

News Broadcasting Standards Authority

Order No. 31 (2014)

Telecast of video of 'Head Parade' by News X TV channel on 9.1.2014

1. The above complaint was received from the Ministry of Information & Broadcasting, under cover of letter dated 11.2.2014 to NBA. The complaint was that NEWS X had telecast a news report and discussion based on the alleged beheading of two Indian soldiers, which took place in January 2013 along the LOC on the Pakistani side of the border. It was alleged that the report contained visuals wherein a man was shown holding a human head (according to the channel the head is of Lance Naik Hemraj Singh) along with his alleged belongings like some Indian currency, Gutka (tobacco) wrapper and torch bearing the Indian army mark; that the visuals in the footage shown in the report were gruesome and highly graphic in nature; that the visuals were continuously shown throughout the report; that though the channel has blurred the visuals, it was clearly visible that a man was holding a human head; that some very close shots were also shown; that the visuals were very disturbing and against good taste apart from creating law and order problem in the country; and that such visuals were not suitable for unrestricted public exhibition. It was further alleged that it violated the provisions of the Programme Code – 6 [1] (a) which offends against good taste and decency, 6 [1] (e) to encourage or incite violence or contains anything against maintenance of law and order or which promote antinational attitude and 6 [1] (o) which is not suitable for unrestricted public exhibition.

2. NBSA at its meeting held on 21.3.2014 considered the complaint, the response of the broadcaster and viewed the CD and decided that a notice be issued to the broadcaster calling upon them to file its response and also decided that the broadcaster be called for a hearing, with a request to MIB and the concerned Army Authority to participate at the hearing and give their views on the matter.

3. Accordingly, the broadcaster, MIB & MOD (Army) were called for a hearing on 1.5.2014. The broadcaster, on receipt of the above communication, requested for postponement of hearing to any time in June 2014, which was considered and agreed. The broadcaster, MIB and MOD (Army) were informed accordingly of the postponement of hearing to 2.6.2014. The following persons appeared before the NBSA on 2.6.2014:

INX News Pvt. Ltd. (Channel: News X)

1. Mr. Sudhir Nandrajog, Senior Advocate
2. Mr. Shrey Chathly, Advocate
3. Mr. Siddharth Bhanba, Advocate
4. Mr. Vishesh Wadhwa, Advocate
5. Mr. Rishabh Gulati, Output Supervising Editor
6. Aman Thukral, Company Secretary and Legal Officer

Dte Gen of Mil. Int., Integrated HQ of MoD (Army):

1. Col. H. Sawhney, SM – Director Media

Ministry of Information and Broadcasting:

None

4. Mr Sudhir Nandrajog, Senior Advocate, appearing for the broadcaster submitted that the beheading of the Indian soldier was in January 2013 and the programme was telecast on their channel after a year in January 2014. He submitted that the incident was reported extensively in the print media and there was also demand from the public and political parties to take suitable action in the matter. The broadcaster stated that only after cross-checking with their sources in the army, and following the standard procedures laid down editorially prior to broadcast, the video was broadcast in the said programme after blurring the image of the head along with appropriate disclaimer. The broadcaster stated that before broadcast they had sent a mail to the army seeking confirmation whether the footage related to Lance Naik Hemraj Singh, and that they received no response thereto. Mr Nandrajog, Senior Counsel stated that it was not possible to reveal the source in the army who confirmed about the authenticity of the video. He also pointed out that neither the Army nor the MIB had ever disputed the authenticity of the contents of the footage.

5. The Army representative stated that they had not received any email communication from the broadcaster in this regard. He stated that in spite of Army Authorities writing to the broadcaster on 10.1.2014 pointing out that the Army had not officially verified the authenticity of the video, the broadcaster continued to repeat the broadcast.

6. The broadcaster was requested to submit a copy of the e-mail sent to the Army to the NBSA for its consideration. The hearing was concluded and decision was reserved.

7. NBSA at the meeting held on 17.7.2014 considered further written submissions made by the broadcaster and also the copy of the email dated 10.1.2014 sent by the broadcaster to Director, Media (Army), forwarding the original video received. NBSA finds that the email sent to the Army was not sufficient verification, as the CD was merely sent as an attachment without any message. There was no specific request for confirmation or verification or clarification. Nor was there an acknowledgement from the army confirming receipt of the email with the video. NBSA was of the view that the pre-verification done by the broadcaster was inadequate and that the broadcaster had not followed required processes, prior to airing such a sensitive broadcast. NBSA also noted that the guidelines relating to accuracy and good taste were also not followed by the broadcaster. Nor was the version of the Army aired. NBSA also noted that despite the request of the Army to the broadcaster not to air the story, the broadcaster chose to run the story on two days.

8. NBSA is of the view that the broadcaster violated the regulation requiring accuracy by proper verification. It therefore decided to warn the broadcaster to be more careful in the future and inform them that any future transgressions would be viewed seriously by the NBSA. With such warning the matter was closed.

9. The video of the said programme, if hosted, on the website of News X or other links shall be removed and NBSA informed accordingly;

10. NBSA further directs the NBA:

- (i) To send a copy of this order to the MIB, MOD (Army) and the news channel;
- (ii) To circulate this order to all Members & Editors of NBA;
- (iii) NBA to also host a summary of this order on its website and to include such summary in its next Annual Report.

Sd/-

Justice R.V Raveendran (Retd.)
Chairperson

Place : New Delhi

Dated : 27.8.2014