

News Broadcasting & Digital Standards Authority
Order No. 129 (2022)

Order of NBDSA (formerly known as NBSA) on complaint dated 4.12.2020 filed by Ms. Shehla Rashid Shora against Zee News for broadcasting a programme on 30.11.2020

Since the complainant did not receive a response from the broadcaster within the prescribed time limit of 7 days, the complaint was escalated to the second level, i.e., NBSA.

Complaint dated 4.12.2020:

The complaint was in respect of a news programme aired on Zee News Hindi on 30.11.2020 at 11:00 PM. The complainant alleged that there was a grave and egregious violation of the Code of Ethics & Broadcasting Standards in the impugned programme.

The complainant stated that she was the subject of the impugned broadcast that lasted just under eleven minutes, including the opening and closing graphic. In the programme, the interview of her biological father making wild allegations against her, her sister and her mother and imputing that she had been involved in funding terror had been aired. Further, in the programme, the anchor himself asserted that it was now clear that the complainant had been involved in anti-national activities, including terror-funding, with no basis or proof or verification of any of the so-called allegations levelled by her father, Abdul Rashid Shora.

The complainant stated that these grave allegations were made with the intention of not only defaming the complainant, her sister and her mother but were also aimed at bringing danger to the complainant's life and liberty. Further, the broadcaster had also failed to reach out to the complainant for her response. Also, it did not adequately portray what was by then already in the public domain – the fact that the complainant had stated on her social media accounts that not only was the interviewee an accused in an FIR but was also facing domestic violence charges initiated by the complainant, her mother and her sister.

Further, the complainant stated that in the impugned programme, a picture of the interviewee's letter to the DGP showing the address, which was also the complainant's residential address in which she lives with her sister and mother, was aired. The complainant stated that the aforesaid act was a reckless and grave violation of their privacy and had a very high likelihood of bringing harm to them.

The complainant reiterated that the anchor conclusively and assertively stated in the programme that she was involved in terror activities without demanding any proof

of allegations from the interviewee. Further, at about 09:25 minutes into the broadcaster, the anchor stated that "*Shehla Rashid took Rs. 3 crores from these people and asked her father to shut up.*"(translated), which was again repeated around 10:15 minutes.

The complainant reiterated that she was not contacted either by the broadcaster or any person or personnel before the broadcast to get her view. The anchor also did not attempt to reach out to her for the said programme. Further, the anchor also failed to demonstrate that he had undertaken any independent verification of the veracity of the charges on his own. In the impugned broadcast, the anchor did not attempt to question or critically examine the allegations or point out the grave errors and contradictions in the letter that the interviewee had issued, which the anchor read out verbatim on the broadcast that has a national audience. The anchor imputed that the allegations were true, displaying no journalistic integrity and care not to harm the complainant's liberty or reputation.

The complainant stated that while the anchor had read out the interviewee's letter containing the allegations, he failed to read out the documents made public by her in any fair or comparable measure or manner. In the programme, only a passing reference was made to the 2005 letter to Mr. Shora from the neighbourhood committee, which otherwise contained damning material evidence that the interviewee had been abusing his wife and daughters for decades. The broadcast didn't fully contextualise the interviewee's allegations or explain that the so-called *expose* came as an immediate reaction by him to the FIR and the domestic violence case, which is sub-judice. The complainant stated that the aforesaid details were available on her social media accounts, which the anchor and the producers of the impugned broadcast ostensibly did have access to – given that they could access the 2005 letter.

The impugned broadcast also alleged that the complainant crowdsourced funds "*in the name of*" the family of the Kathua rape victim, which might suggest to a reasonable person that she crowdsourced the funds for the family but diverted it for some other purpose or that it was misappropriated. The falsehoods about this claim have also been well documented in news articles. The complainant stated that this was not the first instance that one of the broadcaster's channels had attempted to falsely malign her; rather, the broadcaster's channels were repeat offenders.

