

**Decision dated 6.1.2016 regarding alleged violation of content by Zee Kalinga TV News Channel --- Letter dated 29.6.2015 received from the Section Officer (BC-II), MoI&B:**

**Complaint:**

NBSA at its meeting held on 3.11.2015 considered a report of the Electronic Media Monitoring Committee (EMMC). It was stated that Zee Kalinga TV News channel on 3.3.2015, while reporting an alleged incident in which a sixth standard student from Mathili Bandhaguda School in Malkangiri district of Odisha was sexually abused by a school teacher, had telecast unedited visual showing the face of the victim, and revealed her identity; that telecasting such visuals showing her face and disclosing the name of her school amounted to denigration of the victim who is a minor; and that revealing the identity exposed her to the social stigma of being a rape victim, which may adversely affect her life.

**Decision:**

In its response, the broadcaster has stated that reasonable steps had been taken by blurring the photo of the victim so that the identity of the victim was not disclosed or linked in any manner and, therefore, the exposure of the victim to social stigma does not arise. NBSA also viewed the CD of the alleged broadcast, which was received along with the complaint from MoI&B.

NBSA noted that the broadcaster had not adequately blurred the face of the victim and had repeatedly showed the visuals of the rape victim, which was unnecessary and avoidable and served no purpose in the context of the report of the incident being broadcast. NBSA therefore decided that the broadcaster be called for a hearing at the next meeting of NBSA.

The hearing was held on 6.1.2016 whereat the following were present:

**On behalf of Zee Media Corporation Ltd. [Zee Kalinga]**

Mr. Tejveer Singh Bhatia, Advocate

Mr. Kapil Midha, Advocate

Mr. Gulshan K. Sachdeva, Senior Managing Counsel

Mr Tejveer Bhatia, Advocate sought adjournment of the hearing on the ground that they had only received the complaint and had not received the footage of the alleged programme, which was not accepted by the NBSA. The Secretariat confirmed that since the clipping was very small, it was sent only by email, the receipt of which was confirmed by the channel and showed to the Counsel in the

hearing. NBSA requested the Counsel to confirm the position and take necessary instructions from their client to resume the hearing, as there would be no postponement. Mr Tejveer Bhatia, Advocate, initially stated that the broadcaster had not received the footage of the programme, but after verification confirmed receipt of the footage. Mr Bhatia confirmed that while they had taken all precautions to blur the face of the victim so as to hide the identity of the victim, due to some technical glitch, the blurring was not effective in two or three places in the video clip. The broadcaster tendered an unconditional apology and assured that in future they would take adequate precautions while telecasting such sensitive issues. NBSA was of the view that in view of the admission of the error and unconditional apology and assurance to take precautions in future, the matter be closed, subject to the broadcaster confirming the apology and assurance in writing. NBSA directed the broadcaster to submit the same in writing, which they agreed to submit by 15.1.2015 .The hearings thereafter concluded.

The broadcaster submitted the letter to NBSA.

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