

News Broadcasting Standards Authority

Order No. 32 (2014)

Complaint dated 25.3.2012, filed by Ms. X regarding offensive visuals aired in the Kahiye Janab programme telecast on 17.3.12, at 8.30 p.m. (repeated on 18.3.2012 at 3.30 p.m).

Complaint dated 10.9.2013 filed before NBSA by Ms. X regarding broadcast in programme titled “Vaardat” on Aaj Tak channel on 7.9.2013 at 11 pm and repeated on 8.9.2013 at 12.30 pm.

1. The above two complaints were tagged with the matter arising out of the Order in WP No. 8619/2011 of the Hon'ble High Court of Karnataka. As that matter was closed, NBSA decided to de-link these two matters and proceed with them separately by calling the complainant and the broadcasters for a hearing.

2. The complaints related to showing the complainant in a footage relating to or referring to Swami Nithyanand, contrary to the order of the Hon'ble High Court of Karnataka dated 28.2.2011 in WP No. 8619/2011.

3. Accordingly, complainant and the broadcasters had been requested to be present for a hearing on 2.6.2014. The complainant was not present at the hearing. The following persons appeared before the NBSA:

TV Today Network Ltd. (Aaj Tak):

1. Mr. Kunal Singh Chauhan, Senior Producer
2. Mr. Tanseem Haider, Spl. Correspondent

Zee Media Corporation Ltd. (Zee News):

1. Mr. Bhagabati Prasad Padhy, Advocate

4. NBSA heard both the broadcasters and viewed the footage. NBSA found that the broadcast of the programme called 'Vaardat' by Aaj Tak on 7.9.2013 at 11.00 PM, repeated on 8.9.2013 at 12.30 PM, showed the complainant in a footage relating to Swami Nithyananda and that may be contrary to the order of the Hon'ble High Court of Karnataka dated 28.2.2011 in WP No. 8619/2011.

5. It was also found that the broadcast of a morphed video which impliedly linked the complainant to Swami Nathyananda by Zee News (in the programme 'Kahiye Janab' on 17.3.2012) may also violate the order dated 28.2.2011 of the Hon'ble High Court of Karnataka in WP No. 8619/2011.

6. NBSA therefore decided that the broadcasters be advised to air apologies on their respective channels, the text and date of which would be furnished by NBSA. NBSA also decided that the objectionable portion of the video of the complained programme, if hosted on the websites of the broadcasters or any other links, shall be removed forthwith.

7. NBSA therefore directs that Zee Media Corporation Ltd. and TV Today Network Ltd. (ZEE News & Aaj Tak channels) to tender an apology on September 5, 2014 at 8.00 pm 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 channels Zee News and Aaj Tak by stating the following:

आज तक को खेद है कि 7.9.13 को प्रसारित व 8.9.13 को पुनर्प्रसारित कार्यक्रमों 'बाबाओ की बदमाश कम्पनी' व 'वारदात' में स्वामी नित्यानन्द से सम्बन्धित एक फुटेज में सुश्री x का रूपांतरित अश्लील वीडियो दिखाया गया. इस अनभिप्रेत त्रुटि के लिए आज तक को खेद है.

जी न्यूज को खेद है कि 17.3.2012 को प्रसारित व 18.3.2012 को पुनर्प्रसारित कार्यक्रम 'कहिए जनाब' में स्वामी नित्यानन्द से सम्बन्धित एक फुटेज में सुश्री x का रूपांतरित अश्लील वीडियो दिखाया गया. इस अनभिप्रेत त्रुटि के लिए जी न्यूज को खेद है.

8. The video of the said programmes, if hosted, on the website of ZEE News & Aajtak or other links shall be removed.

9. NBSA further directs the NBA:

(i) To send a copy of this order to the complainant and the broadcasters;

(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;

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

Sd/-
Justice R.V Raveendran (Retd.)
Chairperson

Place : New Delhi

Dated : 27.8.2014

PS: Considering the nature of the matter and the requirement to protect the confidentiality and privacy of the complainant, this Order is being released keeping the identity of the complainant anonymous.