadcasters.
- Restrictions placed on advertisements will also have the inevitable effect of a sharp increase in subscription charges payable by subscribers/viewers for pay channels.
- Restrictions on availability of advertising time would, in addition, have the inevitable effect of increase in advertisement rates, which would be detrimental to the interests of the small scale and medium enterprises and advertisers.
- Advertisements are not a pernicious evil nor are advertisements useless or purpose-less. Advertisements serve the purpose of informing viewers and consumers about goods and services; and of promoting consumption of goods and services, which is in the best interests of economic development of the country as a whole.

NBA therefore submitted that the existence of the said Rules on the Statute Book ought to be done away with keeping in mind the constitutional provisions of free speech and for the very survival of the news genre. A decision from the Ministry of Information and Broadcasting is awaited in the matter.



Entities/ individuals running “news channels” without any legal framework applying to them

NBA in May 2011 had drawn the attention of then Secretary, Ministry of Information & Broadcasting to a serious lacuna in broadcasting law by reason of which entities/ individuals are running “news channels” without any legal framework applying to them ; and as a result the very sensitive and important functioning of dispensing information, news and views is left to entities who have no accountability or legal superintendence whatsoever.

NBA stated that the business of cable operators is governed by the provisions of the Cable Television Networks (Regulation) Act 1995 and the Cable Television Networks Rules, 1994. Section 3 of the said Act mandates that no person shall operate a cable television network unless he is registered as a cable operator under the said Act. The requirement is only of “registration”; and no license is required. The requirements in the application for registration are essentially formal; and no criteria are to be fulfilled that may relate or impinge upon the qualification or credibility of the person (s)/entity(ies) responsible for the content broadcast on what may be described as “ locality specific news channels”. The only provisions of the said Act and said Rules that lay down contours of the programming content are Section 5 (Programme Code) and Section 6 (Advertising Code) and the corresponding Rules 6 and 7 of the said Rules, which provisions are applicable to all programmes and advertisements that are carried on a cable network, whether on cable channels, terrestrial channels or satellite channels. However, if an entity wishes to start a satellite news and current affairs channel, a host of requirements come into operation, inter alia, under the (now consolidated) Guidelines for Up-linking from India and Policy Guidelines for Down-linking of Televisions Channels issued by the MoI&B.

Essentially, the local news operators are free of the myriad rules, regulations, criteria and conditions that apply to satellite news channels except some basic requirements required only for purposes of registration as a cable operator, which requirements are actually meant to make them accountable only for their business as cable operators not as persons running local news channels. Local news channels run are as much news channels as satellite news channels since they perform the same function of collecting and dissemination news, views and information, although at a smaller scale since they operate in local areas and not pan-India. Accordingly, in law, there is no “intelligible differentia” as between satellite news channels and local news channels that would justify these two categories being treated differently and different laws being applicable to these two categories of channels. There is also no “reasonable nexus” between the purpose being sought to be achieved by applying a certain legal regime to satellite news channels and not applying the same to local news channels. The result is that our members – being satellite news channels: (a) face a completely unequal treatment under the law vis-a-vis local news channels ; and (b) local news channels are given a virtually free reign over the areas in which they operate. Such a legal regime, would not even stand scrutiny of the law – in particular scrutiny on the constitutional anvil of Article 14 of the Constitution of India, which mandates equal treatment of equals under the law.

NBA has recently once again requested the Ministry to examine the issues raised in this representation and to address and resolve the same urgently, by appropriate subordinate legislation, notifications etc. for which there is ample power even under the Cable TV Act. The outcome of our representation is awaited.



Fresh security clearance before renewal of permission for next 10 years after expiry of its initial period of permission to TV channels/Teleports

As already reported, the Ministry of Information & Broadcasting vide Notice dated 28.3.2016 had stipulated the requirements for “fresh security clearance”, before renewal of the permission for next 10 years for Uplinking and/or Downlinking of TV channels and setting up of Teleports, which have been brought in as prescribed by the Ministry of Home Affairs (MHA). NBA has represented to the MHA that the details required to be submitted in the “Self Declaration” other than giving details of the Company, name and address of Owners, Promoters and Directors of the Company, the broadcasters would need to give details of preventive detention proceedings (PSA/NSA etc), criminal proceedings, against the Company/Owners/ Directors/Promoters, details of detention / cases / FIR /warrant number/police station / District/ Agency / Section of Law / name and place of the court, in respect of both India and any other foreign country.

NBA represented that seeking such information from broadcasters is arbitrary, unwarranted and draconian and sets a dangerous precedent. Several defamation/criminal cases are filed against news broadcasters in particular on the content aired on news channels by individuals/rivals/political parties etc. on a daily basis. Such cases drag on for years. The final outcome is known only after several years. The mere existence of a criminal case/complaint against a broadcaster would become a ground for refusal/ rejection of security clearance by the MHA. With such requirements, a broadcaster will never be able to get their security clearance from MHA for renewal of their permission by the Ministry of Information & Broadcasting. NBA also stated that if there is no change in the shareholding of the Company or the Directors and since the broadcaster is already on air or holds permission for ten years, there should be no reference made to the MHA for any security clearance. The Ministry of Information and Broadcasting should automatically renew the permission under the provisions contained in the Uplinking and Downlinking Guidelines, which are presently in force. Furnishing of such details, should not be a requirement even for broadcasters applying for permission for the first time. The matter is being pursued at the highest levels in the government.

Ministry of Information & Broadcasting

Meeting with Secretary MoI&B

President, NBA and the Board members called on the then Secretary, MoI&B on 28.9.2016 and 17.11.2016. On both occasions detailed representations were submitted on pending and new issues, which required consideration and speedy resolution, which inter alia related to:

1. Deletion of Rules 7(10) and 7(11) of the Cable TV Rules 1994.
2. News Broadcasters Association (NBA) Code of Ethics and Redressal Regulations to be made part of the Programme Code under the Cable TV Act.
3. Representation of NBA in the Inter-Ministerial Committee of MoI&B.
4. Misuse of DD Direct Slot.
5. DAVP
 - (a) Rates for Government Advertisements.
 - (b) Payment terms for DAVP advertisements.

6. TRAI matters
 - (a) Carriage Fees.
 - (b) Placement & Marketing fees.
7. Fresh Security clearance before renewal of permission for next 10 years after expiry of its initial period of permission to TV channels/Teleports.
8. Lacuna in broadcasting law by reason of which entities/ individuals are running “news channels” without any legal framework applying to them.

All these issues are being followed up with the MoI&B and we hope that there would be resolution/ action on the issues raised by NBA.

Self-regulation in the context of the Order dated 12.1.2017 of the Hon’ble Supreme Court in Common Cause Vs. Union of India

NBA represented on 23.3.2017 to the then Secretary, Ministry of Information & Broadcasting that the Hon’ble Supreme Court, by its Order dated 12.1.2017, in *Common Cause vs. Union of India* [WP (C) No. 387/2000 with WP (C) Nos. 963/2013 and 1024/2013] pronounced upon the need for introduction of complaint redressal mechanism in regard to television and radio programmes. As the said decision was being viewed/interpreted differently in regard to the role and of standing of existing self-regulatory bodies on the complaint redressal mechanisms available to viewers in relation to news broadcasts and the relationship of these bodies with the Ministry, the Board members of the NBA had a meeting with the then Secretary MoI&B, to bring in clarity in the matter. NBA submitted that the Order dated 12.1.2017 of the Hon’ble Supreme Court does not in any manner dilute the effective self-regulatory mechanisms that are already in place and operational for almost a decade in relation to the complaints relating to electronic news channels. Thus, the Order dated 12.1.2017 of the Hon’ble Supreme Court makes it clear that the directions given therein were with reference to the existing governmental mechanism, recognizing the fact that the said governmental mechanism was in addition to the existing self-regulatory mechanisms like, NBSA, BCCC and ASCI. It was submitted that the Supreme court did not direct any action or interference with the existing self-regulatory mechanisms.

In compliance with the Hon’ble Supreme Court’s Order, the Ministry of Information & Broadcasting issued advertisements in leading newspapers regarding “Redressal Mechanism for Grievance against content telecast/ broadcast on Prvt Satellite TV Channels, Prvt FM Channels & Community Radio Stations”. The advertisement among other things mentioned where the public can lodge their complaints, which includes the NBSA for news channel members of the NBA, BCCC for non-news channel members of IBF & ASCI for advertisement related complaints. Public can also register complaints, through the grievance portal of Dept. of Public Grievances and can also send the complaint to the Director (Broadcasting Content), MoI&B.

Directorate of Advertising & Visual Publicity (DAVP)

Standing Co-ordination Committee Constituted by the MoI&B

DAVP vide letter dated 3.4.2017 informed NBA that Vide Order No. M24013/19/2017-MUC dated 14.3.2017 MoI&B has constituted a Standing Co-ordination Committee to sort out issues relating to outstanding



payments to media (Newspapers/Radio/TV). NBA is represented on the Committee. The purpose of the Committee is to expeditiously clear the long outstanding payments of the print, audio-visual and other mediums. To avoid the accumulation of dues of various client Ministries, as per the instructions of MoI&B, the Committee was informed by the then DG that DAVP would henceforth undertake campaigns only with availability of advance funds from clients. Two meetings of the Committee have been held so far. Since DAVP has released lump sum payments, reconciliation of payments has not been possible as details of bills etc. have not been provided to the news broadcasters. The matter is being pursued in the meetings for expeditious action by DAVP.

DAVP outstandings of NBA Members

Since the formation of the Coordination Committee was for reconciliation of accounts, the then DG, DAVP was informed vide letter dated 1.6.2017 that NBA had collated the outstanding details from 23 member news broadcasters representing 62 channels for the period pre automation i.e. till October 2010 & post automation i.e. November 2010 to March 2017. An amount of Rs. 56.79 crores was still outstanding which includes Rs 6.73 crores towards deductions, which have not been accepted by the broadcasters. DAVP was informed that substantial amount related to MoI&B, which DAVP was requested to clear on priority as it related to their parent Ministry. Other issues taken up in the meetings related to the functionality of the DAVP website; the website was functional only for uploading invoices and for release of RO's. It remains dysfunctional for receiving details of on-account payments released and for reconciliation of accounts. The updating on the website had not happened from October 2016 onwards. DAVP had only in the month of May 2016 updated all the historic payment details (2016 and prior) on the website. DAVP website also does not give the date on which they update the payments online, which also becomes an impediment for reconciliation. Members were also facing problems in opening the payment details. Another issue highlighted was that several of our members had not received payments from various Ministries/ Departments and in some cases the outstanding payments which members are to receive was huge and there was need for DAVP to take it up with client Ministries to expedite the payments. The then DG, DAVP was requested to allot time slots to the members of NBA to meet the concerned DAVP officials to reconcile the accounts. This has been facilitated by DAVP and several members have used the opportunity to discuss their outstanding dues.

Outstanding dues of Ministry of Information and Broadcasting - DAVP

Additional Secretary, Ministry of Information & Broadcasting on 20.6.2017 was informed of the outstanding dues of DAVP and in particular the dues of our member broadcasters with regard to the Ministry of Information and Broadcasting (MoI&B). Vide letter dated 13.7.2017 she has been informed that the outstanding dues reported by our member broadcasters only with regard to MoI&B from 2007-08 to 2017-18 is Rs.32.52 crores. Since the MoI&B is the parent Ministry of DAVP, NBA requested her to release funds to DAVP so that they are in a position to make the payments. The issue of arbitrary deductions by DAVP was also raised in the representation. The outcome of the representation is awaited

PAC Meetings of DAVP for Regional Channel Empanelment

The Panel Advisory Committee (PAC) has been meeting regularly to consider the empanelment of Regional C&STV channels. PAC met a couple of times during the year under report and was attended by the Secretary General, NBA. In these meetings, several regional broadcasters were granted empanelment by DAVP on compliance of the documentary requirements.

Meetings of the Task Force on implementation of Phase III & IV of Cable TV Digitisation

Meetings of the Task Force were held regularly and critical issues were discussed with all the stakeholders for smooth seeding of boxes and to maintain the time lines laid down in this regard. In view of the 42 Court cases pending in various High Courts, which were subsequently transferred to the Supreme Court of India, the Ministry of Information & Broadcasting (MoI&B) vide Notice dated 22.12.2016 extended the time to switch-over to digital in Phase-III areas upto 31.1.2017 and the cut-off-date of Phase-IV was revised to 31.3.2017. Accordingly, the MoI&B requested NBA that the scrolls being run by NBA members on various channels may be amended accordingly with the revised dates for Phase-III & Phase-IV. MoI&B also issued a Notification No.S.O.4159(E) dated 23.12.2016 in this regard. The last meeting of the Task Force chaired by Additional Secretary, MoI&B was held on 14.3.2017. All the broadcasters, multi system operators and local cable operators were directed by the MoI&B to ensure that no analogue signals are transmitted over the cable networks in Phase IV areas after 31.3.2017, failing which action would be taken against the defaulters as per the provisions in the Cable TV Act/Rules.

Tickers to be carried by member broadcasters Phase IV (rest of India)

In view of the extension in the deadline for Phase IV digitization, Members were advised to carry tickers with regard to Phase IV (rest of India) upto 31.3.2017, at least two times in an hour or more as they desired on their respective channels.

MoI&B circular dated 27.1.2017 regarding grant of registration to MSOs for operation in DAS notified areas

To facilitate digitization, MoI&B vide Circular No. 2/108/2015-DAS dated 27.1.2017 informed NBA and other concerned that Ministry of Information and Broadcasting had amended their earlier Policy by which all registered MSOs were now free to operate in any part of the country, subject to certain conditions irrespective of registration for specified DAS notified area(s) granted by the MoI&B.

Amendment in the Policy Guidelines for Uplinking and Downlinking for News/Non-News and Current Affairs TV Channels

Ministry of Information & Broadcasting (MoI&B) vide Order dated 16.12.2016, has deleted Clauses 2.1.4 and 3.1.15 of the Uplinking Guidelines dated 5.12.2011 and Clause 1.10 of the Downlinking Guidelines dated 5.12.2011, concerning appointment at the top management positions in the Companies operating TV channels.

Online portal “Broadcastseva” by Ministry of Information and Broadcasting

MoI&B launched an online ‘Broadcastseva’ portal (<http://broadcastseva.gov.in/>) aimed to provide a single point facility to various stakeholders and applicants for various permissions, registrations, licences etc. issued by the Ministry for broadcast related activities. Presently the following four modules have become ‘Live’:

- (i) Payment of Annual Permission Fees for TV Channels/ Teleports
- (ii) Application for Temporary Uplink of Live Events
- (iii) Application for setting up of Community Radio Stations
- (iv) Application for registration as Multi-System Operators



A meeting to acquaint stakeholders with the details of the web portal and facilities provided therein, was held under the Chairmanship of Additional Secretary, MoI&B on 25.5.2017. Members of NBA participated in the deliberations.

28th State Information Ministers Conference (SIMCON) 10.12 2016

After a lapse of 8 years, the 28th State Information Ministers Conference (SIMCON) was held on 10.12.2016, in New Delhi, which was attended by the Secretary General.

Communications received from MoI&B

The following communications received from MoI&B during the year under report, have been circulated to all Members and Editors of NBA for their information :

1. Activities/initiatives to be undertaken during Independence Day Celebrations, 2016 dated 25.7.2016.
2. Implementation of the Bezbaruah's Committee Report on the concerns of the people of North East living in other parts of the country dated 29.7.2016.
3. Dissemination of Hindi spot on "70 years of Azadi, Yaad Karo Qurbani" dated 11.8.2016.
4. (1) Advisory on sign language interpretation and (2) Video on Azadi Ke Rang dated 12.8.2016.
5. Implementation of the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) and Protection of Children from Sexual Offences Act, 2012 (POCSO) regarding prohibition on disclosure of identity of the child by media dated 2.9.2016.
6. Cauvery Water dispute dated 13.9.2016.
7. Release of scrolls by TV channels during Vigilance Awareness Week 2016 from 31st October, 2016 to 5th November, 2016 dated 28.10.2016.
8. Programme on occasion of Birth Anniversary of Sardar Vallabhai Patel on 31st October, 2016 dated 28.10.2016.
9. Prime Minister's Speech in Goa on 13.11.2016 about black money and demonetization.
10. Telecast of documentary films to spread the message of Swachh Bharat by private TV Channels.
11. Telecast of sign language programme related to Republic Day celebration dated 24.1.2017.
12. Registered MSOs free to operate in any part of the country dated 27.1.2017.
13. Compliance of Court Order passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 855/2016 - Shyam Narayan Chouksey vs. UOI relating to National Anthem of India dated 8.2.2017.
14. All provisional MSO registrations, unless cancelled/suspended subsequently, to be treated as deemed regular registration for 10 years from the date of issue of provisional registration dated 6.3.2017.
15. To follow the provisions contained in Rule 7 (10) of the Advertising Code dated 10.3.2017.
16. Compliance of the Emblems and Names (Prevention of Improper Use) Act, 1950 dated 22.3.2017.
17. Satyagraha to Swachhagraha dated 10.4.2017.
18. Launch of online portal 'Broadcastseva' by the MoI&B dated 12.5.2017.
19. Advisory dated 21.7.2017 to give publicity to Mission Indradhanush.



20. Advisory dated 27.7.2017 to run scrolls on GST on private TV channels.
21. Reference from Government of Jammu & Kashmir regarding TV coverage of counter insurgency operations, incidents relating to law and order disturbances in Kashmir Valley dated 27.7.2017.
22. Advisory regarding telecast of Independence Day ceremony/commentary accompanied with sign language interpretation by TV channels dated 14.8.2017.
23. All communications received from MoI&B regarding PM's Broadcast 'Mann Ki Baat'.

Telecom Regulatory Authority of India (TRAI)

Listing of TV channels on Electronic Programme Guide

NBA Board noted that Republic TV (non member), which was launched on 6.5.2017 was registered by several MSO's / DPO's/ Distributors multiple times under different genres in their Electronic Programme Guide (EPG); by listing them on multiple Logical Channel Number (LCN) was illegal and in clear violation of regulations. As per TRAI regulations channels can not be registered under more than one genre and be given multiple LCN by a single distributor for a particular location. Times Now & CNN News 18 which were available on multiple LCN were requested to remove their channels, which they agreed to. NBA Board decided that before this unhealthy practice got out of hand, NBA should write to the TRAI and request them to intervene and directs all channels to remain on single LCN as per the TRAI regulations and to also take immediate action to investigate into the matter and stop this malpractice by Republic TV and the defaulting MSO's/ DPO's / Distributors.

NBA informed TRAI on 12.5.2017 and requested that before this unhealthy practice spiral out of hand, TRAI should intervene immediately and directs all channels to remain on single LCN as per TRAI Regulations. Arising out of the NBA representation and the meetings with Chairman TRAI and officials, TRAI issued a Press Release dated 31.5.2017 which brought to the notice of Multi System Operators (MSO's) that they have been mandated to place the channel in the genre so declared by the broadcaster of that channel. The MSO is also required to ensure that all the channels falling in a particular genre appear in its network EPG under that genre, which would enable the subscriber to be able to see the list of channels that are available genre wise and thus making the services more consumer friendly. TRAI in the press release stated that non-compliance would lead to action by TRAI against MSO's as envisaged in the terms of the provisions of the TRAI Act. The timely intervention of TRAI on NBA's representation stopped the rampant malpractice.

NBA Board also decided to write to BARC that in view of Republic TV being available on multiple LCN, as in the past in their "Heads Up Document", a clarification be issued that Republic TV was available on dual LCN. NBA also appealed to BARC not to release data for the English general news category for Week 19, 2017 as the rating was corrupted due to unfair distribution tactics. BARC chose to disregard NBA's complaints and went ahead and released the contaminated data pertaining to Week 19 of 2017, which not only tarnished the image of English news broadcasters but set a very bad example for the entire broadcast and media industry. Consequently, major English news Channels who are members of the NBA (Times Now, NDTV, India Today, News X, CNN News 18 and Mirror Now) opted out of the measuring system to protect themselves from being measured in a non-level playing field and had clarified that they would return only after the unethical practices had been stopped. After a series of discussions and complaints



to BARC and TRAI, the English news broadcasters resumed their watermark subjecting themselves to ongoing measurements as they were sufficiently satisfied that due to TRAI's intervention the malpractices were discontinued.