She stated that the impugned broadcast further baselessly and without any evidence attempted to malign the complainant by saying that "*anti-national*" slogans "*tukde tukde*" were raised in JNU during her tenure as the "Students' Union Vice President". This association was obviously made to malign the complainant and somehow paint her as having played a role in those slogans being shouted, again without any evidence whatsoever. Further, the complainant stated that the very

question of whether such slogans were shouted is *sub judice*, which the anchor never mentioned during the broadcast. At least one of the videos aired during that broadcast has now been established to have been doctored. The anchor, however, neither mentioned the same nor betrayed any circumspection that ought to have been brought about by that fact.

The complainant stated that the impugned broadcast violated the Code of Ethics & Broadcasting Standards in the following manner:

a) Violation of Standard (1), i.e. Impartiality & Objectivity in reporting – inasmuch as the broadcast made no attempt to contact her or any sources close to her to seek her version of the story – and did not even attempt to carry in full the complainant’s version of the events which were already in the public domain on her social media accounts, which the broadcaster ostensibly had access to.

b) Violation of Standard (2) – Ensuring Neutrality – inasmuch as the anchor conclusively asserted the allegations against the complainant were true without ensuring that he remains neutral when there are different versions of the events. He further deliberately painted the complainant as a terror-funder, anti-national and as a mis appropriator of monies collected for the family of an eight-year-old rape victim.

c) Violation of Standard (6) - Privacy – The broadcast used several of the complainant’s photographs and flashed the complainant’s residential address in Srinagar, without her permission and due care.

d) Violation of Standard (7) – Endangering National Security -Devaluing terror and terror–funding charges to the point of brandishing them without any independent verification whatsoever, has the effect of making people believe that terror charges are routine affairs and has the effect of people not taking seriously when there are national security violations reported - thereby endangering national security. When the consensus of this nature is sought to be manufactured against false targets like her, it also acts as an attempt to pressure the law enforcement agencies to act against us and undertake roving and fishing inquiries.

Therefore, the complainant called upon the broadcaster to air an apology on the channel and compensate her for the violation of her privacy and reputation by a token amount of One lakh only in her name.

The complainant reserved the liberty to urge further grounds of violation before the NBSA or other appropriate authorities and stated that this communication was without prejudice to any other remedy of any nature available to the complainant, or her mother or sister, under the law.

Reply dated 4.1.2021 from the broadcaster:

The broadcaster stated that in the complaint dated 14.12.2020, various false, frivolous, unsubstantiated and motivated allegations had been levelled against it. The broadcaster submitted that in the impugned programme, it had fairly and objectively reported the serious allegations levelled by the father of the complainant, Mr. Abdul Rashid Shora, against the complainant related to her alleged involvement in anti-national activities.

The broadcaster stated that the impugned programme did not violate any of the Guidelines and/or Code of Ethics framed by the NBA/NBSA. The impugned programme was completely neutral, objective and impartial, and as such, the present complaint was nothing but a malicious attempt on the part of the complainant to muzzle the voice of a responsible media from reporting the truthful account of important facts and events. Further, the complaint was also not in consonance with the News Broadcasting Standards Regulations and was liable to be dismissed.

The broadcaster reiterated that all the allegations levelled and insinuation contained in the subject complaint were completely false and baseless. In the impugned programme, the broadcaster stated that it had fairly and objectively reported the fact of lodging of a complaint by the father of the complainant, Mr. Abdul Rashid Shora, with the Director-General of Police, Jammu and Kashmir, wherein Mr. Shora had raised very serious allegations against the complainant regarding her alleged involvement in anti-national activities and also against the serious life threats given to him by the complainant.

Further, in the impugned programme, not only the interview of Mr. Shora was aired, but the broadcaster had also fairly and objectively reported the complainant's version, wherein she has denied the aforesaid allegations levelled against her by her father. Moreover, it had also reported the version of the complainant, that in the year 2005, the complainant along with her mother and sister had filed a case of domestic violence against Mr. Shora, which is still pending and due to the pendency of the aforesaid case, the father of the complainant lodged the aforesaid complaint against her.

