

Decision dated 26.11.2014 regarding complaint of Mr Pramod Jain to ECI alleging broadcasts of distorted paid news against Mr Pramod Bhaya (Congress candidate from Jahalawar - Baran Lok Sabha Seat), by ETV Rajasthan and the role of its channel head – Mr. Jagdish Chandra Katil, in such broadcasts.

Complaint:

NBSA at its meeting held on 6.1.2014 considered the complaint, response from the broadcaster and also viewed the CD. NBSA was of the *prima facie* view that the broadcaster was in breach of the Code of Ethics & guidelines issued by NBA/NBSA and decided that a notice be issued to the broadcaster calling upon them to explain why action should not be taken under the News Broadcasting Standards Regulations (with any documents or material that they may wish to rely upon) in respect of such broadcasts, in particular, stating that the Congress Candidate, Pramod Bhaya, had conceded defeat and his contest was a formality without verification from the said candidate and the role of the Channel Head. NBSA also decided that the broadcaster be called for a hearing at the next meeting of NBSA. ECI be also informed of the decision taken by NBSA.

At the hearing held on 17.7.2014 the following were present:

ETV Rajasthan:

Mr. Mrinal Bharti, Advocate

Mr. Sachin Dev, AVP Legal

During the hearing, it was stated that their channel head was a former IAS officer who was well known in the area, that he was visiting several constituencies, and they had therefore broadcast the visit to Jahalawar on the channel. The broadcaster stated that as a channel head of ETV Rajasthan he did not in any manner influence the voters and at no point of time in the broadcast it was mentioned that Shri Dushyant Singh, nominee of BJP party from Jahalawar would win by a margin of two lakhs. On a viewing of the CD after the submissions were made by the broadcaster, the members of NBSA felt that there seemed to be some editing of the broadcast. To ascertain whether the CD produced by the broadcaster was of an edited version, it was decided to direct the complainant to submit details of the broadcast, including a CD containing the alleged broadcast so that the truth can be ascertained.

Decision:

NBSA at the meeting held on 30.9.2014 noted that there was no response to the two emails sent to the complainant on 4.8.2014 and 12.9.2014 instructing him to send the CD containing the aforesaid broadcast. NBSA decided that a final opportunity be given to the complainant by calling him for a hearing at the next meeting of NBSA. Since the only address of the complainant available with NBSA was the email ID of the complainant (which was received from the Election Commission of India), vide email dated 22.10.2014, the complainant was directed to remain present today for a hearing. As there was no acknowledgement to the said email, another email was sent on 13.11.2014, by way of reminder. In spite of them, the complainant has neither appeared before NBSA nor gave any explanation/further details about the alleged broadcast. The complaint remains unsubstantiated. NBSA therefore decided to close the matter and inform ECI accordingly.