The Telecommunication (Broadcasting and Cable Services) Interconnection (Addressable Systems) Regulations, 2016

The Telecommunication (Broadcasting and Cable Services) (Eighth)(Addressable Systems) Tariff Order, 2016

The Standards of Quality of Service and Consumer Protection (Digital Addressable Systems) Regulations, 2016

NBA had given its response to the relevant and material issues contained in the Consultation Paper dated 29.1.2016 on 16.3.2016. Subsequently, TRAI further issued the draft Regulations, Tariff Order and QoS. Since the draft Regulations, the Tariff Order and the said QoS raised certain important issues for member news broadcasters, NBA submitted the following comments:

1. The TRAI must ensure that Digital Addressable System (DAS) is implemented and comes into effect by December 2016 as stipulated.
2. The Regulations, Tariff Order and QoS should be implemented only after DAS is completely implemented in India ; or at the very least, these should be implemented only in areas where DAS has been fully implemented.
3. No carriage, placement or marketing fee should be charged from the news broadcasters by any Digital Platform Operator (DPO).
4. The Tariff Order should make a distinction between a “commercial subscriber” and an “ordinary subscriber”. However, the Tariff Order did not make such a distinction as it did not give a definition of a “commercial subscriber” or tariff related to commercial subscribers. The difference between an ordinary subscriber and a commercial subscriber is important as an ordinary subscriber would subscribe to a channel for their own individual use whereas a commercial subscriber would make profit from further selling the service to its consumer. It was suggested that TRAI draft a regulatory framework which permits Digital Platform Operators (DPO) to enter into a subscription arrangements with news broadcasters with the fee calculations being based on “no ceiling rates” and fixed rates.
5. After the Regulations, Tariff Order and QoS come into effect status quo should be maintained in respect of availability of the channels, Pay or Free to Air (FTA) and the place given to such channels in Electronic Programme Guide (EPG) in that the availability and placement of a channel should remain exactly the same as it was on the DPO Network three months prior to the implementation of the Regulations, Tariff Order and QoS.
6. The Regulations stipulated that the Carriage Fee will be calculated as per Schedule I attached to the Regulations. The said Schedule further clarified that where the DAS had been rolled out Carriage Fee is payable only if the penetration of a channel is below 20%. Payment of Carriage Fee also has slabs within that, ranging from 20 paisa to 5 paisa per subscriber as mentioned in Schedule I of the Regulations. NBA stated that:
 - (a) If any carriage fee is to be paid by the news broadcasters, it must necessarily have a co-relation with a subscriber base cited by the Multi System Operator (MSO)/Digital Platform Operator (DPO) and



verified by the Central Facility/Auditor. Carriage fee should be payable by the news broadcasters for the actual number of subscribers that subscribe to and watch its channels, whether the channel is Pay or FTA.

- (b) A news broadcaster must be able to choose the city/ies and/or areas/ regions within a city to which its channels may be carried and be made to pay carriage fee accordingly on actual subscribers as per slab and slab rates provided in Schedule I of the Regulations. Schedule I should list all Cities of DAS I & DAS II markets and all States & UTs. Broadcaster may select a city only as target market (of DAS I & II areas) or a State, whatever is relevant.
 - (c) In relation to Schedule I of the Regulations, the relevant geographical areas/target markets where the channels of the news broadcasters reach need to be defined clearly. It was suggested that where it concerns national channels in fact the “target market” or “the relevant geographical areas” should be defined as 40 cities in all States where DAS I and DAS II has been implemented. In the case of regional channels, the “target market” or the “relevant geographical areas” should be defined as the key cities of those particular regional States. The regional news broadcasters should also be given the choice of cities outside of its regional State where they could broadcast their channels. The choice of the above cities would naturally be cities where there would be a substantial number of subscribers who speak/understand that particular language of the channel and would therefore want to subscribe to such channels. These cities would include all DAS I and several DAS II cities or States/UTs.
 - (d) The news broadcasters should pay carriage fee based on the actual number of subscribers that subscribe to and watch its channels (whether pay channel or free-to-air channel) and not on the entire subscriber base of a DPO in the target market as defined by broadcaster.
 - (e) The carriage fee charged by a DPO for carrying a news broadcasters SD/HD channels has to be on the basis of the actual number of subscribers who have subscribed to those relevant channels. News broadcasters also suggest that for the purpose of arriving at the penetration of any HD channel and arriving at the slabs as described in Schedule I of the Regulations, the computation should be the average active subscriber base in a month for the HD channels as a percentage of the average active subscriber base of the HD bouquet of the DPO in which the HD channel is included for that month in a particular territory in the defined market. The above percentage should not be calculated on the entire subscriber base of a DPO in the territory. It should be calculated on the active subscriber base of the HD bouquet in which the HD channel is included.
 - (f) Since dissemination of news is critical in a democracy the “news” genre of TV channels must be given preference over other genres of television channels and the “must carry” provision should be made absolute in the case of FTA news channels, which would reduce carriage fee for these channels.
 - (g) In the case of the regional FTA channels at least 5 FTA channels (which regional FTA channels relate to that region/State) should be carried in the basic tier of 100 SD channels and such FTA channels would be picked based on the number of subscribers for a particular channel in the region.
7. With regard to placement & marketing fee, TRAI must ensure that the fair and equitable position is that no placement fee or marketing fee, by whatever name called, should be payable when DAS is implemented completely in all areas. The reasons why there should be no levying of placement or marketing fees are as follows:



- (i) If the MSO's/DPO's are permitted to charge placement and marketing fee from the broadcasters it would mean giving the DPO's a carte blanche and untrammled leverage to demand extortionate placement and marketing fee from broadcasters with no rationalé or reason. It is necessary to curb one of the most pernicious malpractices that is prevalent in the industry, which has been the bane of broadcasters and also affects the interest of the consumers;
 - (ii) Once the channel carrying capacity of an MSO is conveniently raised between 500 to 1000 channels there would be no necessity to charge either placement or marketing fee from the broadcasters; and in such scenario, broadcasters would no longer require to demand any specific or preferential channel placement, except to the extent that channels be placed in their correct and rational genre and sub-genre;
 - (iii) There was no justification at all for charging placement fee since upon digitization of the distribution platforms there is no "frequency band" and channels are arranged in the Electronic Programme Guide ("EPG") accessible to the subscriber who can easily browse through the EPG and select the channel of his choice from a list (arranged genre-wise) instead of 'flipping' through all the channels.
8.
 - (a) The news broadcasters had suggested in response to an earlier consultation paper that in the larger consumer interest, Electronic Programme Guide (EPG) of any DPO should be made available in a categorized manner with different genres of television channels (News, Sports, Movies, Kids etc.) and further such EPG should display all available television channels in each respective genre, with the objective of offering convenience to consumers.
 - (b) It is acceptable to news broadcasters if details of programmes of channels not subscribed by a consumer were also included in the EPG; or if the EPG included a preview of the channels on the platform of the DPO's even for channels not subscribed to by the consumers. Under the Regulations, for the convenience of the consumers there should also be sub-categorization within a genre for example within the category of news, Hindi or English, there must be further sub-categorization such as Hindi-Business and English-Business news ; and a sub-category of Music between Hindi-Music and English-Music etc. Such sub-categorized genres would help simplify the search for channels by consumers and will ensure that no sub-categories of channels are at any disadvantage due to placement/EPG positioning by DPO within that category.
9.
 - (a) In respect of Auditing, a Central Auditor /Facility must be in place in order that the correct subscriber numbers for channels, Pay or FTA, are available to the news broadcasters. The Auditor would also be able to co-relate the number of the subscribers to a channel as given by a DPO and verify the same. This would be an important issue vis-a-vis payment of carriage fee by the news broadcaster to a DPO.
 - (b) There must be regular monthly reporting by a DPO to the Regulator/Auditor in respect of the number of subscribers to a channel which should be available for the Regulator to verify at all times. A DPO must report monthly to the Regulator/Auditor in respect of the total number of active subscriber that it has and this reporting must be done territory wise, city wise and bouquet wise.
 - (c) The lack of transparency and visibility in reporting the subscriber numbers has been a malaise in the Non-DAS system for the news broadcasters ; and in order to correct this the news broadcasters should be allowed to verify/audit these numbers at least twice a year.

10. Since the rate of carriage fee has been defined as 20 paisa per set-top box per month ; and slab basis penetration upto 20% ; HD channels at 40 paisa per set-top box per month for the purposes of infrastructure costs, it was submitted that carriage fee payable by the news broadcasters to a DPO be reduced substantially in the second year ; and when DAS is rolled out in phases and digitization is complete, NBA reiterated that carriage fee must not be permitted to be charged from the news broadcasters.
11. The DPOs must not be given the right to discontinue carrying of a television channel in case the monthly subscription, in the immediate preceding six consecutive months, for that particular television channel is less than 5 percent of the subscriber base of that distributor, in the target market specified by the news broadcaster in the interconnection agreement, in that particular month. If a DPO is given the right to disconnect on the above terms the chances of a DPO giving incorrect subscriber number to the news broadcasters and using it as an excuse to disconnect or to demand more fee in the name of placement etc. increases. Whether a news channel can carry on its business of telecasting/broadcasting with a subscriber base of less than 5 percent of the subscriber base of a distributor should be left for the market forces to decide.
12. In the Regulations, the DPOs have the right to price the packages and to offer any discount they choose, which would create commercial problems for the news broadcasters. Therefore, to create a level playing field amongst channels in the same genre, the discounts offered by DPOs should be uniform for all channels in that genre.
13. The DPO's should report on a monthly basis their capacity to carry channels, free capacity available and the names of the channels in the queue for obtaining an LCN/number allotment.
14. The DPO's should also report on a monthly basis about their active subscriber base in a territory, city, town and they should also report on a monthly basis in respect of the new territories they have entered and the territories that a DPO has withdrawn/exited from.
15. In case of launch of a new channel as a pay channel, the broadcasters should be allowed to give a promotional offer to charge nil value / higher discounted value for the said channel and package the channel with existing pay channel bouquets offered.

After considering all the submissions received from stakeholders on the draft regulations, TRAI on 3.3.2017 issued the Tariff Order/Interconnection and QoS Regulations. As per the regulations, the RIO was to be filed by pay broadcasters within 60 days from the commencement of the said regulations. The regulations would become applicable w.e.f. 1.9.2017. The regulations have been challenged in the Madras High Court, the decision is pending.

Meeting of Working Group formed for developing technical solution using information and communication technologies

TRAI in the paper titled "Interconnection framework for Broadcasting TV Services distributed through Addressable Systems" dated 4.5.2016 had proposed the facilitation of Interconnection Management System (IMS), in the broadcasting and cable TV sector. TRAI convened a meeting on 27.10.2016, to discuss the development of a centralized online Interconnection Management System (IMS), a centralized system for management of subscription reports and a centralized platform for customer choice. NBA nominated Mr. Rajat Nigam, Mr. Avinash Pandey and Mr. Neeraj Pal to the Working Group.



TRAI Consultation Paper dated 31.7.2017 on Ease of Doing Business in Broadcasting Sector

TRAI had suo motu, decided to go for a Pre-Consultation on 17.4.2017 with the stake holders on “Ease of doing business in the Broadcasting Sector”. Member broadcasters were requested to file their response with regard to the Pre-Consultation. The TRAI has now issued a Consultation Paper on 31.7.2017 and Members have been requested to file their submissions.

Ministry of Finance

1. Pre Budget Memorandum 2017-18

NBA vide letter dated 30.11.2017 submitted its Pre Budget Memorandum to the Ministry of Finance relating to Direct Taxes - Procedural recommendations, Direct Taxes – TDS clarifications and recommendations, Indirect Taxes, GST, Service Tax on broadcasting services of news channels --- in view of implementation of GST and to grant infrastructure status to the broadcast industry. The broadcast industry did not get any specific relief in the budget proposals.

2. Reverse Charge Mechanism (RCM) on Sponsorship Services -GST

NBA has represented to Mr. Arun Jaitley Hon’ble Minister for Finance, Corporate Affairs, Defence & Chairman GST Council that under the GST laws, which was rolled out on 1.7.2017, a major issue that impacts the entire broadcasting and the news media industry i.e. taxation of “sponsorship services” being provided to various corporates and other bodies. It is one of the important sources of revenue for broadcasting and news media industry. NBA stated that the manner of treatment of “sponsorship service” under GST will lead to stranding of taxes and consequent cost escalations which is contrary to the avowed aims of this reform.

NBA has requested the GST Council to consider the following suggestions to ameliorate the situation -

- (a) Amend the provision of Section 17(3) so as not to treat supply on which the recipient is liable to pay tax on reverse charge basis as an exempt supply. A service on which tax is paid under reverse charge is not an exempt supply, only the tax payment liability has been shifted to the recipient rather than being on the service provider.
- (b) Tax Sponsorship service under forward charge may be done away by way of amendment of Notification No. 10/2017 – Integrated Tax (Rate) dated 28.6.2017 by way of deletion of Sr.No.5.

Response from the GST Council is awaited.

3. Grant of benefit of carry forward losses and unabsorbed depreciation in case of amalgamation or merger for broadcasting services - Section 72A of Income Tax Act, 1961 - Clarification thereof

NBA vide letter dated 10.4.2017 requested for availability of benefit of Section 72A relating to carry forward losses and unabsorbed depreciation in case of amalgamation or merger to the broadcasting sector which inter alia include television broadcasting services (TV channels), DTH, HITS and cable services and also radio broadcasting service. Broadcasting services including DTH and cable services are already regarded as telecommunication services under TRAI Act 1997 and that issuance of clarification by CBDT regarding the availability of benefit of Section 72A to this sector would facilitate the consolidation and

faster digitalization through the requisite investment in digital infrastructure which in turn would result in more employment opportunities and also significant benefits to the Government in the form of direct and indirect taxes in the long run. Accordingly, it was requested that necessary clarification be issued by CBDT through a clarificatory circular.

In response OT & WT Section, CBDT, vide letter dated 13.6.2017 has stated that the representation of NBA has been considered by the Board. They have informed that as per the existing provisions of Section 72 A of the Income Tax Act 1961, it will not be feasible to issue a circular to include “broadcasting services” under the ambit of telecommunication services under Section 72A (7) (aa) (ia) of the Act. However, the suggestion may be considered by the CBDT for possible amendments of the legal provisions, based on merits and subject to the approval of the competent authority, through the Finance Bill 2018. NBA would be taking up this matter in its Pre - Budget Memorandum 2018-19.

Meeting on Copyright and related rights - Department of Industrial Policy and Promotion (DIPP)

Under the Chairmanship of Joint Secretary, DIPP, a couple of meetings with various stakeholders on issues relating to Copyright and related rights as per the provisions mentioned in the Copyright Act 1957 were convened. The main issues discussed in these meetings related to : Constitution of the Copyright Board; IPR Enforcement tool Kit ; Online Piracy ; Section 31 D of the Copyright Act (Compulsory Licensing vs Statutory Licensing) ; Primary mode of exploitation and protection of their signals against piracy and unauthorized distribution through various medium.

Amendment to Copyright Act by DIPP

DIPP by way of an Office Memorandum dated 5.9.2016, clarified that the provisions of Section 31 D are not restricted to radio and television broadcasting organisations only, but cover internet broadcasting organisations also. The Government has shifted copy right related issues from the Department of Higher Education to the Department of Industrial Policy & Research (DIPP), making it the nodal agency for all IPR related matters.

Examination of the subject “Status of Cable TV Digitization and Interoperability of Set Top Boxes” -The Standing Committee on Information Technology, Lok Sabha

Director, Standing Committee on Information Technology Branch vide letter dated 11.7.2017 directed that the Standing Committee on Information Technology desired to hear the views of the NBA on the subject “Status of Cable TV Digitization and Interoperability of Set Top Boxes” on 13.7.2017. A joint representation was submitted by both NBA & IBF on 11.7.2017. NBA and IBF together appeared before the Standing Committee on 13.7.2017. Mrs. Anuradha Prasad, Board Member NBA & Secretary General, NBA & IBF appeared before the Standing Committee. Thereafter, vide letter dated 17.7.2017, the Standing Committee forwarded a list of points on the subject for written replies, which has been submitted on 24.7.2017.

Examination of the subject “Electoral Reforms” by Department related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice

Director, Rajya Sabha Secretariat vide letter dated 6.7.2017 requested for the views of the NBA on the following issues:



1. Free Airtime allocation to political parties and candidates in privately- owned electronic and print media during elections.
2. Regulation of money power used through media to swing election results in articulate manner by candidates / party despite model code of conduct in force as prescribed by Election Commission; and
3. Regulation of cross-media ownership of media houses by corporate and their influence in the conduct of elections.

NBA has submitted its response on 31.7.2017.

Media Reporting in Courts - Balancing Free Press, Free Trial and Integrity of Judicial Proceedings

On coming to know that the Hon'ble Acting Chief Justice of the Delhi High Court has constituted a Committee to examine and make recommendations with regard to how court proceedings ought to be covered in the media, NBA thought it necessary to bring it to the notice of the Committee its "Specific Guidelines for Reporting Court Proceedings", which has been conveyed to the Joint Registrar (Judicial) (Rules) & Coordinator of the Committee, High Court of Delhi. We have also stated in our letter that if the Committee deems it proper NBA may be given an opportunity to represent before the Committee on the issue. A response is awaited.

Broadcast Audience Research Council (BARC)

During the year under report NBA took up the following issues with the BARC:

1. Proposal to release raw data by BARC
2. Detailed Analysis of Urban & Rural Data
3. Misusing of DD Direct slot

BARC ratings published on 9.2.2017

NBA took up with BARC regarding the ratings published on 9.2.2017 for the coverage by CNBC TV18 during the budget week i.e. January 28 to February 3, 2017. It was highlighted that during this week there was sudden spike in the reach of the channel especially on and around budget day i.e. 1.2.2017 from carrying an average of 289 in the preceding 13 weeks, the budget week reach went to a high of 2280. The broadcaster had stated that such extreme spike was unprecedented and unheard of in the industry. BARC responded to the complaint and attributed it to the "water mark" of a TV channel and till the channel carries the same unique "water mark", the data collected is reported as a single channel. The broadcaster was requested to approach the MoI&B & TRAI as it is not a regulatory body, and neither does it adjudicate disputes between broadcasters.

BARC Committee to deal with rating disputes and unfair practices

BARC has set up a Committee to deal with rating disputes and unfair practices and appointed Justice (Retd.) Mukul Mudgal, former Chief Justice of Punjab & Haryana High Court to head the BARC India Disciplinary Council (BDC), with the following members:

Mr. D Shivanandan, Former Mumbai Police Commissioner & DGP Maharashtra
Mr. Paritosh Joshi, Independent Technical Expert,



Mr. Sujeet Jain, Group General Counsel and Company Secretary, Viacom18

Mr. CVL Srinivas, CEO - South Asia, Group M;

Mr. Pankaj Phadnis, AVP - Corporate Legal, GCPL representing the three stakeholder bodies – IBF, AAI and ISA.

BARC has not agreed to give a representation to NBA on this body as they believe that the broadcaster's interests and feedback from the news and non news fraternity are adequately represented by IBF, and they abide by that sentiment. It would be in the domain of IBF to seek and gather voices/viewpoints from within the broadcaster community as a whole, and present them to the Board. It would also be their decision whether to formally add more representation in the Ethics Committee, by way of NBA or for that matter any of the various regional/state bodies.

BARC Policy Governing Intentional BARC India Watermark Switch-off by a Subscriber

BARC in July 2017 issued the above policy which supersedes all other policies pertaining to intentional watermark switch off by a subscriber. Any missing watermark for a duration greater than 12 hours, which cannot be resolved by the subscriber, would be treated as a case of intentional switch off. In such cases, BARC India's Technical Team would establish the same and report such cases to the Management. The Management would certify the incidence to be a case of intentional switch off and report the same to the Chairman and the CEO of BARC India. The Chairman and the CEO would jointly decide to proceed with a response from BARC India. The response to such incidences is outlined below:-

- BMW data of the channel(s) for which the watermark has been switched off will not be released at any point for the period when the watermark is missing.
- Subscriber login for the network would be deactivated from the moment intentional switch off has been established
- Once the watermark is switched on, both BMW data for the channel and subscriber login for the network would not be available for a further period of 6 months.

Corporate Matters :

1. Office Bearers of NBA 2016-17

In terms of Article 26 of the Articles of Association, the following Directors were elected Office Bearers of the Association for the year 2016-17:

President – Mr. Ashok Venkatramani (ABP News Network Pvt. Ltd.)