Further, it had also published the entire version of the complainant in a news article titled "*Shehla Rashid refuses her father's allegations, calls him 'wife-beater, abusive and depraved man'*" which was published on the website zeenews.india.com on 30.11.2020, along with the tweet posted by the complainant on her Twitter account on 30.11.2020 in response to the allegations levelled by her father. In view of the aforesaid facts, it was stated that the impugned programme was aired without any preconceived notions and biases. The said broadcast was completely fair, neutral, objective and in consonance with the journalistic norms and the guidelines framed by the NBA

and NBSA. It is further relevant to state that various other media houses also covered the aforesaid news.

The allegations levelled by the complainant that in the impugned programme, the anchor had conclusively and assertively suggested the complainant's involvement in terror activities and had taken three crores was completely false and denied. The broadcaster stated that it had merely reported the allegations levelled by the complainant's father in his complaint lodged with the police, and nowhere, in the impugned broadcast, it had ever suggested or gave conclusive finding/opinion against the complainant.

The broadcaster also denied the allegations that the impugned broadcast was intended to defame the complainant or her family members or bring danger to their lives and liberty. Further, the anchor had nowhere stated or alleged that the complainant had diverted or misappropriated the funds collected through crowdfunding to help the family members of Kathua and Unnao rape case victims. The reference to crowdfunding was made only for the purpose of identification of the complainant. Therefore, the aforesaid allegations were based on mere conjecture and surmise and were denied.

The broadcaster submitted that the contents of the impugned broadcast were completely based on verified facts, and no part of the broadcast was false. It is a matter of fact that in the year 2016, anti-slogans were raised in JNU, and at that time, the complainant was the office bearer and held the post of vice-president of the JNU Student Union. The entire broadcast was completely neutral, objective and based on verified facts. Therefore, the broadcaster stated that it had not violated any of the guidelines framed by NBSA, as falsely alleged in the complaint.

With regard to the allegation that in the impugned broadcast, the broadcaster had violated the privacy of the complainant by showing her photograph and residential address, it was stated that all the videos used in the broadcast were already available in the public domain. Therefore, the use of such video cannot, in any manner, be said to have violated the privacy of the complainant. So far as the grievance against showing the residential address of the complainant was concerned, the broadcaster stated that the aforesaid allegation was completely false, inasmuch as it had merely shown a copy of the complaint lodged by Mr. Shora with police, which also contained his residential address. It is stated that while showing the address mentioned in the said complaint, the broadcaster had no knowledge that the complainant was also residing at the same address. Therefore, the aforesaid allegations are completely false and hence denied.

Decision of NBSA at its meeting held on 18.2.2021

NBSA considered the complaint, response from the broadcaster, the reasons for escalating the complaint, and viewed footage/CD of the broadcast. NBSA decided that the broadcaster and the complainant be called for a hearing.

On being served with notices, the following persons were present for the hearing on 16.7.2021:

Complainant: Ms. Shehla Rashid Shora
Mr. Prasanna S, Advocate on Record

Broadcaster: Ms. Ritwika Nanda, Advocate
Mr. Piyush Choudhary, Senior Manager, Legal, ZMCL
Ms. Annie, Assistant Manager Legal, ZMCL
Mr. Shailesh Ranjan, Editorial Team, ZMCL

Submissions of the Complainant:

The complainant reiterated the submissions made in the complaint. She submitted that the impugned programme was an interview of the complainant's estranged father, in which he made numerous wild allegations against her - including that she was involved in or associated with those alleged to be involved in terror funding; that she took three crore rupees to join a political party; that she runs 'NGOs' using tainted money etc. which was aired by the broadcaster without obtaining her version. Further, no attempt was made by the broadcaster in the impugned programme to confront the interviewee for proof of his allegations.

The impugned programme violated Guideline 8 of the NBSA Guidelines on Broadcast of Potentially Defamatory Content, which requires the broadcaster to show that: the version of the complainant was "*obtained*," i.e., effort was put in procuring the version. However, in the instant case, the complainant stated that not only had the broadcaster in effect admitted to not having attempted to contact the complainant prior to the broadcast, but it had not even completely aired her version which was available at that time in her social media posts. The anchor made only a fleeting reference during the programme by stating that every story has two sides; and that the complainant has reacted to the letter written by her estranged father; and that she states that there is a domestic discord with him since 2005.

