

News Broadcasting Standards Authority

Order No 22 (2014)

Complaint filed by Mr. Pradip Kundu, Jt. General Manager (PR), Indian Railway Catering and Tourism Corporation Ltd., New Delhi regarding sting operation titled “Dalal Junction” aired on Aaj Tak Channel on 24.3.2013

1. Complaint dated 20.6.2013 was received by the NBSA from Mr. Pradip Kundu, Jt. General Manager (PR), Indian Railway Catering and Tourism Corporation Ltd. (IRCTC), New Delhi regarding sting operation titled “Dalal Junction” aired on Aaj Tak Channel on 24.3.2013 from 6.00 pm to 7.30 pm and subsequent broadcast 25.3.2013 alleging that the news channel Aaj Tak without verifying facts and without any attempt having been made by the news channel to contact IRCTC to carry their side of the story had broadcast a one sided story.
2. After a preliminary consideration of the complaint, NBSA had invited a response from Aaj Tak. NBSA subsequently granted a hearing to the parties on 18.9.2013.
3. At the hearing on 18.9.2013, the following were present:

Complainant:

Mr. Jagdish Goyal, Law Officer
Ms. Mitul Gupta, Legal Executive
Mr. Mohit Kumar Auluck, Advocate

Broadcaster:

Dr. Puneet Jain, Head Legal, Vice President & Company Secretary
Mr. Deepak Sharma, Editor (SIT) representing TV Today Network Ltd. (owning the channel Aaj Tak)

Mr. Rahul Kanwal, Member NBSA being an interested party recused himself during the deliberations on the matter.

4. The complainant stated that the whole programme revolved around touting and the probable nexus between the touts and the booking clerks at railway counters operating the computerized ticketing system; and that no part of the programme related to e-tickets and there was no complaint or reference to any personnel of IRCTC being involved in any irregularities, or the IRCTC website being compromised or hacked by touts. It was also pointed out that none of the members of the public or officials who were interviewed on the programme had

mentioned anything about “on line ticketing” in the said sting operation; and therefore, the tagline “IRCTC ki website par gadbad jhala” repeatedly shown on Aaj Tak channel was wholly unwarranted and derogatory, and had maligned their reputation in the eyes of the public. IRCTC further stated that the main server was maintained by the Centre for Railway Information Systems (CRIS), which was used for both railway counter booking by the railway clerks and e-ticketing by IRCTC; and that IRCTC was only a platform which any individual after registering could use for e-ticketing purposes. The complainant stated that without verifying facts and without giving any opportunity to them to explain or point out the correct facts, the broadcaster chose to air a programme unconnected with them, dragging their name in the tagline. They, therefore, demanded an apology from the broadcaster.

5. The broadcaster contended that the broadcast was done in public interest to expose touts who cornered reserved tickets to sell them in black at a higher price, thus depriving general public of tickets from the reservation counters. The broadcaster tried to justify their stand by stating that they had obtained the views of the Reservation Superintendent, the Assistant Commercial Manager, the Additional Commissioner of Police, Delhi, former Member of the Railway Board and a cyber crime expert to show the complete fact without any prejudice to the IRCTC; and that their intention was to highlight the necessity to improve the system and to make it tout free.

6. In response to a query from NBSA as to whether they had sought the comments from officials of the IRCTC, the broadcaster stated that they had tried to get their version but were not successful. IRCTC denied that the channel even tried to contact them. The broadcaster also contended that no technical report was provided by IRCTC to show that it was not involved in the matter

7. In view of the IRCTC furnishing a technical report dated 10.10.2013, NBSA at its meeting held on 25.10.2013, considered the technical report from Addl GM/IT/ IRCTC, which gave details of the various measures taken by IRCTC to secure its website from attacks of various bugs or hackers besides the measures taken by CRIS to protect the Railway Passenger Reservation System. This technical report had also been shared with the broadcaster.

8. NBSA has considered the matter. The entire programme related to the probable nexus between touts and booking clerks at the railway ticket counters. Without ascertaining the distinction between “counter booking and e-ticket booking” and without giving an opportunity to the IRCTC to give their version, the broadcaster had run the tagline “IRCTC ki website per gadbad jhala”,

several times during the programme without any justification even though it had no basis for the same and thereby tarnished the image of IRCTC.

9. The broadcast was, without “due diligence” as there was no “verification of facts”, and that guidelines relating to “accuracy, impartiality and neutrality” had been ignored while reporting on the subject.

10. NBSA therefore holds that Aajtak channel was in breach of NBA Code of Ethics and Guidelines particularly the provisions relating to accuracy, impartiality, objectivity, neutrality in reporting and had failed to perform due diligence before broadcasting an unverified allegation, which was not true.

11. NBSA therefore directs that TV Today Network Ltd (Aajtak channel) be visited with the following consequences:

(a) The channel is directed to tender an apology for five consecutive days from 13.1.2014 to 17.1.2014 respectively at 6.00 p.m. daily 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 by stating the following:

रेलवे काउंटर टिकट प्रणाली के बुकिंग क्लर्कों व दलालों के बीच सम्भावित साँठगाँठ के सम्बन्ध में आज तक पर “दलाल जंक्शन” शीर्षक से 24.3.2013 को व उसके बाद प्रसारित किये गये स्टिंग आपरेशन व इसमें बार-बार दोहरायी गयी टैग लाइन “IRCTC की वेबसाइट पर गड़बड़झाला” से इंडियन रेलवे केटरिंग एंड टूरिज्म कॉरपोरेशन लिमिटेड (आईआरसीटीसी) संगठन के बारे में ग़लत व भ्रामक छवि बनी. इस मामले को प्रसारित करने के पहले आईआरसीटीसी का पक्ष लेने का प्रयास भी नहीं किया गया. इससे आईआरसीटीसी की प्रतिष्ठा को पहुँची ठेस के लिए आज तक को गहरा खेद है और वह इसके लिए क्षमाप्रार्थी है.

(b) The video of the said programme, if hosted, on the website of Aaj Tak or other links shall be removed.

12. NBSA further directs the NBA:

- (i) To send a copy of this order to the complainant 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.
- (iv) Release the Order of NBSA to the media.

13. 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 : 6th January 2014