Vice President – Mr. Ashish Bagga (TV Today Network Ltd.)

Honorary Treasurer – Mr. M.K. Anand (Bennett, Coleman & Co. Ltd.)

Mr. Ashok Venkatramani resigned from the post of the Director of the Association in November 2016. NBA Board at its meeting held on 22.11.2016, appointed the following Office Bearers of News Broadcasters Association for the remaining period pursuant to Article 26 and 27 of the Articles of Association:

President – Mr. Ashish Bagga (TV Today Network Ltd.)*

Vice President – Mr. M.K. Anand (Bennett, Coleman & Co. Ltd.)

Honorary Treasurer – Mr. K.V.L. Narayan Rao (New Delhi Television Ltd.)

*Mr. Ashish Bagga resigned from the post of the Director of the Association on 31.7.2017.



2. Appointment of Additional Director on NBA Board

As per provisions contained in Article 16 of the Articles of Association, within the overall limit of twelve members, the Board appointed Mr. I. Venkat representing Eenadu Television Pvt. Ltd. as Additional Director on the NBA Board.

3. Membership

The details of Members/Associate Members of the Association during the year are annexed at Annexure-1.

4. Associate Membership to Digital News Publishers

NBA Board at its meeting held on 17.2.2017, decided to grant Associate Membership to digital news publishers. It is pleasing to report that Cloudburst Mediaworks Pvt. Ltd. [GoNews] a digital mobile broadcaster has been accorded Associate membership w.e.f. 18.5.2017.

5. Website of NBA & Mobile APP

The revamped website of NBA was launched during the year under report, which now among other features has an “Online Complaint Form” both in English & Hindi for the second level of redressal, up-to-date decisions and Orders passed by NBSA. The Mobile APP was inaugurated and launched by Justice R. S. Thakur, former Chief Justice of India on 21.9.2017. The salient feature of the App is that it has an “Alert”. It alerts the editorial personnel for compliance of a particular guideline/s during reportage. The URL of the App has been circulated to all members and editors for downloading the App on their mobiles.

6. GST Migration - Enrolment

NBA has been accorded GST Registration for both Delhi and UP as under:

Delhi GSTIN : 07AACCN5846N1ZY

Noida GSTIN : 09AACCN5846N1ZU

7. Registration of Trademark ----- NBA

NBA on 17.3.2017 submitted its para wise reply jointly to The Registrar of Trade Marks and Lall Lahiri & Salhotra Advocates to an objection vide notice dated 18.5.2016 from Lall Lahiri & Salhotra Advocates, on behalf of M/s National Basketball Association, USA, opposing Application No. 2826490 dated 14.10.2014 of NBA for registration of its Logo, which was found on the official website www.ipindia.nic.in, and downloaded from it on 4.3.2017. They have been called upon to cancel, rescind and withdraw the said notice.

8. 2nd Justice J.S. Verma Memorial Lecture

The 2nd Justice Verma Memorial Lecture on “Freedom of Expression: Evolution in Seven Decades of Independence” was delivered by Justice R.S. Thakur former Chief Justice of India on 21.9.2016.

9. Activities of NBA

NBA Board decided that NBA would start the following activities for the benefit of its members:

- Seminars and an Annual Conference
- Professional Development/ Training by implementing the suggestions given in the Phil Harding Report dated June 2012,
- Yearly Justice Verma Memorial Lecture.



NBA has confirmed to CEO, Public Media Alliance, UK (Formerly Commonwealth Broadcasters Association (CBA) that NBA would collaborate with PMA on a workshop which would be held in 2018, preparatory work of which has begun.

Karvy Insights – Data for five Assembly Elections (Uttar Pradesh, Uttarakhand, Punjab, Manipur & Goa)

Karvy Insights was appointed to supply the data for the above elections. Ten member broadcasters NDTV 24x7, India TV, India Today, Times Now, Mathrubhumi, ABP News, News Nation, News 24, Network 18 and ZEE News subscribed for the election data. For future elections Karvy Insights is working on a different tablet /app based technology solution which was tested simultaneously in the above elections. Karvy shared with members the shortcomings in the trial run and rectified the shortcomings. The technical team of Karvy also met the member broadcasters to clarify the issues that had come up during its development. The new technology is being tested free of cost in the bye-elections being held for four seats in Delhi, Goa and Andhra Pradesh in August 2017.

NBSA Matters:

Re-appointment of Independent Members & Editor Members of NBSA

NBA Board decided to extend the term of the Independent Members Mr Nitin Desai, Dr S. Y. Quraishi, Mrs. Leela K. Ponnappa, Mrs. Vijayalaxmi Chhabra and Editor members Mr Hemant Sharma and Mr Rajiv Khandekar for a further period of two years.

Sports Matters:

- 1. England India Test, ODI & T20 series from 9.11.2016 to 1.2.2017**
- 2. Australia in India Test series from 23.2.2017 to 29.3.2017**
- 3. VIVO Indian Premier League, 2017 from 5.4.2017 to 14.5.2017**
- 4. ICC Champions Trophy 2017, between 1.6.2017 and 18.6.2017, and the ICC Women's World Cup 2017, between 24.6.2017 and 23.7.2017**

For use of footage with regard to the above matches, member broadcasters were advised to strictly follow the NBA News Access Guidelines for Cricket Test Matches and One Day & T20 Cricket Matches. In addition to following the NBA News Access Guidelines, Member Broadcasters who had separate arrangements with third party sources such as SNTV, APTN, Reuters etc. may use footage obtained from such third party sources in accordance with the contractual arrangements with such third parties. In addition to the above, members were advised to bear in mind the principles of general applicability relating to fair-dealing as laid-down by the Hon'ble Division Bench of the Delhi High Court in Judgment dated 11.10.2012 in case FAO (OS) 460 of 2012 titled "NDTV Ltd. vs. ICC Development (International) Ltd. & Anr." Members were also informed that in the event of any conflict or repugnance between NBA News Access Guidelines & the principles of general applicability laid down in the aforesaid judgement, the principles laid down by the Court will prevail.

Removal of Times Now from the Media Briefings/ Press Conference/ Media Mailing List & Whats App group by Aam Aadmi Party Media Cell

Aam Aadmi Party Media Cell had removed Times Now, from the media briefings/ press conferences/ media



mailing list and Whats App group. NBA sent a letter to Mr. Deepak Bajpai, Media Coordinator, Aam Aadmi Party, with copy to Mr. Arvind Kejriwal, Convener, Aam Aadmi Party and CM Delhi and Mr. Manish Sisodia, Member National Executive AAP and Deputy Chief Minister Delhi, to review its stand and avoid a situation of confrontation which is not in the interest of a harmonious relationship between political parties and media professionals and allow Times Now to attend the media briefings / press conference and include them in the media mailing list & Whats App group.

Press Releases issued by NBA

1. Regarding decision of MoI&B to prohibit the transmission or re-transmission of NDTV India channel for one day.
2. Mandate from Telecom Regulatory Authority of India (TRAI) on Multiple LCN's.
3. Regarding raids conducted by CBI on the residence of promoters and office of NDTV.

Matters Pending in the Supreme Court of India and High Courts

Supreme Court

Common Cause vs. Union of India: Civil Writ Petition No. 387 of 2000 was a petition under Article 32 of the Constitution of India for issuance of a writ directing the Ministry of Information and Broadcasting and the Ministry of Home Affairs to prescribe norms and guidelines for observance by TV Channels, and to bring about conditions where under TV channels and producers adopt self-regulatory measures. Intervention application of NBA had been allowed and written submissions had also been filed NBA.

Hindu Janjagruti Samiti vs. Union of India and Ors.: Writ Petition (Civil) No. 963 of 2013 was a petition filed under Article 32 of the Constitution of India seeking inter alia the framing and/or issuance of guidelines in the matter of regulation of television channels in India. NBA received notice in the matter. At the hearing on 15.1.2014, the Hon'ble Court observed that apart from the main Writ petition, namely, "Common Cause vs. Union of India and Ors. W.P. (C) No. 387 of 2000, the other two connected writ petitions i.e., W.P. (C) No. 880 of 2013 and W.P. (C) 1024 of 2013, had to be heard along with this petition. NBA had filed its counter affidavit.

Media Watch-India vs. Union of India and Ors.: Writ Petition (Civil) No. 1024 of 2013 was a petition filed under Article 32 of the Constitution of India seeking inter alia to establish systematic and deterrent "self-regulatory" mechanism for the electronic media and other detailed relief's in regard to content violations and grievances by/against such media. NBA received notice in the matter. The Hon'ble Court had posted this matter for hearing along with "Common Cause vs. Union of India and Ors. W.P.(C) No. 387 of 2000, and the other connected Writ Petitions i.e., W.P.(C) No. 880 of 2013 and W.P.(C) No. 963 of 2013. NBA had filed its counter affidavit.

All the above three matters have been disposed of by Order dated 12.1.2017 by the Hon'ble Supreme Court of India.

People's Union for Civil Liberties and Anr. vs. The State of Maharashtra and Ors.: Criminal Appeal No. 1255 of 1999 pending before the Supreme Court of India arises from an Order passed by the Bombay



High Court in Criminal Writ Petition No. 1146 of 1997 in relation to alleged fake encounter killings. The Hon'ble Court delivered its judgement dated 23.9.2014 in the matter titled "People's Union for Civil Liberties and Anr. vs. The State of Maharashtra and Ors." relating to the guidelines to be framed in cases of encounter killings which aspect of the matter does not concern the media or NBA. On the question of media briefing by the police, the Court heard the submissions made by the amicus curiae, NBA, NHRC & Dr Surat Singh. On behalf of NBA a compilation comprising the draft/suggested guidelines of police briefing of the media that had originally been drawn up in the ANHAD matter along with guidelines in vogue in England and New South Wales were presented to Court. After hearing the submissions, the Court directed the amicus curiae, to circulate a questionnaire to all the parties to which NBA has responded. The matter has not yet come up for hearing.

Dr. Surat Singh vs. Union of India and Ors.: Civil Writ Petition No. 316 of 2008 has been filed under Article 32 of the Constitution of India for issuance of a writ for ensuring effective enforcement of fundamental right of citizens (in this case Dr. Rajesh Talwar) in relation to police and media handling of the Aarushi murder case. NBA's intervention application has been allowed; By interim Order dated 22.7.2008, which is continuing in the matter, the media has been directed by the Supreme Court to exercise restraint in reporting on the Aarushi case. NBA was directed to circulate the draft Guidelines for Media Briefing by Police to the other counsel in the matter; and the Court also further directed that if any person had a grievance in relation to coverage of the Aarushi murder case by any electronic media organisation, they may file an application before the NBSA and that the NBSA had assured the Court that such application (complaint) would be dealt with as per NBSA's regulations. The matter is to be heard along with Criminal Appeal No. 1255 of 1999 titled "People's Union for Civil Liberties and Anr. vs. The State of Maharashtra and Ors.". The matters have not yet come up for hearing.

Act Now for Harmony and Democracy (ANHAD) and Anr. vs. Union of India and Ors.: Civil Writ Petition No. 7368 of 2008 before the Delhi High Court was filed under Article 226 of the Constitution of India seeking a judicial inquiry into the encounter killings at Batla House, New Delhi and for laying down guidelines for the police and the media regarding the publication of information obtained/claimed to be obtained during investigation. The Court allowed NBA to intervene in the case. NBA had filed draft/suggested Guidelines for Media Briefing by Police, which were to be considered by the Court along with the guidelines suggested by the Petitioner. However, in the meantime, NBA's application filed in the Dr. Surat Singh matter pending before the Supreme Court (seeking transfer of this writ petition to be heard in the Supreme Court along with the Dr. Surat Singh matter) was allowed; and this matter is to be heard along with the Dr. Surat Singh matter. The matters have not yet come up for hearing.

M/s News Broadcasters Association and Anr. vs. Telecom Regulatory Authority of India and Ors.: Civil Appeal No. 1525 of 2013 pending before the Supreme Court of India. The Civil Appeal has been filed against Judgment dated 19.10.2012 passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi in Appeal No. 5(C) of 2012 titled "IndusInd Media Communication Ltd. vs. TRAI and Anr." NBA was granted leave to file additional grounds and substantial questions of law, NBA has filed its counter affidavit. The appeal of NBA is covered by the law as laid down by the Supreme Court on 6.12.2013 in Civil Appeal No. 5253 of 2010 (Bharat Sanchar Nigam Ltd. vs. Telecom Regulatory Authority of India and Ors.) in NBA's favour. NBA moved an application in the matter bringing to the notice of the Hon'ble Court that



this appeal is covered by the aforementioned BSNL Judgment and therefore the Court may dispose of the matter on the basis of the said Judgment. The matter has not yet come up for hearing.

IndusInd Media and Communications Limited and Anr. vs. Telecom Regulatory Authority of India and Ors. (TRAI): Civil Appeal No. D3009 of 2013 This Civil Appeal has been filed by IndusInd Media and Communications Ltd. against Judgment dated 19.10.2012 passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi in Appeal No. 5(C) of 2012 titled “IndusInd Media Communication Ltd. vs. TRAI and Anr. NBA has filed its counter affidavit in the matter. This appeal is connected with the appeal titled “M/s News Broadcasters Association and Anr. vs. Telecom Regulatory Authority of India and Ors.” Civil Appeal No. 1525 of 2013. The appeal of NBA in this case is covered by the law as laid down by the Supreme Court on 6.12.2013 in Civil Appeal No. 5253 of 2010 (Bharat Sanchar Nigam Ltd. vs. Telecom Regulatory Authority of India and Ors.) in NBA’s favour. NBA moved an application in the matter bringing to the notice of the Hon’ble Court that this Appeal is covered by the aforementioned BSNL Judgment and therefore the Court may dispose of the matter on the basis of the said Judgment. The matter has not yet come up for hearing.

Delhi High Court

M/s News Broadcasters Association and Ors. vs. Telecom Regulatory Authority of India: Writ Petition (Civil) No. 7989 of 2013 has been filed by the NBA and its other members under Article 226 of the Constitution of India for quashing and setting aside the Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013, issued by the Telecom Regulatory Authority of India vide Notification dated 22.3.2013. At the hearing on 17.12.2013, the petition has been admitted for final hearing; parties have been directed to complete the pleadings; and in the interim the TRAI has been restrained from taking any coercive measures to make NBA members abide by the impugned Regulations. NBA members have been directed to file weekly reports of advertising time minutage in prescribed format before the TRAI. TRAI has filed its counter affidavit. NBA has filed its rejoinder to the counter affidavit of TRAI. The interim orders continue. The matter has not yet come up for hearing.

Kantar Market Research Services Pvt. Ltd. and Anr. vs. Union of India and Ors.: Writ Petition Civil No. 494 of 2014 pending before Delhi High Court. This petition has been filed under Article 226 of the Constitution of India seeking inter alia the Order or direction quashing the Policy Guidelines for Television Rating Agencies in India challenging paras 1.7(a), 1.7(d) as well as 16.1 and 16.2 of the “Policy Guidelines for Television Rating Agencies in India” published on 16.1.2014 by Union of India which prohibits crossholding between rating agencies and advertising agencies. They also relied upon Section 11 (1) (a) (iv) and (vii) of the TRAI Act to submit that TRAI had no jurisdiction to recommend the impugned guidelines. NBA filed its Counter Affidavit. NBA has filed an application seeking withdrawal from the matter on the above date for the reason that TAM is not in the business of being a rating agency anymore and BARC has become fully operational. The application will be considered at the next date of hearing.

Karnataka High Court

Peoples Movement Against Sexual Assault (PMASA) Vs Department of Women and Child Department, State of Karnataka & Ors. Writ Petition No. 6301 of 2017 pending before the High Court

of Karnataka at Bangalore: This writ petition filed by PMASA, under Article 226 and 227 of the Constitution of India seeks that the Hon'ble Court issue a Writ of Mandamus inter alia to Respondent No. 11, NBSA, (i) to strictly enforce the laws and self-regulatory norms formulated to preserve the confidentiality of the identity of the victims of sexual assault;(ii) to strictly enforce the laws and self-regulatory norms formulated for sensitive and non-sensational reportage of incidents of sexual assault;(iii) to formulate effective and accessible grievance redressal mechanisms against objectionable or offensive content in local languages. NBSA has filed an application under Order 1 Rule 10 read with Section 151 for deletion from the array of parties inter alia on the ground that it is an independent self regulatory body/grievance redressal mechanism in respect of the members of NBA. The memo for posting the matter has been filed however the application has not been listed before the Hon'ble Court as some of the Respondents still need to be served with the summons.

Shakeel Ahmed and Ors. vs. Suwarna News 24 x 7 and Ors.: Writ Petition No. 13677 of 2012 pending before the High Court of Karnataka at Bangalore: This writ petition filed by Shri Shakeel Ahmed, Advocate, under Article 226 and 227 of the Constitution of India seeks to stop the broadcast of programmes on various TV channels, in which it is alleged that programmes are pre-planned, recorded and broadcast depicting premeditated violence being committed upon persons, in collusion and connivance with TV channels, with a view to denigrating and defaming such persons to seek revenge (described in the petition as premeditated, violent, personal enmity programmes). The Court had issued notice and asked the Respondents to file their versions in the matter. The matter was posted for consideration last on 12.12.2012 on which date it was adjourned for hearing to a later date. Counsel in Bangalore has informed that the matter is being routinely listed everyday since April 2015, if the matter is taken up for hearing before the end of the day, some activity might transpire, as of now nothing has changed. An application for deletion from the array of parties is being filed.

Lucknow bench of the Allahabad High Court

Dr. Nutan Thakur vs Union of India Writ Petition No. 9976 of 2013 (M/B) before the Lucknow Bench. Aggrieved by the impugned order dated 16.10.2013, passed by the NBSA, Dr. Nutan Thakur filed the above writ petition. The Court has opined that prima facie the impugned order seems to be cryptic and non-speaking and the material submitted by the petitioner seems neither considered nor reason has been assigned. The Court expressed the view that prima facie a writ petition against the decision taken by a non-statutory body (namely NBSA/NBA) seems to be not maintainable; but that keeping in view the public importance of the question raised by the petitioner for creation of some statutory forum where people may seek redressal of their grievances against electronic media (like the Press Council is for the print media), the writ petition is admitted. The Court has also alluded to the issue of paid news appearing sometimes on the electronic media, which the Court has described as a well established fact. The Union of India has been directed to file an affidavit bringing on record its stand as regards providing some statutory forum like PCI against the news item and other material relating to electronic media. The counter affidavit on behalf NBA has been filed and the rejoinder has been filed by Dr. Nutan Thakur. The matter was posted before Court last on 19.5.2014 The matter has not got listed for hearing thereafter.



10th Annual Report 2016-17

News Broadcasting Standards Authority

Attached is a separate Section - II in relation to the initiatives of the News Broadcasting Standards Authority during the year under report.