The complainant submitted that by not giving her an equal opportunity to put forward her views, the broadcaster failed to act with impartiality & fairness. That the skewed allocation of time for her denial was a manifest violation of the principles of fairness, impartiality and neutrality. The different visual treatment of the two views aggravated the disproportionate allocation of time. While showing her father's side of the story, the letter sent by him to the DGP was shown by the

anchor on the side screen, whereas no references/interviews/or even the article quoted in the reply were shown during the 30 seconds that the broadcast fleetingly covered her denial in -thereby creating a cumulative effect in the minds of the audience that the allegations against the complainant were credible, whereas her denial is bald and trivial.

The complainant submitted that the broadcaster had in its reply stated that it had complied with the obligations of neutrality and impartiality by linking her social media posts with the story carried on its English news website. She submitted that violation of norms by a TV broadcast could not be cured by a text news story posted elsewhere, and the reach of the TV broadcast and the website content is vastly different. Particularly, in this case, as the programme DNA is anchored by the broadcaster's Editor in Chief and is among the most widely watched programmes of that genre, reportedly with more than five crore views per month. The audience in both cases are different, and the audience misled by the broadcast was not even directed to the textual content posted on the website. The complainant asserted that the content on the website was even more defamatory as it called her names, some of the more egregious headlines on the website of the broadcaster stated: "Shehla Rashid देश विरोधी ताकतों के साथ, देश का माहौल बिगाड़ने के लिए फंडिंग | Exclusive"; Zee Hindustan ने सबसे पहले किया खुलासा | 3 करोड़ में देश को बेचने चली शेहला? | Shehla | JNU"; "Anti National शेहला रशीद के खिलाफ और क्या सबूत चाहिए, खुद पिता ने दी है गवाही" and "आजादी गैंग तो पैसों की गुलाम निकली | Tukde Gang के गुनाह के पक्के सबूत मिले | Shehla Rashid".

In the impugned programme, the anchor was judgmental, unbalanced and took sides. While the mandate of "*Ensuring Neutrality*" under the Code of Ethics enjoins anchors from presenting allegations as fact, however, the anchor violated the above guidelines and standards, as he unequivocally assessed the interviewee's allegation as being "*evidence of conspiracy*". He made malicious and slanderous imputations, suggesting that the complainant was somehow implicated in raising the "*Tukde Tukde*" slogans in the JNU Campus and that she had diverted money collected for the benefit of the family of the girl child raped and murdered in Kathua.

She submitted that while the broadcaster had justified that the above references were made only to clarify the complainant's identity and that no ill-motive could be discerned. However, the complainant asserted that the use of the term "*in the name of*" indicated to the viewers that crowdfunding was done as a pretext with the motive being something else, as a result of which she was at the receiving end of relentless social media attacks questioning her motives and propriety, including by the anchor in question himself.

Another manifest casualty in the impugned broadcast was accuracy, which could have been easily avoided, had the complainant's version been taken by the broadcaster. There were several inaccuracies in the version given by the complainant's estranged father, the interviewee, which clearly showed his lack of knowledge about the complainant's personal, academic or political life. However, the complainant submitted that it was this person's word that was being taken as gospel truth in the impugned broadcast. She asserted that the broadcaster was in such a raging hurry to air this defamatory broadcast that it did not even bother to carry out basic journalistic due diligence, despite claiming to be one of the more popular news channels. The impugned broadcast merely regurgitated several verifiable falsehood which could have been fact checked by the broadcaster. Furthermore, since the interview was recorded and not live, it was the broadcaster's duty to verify statements made by the interviewee before airing them.

Additionally, her privacy was violated when her images and photographs were flashed without her consent, particularly in association with all the allegations that were being advanced against her. For instance, the anchor referred to her being the Vice President at the time *Tukde Tukde* slogans were raised in the JNU campus, videos of her giving a speech were played in the background. Even assuming that these pictures and videos are available in the public domain, the manner in which they were played to create an impression of association is an egregious violation of the norms of conduct. Furthermore, the recklessness of not taking the complainant's version had resulted in her address being made part of the broadcast.

