News Broadcasting Standards Authority

Order No 17 (2012)

Re: Complaint dated 21/06/2012 filed by Dr. Kalind Prashar against broadcasts made on Aaj Tak (on 10.6.12) & on IBN7 (on 11.6.12) of a one sided story of a matrimonial dispute.

O R D E R

1. A complaint dated 21.6.12, was received by the NBSA from one Dr. Kalind Parashar alleging that news channels Aaj Tak and IBN7 had broadcast a one sided story, at prime time, containing allegations levelled against the complainant and his family by his former wife Dr. Kaveri Kapoor, maligning the complainant and his family, without any attempt having been made by the news channels to contact him or his family to carry their side of the story. The complainant further contented that he was divorced from his former wife in the USA and he had also been awarded custody of the child relating to which however certain proceedings are pending in an Indian Court.

2. After a preliminary consideration of the complaint, the NBSA had invited a response from Aaj Tak and IBN 7; and the NBSA subsequently granted a hearing to the parties, which hearing was conducted on 20.8.12.

3. At the hearing, Dr. Kailash Parashar (father of the complainant Dr. Kalind Parashar) was present. News channel Aaj Tak was represented by Mr. Anup Kumar Sinha, Associate Executive Producer, Mr. Snehanshu Shekhar, Senior Producer, Mr. Puneet Jain, Head Legal & Compliances & CS & GM – (F & A) and Mr. Satish Bhatt, Internal Legal ; and IBN 7 was represented by Ms. Manisha Ahuja, Sr. Manager, Legal, Mr. Sachin Dev, DGM – Corp Affairs and Mr. Anant Vijay, Dy. Executive Producer.

4. On the basis of the allegations made in the complaint and the responses received from the news channels and after viewing the broadcasts in question and hearing the parties, it was evident that the initial reportage on the matter was entirely one sided as the complainant's version had not been carried at all. Insofar as Aaj Tak was concerned, it was alleged by the complainant that in its only broadcast dated 10.6.12, the complainant's version was not included at all. As for IBN 7, the complainant's case was that in its first broadcast on 11.6.12 the channel did not carry the complainant's version, although in subsequent broadcasts on 27.6.12 & 28.6.12, the complainant's version (speaking through his father) was included.

5. While both the news channels contended that they had made efforts to obtain the complainant's version but without success. The NBSA is of the opinion that the subject matter of the programme was not so urgent that it needed immediate broadcast, and the news channels should have waited for the response from the complainant, which however was evidently not done. In these circumstances, it appears that the purported efforts made by the news channels to contact the complainant were inadequate, if not insincere. Secondly, NBSA also notes with anguish and dismay how precious air-time was spent by both the news channels on a subject that related purely to the private and personal affairs of private individuals (as distinct from public figures) who had no association with public life at all ; and such matters had been carried with prominence without there being any "news value" in the broadcasts.

6. During the course of hearing the complainant's father submitted that insofar as IBN 7 was concerned, since the said channel had carried his version as given by him in their subsequent broadcasts on 27th and 28th June, 2012, the complainant was satisfied with the action taken by IBN 7 and did not wish to pursue the complaint against the said channel.

7. As far as Aaj Tak is concerned, the complainant's father submitted that the channel had carried his version only in a fleeting manner in the speed news segment of its broadcast, which did not suffice or address his family's grievance adequately.

8. NBSA is therefore of the view that both the news channels i.e. Aaj Tak and IBN 7 are in breach of important norms of journalistic ethics – firstly, the fundamental principle that requires news reportage should be fair and balanced by carrying the version of the person being reported upon in the very first instance of broadcast of the news, which in the present case was Dr. Kalind Parashar, whose version was not carried in the first instance. Secondly, both the news channels are also in breach of the NBA Code of Ethics & Broadcasting Standards, Specific Guidelines and NBSA Advisory on "Reportage of Family / Matrimonial Matters" dated 16.9.2011 which proscribes reportage purely on family and matrimonial matters with no "public interest" aspect or "news value", stating further that such broadcasts needlessly intrude upon the "privacy" of individuals.

9. Since the complainant was satisfied that his version had been duly carried by IBN 7 in their subsequent broadcasts on 27th and 28th June 2012, the NBSA records that the complaint against IBN 7 be treated as amicably resolved and hence disposed of albeit with a warning to IBN 7 that any future transgressions in this regard would be dealt with sternly.

10. Insofar as Aaj Tak is concerned, the NBSA holds that the channel was clearly in breach of the NBA Code of Ethics & Broadcasting Standards, Specific Guidelines and committed wilful violation of the NBSA Advisory on Reportage of Family / Matrimonial Matters dated 16.9.2011, for the reasons recorded above. The NBSA therefore directs that TV Today Network Ltd. / Aajtak be visited with the following consequences:

10.1 The channel must carry the unedited version of the complainant, prominently for a duration of three minutes at the same time that the first broadcast was made on 10.6.12 i.e. at 6 pm for three consecutive days i.e. on 30.10.12, 31.10.12 & 1.11.12 respectively. The complainant's version must also be preceded by an apology to be tendered by the channel, by running the following text (static) on full screen in large font size with voice over (in slow speed) expressing regret for the said telecast on their channel Aaj Tak stating the following:

आज तक को खेद है कि हमने डॉ. कालिंद पराशर और उनकी पूर्व पत्नी डॉ. कावेरी कपूर के बीच वैवाहिक विवाद के सम्बन्ध में 10.06.12 को एकतरफ़ा समाचार प्रसारित किया, जबकि यह मामला नितान्त निजी था और न तो इसमें कोई महत्त्वपूर्ण समाचार था और न ही कोई जनहित. यह प्रसारण एनबीए 'निति संहिता और प्रसारण मानक', 'घटनाओं की रिपोर्टिंग करने के सम्बन्ध में विशिष्ट दिशा निर्देश' और 'वैवाहिक व पारिवारिक विवादों की रिपोर्टिंग' के बारे में **एनबीसए द्वारा दिनांक 16.9.11 को** जारी **एडवाइजरी का उल्लंघन है. इस प्रसारण से डॉ. कालिंद पराशर और उनके परिवार को हुई किसी प्रकार की पीड़ा और क्षति के लिए हमें गहरा खेद है .**

10.2. Directs the broadcaster to pay a fine of Rs. 1,00,000/- (Rupees One Lac Only) to the News Broadcasters Association within 7 (seven) days of receipt of this Order for wilful violation of NBA Advisory dated 16.9.11 on reportage of family / matrimonial matters.

11. The NBSA further directs the NBA:

a) To send a copy of this order to the complainant and the news channels;
b) To circulate this order to all Members & Editors of NBA.
c) NBA to also host a summary of this order on its website and to include such summary in its next Annual Report.

12. Proof of compliance of telecast of the apology be submitted to News Broadcasters Association on compact disc within 7 days of telecasts.

Sd/-
Justice J S Verma (Retd.)
Chairperson

Place : New Delhi
Dated : 25/10/2012