**By Order of the Board of Directors of
News Broadcasters Association**

M.K. Anand
Vice President

Place: New Delhi
August 2, 2017

Annexure – 1

Members of News Broadcasters Association

Members

S. No.	Name of the Broadcaster Member	Channel(s)
1	ABP News Network Pvt. Ltd.	ABP News, ABP Majha, ABP Anando, ABP Asmita
2	Asianet News Network Pvt. Ltd.	Asianet News, Suvarna News
3	Bennett, Coleman & Co. Ltd.	Times Now, ET Now, Mirror Now
4	Business Broadcast News Pvt. Ltd.	BTVi
5	Direct News Pvt. Ltd.	News X
6	Eenadu Television Pvt. Ltd.	ETV-Andhra Pradesh, ETV-Telangana
7	Independent News Services Pvt. Ltd.	India TV
8	Malayalam Communications Ltd.	Kairali, People
9	Mathrubhumi Printing & Publishing Co. Ltd.	Mathrubhumi News
10	MM TV Ltd.	Manorama News Central
11	New Delhi Television Ltd.	NDTV24x7, NDTV India, NDTV Profit
12	New24 Broadcast India Ltd.	News 24
13	News Nation Network Pvt. Ltd.	News Nation, News State Uttarakhand/Uttar Pradesh
14	Panorama Television Pvt. Ltd.	ETV UP/Uttarakhand, ETV Rajasthan, ETV MP/ Chhattisgarh, ETV Bihar/ Jharkhand, ETV Urdu, ETV News Bangla, ETV News Kannada, News 18 Punjab/ Haryana/Himachal Pradesh, ETV News Gujarati, ETV News Odia
15	SUN TV Network Ltd.	Sun News, Gemini News, Udaya News
16	TV Today Network Ltd.	Aajtak, India Today, Dilli Aajtak, Tez
17	TV18 Broadcast Ltd.	CNN NEWS18, News18 India, CNBC Bazaar, CNBC TV18, CNBC Awaaz, News18 Assam/North East, News18 Tamil Nadu, News18 Kerala
18	Zee Media Corporation Ltd.	Zee News, Zee Business, Zee 24 Taas, Zee Hindustan, Zee Kalinga News, Zee Madhya Pradesh Chhattisgarh, Zee Punjab Haryana Himachal, Zee Rajasthan News, WION

Associate Members

S. No.	Name of the Broadcaster Member	Channel(s)
19	Cloudburst Mediaworks Pvt. Ltd.	GoNews
20	Hyderabad Media House Ltd.	HMTV
21	IBN Lokmat News Pvt. Ltd.	IBN Lokmat
22	Indira Television Ltd.	Sakshi
23	Odisha Television Ltd.	OTV
24	Total Telefilms Pvt. Ltd.	Total TV

*upto 31.3.2017

Independent Auditor's Report

To The Members of News Broadcasters Association

Report on the Financial Statements

We have audited the accompanying financial statements of News Broadcasters Association, which comprise the Balance Sheet as at 31 March 2017 and Income and Expenditure Account for the year then ended and notes to the financial statements comprising of a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

The Company Board of Directors is responsible for the matters stated in Section 134(5) of the Companies Act, 2013 ("Act") with respect to the preparation of these financial statements that give a true and fair view of financial positions, financial performance in accordance with the accounting principles generally accepted in India, including the Accounting Standards specified under Section 133 of the Act, read with Rule 7 of the Companies (Accounts) Rules, 2014. The responsibility also includes maintenance of adequate accounting records in accordance with the provision of this act for safeguarding the assets of the Company and for preventing and detecting frauds and other irregularities; selection and application of adequate accounting policies; making judgement and estimates that are reasonable and prudent; the design implementation and maintenance of internal controls that were operating effectively for ensuring the accuracy and completeness of accounting records, relevant to the preparation and presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We have taken into account the provision of this Act, the accounting and auditing standards and matters which are required to be included in the audit report under the provision of the Act and rules made thereunder.

We conducted our audit in accordance with the Standards on Auditing specified under Section 143(10) of the Act. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment

of the risks of the material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Company's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and reasonableness of the accounting estimates made by Directors, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion and to the best of our information and according to the explanations given to us, the financial statements give the information required by the Act in the manner so required and give a true and fair view in conformity with the accounting principles generally accepted in India:

- a) In the case of the Balance Sheet, of the state of affairs of the Company as at March 31, 2017 and
- b) In the case of the Income & Expenditure account, of the Surplus for the year ended on that date.

Report on Other Legal and Regulatory Requirements

This report does not include a statement on the matters specified in paragraph 3 & 4 of the Companies (Auditor's Report) Order, 2015 issued by the Central Government in terms of Section 143 (11) of the Companies Act, 2013, since in our opinion and according to the information and explanations given to us, the said Order is not applicable to the Company.

As required by Section 143(3) of the Act, we report that:

- a. We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit;
- b. In our opinion, proper books of account as required by law have been kept by the Company so far as appears from our examination of those books;
- c. The Balance Sheet and Income and Expenditure Account dealt with by this Report are in agreement with the books of account;
- d. In our opinion, the Balance Sheet and Income and Expenditure Account comply with the Accounting Standards specified under Section 133 of the Act, read with Rule 7 of the Companies (Accounts) Rules, 2014.
- e. On the basis of written representations received from the directors as on March 31, 2017, and taken on record by the Board of Directors, none of the Directors is disqualified as on March 31, 2017, from being appointed as a Director in terms of Section 164(2) of the Companies Act, 2013.
- f. In view of MCA notification dated June 13, 2017 Section 143(3)(i) in relation to adequacy of internal financial control is not applicable on the Company.



- a. With respect to the other matters to be included in the Auditors Report in accordance with the Rule 11 of the Companies (Audit and Auditors) Rules, 2014, in our opinion and best to our information and according to the explanation given to us:
- 1) There are no pending litigations impacting financial position of the Company as on 31st March, 2017.
 - 2) The Company did not have any long term contracts including derivative contracts for which there were any material foreseeable losses.
 - 3) There were no amounts which were required to be transferred to the Investor Education and Protection Fund by the Company.
 - 4) The Company has provided requisite disclosure in the financial statements as regards the holding and dealings in Specified Bank Notes as defined in the Notification S.O. 3407(E) dated November 8, 2016 to December 30, 2016 of the Company as applicable, and these are in accordance with the books of accounts maintained by the Company. Refer Note 25 to the financial statements.

For S. S. Kothari Mehta & Co.

Chartered Accountants
Firm Regn. No. 000756N

Sd/-

Naveen Aggarwal

Partner

(Membership No. 094380)

Place: New Delhi

Date: August 2, 2017

News Broadcasters Association

Balance Sheet as at 31st March, 2017

Particulars		Note No.	As at 31st March, 2017	(Figures in Rs) As at 31st March, 2016
I.	EQUITY AND LIABILITIES			
(1)	Members' Funds			
	(a) Entrance Fees	1	1,700,000	1,700,000
	(b) Reserves and Surplus	2	32,641,105	32,224,645
(2)	Non- Current Liabilities			
	(a) Long term Provisions	3	1,650,158	1,343,925
(3)	Current Liabilities			
	(a) Short term Provisions	4	136,839	131,092
	(b) Other current Liabilities	5	4,000,000	4,853,289
	TOTAL		40,128,102	40,252,951
II.	ASSETS			
(1)	Non-Current Assets			
	(a) Fixed Assets			
	(i) Tangible Assets	6	2,805,931	3,484,584
	(b) Other Non-current assets	7	189,000	189,000
(2)	Current Assets			
	(a) Cash and Cash Equivalentents	8	36,243,985	33,806,663
	(b) Short-Term Loans and Advance	9	490,320	534,420
	(c) Other Current asset	10	398,866	2,238,284
	TOTAL		40,128,102	40,252,951

Significant accounting policies and other Notes to accounts 16-26

The accompanying notes are the integral part of the Financial Statements

As per our report of even date attached

For S.S Kothari Mehta & Co.

Chartered Accountants

Firm Regn. No. 000756N

Sd/-
Naveen Aggarwal
Partner

Sd/-
M.K. Anand
Vice President

Sd/-
KVL Narayan Rao
Honorary Treasurer

Sd/-
Annie Joseph
Secretary General

M No. – 094380
Place : New Delhi
Date : August 2, 2017

News Broadcasters Association

Income & Expenditure Account for the year ended March 31st, 2017

	Particulars	Note No.	(Figures in Rs)	
			Year Ended	Year Ended
			31st March, 2017	31st March, 2016
	Income			
I.	Subscription	11	10,725,000	10,600,000
II.	Other Income	12	3,077,776	2,961,549
III.	Total Income (I + II)		13,802,776	13,561,549
IV.	Expenditure			
	Employee Benefit Expenses	13	7,064,369	6,390,380
	Depreciation and Amortization Expense	6	1,053,777	1,057,338
	Administrative & Other Expenses	14	5,267,970	4,440,789
	Finance Cost	15	200	-
	Total Expenditure		13,386,316	11,888,507
V.	Surplus before Tax (III - IV)		416,460	1,673,042
VI.	Tax Expense:			
	(1) Current tax		-	-
	(2) Deferred Tax		-	-
VII.	Surplus/ (Deficit) for the Year (V - VI)		416,460	1,673,042

Significant accounting policies and other Notes to accounts 16-26

The accompanying notes are the integral part of the Financial Statements

As per our report of even date attached

For S.S Kothari Mehta & Co.

Chartered Accountants

Firm Regn. No. 000756N

Sd/-
Naveen Aggarwal
Partner

Sd/-
M.K. Anand
Vice President

Sd/-
KVL Narayan Rao
Honorary Treasurer

Sd/-
Annie Joseph
Secretary General

M No. – 094380

Place : New Delhi

Date : August 2, 2017

News Broadcasters Association

Notes Forming Part of Balance Sheet

NOTE # 1

Members Funds

(Figures in Rs)

Particulars	As at 31st March, 2017	As at 31st March, 2016
Entrance Fees		
Entrance fees as per last Balance Sheet	1,700,000	1,700,000
Addition during the year	-	-
	1,700,000	1,700,000

NOTE # 2

Reserve & Surplus

(Figures in Rs)

Particulars	As at 31st March, 2017	As at 31st March, 2016
Reserve and Surplus		
(a) Capital Reserve		
As per last Balance Sheet	50,000	50,000
	50,000	50,000
(b) Special Reserve		
As per last Balance Sheet	16,534,823	15,675,342
Addition/(Transfer) during the year (Refer Note 22)	(669,070)	859,481
	15,865,753	16,534,823
(c) Surplus i.e. Balance in the Statement of Income & Expenditure		
As per last Balance Sheet	5,639,822	6,326,261
Addition during the year	416,460	1,673,042
Less :- Amount transferred to Corpus Fund	(1,500,000)	(1,500,000)
Less :(Appropriations)/transfer to/from special reserve	669,070	(859,481)
	5,225,352	5,639,822
(d) Corpus Fund (Refer Note 24)		
As per last Balance Sheet	10,000,000	8,500,000



Particulars	As at 31st March, 2017	As at 31st March, 2016
Addition Amount transferred from Income & Expenditure A/c	1,500,000	1,500,000
	11,500,000	10,000,000
	32,641,105	32,224,645

NOTE # 3

Long term Provisions

(Figures in Rs)

Particulars	As at 31st March, 2017	As at 31st March, 2016
Provision for Gratuity (Refer Note 23)	1,650,158	1,343,925
	1,650,158	1,343,925

NOTE # 4

Short term Provisions

Particulars	As at 31st March, 2017	As at 31st March, 2016
Other Provisions		
Provision for expenses	136,839	131,092
	136,839	131,092

NOTE # 5

Other Current Liabilities

(Figures in Rs)

Particulars	As at 31st March, 2017	As at 31st March, 2016
Subscription Received in Advance	-	-
Others	4,000,000	4,853,289
	4,000,000	4,853,289

NOTE # 6

Tangible Assets

(Figures in Rs)

Particulars	Gross Block			Depreciation			Net Block	
	April 1, 2016	Addition	March 31, 2017	April 1, 2016	Addition during the year	March 31, 2017	March 31, 2017	March 31, 2016
Computer	493,628	357,686	851,314	460,916	15,611	476,527	374,787	32,712
Office Equipment	789,122	17,438	806,560	323,190	121,053	444,243	362,317	465,932
Furniture & Fixtures	23,663	-	23,663	5,203	2,481	7,684	15,979	18,460
Leasehold Improvement	4,301,401	-	4,301,401	1,333,921	914,632	2,248,553	2,052,848	2,967,480
Total	5,607,814	375,124	5,982,938	2,123,230	1,053,777	3,177,007	2,805,931	3,484,584
Previous Year	5,506,952	100,862	5,607,814	1,065,892	1,057,338	2,123,230	3,484,584	4,441,060

NOTE # 7**Other Non-Current assets***(Figures in Rs)*

Particulars	As at 31st March, 2017	As at 31st March, 2016
Security Deposit	189,000	189,000
		-
	189,000	189,000

NOTE # 8**Cash and Cash Equivalents***(Figures in Rs)*

Particulars	As at 31st March, 2017	As at 31st March, 2016
Balance with Banks :-		
In Current account	312,392	816,474
Cash on Hand	6,946	3,834
	319,338	820,308
Current portion:		
Fixed Deposits with Bank	35,924,647	32,986,355
	36,243,985	33,806,663

NOTE # 8.1**Fixed Deposits with Bank***(Figures in Rs)*

Particulars	As at 31st March, 2017	As at 31st March, 2016
Fixed Deposits with Bank		
Upto 12 months maturity from date of acquisition	35,924,647	32,986,355
Maturity more than 12 months but within one year from the reporting date		-
Shown as Current Assets	35,924,647	32,986,355

NOTE # 9**Short term Loans and Advances***(Figures in Rs)*

Particulars	As at 31st March, 2017	As at 31st March, 2016
Unsecured considered good		
Advances recoverable in cash or kind or value to be received	490,320	478,756
TDS Receivable	-	55,664
	490,320	534,420

NOTE # 10**Other Current Assets***(Figures in Rs)*

Particulars	As at 31st March, 2017	As at 31st March, 2016
Interest accrued on Fixed deposits	398,866	2,238,284
	398,866	2,238,284



News Broadcasters Association

Notes Forming Part of Income & Expenditure Account

NOTE # 11

Revenue From Operations

(Figures in Rs)

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Subscription	10,725,000	10,600,000
		-
	10,725,000	10,600,000

NOTE # 12

Other Income

(Figures in Rs)

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Interest Income	2,871,130	2,904,199
Miscellaneous income	206,646	57,350
	3,077,776	2,961,549

NOTE # 13

Employee Benefit Expenses

(Figures in Rs)

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Salaries and Wages	6,207,759	5,622,949
Contribution to Provident Fund	531,789	487,776
Gratuity Expense	306,233	264,195
Staff Welfare Expenses	18,588	15,460
	7,064,369	6,390,380

NOTE # 14

Administrative & Other Expenses

(Figures in Rs)

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Printing & Stationary	137,792	164,121
Legal & Professional Charges	1,773,923	1,212,068
Meeting Expenses	548,775	525,180
Newspapers, Books & Periodicals	22,350	35,717
Communication Expenses	99,536	106,587
Travelling & Conveyance Expenses	1,089,990	996,351
Rent & Electricity	1,152,947	1,029,036
Website Maintenance Expenses	263,465	215,361
Repairs & Maintenance-Computer	20,839	2,749
Repairs & Maintenance- Building	47,886	57,984
Repairs & Maintenance- Equipment	7,665	1,820
Office Insurance-Noida	9,012	8,974

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Miscellaneous Expenses	9,034	16,343
Rates & Taxes	13,957	
Auditor Remuneration:		
Audit Fee	67,299	64,703
Out of pocket expenses	3,501	3,795
	5,267,970	4,440,789

NOTE # 15**Finance Cost***(Figures in Rs)*

Particulars	Year Ended 31st March, 2017	Year Ended 31st March, 2016
Interest on late payment of TDS	200	-
	200	-

News Broadcasters Association**16. Brief information of the Company**

News Broadcasters Association is a Company Limited by Guarantee not having a Share Capital, not for Profit registered under Section 8 of the Companies Act, 2013 (Section 25 of the erstwhile Companies Act, 1956) with the main objectives inter alia, to promote, aid, help, encourage, develop, protect and secure the interests of the news broadcasters in the Indian television industry and other related entities and to promote awareness about the latest developments in the television industry relating to news broadcasting and to disseminate knowledge amongst its members and the general public regarding such developments.

17. Summary of Significant Accounting Policies

- a) The Company follows the mercantile system of accounting and recognizes income and expenditure on accrual basis. The accounts are prepared on historical cost basis in accordance with generally accepted accounting principles in India, accounting standard specified under Section 133 of Companies Act 2013, read with Rule 7 of Companies (Accounts) Rules 2014, the Companies Act 2013 (to the extent notified and applicable) and applicable provisions of the Companies Act, 1956 as a going concern.
- B) Revenue Recognition
Subscription from the members is recognized on accrual basis considering the reasonable certainty for the ultimate collection.
- C) Fixed Assets and Depreciation
 - i. Fixed Assets are stated at cost inclusive of all related and other incidental expenses less accumulated depreciation.
 - ii. Depreciation on Tangible assets is provided in accordance with Schedule II of the Companies Act, 2013 based on Straight Line Method pro-rata over the remaining useful life of the assets. The useful life of asset taken for the aforesaid depreciation is as under:-



Assets	Useful Life
Computers Hardware	3
Office Equipment	5
Furniture & Fixture	10

d) Taxation

The Company is exempt from tax on income under Section 11 & 12 of the Income Tax Act, 1961; hence no provision has been made for the same.

E) Entrance Fee

Entrance fees treated as capital receipts and hence been shown separately.

Forfeited entrance fee is transferred to Capital Reserve in the case of removal or resignation of any member.

F) Employee Benefits

Gratuity Liability is provided on actual basis pro-rata to the number of years served based on the principles stated under the Payment of Gratuity Act, 1972.

G) Provisions, Contingent Liability & Contingent Assets

i. Provisions involving substantial degree of estimation in measurement are recognized when the present obligation resulting from past events give rise to probability of outflow of resources embodying economic benefits on settlement.

ii. Contingent liabilities are not recognized and are disclosed in notes.

iii. Contingent assets are neither recognized nor disclosed in financial statements.

iv. Provisions are reviewed at each Balance Sheet date and adjusted to reflect the current best estimates.

H) Use of Estimates:

The presentation of financial statements in conformity with the generally accepted accounting principles requires estimates and assumptions to be made that affect reportable amount of assets and liabilities on the date of financial statements and the reported amount of revenues and expenses during the reporting period. Difference between the actual results and estimates are recognized in the year in which the results are known / materialized.

Other Notes to Accounts

18. In the opinion of the management, the value on realization of current assets, loans and advances in the ordinary course of activities would not be less than the amount at which they are stated in the Balance Sheet and provisions for all known liabilities has been made.

19. The Company is a Small & Medium sized Company (SMC) as defined in the general instructions in respect of Accounting Standards specified under Section 133 of Companies Act 2013 read with Rule 7 of Companies (Accounts) Rules 2014 notified under the Companies Act, 1956. Accordingly, the Company has complied with the Accounting Standards as applicable to a Small & Medium sized Company.

20. Based on the information available with the Company, no balance is due to Micro & Small Enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 as on 31st March 2017. Further during the year no interest has been paid, accrued or payable under the terms of the said Act.

21. The Company is registered under Section 8 of the Companies Act, 2013 (Sec. 25 of the Erstwhile Companies Act, 1956) and further it has got the registration under Section 12AA of the Income Tax, 1961. Accordingly, income is also exempted from Tax u/s 11 & 12 of the said Act. Therefore, provisions of the Accounting Standard, AS-22 on Accounting for Taxes on Income are not applicable on the Company.
22. Special reserve has been created under Section 11 of the Income Tax Act, 1961, by transferring the unutilized amount in excess of 15% of the total income, for the purpose of building the infrastructure of the Association with a view to achieve the objects stated in the Memorandum of Association.
- However, during the year, Company has incurred expenditure of Rs. 30,27,406 - from special reserve created under Section 11 of the Income Tax Act, 1961, towards the objectives as stated above.
23. Gratuity provision has been provided pro-rata based on the current salary drawn and number of years of services. Management is of the opinion that this provision will not be materially different from actuarial calculations as provided in Accounting Standard-15.
24. During the year, Board of Director decided to set aside some portion of the surplus of the association as corpus fund for the purpose of long term association requirement. Accordingly, disclosure has been made in the Note 2 relating to Reserves and Surplus.
25. Details of Specified Bank Notes (SBN) held and transacted during the period from 8th November, 2016 to 30th December, 2016.

Particulars			SBNs	Other denomination Notes	Total
Closing cash in hand as on 08-11-2016	11,000	3,890	14,890		
(+) Permitted receipts			35,300	35,300	
(-) Permitted payments			19,229	19,229	
(-) Amount deposited in Banks	11,000	-	11,000		
Closing cash in hand as on 30-12-2016			-	19,961	19,961

26. Figures of the previous year have been rearranged/ regrouped to conform to those of current year.

As per our report of even date attached

For S.S. Kothari Mehta & Co.,

Chartered Accountants

Firm Regn. No. 000756N

For and on behalf of the Board

Sd/-
Naveen Aggarwal
Partner

Sd/-
M.K. Anand
Vice President

Sd/-
KVL Narayan Rao
Honorary Treasurer

Sd/-
Annie Joseph
Secretary General

M No. – 094380

Place : New Delhi

Date : August 2, 2017

During the year under report, NBSA met regularly under the Chairmanship of Justice R.V. Raveendran, former Judge of the Supreme Court of India and took actions so as to ensure that the broadcasters adhered to the NBA/ NBSA regulations, which would help in improving broadcasting standards.