The complainant submitted that the entire broadcast, therefore, smacks of a deliberate intent to weave a narrative and manufacture consensus against the complainant with complete disregard to both facts. She submitted that devaluing terror and terror-funding charges to the point of brandishing them without any independent verification whatsoever has the effect of making people believe that terror charges are routine affairs and results in people not taking such charges seriously when there are national security violations reported - thereby endangering national security.

The complainant asserted that anyone who watched the broadcast got the impression, whereby the complainant is portrayed as a criminal, and the interviewee – a man accused of domestic violence – is taken at face value, amplified and glorified. The complainant, therefore, requested the Authority to show no leniency whatsoever and grant all the orders sought for in the complaint not only to ensure some kind of closure for this horrific experience that the complainant has had to go through but also to cause sufficient deterrence against such blatantly violative content on news media

Submissions of the Broadcaster:

The broadcaster submitted that the impugned programme was aired on 30.11.2020 first at 9PM and then repeated at 11PM. In the impugned programme, which was

approximately for a duration of 10 minutes, the broadcaster stated that it had fairly, impartially and objectively reported the serious allegations levelled by the father of the complainant against her and the complainant's counter-allegations thereof. The story aired in the impugned programme was based on the verified source i.e., a written complaint lodged by the father of the complainant, Mr. Shora, with the Director General of Police, Jammu and Kashmir containing serious allegations against the complainant regarding her alleged involvement in anti-national activities and terror – funding. Therefore, it submitted that in view of the letter sent to DGP, the allegation that the impugned broadcast set the law and order machinery in motion and endangered national security was baseless and conjectural.

Throughout the programme including in the ticker, it was repeatedly mentioned that the “*allegations*” are put forth by the father of the complainant and the complainant's response to the allegations posted on her twitter handle was also reported during the broadcast. The anchor also reported that, since 2005, a family dispute was going on between the complainant, her mother, sister and the interviewee due to domestic violence by her father, the complainant along with her mother and sister had driven her father out of their house and a case of domestic violence against Mr. Shora is still pending and that her father had retaliated in this way.

NBSA questioned the broadcaster, why it did not verify facts before airing the interview of the father and why it had solely relied on the version of the complainant available on social media platforms. The broadcaster stated that since the father of the complainant did not state anything beyond the contents of his letter to DGP and the reply of the complainant was published on her twitter account, the broadcaster did not consider it necessary to interview the complainant. Further, it submitted that it had also published the entire version of the complainant posted by her on her twitter account in a news article on the same day i.e. 30.11.2020.

In response to the complainant's primary grievance that it had not attempted to contact the complainant, or any sources close to her to seek her version of the story, the broadcaster submitted that it had after the impugned broadcast approached the complainant for her interview but it was the complainant who refused to give her response citing that it was a personal family dispute. The broadcaster reiterated that the version of the complainant available on her social media platform was reported by the anchor and was also reflected/showed in the form of graphics, wherein it was shown that as per the complainant, the allegations levelled by her father are incorrect and were made against her because the complainant was raising her voice against domestic violence.

The broadcaster submitted that there has been no violation of Guideline No. 5 of Specific Guidelines Covering Reportage and no violation of privacy of the complainant. It stated that the complainant is a public figure and the photographs of the complainant are widely available on the internet. Further, the photographs /

videos shown during the programme are available in the public domain and the broadcaster had not infringed her right to privacy by airing the same.

In respect to the complainant's address that was inadvertently broadcast in the impugned programme, the broadcaster stated that it had aired copy of the complaint lodged by Mr. Shora which also contained his residential address. The address was not flashed in relation to or in the context of the complainant and the broadcaster had no knowledge or awareness of the fact that the complainant is residing at the said address and therefore, there was no intention to disclose the residential address of the complainant. However, it stated that the complainant's address is also available in the public domain and was part of a Court Order which the complainant herself circulated.

