

News Broadcasting Standards Authority
Order No. 42 (2016)

Order of NBSA on the Letter dated 17.11.2015 received from the Under Secretary, MoI&B forwarding therewith complaint from Mr. Kulbhusan Mehta regarding telecast of a objectionable content of news report on News 24 channel on 28.9.2015 from 11.16 to 11.20 am (and not on 27.9.2015)

MoI&B vide letter dated 17.11.2015, had forwarded a legal notice dated 10.10.2015, received from Mr. Kulbhusan Mehta, Advocate, on behalf of Lok Janshakti Party (represented by Mr. Vinod Nagar, President of the party for Delhi Pradesh and Member Parliamentary Board of the party), wherein it was alleged that News 24 channel had telecast a news programme on 27.9.2015, with breaking news text “cheating/defrauding of people” about his client without any proof of the allegations.

The legal notice was forwarded to the broadcaster seeking its response and related documents. Broadcaster chose to submit only the CD and script and did not submit the response sent to the legal notice.

NBSA at its meeting held on 6.1.2016 viewed the CD and noted that the broadcast appeared to be one sided and lacked objectivity/neutrality, as some allegations levelled by apparently disgruntled elements were telecast without taking the views of the other side. Therefore, it decided to issue a show cause notice to the CEO for non-submission of response and also to respond to the violation of the NBSA Guidelines with regard to the said broadcast and also directed the broadcaster to appear before the NBSA.

NBSA noted that the broadcaster in its reply expressed regret for the inadvertence on their part for not having submitted the response along with the CD containing the footage. The broadcaster stated that the news report telecast on September 28, 2015 during the 11:00 AM bulletin, was based on the allegations made by a group of people demonstrating at Jantar Mantar against Ms. Indu Paswan (who is said to be a staffer in Mr. Ram Vilas Paswan’s office), based on a complaint filed against Ms. Indu Paswan, which was later registered as an FIR. The subject matter of the complaint was that Ms. Indu Paswan was accepting bribes for facilitating postings in the Food Corporation of India. News 24’s correspondent Mr. Prashant Dev Srivastava tried to contact Ms. Indu Paswan for a comment but the latter was unavailable. News 24 continued its efforts to verify the story and News 24’s Political Editor, Mr. Raman Kumar received an official communication from the Lok Jan Shakti Party clarifying that the protest by the demonstrators was baseless and was done with a view to malign the reputation of the party. The broadcaster stated that after receipt of the said communication, their editorial

board took the decision not to telecast the news report any further. The broadcaster reiterated that the impugned telecast was a routine coverage of demonstrations at Jantar Mantar, New Delhi; and that what was telecast was an authentic footage of the demonstration. It was stated that the broadcast in no way attempted to malign the reputation of either Ms. Indu Paswan or that of the Lok Jan Shakti Party, which, according to the broadcaster was evident from news report, and was taken off air upon receipt of the official communication to News 24's Political Editor, Mr. Raman Kumar.

At the hearing held on 11.3.2016 Mr. Kaushik Moitra, Head-Legal, Ms. Jyoti Lata, Company Secretary and Mr. Raman Kumar, Political Editor were present .

Mr Kaushik Moitra during the hearing reiterated what was stated in their response. In pursuance to a query whether the broadcaster had responded to the Legal Notice dated 10.10.2015 issued by Lok Jan Shakti Party, Mr Moitra stated that they did not receive the said Notice, as it was apparently sent to their earlier Registered Office in Shivalik, Malaviya Nagar and not to their present Registered Office, which is in Kondli, in East Delhi. Mr Moitra stated that the broadcaster would respond to the Notice dated 10.10.2015 issued by Lok Jan Shakti Party and report compliance within 15 days thereof and furnish a copy thereof to NBSA. NBSA decided to consider the matter thereafter.

NBSA at its meeting held on 21.5.2016 noted that the broadcaster had subsequently responded to the legal notice dated 10.10.2015 and furnished a copy to NBSA.

NBSA considered the matter. It noted that on receipt of an official communication from the Lok Jan Shakti Party clarifying that the protest by the demonstrators was baseless and was done with a view to malign the reputation of the party, their editorial Board took the decision not to telecast the news report any further.

NBSA was however of the view that while the broadcaster may have taken action not to telecast the news report any further, the broadcaster has breached the principles of self regulation relating to "impartiality & objectivity in reporting and ensuring neutrality".

NBSA decided that the broadcaster be directed to submit an expression of regret to NBSA that it would be careful in future and adhere to the principles of self regulation relating to "impartiality & objectivity in reporting and ensuring neutrality". NBSA decided to close the complaint on receipt of such letter expressing regret.

NBSA also decided that the video of the said programme, if hosted, on the website of News 24 or other links must be removed immediately and confirmed to NBSA in writing.

The broadcaster shall submit an expression of regret to NBSA within one week of receipt of the Order for closure of the complaint and to inform MoI&B accordingly.

It is clarified that the finding of NBSA, and the expression of regret to be expressed by the broadcasters, in pursuance of this decision, are only in the context of examination by NBSA as to whether there was any violation of Broadcasting Standards and Guidelines and shall not be construed as a finding against, or admission by, the broadcaster, of any other wrong-doing giving rise to a civil or criminal liability.

NBSA further directs the NBA:

- a) To send a copy of this order to the MOI&B and the broadcaster;
- b) To circulate this order to all Members, Editors & Legal Heads of NBA.
- c) NBA to also host this order on its website and to include it in its next Annual Report.
- d) Release the Order to media.

Sd/-

Justice R.V. Raveendran (Retd)
Chairperson

Place: New Delhi
Date: 18.7.2016