NBSA has had six meetings during the year under report and all the meetings were held in New Delhi. NBSA in these meetings considered, reviewed and decided 232 complaints (62nd - 67th meetings), which includes complaints received directly by broadcasters and settled at the first level, complaints considered at the second level i.e. NBSA, from the Ministry of Information and Broadcasting and Electronic Media Monitoring Centre (EMMC). The MoI&B has been sending the complaints/ petitions they receive with regard to the Members of NBA to the NBSA for its consideration. NBSA after considering the complaints and hearing the parties or otherwise took decisions and where necessary after hearing the broadcasters issued necessary Orders.

Complaints forwarded by MoI&B and EMMC

Complaint from Mr. Rajendra Rao regarding debate on Aaj Tak & IBN 7 on a mock safety drill organized by Bajrang Dal

The complaint relates to a debate on Aajtak channel on a mock safety drill organized by Bajrang Dal to deal with terrorist attacks. The complainant alleges that the way the debate was being run, it was no wonder that the Muslim MP from SP threatened violence against Bajrang Dal and other Hindus. Another channel IBN was running a campaign on how Muslims are being oppressed in India for the whole day. Such programmes are a deliberate attempt to incite the Muslims.

Decision

NBSA considered the complaint, replies from both the broadcasters and also viewed the CDs. After viewing the CDs, NBSA did not find any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. NBSA in fact noted that in the alleged broadcasts, the broadcasters to balance the reportage had taken the views of others. It therefore decided to close the matter and inform the MoI&B, complainant and the broadcasters accordingly.

Complaint from Mr. Muzaffar regarding contents carried by India TV

The complaint relates to the opinions expressed by Mr. Yogi Adityanath in the programme of Aap Ki Adalat. It is alleged that in the programme he insulted the secularism of India and freedom of religion which is a constitutional right of every Indian.

Decision

NBSA considered the complaint and the response given by the broadcaster and also viewed the programme. NBSA noted that the broadcaster had the editorial freedom to structure the programme as it deemed fit. It also noted that the view or perception of a participant on an issue cannot be a ground or grievance for a complaint. NBSA found no violation of any Standards or Guidelines and, therefore, decided that no action was called for on the complaint before it. In the absence of any violation, NBSA decided to close the matter, and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint from Mr. Manish Kumar regarding contents carried on NDTV India

The complainant alleges that NDTV India ran a false news about RSS on account of elections in Uttar Pradesh next year and that the channel was trying to link the Bajrang Dal mock terror drill to the RSS. It is alleged that NDTV had stated that one Indian state has declared RSS as an illegal entity and that RSS workers will not get jobs in that state; in order to make public aware of what RSS stands for, these channels, including NDTV India, should show some meaningful news in this regard.

Decision

NBSA considered the complaint, reply of the broadcaster and also viewed the CD. After viewing the CD, NBSA did not find any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. It therefore decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint from Mr. Chaitanya Joshi regarding contents carried on NDTV 24x7

The complaint, related to showing the incorrect map of India on NDTV 24x7 in a show on Ruchir Sharma's new book "Rise and fall of Nations".

Decision

NBSA considered the complaint and the reply of the broadcaster. NBSA noted that even if the broadcaster has admitted its mistake, since this is a very serious issue and showed lack of due diligence, the broadcaster be directed to air an apology on their channel NDTV 24x7, the text of which will be given by the NBSA. After the apology is aired, and the CD submitted, the complaint will be closed. NBSA decided that the MoI&B and the complainant be informed accordingly.

EMMC Report regarding alleged violation by Zee 24 Taas, Delhi Aaj Tak and People TV

1. Zee 24 Taas 5.3.2016 18:03:27 hrs

The EMMC report was regarding a news telecast on the channel relating to mass killing incident at Thane's Kasarvadavali in which one Hasnain Warekar had killed 14 members of his family. It is alleged that it was reported that Hasnain Warekar used to sexually assault his own sisters, Rubina and Madimand. The lone survivor in this incident, Rubina, revealed about the physical harassment by her brother, to the police. While telecasting the news, the channel revealed the name of the victim of sexual assault as Rubina and showed her brother Hasnain Warekar's photo, thus revealing her identity in public, in violation of the Guidelines.

Decision

NBSA considered the complaint, response from the broadcaster and also viewed the CD of the alleged programme and noted that the explanation given by the broadcaster was correct as in the broadcast the



surviving sister had made no reference of the name of the sisters, who were sexually abused by the brother. NBSA decided that no action was required to be taken on the complaint. The MoI&B and the broadcaster be informed accordingly.

2. Delhi Aaj Tak 2.3.2016 06:07:09 hrs

The EMMC report stated that in the programme ‘Hamari Dilli’, aired on Delhi Aaj Tak, the channel had shown a news report on AAP MLA Mr. Amanatullah Khan statement using disgraceful words for Prime Minister Narendra Modi and against the Modi Government.

Decision

NBSA considered the complaint and the response by the broadcaster and also viewed the CD and noted that while the broadcaster was airing derogatory remarks made by an MLA against the Hon’ble PM and his Government, the broadcaster had an obligation to beep out the cuss words. NBSA decided that the broadcaster be warned and be informed to be careful in future while dealing with such matters and any future transgressions will be viewed seriously.

3. Delhi AajTak 12.4.2016 14:26:37 hrs

The EMMC report stated that the broadcaster had aired a story based on a model who was telling about her exploitation in the name of giving roles in movies. The model alleged that she was called to Pune by promising roles in film and then she faced brutality; that she was gang raped and forced to get into prostitution; that she was physically tortured and burnt by cigarettes. Broadcaster has not blurred the face of the girl properly. Though the close-up of the face was shown in blurred form, the person could be easily identified from these visuals. It was alleged that by not blurring the face properly, the channel had disclosed her identity, thereby affecting the victim and the family.

Decision

NBSA considered the complaint, viewed the CD and the reply given by the broadcaster. NBSA did not find any merit in the contention of the channel. NBSA noted that the action taken by the broadcaster to morph the victim’s face was not sufficient and it was possible to identify the victim. NBSA noted that in all such cases, the face should be completely morphed to conceal the identity of a sexually assaulted victim. Further, NBSA noted that, Guidelines on Reportage of Cases of Sexual Assault dated 7.1.2013, stipulates that any visuals shown of the victim must be completely morphed. As the broadcaster was in breach of the above guidelines, NBSA decided that the broadcaster be warned to be careful in future while dealing with sexually assaulted cases and be informed that any future transgressions would be dealt with severally.

4. People TV 20.3.2016 17:14:50 hrs

The EMMC report stated that in an early morning bulletin on 10.4.2016 (5 AM), the broadcaster had carried the tragic and shocking mishap which occurred in the Puttingal Temple, Kollam, Kerala by showing disturbing visuals of dead bodies and the injured; and that the broadcaster should have avoided showing such visuals, which were not suitable for public viewing.

Decision

NBSA considered the complaint, response and also viewed the CD containing the alleged broadcast. NBSA noted that as the broadcaster had accepted the mistake, it decided that the broadcaster be warned and be



informed to be very careful in future while dealing with such matters and any future transgressions would be viewed seriously.

5. People TV - News Item Aired on 20.3.2016 at 17:14:50

The EMMC report stated that while reporting an incident of public execution of two persons one of whom was a teenager, by a local group called Ghai Sanrakshan Sena on charges of stealing and selling cattle, the channel had shown still images of the two bodies hanging from the tree; had also shown the bodies (edited to some extent); and that the same was not suitable for unrestricted public viewing.

Decision

NBSA considered the complaint, viewed the CD and the reply given by the broadcaster. In view of the admission and the apology tendered by the broadcaster, NBSA decided to close the complaint with a warning that any future transgressions would be viewed seriously. NBSA decided to inform the MoI&B and the broadcaster accordingly.

EMMC Report regarding alleged violation of the Programme Code by various news channels

The EMMC report stated that News X, Aaj Tak, ABP News, CNN News18, IBN 7, India Today and India TV had carried a news report based on a footage showing how a girl was made to unbutton her jeans in front of BJP MP, Sakshi Maharaj to show some injury marks after she reportedly was harassed by policemen during a raid on her house. The video shows the BJP MP surrounded by people, and the girl being prompted by some women accompanying her, to unbutton her jeans to show the injury. In the footage telecast by the channels, the girl seemed a bit confused and hesitant, as a woman accompanying her opened her belt and then asks her to unbutton her jeans as well. While reporting the incident, they had revealed the name of the girl's father.

Decision

NBSA considered the EMMC report, replies from the channels and also viewed the CD of the respective broadcasts. NBSA found that except IBN7, no other channel had shown the face of victim. NBSA noted that since the issue at hand was a case of alleged police atrocity, hence revealing the name of the father of the victim was not objectionable. NBSA, therefore, decided that only IBN7 be warned to be more careful in dealing with such sensitive issues and in future, while reporting such issues the face of the victim should be morphed. NBSA also decided to inform the channel that any future transgressions would be viewed severally.

Telecast of a report on 'Bomb, Bandok and Bengal' by Aaj Tak – MoI&B

The complaint, from MoI&B stated that Aaj Tak had telecast an alleged objectionable news report in a special programme 'Bomb, Bandook and Bengal' on 20.3.2016 at 19:56:46 hrs in which the channel has shown the process of bomb making at the local level in great detail.

Decision

After considering the complaint, reply of the channel and also viewing the CD, NBSA was of the view that it was a report in public interest and did not violate any NBA/NBSA Code of Ethics, Regulations and Guidelines. NBSA decided to close the complaint and inform the MoI&B accordingly.



Complaint dated 12.4.2014 from Girish R regarding participants appearing on different channels during live debates

The complainant pointed out that news channels hold “live” debates mostly in the evening and the same participants appear at the same time in more than one channel. The complainant stated that this manner of broadcasting was misleading and deceptive to the viewers as some would be “live” and some which are “pre recorded” were being shown as “live”.

Decision

NBSA concurred with the observations made by the complainant and decided that the Advisory dated 10.1.2014 on “Use of Caption “LIVE” be once again circulated to Members & Editors of NBA for their information and compliance.

Complaint from Mr. Robin Badal regarding telecast of a programme on ABP News channel

The complaint is in regard to a news story telecast by ABP News channel on 18.7.2016 and 19.7.2016 about AYUSH practitioners and Indian system of medicine (Ayurveda). The complainants alleged that the news story made derogatory remarks against AYUSH practitioners by calling them “Jholachaaps” and baselessly alleged that they were playing with the life of the people. The complainants contended that AYUSH practitioners possess legitimate medical degrees recognised by Government of India after undergoing a 5½ years BAMS course. It was pointed out that 70% of rural population is served by AYUSH practitioners, whereas MBBS Doctors refuse to serve in villages. It was also contended that merely because a qualified AYUSH doctor sometimes prescribes allopathic drugs, he cannot be described as a quack or that he is committing an illegality. It was contended that the said report has hurt the dignity of AYUSH doctors and Ayurveda, which is an age old Indian medical system.

Decision

NBSA considered the complaints, response of the broadcaster and also viewed the CD. The news story refers to a WHO report based on 2011 census. It does not describe qualified practitioners of AYUSH and other systems as ‘Jholachaaps’. It however points out that several doctors who have degrees in Ayurveda, Homeopathy, Physiotherapy and Naturopathy are practicing Allopathy; and that several ASHA workers and compounders are also playing the role of doctors. It also refers to a statement that 85% of medical cases get cured on their own and that enables ‘Jholachaap’ doctors, that is, unqualified doctors, to run their illegal practices which may result in death of patients in some cases. NBSA noted that, if the news story is viewed in the right context, there is nothing objectionable in the broadcast. The broadcast also does not violate any NBA/NBSA Code of Ethics, Regulations and the Guidelines. NBSA found the news report to be in the interest of public, attempting to bring out the malpractices in certain areas of the medical field. It therefore decided to close the matter and inform the MoI&B, complainants and the broadcaster accordingly.

EMMC Report regarding footage of public violence carried by Suvarna News on 22.6.2016 at 14:56:59

The EMMC report relates to broadcast of a video footage of four youth brutally beating up another, following a ruckus over a girl with whom one of them apparently had a love affair. The report stated that the broadcast was gory, violent and disturbing and thus, was not suitable for unrestricted public exhibition.



Decision

NBSA considered the EMMC report, response of the broadcaster and also viewed the CD. The broadcaster stated that all the news channels in Karnataka had telecast the said content. The broadcaster stated that in future it would take all necessary steps and precautions not to air such content. NBSA found that the visuals shown were indeed gory, violent and disturbing. However, in view of the assurance given by the broadcaster that it would be careful in the future, NBSA decided to close the complaint with a warning and any future transgressions would be viewed seriously. NBSA decided to inform the MoI&B and the broadcaster accordingly.

EMMC Report regarding apparent violation on IBN Lokmat on 25.7.2016 at 22:43:58

EMMC report relates to a broadcast showing the victim of domestic violence and dowry without blurring her features, disclosing her face and also taking a byte of her family members. The report stated that the channel should have taken care before airing the story which had the effect of the victim and her family being tarnished in the society.

Decision

NBSA considered the EMMC Report, response of the broadcaster and also viewed the CD. NBSA found that the news story was about a pregnant woman accusing her husband and in-laws of physical torture in connection with dowry demand; and about the husband admitting her in a Mumbai hospital and running away. The object of the story was not to tarnish the image of the victim and her family, but to bring out her complaint so that such incidents did not occur. NBSA did not find anything objectionable and any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. It therefore decided to close the matter and inform the MoI&B and the broadcaster accordingly.

Complaints from Mr. Prakash Choudhary, Mr. Dhanraj Suthar and Mr. Vishal Choudhary regarding objectionable news report telecast by ETV Rajasthan on 13.9.2016

The complaint relates to death of an army man and his cremation ceremony. According to the complainants, the channel had shown in their programme that the last rites of the deceased was not performed properly and pieces of his body had to be broken due to shortage of wood.

Decision

NBSA considered the complaints, response of the broadcaster and also viewed the CD. NBSA found that the channel did not make sufficient verification of facts before airing the news story. NBSA was of the view that it was an unnecessary coverage of a private family funeral and the report was not in good taste and there was an unnecessary intrusion of privacy of the family and it certainly violated the “Specific Guidelines Covering Reportage” which states that “the dead should be treated with respect. Close-ups of dead or mutilated bodies should not be shown”. NBSA therefore, decided to warn the broadcaster with the observation that such reports should be aired with proper verification and due care as it relates to the dignity of a dead person.



Complaint from Mr. Vinay Joshi regarding content carried by Zee 24 Taas, ABP Majha & IBN Lokmat

The complaint relates to the manner of reporting by Marathi news channels viz. Zee 24 Taas, ABP Majha, IBN Lokmat news on 5.8.2016 relating to Mahad bridge collapse in Maharashtra. According to the complainant, the channels were taking interviews of relatives of victims, members of rescue teams, police and administrative officers involved in rescue operations in a most unprofessional, disgusting and objectionable manner.

Decision

NBSA noted that IBN Lokmat did not submit the CD. Their response was that the complaint was in the form of feedback and they had forwarded the same to the editors to take suitable action and secondly, the complaint did not indicate the relevant date and time when this news was purportedly played. NBSA considered the complaints, responses from Zee 24 Taas, ABP Majha and also viewed the CD. NBSA did not find any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. It was, however, of the view that the broadcasters be reminded that they should exercise care, caution and discretion and be sensitive to distressing situations of grief and bereavement.

Complaint from Mr Amit Singh regarding objectionable news report telecast on News Nation on 27.8.2016

The complaint relates to the news channel disclosing complete details relating to the manufacture of ‘Pava Shell’ in the Ordnance Factory purportedly to be used instead of pellet guns. According to the complainant, such information should not have been revealed. The complainant also wondered how the news channel was allowed to enter the Ordnance Factory.

Decision

NBSA, considered the complaint, response of the broadcaster and also viewed the CD. NBSA did not find any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. It was evident that the footage was shot with the prior consent of the concerned authority and contained information volunteered by the Ordnance Factory officials. NBSA however decided to inform the MoI&B that if it felt that there was anything improper or illegal, it may take up the matter with the Ministry of Defence, so that necessary instructions can be issued to the Ordnance Factories. NBSA decided to close the complaint and inform MoI&B accordingly.

Complaint of Mr. Rajiv Kumar regarding weather reports on news channels

The petition stated that most news channels are not showing the weather reports of the North East and were covering only upto Guwahati.

Decision

NBSA considered the petition and decided that the matter be referred to NBA for its consideration.

Complaint regarding telecast of alleged false news bulletin by News X TV channel

The complainants had alleged that News X channel had broadcast a news item and gave wide publicity alleging that AIUDF and Jamiat-Ulema –e-Hind were recruiting volunteers to be trained by Al-Qaeda;

and that the news item not only tarnished the image of the party but also created tension between different communities and was aimed at creating communal and ethnic mistrust among different groups of people.

Decision

NBSA considered the submissions made by the broadcaster which stated that the complainants and few of the party representatives have filed numerous criminal defamation cases in small/inaccessible towns of Assam. Hon'ble High Court of Guwahati had stayed all the proceedings relating to the complaints filed by the complainants in different courts. NBSA was of the view that as per Regulations 7.2 read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it is not permissible or appropriate for the NBSA to take up matters which are sub judice. NBSA therefore treated the matter as closed for the present, reserving liberty to the complainants to seek revival of the complaint before the NBSA, if necessary, on conclusion of the Court proceedings. NBSA decided that the MoI&B and the broadcaster be informed accordingly.

EMMC Report regarding alleged violation by OTV News Channel

(1) 26.6.2016 at 19:13:36 (Revealing the identity of a victim)

The EMMC report related to a broadcast on OTV Channel, wherein it is alleged that the channel has revealed the identity of victim by including her name 'Sharmishtha Priyadarshini' in the reports and also by showing her face without blurring. The victim had filed a complaint with the Bhubaneswar Mahila Police alleging that six persons including serial Producer and Director of the TV serial had harassed her physically and mentally; and that they had misbehaved with her on sets, asked her to 'compromise', and blackmailed her and sent her vulgar text message. The report stated that revealing the identity of the victim in such cases exposed her to the risk of being identified and further face social stigma and harassment. The information, thus, should not be put into public domain.

Decision

NBSA considered the EMMC Report, response from the broadcaster and upon viewing the programme noted that many channels had attended the press conference called by the alleged victim (evident from the mikes on the table); and that she was not a minor but was an adult who was fully aware and conscious of her actions. As the alleged victim wanted that her name and identify should be known to the public, NBSA decided that no action was called for on the report received from the EMMC. NBSA decided to close the complaint and inform the MoI&B and the broadcaster accordingly.

(2) 8.7.2016 at 11:12:45 (Case of Gang rape)

The EMMC report related to a broadcast on OTV Channel reporting a case of gang rape from Chandinipala in Bhadrak district of Odisha. During the telecast it is alleged that the channel had disclosed the victim's identity by including her name, Pratima Maikiniand, the name of her village Nandapatna, which comes under Dhaikandi police station. EMMC report stated that revealing the identity of a rape victim exposed her to the risk of being identified and face social stigma which may further affect her life negatively. Therefore, it was not suitable to put this information into public domain.



Decision

NBSA considered the EMMC Report, viewed the CD and the response from the broadcaster and decided that no action was called for on the report received from the EMMC as the alleged violation was in a live phone-in from the Investigating Officer broadcast by the channel. NBSA decided to close the complaint and inform the MoI&B and the broadcaster accordingly.

Complaint of Mr. Rajesh Kumar regarding mentioning wrong name of SSB on Aaj Tak channel on 14.10.2016

The complaint was that Aaj Tak news channel in a news broadcast regarding attack in Jammu and Kashmir on 14.10.2016 had used the wrong name of SSB as Seema Sastra Bal, Sastra Seema Bal, etc. in place of “Sashastra Seema Bal.”

Decision

NBSA noted that the broadcaster in their response had clarified that the mistake occurred twice, inadvertently, in the 8 PM bulletin. The broadcaster clarified that it was an inadvertent error on the part of the anchor during “live” anchoring and was corrected in the same bulletin. In view of the corrective action taken immediately by the channel and the assurance given by the broadcaster that such errors will not be repeated, NBSA decided to close the matter and inform the MoI&B and the broadcaster accordingly.