The complainant rebutted by stating that the broadcaster had not approached her for her version prior to the broadcast, that it was only after the impugned programme was aired that the broadcaster contacted her for an interview. Further, the channel had no follow-up programme aired even though it was claimed during the impugned broadcast that it was "*sabsi badi khabar*". The complainant relied on Order No. 73 passed by NBSA on 10.7.2021 in the complaint filed by Ms. Sanjukta Basu to state that it was not enough for the broadcaster to rely on her version available on Twitter. In respect to the grievance regarding her privacy violations, the complainant submitted that the address which was part of a Court Order was passed after the broadcast was aired on 30.11.2020, hence the broadcaster cannot assume consent.

The broadcaster submitted that it was willing to publish the complainant's version on its digital platform, if the complainant so desired.

Decision of NBSA on 16.7.2021

The decision in the complaint was deferred to the next meeting of NBSA to consider the additional submissions of the complainant and the broadcaster.

Additional Submissions of Broadcaster dated 19.7.2021

The broadcaster submitted that during the hearing of the subject complaint on 16.7.2021, the Authority had enquired from the broadcaster if it had made an attempt to contact the complainant to obtain her version on the allegations levelled by her father in the complaint lodged by him with the Director General of Police, Jammu and Kashmir and the present submissions were in response to the limited query raised by the Authority.

That in the impugned programme, aired on 30.11.2020, it had adequately presented the version of the complainant put by her on her social media account. Further, it is submitted that when the complainant refused to come on camera to give her version in response to the allegations levelled against her, the reporter of the broadcaster, Mr. Khalid Hussain, on 1.12.2020, telephonically contacted the

complainant to obtain her version. During the aforesaid call, the complainant, while acknowledging the fact of her refusal to come live on camera, denied the allegations levelled against her by her father. Further, in her version, the complainant stated that the aforesaid complaint was lodged by her father in retaliation to a domestic violence case filed by the complainant and her mother, which is pending in a court of law since 2005.

The broadcaster submitted that it has attached the true transcript of the call record between Mr. Khalid Hussain, Zee News Reporter and the complainant and stated that the aforesaid call recording was available with the broadcaster, and it can produce the same before the Authority if so directed.

Rejoinder dated 23.7.2021 of Complainant to the Written Submissions of the Broadcaster

The complainant submitted that the broadcaster had in its submissions stated that it had provided the complainant's side of the story as given out on her social media posts and that she had put her side fairly, particularly the broadcaster had cited the part between 4:11 and 4:47 in the clip. The complainant stated that this, apart from being an admission that the broadcaster did not "obtain" her version, also suppressed several aspects. At those time points cited by the broadcaster, even as the anchor was stating that there are two sides to the story and that the complainant had denied it, the ribbon/lower-third displayed the text "शहला राशिद से पिता को जान का खतरा!" i.e. that the complainant is a threat to her father's life!" i.e., the interviewee's version.

In this regard, the complainant submitted that the Authority may refer to its earlier Order in Order No. 86 of 2020 wherein the test is the impression created on someone who is watching a certain part of the programme on mute. Even while airing the denial (assuming for the sake of argument it is a meaningful airing of the denial), the broadcaster had missed significant details in the broadcast about the case against the father, as well as it had failed to mention the court order dated 17.11.2020 restraining the father from entering the house. The complainant submitted that the interview, the complaint and the sensationalisation by her estranged father was a retaliation against this measure which had recently transpired.

The complainant asserted that omitting to state the recent happenings in the broadcast had the effect of heavily downplaying the complainant's reaction – even assuming without conceding that is all she had to say in the matter. Further, the complainant reiterated that her twitter post or the court order wasn't shown on the side screen unlike the letter that was shown while the interview played or when the complainant's father's version was being played which gave the impression that the estranged father's version was substantiated, whereas the complainant's were only superficial and bald denials lacking credibility. Furthermore, she stated that while the broadcaster had in its written submissions asserted that "*a case of domestic violence*

against Mr. Abdul Rashid Shora is still pending”, however, this was never stated in the impugned broadcast. The anchor merely mentioned that there is an old family conflict. Therefore, the complainant submitted that by omitting the fact that there is a domestic violence case pending in a Court of Law and by only mentioning family feud the broadcaster attempted to downplay the complainant’s version and thereby created prejudice against the complainant.