Complaint from Mr. P.K. Gopala Krishnan regarding a programme on India TV

The complainant alleged that on 17.11.2016, India TV had telecast the map of our nation without the portion of Jammu and Kashmir, which is an integral part of India. He had noticed this error in their weather report they had aired three times between 11 am and 1 pm.

Decision

NBSA considered the complaint, response and viewed the CD. NBSA noted that the broadcaster in their response had stated that there seemed to be some misunderstanding on the part of the complainant, who appears to have confused another channel with their channel. The broadcaster stated that India TV does not run any weather report on its channel, and even the picture/screenshot attached with the complaint was not telecast on their channel. It belonged to another channel. Having examined the material made available, NBSA decided to close the complaint and inform the MoI&B, complainant and the broadcaster accordingly.

1. Complaint from Mr. Gurpreet Singh regarding a show titled “Note Ki Yatra” broadcast on India TV on 19.11.2016 at 11:30 pm

2. Complaint from Mr. Anshul Pareek regarding a programme broadcast on India TV on 19.11.2016 at 23.00 hrs.

The complaints were regarding a programme named “Note ki Yatra”. The complainants alleged that confidential information pertaining to Indian currency (that is, where the currency is printed, what is the security level where currency is being printed and stored, where it is stored, how currency flows from printing to ATMs, how and where they are installed in an ATM machine, how the currency is tracked when it moves inside the city and then to the ATM’s, what is used in printing the currency, how it is printed and from where do they get the raw material to print the currency etc.) were shown in the programme.



According to the complainant these were highly confidential information and would give an opportunity for a potential crime or clear invitation to anti-social elements.

Decision

NBSA considered both the complaints, response from the broadcaster and also viewed the broadcast. NBSA was of the view that it was a well researched report and was an informative programme made with the permission and consent of the concerned department/agencies. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaints. NBSA, therefore, decided to close the matter and inform the MoI&B, complainants and the broadcaster accordingly.

Complaints from Mr. Harvinder Soni regarding telecast of a sting operation on Aaj Tak on 8.8.2016

The complaint was regarding a sting operation aired on Aaj Tak regarding cow vigilantism in the state of Punjab and the brutal beating up of suspected cow traffickers on the soles of their feet, so that no evidence is left for the police to register a case against such vigilantes. During the sting operations, the broadcaster spoke to several individuals who were colluding with smugglers of cows and found that deals were being struck to smuggle cows out of Punjab by the very individuals who claimed to be cow protectors in the State, for a price. One of the persons interviewed during the sting operation was Mr. Harvinder Soni, Rajya Up-Pramukh, Shiv Sena, Punjab (complainant), who stated that he was interviewed for more than an hour by the undercover reporters of the channel, wherein he gave his views on the various actions the government should take to protect cows and to stop smuggling of cows; that his interview was an hour long, the channel only showed 15-20 seconds of his interview and that too by linking his views with the Punjab Convener of Bajarang Dal, Mr Shere Punjab Singh.

Decision

NBSA considered the complaint, response and also viewed the broadcast. NBSA was of the view that it was a well researched report story and an informative programme. NBSA found no violation of any Standards or Guidelines in the broadcast. NBSA also noted that the contents on a news broadcast are matters of editorial discretion and no action can be taken on the basis of an individual's view or perception on such issues. NBSA therefore decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint dated 18.11.2016 from Mr. Divyang Adhvaryu against Aaj Tak regarding telecasting a programme on 14.11.2016 on demonetization

The complaint is that the sting operation carried by Aaj Tak on a chartered accountant, showing the advice given by him on converting black money into white money by charging a fee, tarnished the image of the whole CA fraternity.

Decision

NBSA considered the complaint, response from the broadcaster and viewed the CD. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.



Complaint dated 6.10.2016 from Mr. Mohammad Imran against Aaj Tak

The complainant alleges that Aaj Tak news channel had telecast a programme on 5.10.2016 at 9:30 pm, which showed how BSF as custodians of our borders secure the riverine areas in the Indo Pak border; and that such report revealed sensitive information which affected the security of the nation.

Decision

NBSA considered the complaint, response and viewed the CD. NBSA noted that the reporting was done with the consent of the BSF. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint dated 18.11.2016 from Mr. Raviraj against News Nation

The complaint was that News Nation channel carried a news story about printing of new currency notes in India, which disclosed where and how the raw products like paper, ink etc. are sourced for printing the notes, thereby jeopardising the financial security of the nation.

Decision

NBSA considered the complaint, response and also viewed the CD. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint dated 13.10.2016 from Mr. Harsh Wardhan Sharma against ABP News

The complaint was that ABP News had disclosed the facts related to the recent surgical strike operation of the paramilitary forces, with the title “Russian built Mi-17v-5 military helicopter used in surgical strike”; that other channels had also telecast similar news stories in blogs, disclosing information relating to the recent surgical strike; and that the Ministry should take appropriate action against the ABP News and other channels for directly or indirectly broadcasting information which may assist an enemy country.

Decision

NBSA considered the complaint, response from the broadcaster and viewed the CD. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the MoI&B, complainant and the broadcaster accordingly.

Complaint dated 6.10.2016 from Mr. Naval Kishore against News18 India (formerly known as IBN7)

The complaint was that on 5.10.2016, IBN 7 (now News18 India) had broadcast a news story on BSF’s role at Indo Pak border in Rajasthan; and that in that broadcast, the channel showed several high-tech and low-tech early warning systems installed along the border/border fence, affecting the security of the nation.

Decision

NBSA considered the complaint, response and viewed the CD. NBSA noted that the reporting was done with the consent of the BSF. NBSA also found no violation of any Standards or Guidelines and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and



inform the MoI&B, complainant and the broadcaster accordingly. NBSA also noted that the Ministry of Information and Broadcasting may if they desire forward the complaint to the Defence Ministry.

1. Complaint dated 11.11.2016 from Purva Mahesh Barve against various channels regarding portraying the deaths of our valiant soldiers

2. Letter dated 26.9.2016 by Mr. Subhash Jha, Advocate, regarding unregulated press/electronic media

3. Letter dated 6.10.2016 by Mr. K. Arvind, Advocate, regarding doubts on the surgical strike by Indian Army Commandos and the politicization of the same

1. Complaint:

This complainant stated that invariably the news relating to the death of our valiant soldiers is telecast in such a manner that patriotic youngsters become averse to joining the armed forces; that the news channels constantly show video clips of the grieving and sobbing family members of the deceased soldiers; that they further try to evoke the emotions by way of ‘Special Reports’ with headlines like ‘*Jawan who was about to get married in a month dies in Pakistan ceasefire violation*’, by showing his sobbing would-be wife, or ‘*Soon to-be-father soldier dies in another ceasefire violation by Pak*’ by showing the wailing wives, mothers and sisters of deceased soldiers. It is alleged that such broadcasts reporting death of jawans in a negative manner would destroy the morale of and turn away the young men wanting to join the armed forces and also affect the psyche of serving jawans. The parents of youngsters will also be scared to permit their sons join the armed forces; and that the news channels do not bother about the consequences of discouraging easily impressionable minds of our youngsters about military service, in their quest for higher TRPs.

2. Complaint:

The complainant refers to the negative coverage by the media in regard to the recent attack on army camp at Uri, showing the grieving/weeping family members of the martyred soldiers and the negative panel discussions by defence experts.

3. Complaint:

The complaint relates to the manner in which broadcasters reported upon the surgical strike by the army and trivialization of the issue by politicians during debates shown on the channels.

Decision

NBSA noted that the complaints in all the above three matters were similar, as they relate to the manner in which news channels present/portray/treat the news relating to incidents involving death of soldiers and show the heart broken, sobbing families of the soldiers. NBSA considered all the three complaints together. NBSA noted that while it is necessary to keep the people informed by reporting on the killings of army personnel and on the militant/terrorist attacks, the manner of presentation of the news relating to such incidents in the telecasts by the news channels warrants serious consideration. The manner in which such telecasts of the personal loss and grief of the bereaved family members, have far reaching implications. News channels should report such stories in a positive manner so that such telecasts do not deter the young men of our country from joining the armed forces or discourage the parents of youngsters from sending their sons/daughters to join the armed forces. NBSA also noted that excessive coverage of such incidents would help the enemy/terrorist planners and handlers, in achieving their goal of demoralising the citizens and the country by such heinous attacks. In short, the entire matter becomes a national security issue.



NBSA also noted that showing grief of the family members and telecasting personal details of the dead is also an intrusion into the privacy of the families of the jawans who were killed. NBSA was of the view that the broadcasters should sensitise their reporters and editorial staff about such matters so that the personal loss and grief of the families do not become public spectacles, demoralising the citizens. While referring to the death of the jawans, the news reports should concentrate upon their courage, their sacrifice and the conditions in which they work. The news reporting should help and assist the families of the martyred jawans to get speedy relief/compensation/benefits from the government. Showing and commenting upon the dastardliness of the attacks and the brave manner in which bereaved families cope up with their losses will send a clear and positive message to those trying to destabilise the country. The Editor members of NBSA agreed that telecast of such stories must be dignified and not voyeuristic. NBSA decided that an Advisory be issued putting together the principles inter alia relating to dignity to the dead (not being a public spectacle), respecting the privacy regarding the grief of the bereaved families, soldiers' honour and dignity and national security etc, which would help improving the presentation of such news stories. NBSA, therefore, decided to close the matters and inform the MoI&B and complainants accordingly.

Complaint dated 14.9.2016 from Mr. Rabindra Dwivedi regarding no coverage of anti corruption rally by Sandesh TV, Live TV, LTV (non-members) Zee TV and ETV (members) of NBA

The complaint was that despite taking byte of the complainant, the channels did not carry his byte or the anti corruption rally on their respective channels.

Decision

NBSA found no violation of any Standards or Guidelines. NBSA also noted that the contents on a news broadcast are matters of editorial discretion and no action is contemplated on the basis of an individual's view or perception on such issue. NBSA therefore decided to close the matter and inform the MoI&B and the complainant accordingly.

Regarding telecast of alleged objectionable programmes by India Today and Zee News channels

MoI&B had complained about India Today TV channel telecasting a news package on leaked CD of sacked Minister Shri Sandeep Kumar (on 1.9.2016 at 17:20:37 hrs); and Zee News telecasting a news report on 2.9.2016, based on Shri Ashutosh's alleged slanderous remarks on his blog in the context of alleged obscene CD of Shri Sandeep Kumar.

Decision

NBSA considered the complaint, the response from the broadcasters and also viewed the programmes which were aired on the two channels. With regard to the programme aired on Zee News, NBSA was of the view that the choice of news, relative emphasis to be placed on different news, and the presentation thereof are all matters within editorial discretion. With regard to the programme aired on India Today, NBSA noted that the visuals were pixilated and to balance the report, the channel had aired the views of Mr. Manish Sisodia (AAP Leader) and of Mr. Om Prakash who had complained to the channel. NBSA found no violation of any Broadcasting Standards or Guidelines in the broadcasts and therefore decided that no action was called for on the complaint. NBSA therefore decided to close the matter and inform the MoI&B and the broadcasters accordingly.

Complaint dated 22.9.2016 from Mr. Ajit Singh against India TV channel

The complaint forwarded by MoI&B related to a programme telecast on 21.9.2016 (9 pm to 10 pm) on India TV channel on the attack on Uri army base. The grievance was that the channel allotted half the time to the vitriolic speeches made by Saeed Azhar and Salaluddin.

Decision

NBSA considered the complaint, the response from the broadcaster and also viewed the programme which was aired on the channel. NBSA found no violation of Guidelines while reporting the news. The contents of a 'report' or 'story' are exclusively within the editorial discretion and an individual's view or perception of an issue cannot be a ground to take action against a channel, in the absence of any violation of the Broadcasting Standards and Guidelines. The sources of information and collection of material used in a programme are also not matters, which fall within the scope of examination by NBSA. NBSA therefore decided to close the matter with this observation and inform MoI&B and the broadcaster accordingly.

EMMC Report of programme on OTV news channel

The EMMC report related to the telecast of a programme 'Sabadhan! Camera Sabu Dekhuchhi' on 27.10.2016 at 11:43:40 which reported a news regarding horrific child abuse at the hands of a tutor, caught on CCTV camera in the year 2014. It is alleged that the channel played the footage which is a clip showing a woman threatening and kicking a child, lifting him and dropping him rough on the bed, and then slapping the helpless kid over and over again. The report stated that while recognizing that the visuals make the viewers aware how child abuse takes place behind doors at the hands of adults without supervision, pointed out that continuously playing the disturbing visuals of 10 seconds duration for 12 times, in a broadcast of 2 minutes 48 seconds sensationalized the abuse, rather than informing or educating the public.

Decision

NBSA considered the EMMC report, the response from the broadcaster and also viewed the programme. NBSA noted that though the visuals were disturbing, the broadcaster had blurred the visual of the child and the object was obviously to focus on the issue of child abuse so that the society becomes aware of such atrocities and catalyze the authorities to take some action. NBSA found that the broadcast was in public interest and did not violate any Broadcasting Standards or Guidelines. NBSA was of the view that no action was called for on the complaint and decided to close the complaint and inform the MoI&B and the broadcaster accordingly.

Complaint from MoI&B against News 24 regarding telecasting programme Baramulla terror attack on 3.10.2016 at 00:39:39 hrs.

The complaint related to a news report on Baramulla terror attack. In the report, the reporter claims that the channel was showing live feed of terror attack as claimed by the channel's reporter himself. The complainant alleges that even though there were contradictory remarks by the anchor and the reporter regarding whether the visuals are live, the zoomed in image of watch established that the telecast was live; and such reporting of operational details from ground while an encounter was going on, could compromise the national security and military action itself.



Decision

NBSA considered the complaint, response from the broadcaster and also viewed the programme, which was aired on the channel. NBSA noted that while the anchor informed the viewers that it was not showing any “Live” feed of the terror attack and that the reporting was from another location, which was nearly five kilometers away from the terror strike, the reporter constantly stated that he was reporting “Live” from another location. This no doubt created confusion. The channel was showing the “Live” icon during the broadcast, which gave the impression to the viewers that the reporting was live from where the terrorist attack was taking place. NBSA was of the view that this confusion could have been avoided if the reporter had stated that he was not reporting ‘Live’ from where the terror attacks were taking place but was reporting “Live” from another location; and that if the reporter was aware of the NBA Guidelines relating to “Telecast of news affecting public disorder” he might not have created the confusion. NBSA decided that the channel be advised to make its reporters aware of the NBSA Regulations and Guidelines available on the website of NBA and also on Mobile APP. NBSA decided that no further action was necessary and decided to close the complaint and inform the MoI&B and the broadcaster accordingly.

Complaint dated 22.12.2016 received from Mr. B.S. Mann against telecast of alleged false frivolous, derogatory and defamatory programmes by India TV, Total TV, Zee TV, India News and Aaj Tak TV Channels

The complainant alleged that he was aggrieved by the broadcasting of a programme title “Prime Time” on “India TV” at 08:00 p.m. to 09:13 p.m. on 15.12.2016 in which Pooja Maan in an interview with Deepak Chaurasia made several completely false, frivolous and blasphemous allegations against him and his family members. The said programme was also aired on other T.V. channels including Total TV, Zee T.V., India News and Aaj Tak on the next day i.e. 16.12.2016 which was followed up by re-telecasting the same time and again. He stated that the baseless, hype, false and sensational allegations telecast by the said news channels without any prior verification from the complainant and without giving opportunity to him to rebut and controvert the said allegations, have severely impaired the personal and professional image, prestige, repute and position of the complainant in the society and resulted in violation of his fundamental right of privacy. The complainant has therefore requested that the above mentioned news channels and their agents/representatives, be restrained from telecasting/re-telecasting any such report/programme/ discussion/ debate pertaining to him and the members of his family without prior verification from the concerned persons and by following the mandatory norms laid down by NBSA.

Decision

NBSA considered the complaint, the responses from the broadcasters which are members of NBA i.e. India TV, Zee News, Aaj Tak and Total TV and also viewed the CD. In so far as India News was concerned, the MoI&B was requested to take up the matter with the said channel as it was not a member of NBA. The documents showed that India TV and Zee News did not carry any such story. Aaj Tak, had broadcast the story, but to balance the report it had carried the version of the husband also in the same bulletin. NBSA noted that Total TV channel had aired the one-sided story without giving an opportunity to the other side and there was reference to the uncle (complainant) in its telecast. However, the channel confirmed that it had not telecast the story after 14.2.2016 and that it had no intention to air the same story in the future. As the request of the complainant was only that the story should not be aired again without verification, NBSA decided to close the complaint with an advice to the channel that in future while airing such stories, they

should ensure that the version of the other side was also taken to maintain balance and neutrality. NBSA therefore decided to inform the MoI&B, the broadcasters and the complainant accordingly.

Complaint dated 20.11.2014 from Ms. R. Sreelekha regarding telecast of alleged objectionable programme ‘Thieves in Khaki’ by Asianet News TV channel on 20.11.2014

NBSA noted that the MoI&B had sent the above complaint dated 20.11.2014 after a lapse of two and a half years vide letter dated 13.2.2017 to the NBSA for its consideration. NBSA noted that the complaint from Ms. R. Sreelekha (an IPS officer of 1987 batch, Kerala Cadre, working as Transport Commissioner in Kerala) alleged that Asianet News Channel started telecasting a series titled “Thieves in Khaki” (Khakkikkullile Kallanmar) from 20.11.2014; that in the said telecast, bytes of which were also shown on an hourly news, her picture was shown along with some other officers, while the background bracketed the person shown as “Thieves in Khaki” merely on the basis of a wild and vague allegation made in the statement of one Rahul Nair (an officer suspected of corruption in a vigilance enquiry) given to the Director, Vigilance Anti-Corruption Bureau. She further alleged based on her complaint to the Director General of Police, an enquiry had been ordered by DGP to be conducted by ADGP Crimes against Rahul Nair to find out his motives in falsely implicating her in his statement. The complainant has stated that when there were no allegations at all against her under the enquiry ordered by Government, the channel should not have shown her without any basis as one of the “Thieves in Khaki”. She stated that the said news report had damaged her reputation and sent a wrong message to the public.

Decision

NBSA considered the complaint, the response from the broadcaster and also viewed the CD. NBSA was of the view that merely on the basis of an unsubstantiated allegation by an officer under investigation, the complainant ought not to have been shown as one of the “Thieves in Khaki”, that too without ascertaining her version; and that the broadcaster should not have included her photograph under the caption “Thieves in Khaki”. However, as the matter is nearly two and half years old, NBSA decided to warn the broadcaster to be careful in future and not to indulge in such baseless allegations and also inform the broadcaster that any similar transgressions would invite serious action. NBSA decided to inform the MoI&B and the broadcaster accordingly.

Complaint dated 2.2.2017 from Mr. Rohit Sharma against Zee News

NBSA noted that the complainant alleged that Zee News channel had telecast a programme namely “Taal Thok Ke Note Ka Budget” on 31.1.2017 and 1.2.2017 in which the channel repeatedly flashed the National Emblem of India in the background without permission and illegally commercialized the National Emblem by showing it with the sponsor of the said programme i.e. LIC of India.

Decision

NBSA considered the complaint, response and also viewed the CD of the programme. NBSA noted that the broadcaster, in its response, had stated that any use of the Emblem by ZMCL during the broadcasts dated 31.1.2017 and 1.2.2017 was inadvertent and the violation of the rules in force is regretted. The channel also assured that it will ensure that its programmes are compliant with the provisions of law. NBSA noted that in view of the admission by the broadcaster that the use of the Emblem was inadvertent and was in violation of the Rules in force and expression of regret and the assurance given by the broadcaster that such errors will not be repeated, NBSA decided to close the complaint with a warning to the broadcaster and any future transgressions would be dealt with severely. NBSA decided to inform the MoI&B and the broadcaster accordingly.



Legal notice dated 10.2.2017 from Mr. Anoop Agarwal, Advocate against Zee News Rajasthan (formerly known as Zee Marudhara)

Mr. Anoop Agarwal, Counsel for Geeta Enterprises (complainant) had stated that his client is a PHED contractor who is engaged in the business of pipe fitting etc. He has alleged that Zee News Rajasthan (Zee Marudhara) channel carried a news item on 3.2.2017 at about 8 pm in which his client has been defamed by the channel in connivance with M/s Shyam Industries. The news against the complainant by the PHED Dept. was flashed as breaking news in the following captions at the bottom of the screen:

जयपुर : पीएचईडी में बड़ा गड़बड़झाला ! छदम नाम से PHED कर्मचारी ही कर रहे हैं ठेकेदारी
मेसर्स श्याम इंडस्ट्रीज ने की एसीई से शिकायत
मेसर्स गीता इंटरप्राइजेज की एसीई से शिकायत
मेसर्स गीता इंटरप्राइजेज पर लगाया आरोप
गीता इंटरप्राइजेज संचालक का भाई है PHED कर्मचारी
मोहनलाल सैनी है नगर उपखण्ड - 3 में पदस्थ
इस रसूख के चलते फर्म को मिलते बड़े टेंडर

Decision

NBSA considered the complaint, response from the broadcaster and viewed the CD. NBSA noted that the channel has replied that there is no factual error in the report and there is no violation on its part. It has stated that M/s Shyam Industries had filed a complaint against the complainant with the Superintendent Engineer City Circle, North Jaipur on 2.2.2017; that as per the Public Works Financial and Accounting Regulations of the Government of Rajasthan, a state employee is not authorized to enter into contracts with the related Department; and that upon exposing the case under the said regulations, the Department has not only refused to give the contract to the complainant, but has also initiated further departmental action against the complainant.

NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the MoI&B and the broadcaster accordingly.

Complaint dated 28.12.2016, from Mr. Sayed Furqan Ahmed regarding censorship of crime shows

The complaint related to crime shows shown on TV channels. According to the complainant, these shows glamorized and dramatized crime, thereby having the effect of instigating many youngsters to take to crime. Among the channels mentioned in the complaint, only ABP News is a member of NBA. The other two channels are GEC channels.

Decision

NBSA considered the complaint and the response given by the broadcaster and noted that the complaint was general in nature; and in the absence of the complaint referring to any specific violation of the Broadcasting Standards or Guidelines no action could be initiated on the complaint. NBSA therefore, decided to close the matter and inform the MoI&B and the broadcaster accordingly.

Complaint from Mr. Sanaya Pandey against telecast of a programme on News 24 on 10.2.2017

The complaint was that News 24 was airing a program on Babri Masjid demolition which has no relevance today. The channel was doing this just to initiate rivalry amongst Hindus and Muslims and to polarize votes.

Decision

NBSA considered the complaint, the response from the broadcaster and viewed the CD. NBSA found that the broadcast was under the programme “Itihaas Gawah Hai – Season 3” which related to the political, social and economic developments in the state of Uttar Pradesh. NBSA found no violation of any Broadcasting Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, decided to close the matter and inform the MoI&B and the broadcaster accordingly.

Complaints from Mr. Girish B. Kedia against telecast of alleged derogatory and defamatory programmes concerning Raadhe Maa on Tez TV and by other channels

The MoI&B forwarded legal notice dated 13.10.2016 addressed to TV Today Network Ltd. and others regarding a programme aired on Raadhe Maa on 26.9.2016 at about 10.59 am under the caption “Tera Jaadu Chal Gaya” on Tez channel. Thereafter, vide letter dated 21.2.2017, MoI&B forwarded another legal notice dated 2.1.2017, complaining that Tez channel had carried a programme on 11.12.2016 to cause harm to the divine reputation and holy image of Raadhey Maa.

Decision

NBSA noted that the broadcaster responded to the first complaint and stated that they took a decision to immediately withdraw the impugned news item from their websites. In response to the second complaint broadcaster vehemently denied all the allegations made in the notice, and also clarified that there was no intention to tarnish or harm the image or reputation of Radhey Maa or any person associated with her. Further, they did not intend to create any communal or religious disharmony amongst people or followers of Radhey Maa. NBSA noted that legal notices had been sent to various broadcasters calling upon them to desist from broadcasting any video clippings or video contents concerning Radhey Maa in their TV channels and to remove all the audio & visual contents concerning Radhey Maa, which have been uploaded or caused to be uploaded on their websites as well as social media failing which they would initiate strict legal proceedings before the police authorities and courts of law, to which the broadcasters have responded. NBSA considered the complaints, responses from the broadcasters and found no violation of any Broadcasting Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the complaints and inform the MoI&B and the broadcaster accordingly.

EMMC Reports on violation of Programme Code in various channels

1. News 24 ‘जांबाजों को नमन’

The EMMC report stated that News 24 had broadcast a news of soldiers who sacrificed their lives in Nagrota in their programme called “Janbazon ko Naman”. The report showed the body of Major Kunal Goswami who sacrificed his life in Nagrota being brought to his village; and a large number of people having gathered to get a glimpse of him; and that the report also showed a person who joined his last journey used an abusive word ‘XXXX’ while speaking against Pakistan. The complaint was that as the news report was not a “Live” telecast, the channel should have taken care and edited the content (abusive word) and its failure showed negligence on the part of the channel.

Decision

NBSA noted that the broadcaster had stated that the programme “Janbazon ko Naman” was a tribute to the soldiers of India, who died while defending the country; that one of the individuals present during the



martyr's funeral procession, used some abusive and defamatory language in the video clip received from ANI; and that the anchor on behalf of the channel had submitted expression of regret for the offensive language used by the aforesaid individual. The channel assured to take all the precautionary measures before airing any content/programme on the channel to avoid such mistakes.

NBSA considered the report, response from the broadcaster, viewed the CD, and noted that since it was not a live telecast and the footage was sourced from a third party, the broadcaster had the opportunity to edit the abusive and defamatory language in the video clip but failed to do so. However, in view of admission of mistake and assurance that it will be more careful in future, NBSA decided to issue a warning to the broadcaster that any future transgressions would be dealt with severely and close the matter. NBSA decided to inform the MoI&B and the broadcaster accordingly.

2. ABP News 'बगदादी मांगे पागल भेड़िए' on 7.12.2016 (19:28:05)

The EMMC report related to a telecast by ABP News titled 'Baghdadi Maange Paagal Bhediye' on 7.12.2016. It showed ISIS chief Abu Bakr al-Baghdadi releasing a video to instill fear among Kurdish fighters. The video shows Kurdish fighter Abd Islam, caught by ISIS fighters being tied with bag containing a bomb and asked to run for his life and shows the bomb exploding while he is running. The video also shows appalling visuals of the killings of innocent people. It intends to show how ISIS fighters are harsh and ruthless in taking revenge. Another part of the video shows how they slit the throats of Kurdish soldiers and how to spread terror in the name of religion. The complaint is that the video shows how to produce bombs and explosive devices; and that such visuals could cause severe psychological damage on viewers especially children; that the visuals of the Kurdish fighter getting killed are shown without being blurred; and that the channel has repeated the visuals of the execution 17 times during the 9 minute 40 second video.

Decision

The broadcaster stated that their editorial team felt that the story in question involved a matter of serious concern and public interest. The footage in question was included in the story as the said footage was testament to the extent of violence being unleashed by the concerned group. As it (broadcaster) was aware that the images and videos could be deemed disturbing by a number of their viewers, they had ran a disclaimer that the visuals were disturbing and not for the faint hearted or children. According to the broadcaster, the story, which involved a serious issue of global concern was relevant and care was taken by prefacing the telecast with an appropriate disclaimer. The broadcaster also stated that it had noted the comments in regard to repeated use of such violent footage and the suggestion of blurring the violent visuals and will keep them in mind in future and implement the same appropriately.

NBSA considered the report, response from the broadcaster and also viewed the CD. NBSA agreed with the complaint that no useful purpose was served in showing such violent unblurred footage repeatedly and that while showing the footage once or twice could be justified, the repeated use of the footage throughout the telecast was not warranted. NBSA was of the view that the broadcaster had violated NBSA Specific Guideline 4.5 which states that "coverage of killings, including terrorist attacks, executions and assassinations should not be explicit or prolonged". However, in view of the assurance of the broadcaster to keep in mind the relevant Guidelines, NBSA decided to warn the broadcaster to be more careful in future and that any future transgressions would be dealt with severely. NBSA decided to close the matter with such warning and inform the MoI&B and the broadcaster accordingly.

Complaint from Mr. Jayakrishnan regarding telecast of interview of father of Burhan Wani by Asianet News channel on 14.9.2016

The complaint related to the showing of special programmes on Kashmiri terrorists like Burhan Wani. It is alleged that the channel had interviewed Burhan Wani's father, showing Burhan Wani was a freedom fighter and also showing huge flexes of Burhan Wani carrying with AK 47 placed in front of his house and picturizing like they are great heroes.

Decision

NBSA considered the complaint, response from the broadcaster and also viewed the CD. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the complaint and inform the MoI&B and the broadcaster accordingly.

Complaint from Ms. Veena Srinivasan against Suvarana News

The complainant alleged that the regional Kannada channels have been continuously projecting about the spiritual centre of Bhagwan Shri Satya Sai Baba, based on the reports of CIA; and that the channels have raised questions about CIA's stay in Puttaparti and government's ignorance about it etc. It is also alleged that such telecast by media may cause distraction to the millions of youngsters and hurt the feelings of devotees who are studying in the Satya Sai University.

Decision

NBSA considered the complaint, response from the broadcaster and noted that the content of a 'report' or 'story' is an editorial discretion and an individual's view or perception of an issue cannot be a ground to take action against a channel, in the absence of violation of the Guidelines. NBSA therefore decided to close the matter with this observation and the MoI&B and the broadcaster be informed accordingly.

Complaint received from the Election Commission of India

Complaint received from Election Commission of India regarding General Election to Tamil Nadu Legislative Assembly, 2016 - Complaint made by AIADMK Party against telecast of speech made by Mr Elangovan on Sun T.V. on 8.4.2016

NBSA considered the complaint, which was forwarded by the Election Commission of India (ECI) regarding telecast of a speech made by Mr. Illangovan on 10.2.2016, at Dharapuram, Tiruppur District of Tamil Nadu State when the Model Code of Conduct was not in force. However, Sun TV Channel had telecast the said speech on 8.4.2016, when the Model Code of Conduct was in force. In the said speech, personal remarks were made against the leader of AIADMK, which was against the provisions of the Model Code of Conduct. ECI desired that an appropriate action be initiated against the Sun TV channel for telecasting slanderous speech in the form of personal attack on the CM of Tamil Nadu.

Decision

NBSA considered the complaint, reply from the broadcaster and also viewed the CD. NBSA found that the broadcast may amount technically to violation of Guideline No.1 of the "Guidelines for Election Broadcasts dated 3.3.2014". NBSA therefore decided to warn the channel and express its disapproval for covering the speech on 8.4.2016, when the Model Code of Conduct had come into force. The channel may also be informed that any similar transgression in future will be viewed seriously. NBSA decided to inform the broadcaster and the ECI accordingly.



Complaints considered by NBSA [2nd level of redressal]

Complaint regarding content telecast on Zee Kalinga on 3.5.2016

The complainant alleged that in the programme Satyava Samna, the broadcaster had flashed letter dated 27.7.2007 addressed by Justice M.M. Das to the Chairman, Cuttack Development Authority (CDA) for allotment of B category plot in Abhinaba Bidanasi Project Area preferably in Sectors 6, 7, 8 and 9 from the discretionary quota. The complainant desired to know how Zee Kalinga got the said letter and the source. According to her, she had obtained the copy of the “request letter” of Justice M.M. Das on High Court letter head under RTI filed in 2013. She alleged that the said letter belonged to her and was telecast without prior consent.

Decision:

NBSA found that the complaint was without any merit. The complainant does not have proprietary right in a document obtained under RTI query. If she could get, anyone else could get it. She has not stated what is her interest in the matter. The complaint was frivolous. There was no violation, by the channel, of any NBA/NBSA Code of Ethics, Regulations & Guidelines. NBSA decided to reject the complaint accordingly.

Complaint dated 17.9.2016 filed by Mr. K. Anandan Nair against Asianet News channel

The complainant has alleged that a wrong and highly defamatory report due to which the complainant and his family suffered agony and humiliation. According to the complainant his wife Smt. V. Padmavathi is the Manager of Narikkuni A.U.P. School situated at Narikkuni. There was an unsafe building in the school, which was a threat to the safety of school children. The Education Department authorities instructed the Manager to demolish the unsafe building immediately. On the morning on 5.8.2016, channel’s reporter along with some other persons entered the school premises and without getting permission from the school authorities, started shooting pictures of the partially demolished building and the same was telecast simultaneously with a running commentary, which was totally wrong and highly defamatory to the school Manager. The reporter stated that the Manager was demolishing the building with the intention of closing the school and selling the land. The false report of the channel’s reporter was based on wrong information given by a suspended teacher of the school, who wanted to wreak vengeance against the Manager. The complainant alleged that the channel’s reporter never cared to seek the version of the Manager and teachers of the school. After sometime, the Manager contacted the reporter and explained to him the real facts. Even after getting this information, the earlier version was continued to be telecast, from which it was clear that channel’s reporter deliberately wanted to defame the Manager and the school. Channel’s wrong report caused irreparable damage to the prestige and honour of the Manager and the school. The unauthorized entry of the reporter and the team had disrupted the functioning of the school.

Decision:

NBSA considered the response and also viewed the CD of the alleged broadcasts. NBSA noted that sufficient opportunity was given to the complainant to give his views/comments and his views were also broadcast. NBSA did not find any violation of NBA/NBSA Code of Ethics, Regulations and the Guidelines. It therefore decided to close the matter and inform the complainant and the broadcaster accordingly.

Complaint dated 12.10.2016 filed by Mr. Anant Srivastava regarding programme Jan Man aired on ABP News on 12.9.2016

The complaint relates to a programme aired on ABP News on 12.9.2016, which according to the complainant was biased. According to the complainant, the broadcaster only showed one aspect of the Gomti river front

project i.e. the political rivalry for the upcoming elections, but never mentioned the environmental aspect of it or went into any details, which was very important in this matter.

Decision:

NBSA noted that the broadcaster had responded to the complainant and had stated that the story was aired from a political activity perspective and they would be happy to incorporate the complainant's point of view in the follow-up story on this issue, for which the broadcaster will get in touch with them. In view of the channel agreeing to incorporate the view point of the complainant, NBSA decided to close the matter with the rider that the broadcaster should inform NBSA of the action taken by them before closure of the complaint.

Complaint dated 8.8.2016 from Mr. M. M. Sundram relating to HCL Technologies Ltd. stocks on CNBC TV18 channel on 28.6.2016

The complainant had stated that he had invested substantially in the shares of HCL Technologies; that on 1.7.2016, he was shocked to view the CNBC TV 18 live business news channel (quoting Mint magazine) that HCL Technologies had lost contracts worth US \$ 1.5 Billion; that in view of this unauthenticated statement, HCL Technologies shares started plummeting and reached as low as Rs. 708/- in the next couple of days from the levels of Rs. 770 to Rs. 780/-; and that the complainant was surprised and shocked that on 3.8.2016, HCL Technologies posted robust numbers as a result of which the share prices reached around Rs. 850/- and the scrip was still going strong. The complainant alleged that based on the CNBC TV 18 report, he had sold his shares in HCL and had incurred a substantial loss.

Decision

NBSA on careful consideration of the response from the broadcaster did not find the response given by the broadcaster to be satisfactory. It noted that the broadcaster had absolved its responsibility by stating that the news item being reported was based on the article, which had appeared in the Mint newspaper. NBSA was of the view that before airing price sensitive financial market related news about listed companies, there should be due diligence and precaution by taking the following steps: (i) verification of the accuracy of the news by cross-verification from different sources; (ii) disclosure of source of the information; (iii) evidence that efforts were made to confirm the reported news from the concerned company before airing the story/news); (iv) disclosure of interests, if any, of anchors/owners of the channel in the company or person reported upon. NBSA was also of the view that ideally broadcasters should not ordinarily broadcast recommendations/opinions about any individual/company. NBSA decided that the channel be warned to be more careful while airing market sensitive news and any future transgressions would be viewed seriously. NBSA therefore decided to close the matter and inform the complainant and the broadcaster accordingly.

Complaint dated 30.3.2016, regarding programme on Mathrubhumi channel

NBSA noted that the complainant Adv. Fr. Thomas Joseph Therakam, PRO & Spokesman, Diocese of Mananthavady had alleged that in the 'Vakradrishti' programme telecast on 'Good Friday' (25.3.2016), Christian religious hymns sung during sacred rituals with religious piety, were used by the channel in a satirical and defamatory manner, thereby hurting the religious sentiments of Christians. According to the complainant, Good Friday (being the day of Crucifixion of Jesus Christ), was one of the most sacred day for Christians; that the prayers made and religious hymns sung during sacred rituals on that day are with deep unction and religious piety and fervor; and that the hymns and prayers sung on that sacred day in all



Christian Churches were used satirically and in a defamatory way in the program, wounding the religious feelings of Christians, thereby lowering the dignity and status of the Christian community in the eyes of non-Christians to a great extent and made people of other faiths to look at Christians with contempt.

Decision

NBSA considered the complaint, response of broadcaster scripts and also viewed the CD. NBSA was of the view that use of the hymn “Way of the Cross”, which is recited in Churches, to mock and deride politicians who were ‘crucified’ by their parties was not in good taste and ignored Specific Guidelines Covering Reportage No 9 “Racial & Religious Harmony” which stated that “caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony”. NBSA therefore decided that the channel be warned to be more careful while airing such programmes so that the religious sentiment of any section of the society was not offended and any future transgressions would be viewed seriously. With this action the complaint was closed. NBSA decided that the decision of the NBSA be also conveyed to the complainant and close the complaint.

Complaints dated 26.11.2016 filed by Mr. Vicky Singh against ETV News Bangla and ABP Ananda on 3.11.2016

The complaints were with reference to the content of the news telecast by the channels on 3.11.2016 relating to the murder of a 58 year old lady and two minor girls who were prime suspects. According to the complainant, the channels disclosed detailed information of the murder, the injuries on the body, the description of the suspects and the investigation procedures adopted by the police investigation team; and that due to the channels showing such confidential details of the investigation process such as tracking the signals from a missing cell phone thereby identifying the area (mobile tower area in Siliguri) where the suspects were holed up, the suspects escaped and the investigations failed.

Decision

NBSA considered the complaint, replies from both the broadcasters and found no violation of NBSA Guidelines as the broadcasters appeared to have reported the information given by the investigating agency. NBSA therefore decided to close the complaint and inform the complainant and the broadcasters accordingly.

Complaints dated 4.1.2017 filed by Mr. Basil Yoyak against Manorama News and Mathrubhumi News on “Live” programme

The complaints were that two different channels i.e : Manorama News and Mathrubhumi News at 8:43PM on 19.12.2016 showed the same person (Mr P. K. Firoz) in “Live” programmes at the same time. The complainant alleged that both channels were displaying the “LIVE” icon during the show, which meant that the programme was broadcast in real time; and that at least one or both were showing the “Live” icon falsely.

Decision

Manorama News Channel confirmed vide letter dated 18.1.2017 that Mr P. K.Firoz had appeared live in Manorama News Channel in the ‘Counter Point’ show on 19.12.2016 and stated that if he had appeared in any other channel at the same time, it must have been in a recorded programme. NBSA accepted the explanation given by the broadcaster.

With regard to Mathrubhumi News, NBSA considered the reply and noted that in broadcasting ‘Deferred Live’ means that the presentation is live, but the feed is recorded a few minutes earlier. Broadcasting any



material that is taped/ recorded is not considered ‘ live’ or ‘deferred live’. The object of the Advisory is to ensure that only real time programmes used the icon ‘live’ and to prevent ‘Deferred Live’ or ‘Recorded’ programmes using the description ‘Live’. NBSA therefore did not agree with the explanation given by the broadcaster that it was a “deferred live telecast and not a recorded programme.”

NBSA therefore decided to warn the broadcaster and any future transgressions showing recorded feed as ‘Live’ would be dealt sternly. NBSA also decided to inform the broadcaster to create awareness amongst its editorial personnel about the NBSA Guidelines/ Advisories available on the website of NBA and also on Mobile APP, to avoid such violations in future and to ensure compliance of the Guidelines/ Advisories and to improve broadcasting standards. NBSA decided to close the complaint with such warning and convey the decision to the complainant and the broadcaster.