The complainant submitted that the broadcaster had relied on the graphic that appears between 6:04 to 6:25 to further state how her denial had been carried. However, the complainant stated that the ribbon/lower-third text and indeed the remarks the anchor made during that time had no nexus whatsoever to the one box in the much larger graphic carrying her denial. The complainant highlighted several conclusive/judgmental statements made by the anchor during the impugned programme in violation of Section 5 of the Guidelines on Broadcast of Potentially Defamatory Content : *“We have been saying this since the beginning that those who study in JNU are never focused in their studies rather they are more focused in anti national activities”* And at 6.03, goes on to say *“...और शेहला राशिद के पिता ने जो आज कहा है उससे फिर से ये साफ़ हो गया है कि शहला राशिद के देशविरोधी ताकतों के साथ संबंध है और उनसे उसे फंडिंग भी मिलती है”* i.e. *“And from what Shehla Rashid's father has said today, it is again clear that Shehla Rashid has with anti-national forces and gets funding from them.”*

The complainant submitted that through its additional written submissions dated 19.7.2021, the broadcaster was attempting to bring in the conversation that one of its staff had with the complainant on 1.12.2020 (i.e. the day after the broadcast), which was irrelevant for considering whether or not the broadcast on 30.11.2020 violated standards and guidelines. The complainant submitted that she refused to go on the channel on the ground that the channel had already aired the father’s version and had prejudged the issue, which is most reasonable given the tenor that the impugned broadcast had taken the previous night. Further, she stated that the broadcaster’s attempt to contact her on the very next day only goes on to show how the broadcaster had all the means to contact her and seek her version, which they deliberately failed to do before airing the impugned programme. Therefore, the complainant prayed that the Authority should show no leniency whatsoever and pass all the orders and directions sought in the complaint to the NBSA.

Decision

NBDSA looked into the complaint, response from the broadcaster, and also gave due consideration to the arguments of both the complainant and the broadcaster and reviewed the footage of the broadcast.

With regard to the broadcast, NBDSA was of the view that the issue under consideration is whether the programme lacked objectivity, impartiality, neutrality and whether it violated the complainant’s privacy. NBDSA noted that by allowing the interviewee i.e., father of the complainant to vent and air his allegations against

the complainant, the channel had presented only one side of the story. Further, not only had the broadcaster failed to approach the complainant for her version prior to telecasting the impugned programme but by making only a fleeting reference to her denial of the allegations, the broadcaster had also failed to adequately present her version. In any case, the Authority noted that to broadcast the version of the complainant available in her social media posts was not sufficient compliance of the Guidelines.

The Authority observed that by failing to telecast the complainant's version prior to the telecast of the impugned programme, the broadcaster had violated the principles of Self-Regulation relating to 1) Impartiality and Objectivity in Reporting and 2) Ensuring Neutrality enshrined in the Code of Ethics and Broadcasting Standards.

NBDSA also observed that the allegations made by the father of the complainant in the telecast had no connection with the visuals shown in the broadcast relating to JNU. The programme appeared to give the impression that the complainant was involved in anti-national activities.

The Authority observed that such generalized statements are violative of the Code of Ethics and Broadcasting Standards and Guidelines relating to Impartiality and Objectivity in reporting. The broadcaster should be careful in future while making general accusatory statements in any of its broadcasts.

In view of the above, NBDSA expressed strong disapproval in respect of the broadcast and decided to direct the broadcaster to exercise caution while airing such programmes and not repeat the aforementioned violations in future.

NBDSA also directed the broadcaster to remove the video of the impugned broadcast from their website, YouTube and all other links.

NBDSA decided to close the complaint with the above observations and inform the complainant and the broadcaster accordingly.

NBDSA directs NBDA to send:

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

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

Sd/-

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

**Place: New Delhi
Date : 31.03.2022**