Complaint dated 18.3.2017 from Mr. Madan Lal Suryawanshi regarding airing a news item on Dilli Aaj Tak on 14.2.2017

The complaint related to a broadcast on Dilli Aaj Tak on 14.2.2017, wherein the complainant alleged that the channel released false and frivolous news of the complainant (full day) wherein it was mentioned that “Pakra gaya Tis Hazari Court ka farzi vakeel, Madan Lal Suryawanshi girafar” without registration of any FIR against the complainant and without sufficient reason, ground, material evidence etc., due to which there was loss of reputation, dignity and honour of the complainant and his family in the eyes of society, relatives and neighbours.

Decision

NBSA considered the complaint, response from the broadcaster and viewed the CD. NBSA found no violation of any Standards or Guidelines in the broadcast and therefore decided that no action was called for on the complaint. NBSA, therefore, decided to close the matter and inform the complainant and the broadcaster accordingly.

Hearing of Complaints: (Summary of Orders/Decisions passed by NBSA)

Complaint dated 8.6.2016, from Mr. B.R. Patil, MLA, Karnataka Legislative Assembly to NBSA regarding sting operation titled “Seats for Sale – 2 candidate and 3 MLA Stung” on Times Now and “The Rajya Sabha Bazaar” on India Today

The complaint is that while Mr B. R. Patil (Complainant) along with some other persons were in Room 409 at Lalit Ashok Hotel, Bangaluru, allotted to Mr. Danish Ali, two persons came to meet Mr. Ali. The complainant had a casual chat with all of them and thereafter all of them left the room. Such being the case, on 2.6.2016, at about 4.30 pm, complainant was informed by friends that certain discussions were being made about him on India Today news channel. On switching the channel, the complainant was shocked to notice that under the guise of sting operation, nasty, reckless and frivolous allegations were being made against him by the channel. Subsequently, the same was repeated on Times Now news channel on the same evening. Both the channels showed visuals purporting to have been recorded by a secret camera in Hotel Lalit Ashok during alleged sting operation and projected him as a corrupt politician indulging in unscrupulous activity. The complainant alleged that as per Guidelines of NBSA dated 27.2.2012/15.11.2012, sting operation could only be conducted if warranted in public interest and only for exposing a wrong doing.



NBSA considered the complaints and the response of India Today and Times Now. NBSA viewed the contents of the programme aired by Times Now and it was observed that no reference was made to Mr. B.R. Patil in the sting operation titled “Seats for Sale – 2 Candidates and 3 MLA stung” on Times Now Channel. Therefore, it was decided that there was no need to proceed against Times Now and close the complaint against it.

NBSA noted that *prima facie* the report on India Today did not show any wrongdoing by Mr. B.R. Patil, justifying a report on him. Therefore, with regard to the broadcast of the sting by India Today, implying involvement of Mr B.R. Patil, NBSA decided that the complainant and India Today be asked to appear before NBSA. Both parties appeared before the NBSA on 11.11.2016 and made their submissions. On conclusion of the hearing, both parties were requested to submit their written submissions to NBSA after furnishing a copy to the other party.

NBSA at a subsequent meeting considered the written submissions of the complainant and broadcaster. After considering the submissions/ documents submitted by the complainant and the broadcaster, NBSA was of the view that as per Regulations 7.2 second proviso read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it is not permissible or appropriate for the NBSA to hold an enquiry into the complaint as the facts constituting the cause of action for the complaint, are also the facts of the complaint pending enquiry in a court of law and the Karnataka Legislature. Any enquiry by NBSA into any issue or factual question resulting in a finding of NBSA lead to a situation of conflict / divergence with any future findings by a Court or other Authority in the pending proceedings resulting in prejudice either to the complainant or to the broadcaster. NBSA therefore decided that it will not be able to entertain and decide the complaint and treated the matter as closed for the present, reserving liberty to revive the complaint before the NBSA if necessary, on conclusion of the Court and other proceedings. The complainant and the broadcaster be informed accordingly.

It was also clarified that any statement by the broadcaster in the proceedings before NBSA, being only in the context of answering whether there is violation of any broadcasting standards and guidelines, were not intended to be an admission of any fact or position by the broadcaster.

Alleged violations by News Nation on 4.6.2016 at 17:25:33 – MoI&B

EMMC report relates to telecast of a programme titled “Darna mana hai ” wherein the channel showed ten haunted places of the country, i.e Bhangarh fort of Alwar district in Rajasthan, Kuldhara village in Jaisalmer, Barog Tunnel in Himachal Pradesh, Church in Goa, Agrasen’s Bawri in Delhi, Malcha Mahal, Delhi, G P Bloc in Meerut, Darjeeling’s Kurseong Dow Hill & Sanivar Vada in Pune. According to the report, the channel, instead of demonstrating to viewers that there was no truth in the ghost stories and persuading them not to believe in superstition & occultism, the programme spread superstition/occultism, which a news channel should not be doing.

The broadcaster in their reply stated that the show was planned, executed and aired as a part of the channel’s policy to bring awareness among public about irrational and superstitious beliefs and to educate them; that they had identified locations where signboards and signage had been put up by the civic administration describing them as places which need to be avoided by people after a particular time; and that while executing the show, utmost care was taken on their part not to create any fear psychosis, but to highlight



illogical beliefs which hold no rationale in the modern age. The broadcaster also stated that in the course of showing these locations, they also warned viewers not to believe in unfounded stories as they only help spread of superstition. The broadcaster also assured that it would be more cautious and careful in future, and lay more emphasis on lifting the veil of superstition/s.

NBSA considered the report, and also viewed the CD. NBSA noted that the news channel telecast the said programme at a prime hour (17:25:33 hrs), when there would be substantial viewership including young children, advocating blind belief in superstition and occult. NBSA noted that the programme prima facie violated the Principles of Self Regulation relating to “Refraining from Advocating or Encouraging Superstition and Occultism” & “Specific Guidelines Covering Reportage” relating to “Accuracy, Good Taste, Supernatural, Occultism & Paranormal & Children’s interest”. NBSA decided to issue a show cause notice to the broadcaster for wilful violation of the above guidelines and to file a further response, if any, and also to appear before the NBSA.

During the hearing on 10.1.2017, the Counsel representing the broadcaster reiterated what was stated in their response to the Show Cause Notice and reiterated that their intention was not to create any fear psychosis but to educate the viewers not to get influenced by beliefs, which have no bearing on facts and the show was not intended to garner TRP’s. The representatives of the broadcaster stated that they abide by the NBSA Code of Ethics & Regulations and it was never their intent to violate the regulations or mislead the viewers in any manner. They assured that they would be extremely careful in the future while telecasting such stories.

Having considered the complaint, response and submissions, and having viewed the CD, NBSA was of the view that the programme glorified superstition; that the presentation was lurid intended to sensationalise the belief in ghosts and create fear in the minds of viewers. NBSA was of the view that the duty of a news channel was to educate the masses, create a scientific temperament and not to mislead with unsubstantiated half truths. NBSA however decided that in view of the assurance given by the broadcaster that they would be responsible in future and will take utmost care and caution while airing such programmes, that the complaint be closed with a warning and any future transgressions would be dealt with severely. In view of the above, channel was directed to be careful with regard to the content telecast on the channel and abide by the NBSA Code of Ethics & Broadcasting Standards, Guidelines & Advisories, issued from time to time.

Complaint from Mr. Santosh Kumar regarding programme titled “Live News” on ETV News Kannada on 2.8.2016

The complainant stated that he had conducted an audition for his movie “Students” produced under the banner “Passion Movie Makers” some eight months ago and over 200 people attended the audition, out of which 40-50 talents were selected. He stated two individuals Mr Nandakumar and Mr Manish had gone to ETV Kannada news channel and stated that during the audition, they were promised roles in the movie and they were betrayed. This particular news was telecasted on 3.8.2016 at 3 pm on the channel which affected and impacted their movie badly which was almost ready to release.

NBSA considered the complaint, response and also viewed the CD. NBSA was of the view that the broadcasting of the grievances of two individuals after a lapse of 8 months, when the movie was about to be released appeared to be motivated. NBSA decided that the complainant and the broadcaster be directed to



appear before the NBSA. Accordingly, a communication dated 15.12.2016, was sent both to the broadcaster and the complainant to appear for a hearing on 10.1.2017. In the initial response the complainant had stated that he would not be in a position to appear before NBSA and NBSA may proceed with the complaint. Thereafter, vide email dated 4.1.2017, the complainant informed NBSA that he is withdrawing the complaint. NBSA at its meeting held on 10.1.2017 noted that since the complainant had decided to withdraw the complaint, the complaint be closed.

Complaint from Isha Foundation against telecast of programmes by Sun News

Mol&B forwarded a letter dated 29.8.2016 from Isha Foundation addressed to Secretary Mol&B, alleging that Sun TV had repeatedly broadcast baseless allegations about Isha Foundation on 1-3, 5-6, 10-13, 15-19 August, 2016 with the intention to malign the Foundation's good reputation. The complainant alleged that the broadcaster appeared to be in collusion with vested interests that have been levelling a barrage of baseless allegations without any iota of evidence. According to the complainant, the following baseless allegations were aired by Sun News against the Foundation:

- Brain washing and forcible holding people captive.
- Thousands of alcohol bottles found near the buildings of Isha Yoga Centre.
- Government officials colluding to give a clean chit to all cases against Isha Yoga Centre.
- School students tortured.
- In the name of spirituality, Isha Foundation is reaching out to rich people and hypnotizing them.
- Murder, ganja, drug cases on Sadhguru.
- Skeletal bones found inside the Ashram.
- Stealing kidneys, removing uterus of woman monks, giving tablets to woman monks during menstrual cycles to postpone them, putting people in a state of coma, injecting a bacteria in hair oil, that will eat the brain, mixing drugs in food and some substance in incense sticks to make people lose their senses.

NBSA at the meeting held on 11.11.2016 considered the complaint, responses from the broadcaster and also viewed the CD. NBSA noted that the broadcaster had carried news about the Isha Foundation in their regularly scheduled news bulletins on 1-3, 5-6, 10-13, 15-19 August, 2016, which was repeated several times during these dates and in the "Vivadha Medai" programme, a live debate show, which was also repeated. In these programmes, the allegations of the nature complained of were made. NBSA noted that in the regularly scheduled news bulletins, there was no reference to the version of Isha Foundation's except a press release issued by the Foundation on 6.8.2016 denying the allegations and byte of one Mr. Senthil Kumar, Ex organiser of Isha Foundation on 13.8.2016. However, in the Vivadha Medai" programme, a person said to be representative of Isha Yoga Foundation participated in the live debate and gave his views.

NBSA decided that both the broadcaster and the complainant be directed to appear before the NBSA for a hearing. At the hearing, NBSA suggested that the broadcaster may consider making a statement without prejudice to its rights and contentions (including in Civil Suit filed by Isha Foundation being Civil Suit No. 617 of 2016) before the High Court of Madras, that, in future, prior to any broadcast of debate program(s)/ participative discussion(s) for any news prejudicial to Isha Foundation, the said Foundation be provided with an opportunity to send an authorized representative to appear/communicate its views for such program/discussion. Similarly, prior to the broadcast of any future news item regarding Isha Foundation, the channel should endeavour to contact Isha Foundation to seek their views on such news. The Counsel for Sun News



sought time to seek instructions in the matter from the broadcaster and convey the same to NBSA within one week. NBSA decided to take further action based on the response from the broadcaster.

NBSA at its meeting had on 7.2.2017 noted that the broadcaster by subsequent email dated 23.1.2017, stated that it will not be in a position to furnish any undertaking to the NBSA regarding future telecast/broadcast of news regarding Isha Foundation in view of the matter being subjudice and that the same would create unnecessary prejudice. After considering the submissions/ documents submitted by the complainant and the broadcaster and the email dated 23.1.2017, NBSA was of the view that as per Regulations 7.2 second proviso read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it is not permissible or appropriate for the NBSA to hold an enquiry into the complaint as the facts constituting the cause of action for the complaint, are also the facts of the complaint pending enquiry in a court of law. Any enquiry by NBSA into any issue or factual question resulting in a finding of NBSA may lead to a situation of conflict / divergence with any future findings by a Court/other Authority in the pending proceedings. NBSA therefore decided that it will not consider and decide the complaint and treated the matter as closed for the present, reserving liberty to the complainant to revive the complaint, if necessary, on conclusion of the Court and other proceedings. It was clarified that any statement by the broadcaster in the proceedings before NBSA, being by way of response to the notice from NBSA, nothing stated by the broadcaster will be treated as an admission of any fact or position by the broadcaster. NBSA decided that the MoI&B, complainant and the broadcaster be informed accordingly.

Complaint dated 15.04.2014 filed by Mr. Naveen Jindal (former Member of Parliament, Lok Sabha) against M/s Zee Media Corporation Ltd

A complaint dated 15.4.2014 was filed by Mr. Naveen Jindal (Complainant) to the Election Commission of India alleging the illegal/ unlawful/unfair acts/ conduct on the part of M/s Zee Media Corporation Ltd (Zee/Respondent) and its management including its Chairman, in collusion with Mr R. K. Saini, in blatant violation of various provisions of the Representation of the People Act (RP Act), Indian Penal Code & the Model Code of Conduct during the 16th Lok Sabha elections held in 2014. The complainant states that the various channels of Zee Media till 10.4.2014 aired various programmes against him, thereby creating a negative and hostile atmosphere against the complainant with the object to ensure his defeat in the said elections by unfair and illegal means. ECI forwarded the said complaint to NBSA to take action in so far as the contents of the complaint related to violation of NBSA Regulations/Guidelines. The complainant alleged that the reason why Zee Media and its Chairman was airing such false, misleading and manipulated news was because of his refusal to succumb to their unlawful and illegal demands for extortion of Rs 100 crores for which he had filed criminal cases and FIR's were lodged against Zee Media, its Chairman, its key Office Bearers, Editors and Business Heads of Zee, which are pending investigation. The complainant alleged that the reporting by Zee to show these programmes extensively and repeatedly against him without his comments / views were in violation of the Order/Direction dated 1.4.2014 of the Hon'ble High Court of Delhi in the pending Civil Suit bearing No 881/2014 titled Naveen Jindal & Ors Vs Zee Media Corporation Ltd & others and also as mandated in NBSA guidelines.

The complaint was considered by the NBSA at its meeting held on 2.6.2014. NBSA considered the complaint dated 15.4.2014 and viewed the CD. NBSA noted that paras 1 to 4 of the complaint was regarding election related issue which fell within the sphere of Election Commission of India as they related to alleged



violations of the Representation of People Act and Election Commission Guidelines. NBSA decided that the said election related issues raised in paras 1 to 4 of the complaint can be dealt with only by ECI and therefore ECI may be advised/requested to deal with those issues. This position was intimated to the ECI vide letter dated 13.6.2014. NBSA decided to deal with the complaint dated 15.4.2014 in paras 5 to 12 wherein the complainant (Mr. Naveen Jindal) alleged that the broadcast of various programmes on Zee Media Channels, against him, violated the NBA/NBSA Regulations and Guidelines.

NBSA heard the parties through their counsels on several dates. NBSA noted that it is not often that a complaint on issues of self-regulation is brought in relation to a dispute that has been subject matter of multiple, intensely contested legal actions in Court. It is also not often that a major plank of defence taken is that the complainant is also guilty of what is alleged against the respondent. Be that as it may. The position that clearly emerges from the rival contentions of the parties and supporting material is that the genesis of the impugned broadcasts lies in the inter-se animosity between the complainant and the principal promoter and Chairperson of the respondent news channel. NBSA however found that there is considerable force in the threshold bar pleaded by the respondent. The second proviso to Regulation 7.2 provides that “nothing in these Regulations shall be deemed to empower the Authority to hold an enquiry into any matter in respect of which any proceeding is pending in a Court of law ...”. It is true that matters exclusively relating to violation of Regulations/Guidelines of NBSA can be examined by NBSA, even if some related matter is the subject matter of a proceedings in Court. It is true that the reliefs sought in these proceedings are different and distinct from the reliefs sought in the pending civil proceedings or the offences alleged in the criminal proceedings. But the facts on which the reliefs sought before NBSA are also the facts on the basis of which civil/criminal proceedings were initiated and any enquiry into facts alleged in these proceedings with reference to the reliefs sought will necessarily result in a finding on facts/issues pending before the Courts. Therefore, it is not permissible or appropriate for the NBSA to hold an enquiry into the complaint as the facts constituting the cause of action for the complaint, are also the facts of the complaint pending enquiry in a court of law. Any enquiry by NBSA into any issue or factual question resulting in a finding of NBSA may lead to a situation of conflict / divergence with any future findings by a Court/other Authority in the pending proceedings. NBSA waited for a considerable time in pronouncing upon the matter, as disposal of court matters would have enabled consideration of the subject matter of the complaint before it. But the parties have not reported about any decision/disposal of the pending court matters. Therefore, no purpose would be served by keeping this matter pending any further. NBSA therefore decided that it will not consider and decide the complaint and treated the matter as closed for the present, reserving liberty to the complainant to revive the complaint, if necessary, on conclusion of the Court proceedings. It was clarified that any statement by the broadcaster in the proceedings before NBSA, being by way of response to the notice from NBSA, will not be treated as an admission of any fact or position by the broadcaster.

Note: Full text of the above Orders/Decisions are available on the NBA website www.nbanewdelhi.com



CIN: U22211DL2007NPL165480

Proxy Form

[Pursuant to Section 105(6) of the Companies Act, 2013 and Rule 19(3) of the Companies (Management and Administration) Rules, 2014]

Name of the Company: News Broadcasters Association

Regd. Off: Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar,

New Delhi – 110 087

Name of the Member:

Registered address:

E-mail Id:

I _____, authorised representative of the above named Member Entity of NBA, do hereby appoint :

1) Mr./Ms _____ R/o _____

_____ having email id _____ or failing him/her

2) Mr./Ms _____ R/o _____

_____ having email id _____ or failing him/her

3) Mr./Ms _____ R/o _____

_____ having email id _____ or failing him/her

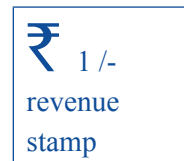
and whose signature(s) are appended below as my/our proxy to attend and vote (on a poll) on behalf of member entity at the **10th Annual General Meeting of the Association to be held on Tuesday, the 19th September, 2017, at 12.00 noon at Marigold, India Habitat Center, Lodhi Road New Delhi 110003**, and at any adjournment thereof in respect of such resolutions as are indicated below:



Resolution No:

1. To receive, consider and adopt Audited Financial Statement, Reports of Board of Directors and Auditors.
2. To re-appoint M/s S.S.Kothari Mehta & Co., Chartered Accountants, as Statutory Auditors of the Association and fix their remuneration.
3. To appoint Mr. Rajiv Singh as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.
4. To appoint Mr. Avinash Pandey as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.
5. To appoint Mrs. Anuradha Prasad as a Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 & 22 of the Articles of Association.
6. To appoint Mr. M.V. Shreyams Kumar as a Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 & 22 of the Articles of Association.
7. To appoint Mr. I. Venkat as a Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 & 22 of the Articles of Association.

Signed this _____ day of _____ 2017



Signature of Member's Representative _____

Signature of Proxy holder(s) _____

Note : This form of proxy in order to be effective should be duly completed and deposited at the Registered Office of the Association, not less than 48 hours before the commencement of the Meeting.



CIN: U22211DL2007NPL165480

Attendance Slip

News Broadcasters Association
Regd. Off: Juris House, Ground Floor,
22, Inder Enclave, Paschim Vihar,
New Delhi – 110 087

(To be filled in Block Letters)

Name and Address of the Member Entity: _____

Name of the Authorised Representative of Member Entity _____

Name of the Proxy _____

(To be filled in if proxy form has been duly deposited with the Association)

I hereby record my presence at the **10th Annual General Meeting of the News Broadcasters Association held on Tuesday, the 19th September, 2017, at 12.00 noon at Marigold, India Habitat Center, Lodhi Road New Delhi 110003.**

Signature of Member Representative / Proxy
(To be signed at the time of handing over this slip)

(Please fill attendance slip and hand it over at the entrance of the Meeting Hall)

Chairperson & Members

on the News Broadcasting Standards Authority



Justice R.V. Raveendran
[Former Judge of Supreme Court of India]
Chairperson

Independent Members



Nitin Desai



Dr. S.Y. Quraishi



Leela K. Ponappa



Vijayalaxmi Chhabra

Editor Members



**Manika Raikwar
Ahirwal**



Hemant Sharma



Rajiv Khandekar



Navika Kumar

NewsBroadcastersAssociation



News Broadcasters Association

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New Delhi - 110 087

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