

**News Broadcasting Standards Authority
Order No. 49 (2018)**

Order of NBSA on complaint dated 4.12.2017 from National Heart Institute, New Delhi, against telecast of alleged objectionable/baseless/false news story by News Nation TV channel (forwarded by Under Secretary, MoI&B, under cover of letter dated 2.1.2018).

Complaint:

1. MoI&B forwarded the complaint dated 4.12.2017 of National Heart Institute, New Delhi, alleging that the channel had broadcast false and obnoxious content on 27.11.2017 at 10.30 PM regarding treatment of a patient (Mrs. Raj Rani) by the said Institute. The complainant alleged that the anchor/video journalist of the channel had, without verifying the actual and correct facts, levelled a false and baseless allegation that the National Heart Institute had raised false and inflated bills and collected money from one of the relatives of the patient Mrs. Raj Rani (since expired); that when a reporter of the channel visited their hospital on 27.11.2017 around 2.30 PM and enquired whether any such inflated bill had been raised, Mr. S.K. Shailly, its General Manager (Finance & Liaison) had clarified the issue in detail and categorically informed the reporter that no such bill was ever raised or claimed or collected as alleged by the relatives of the patient and had provided a copy of the original bill to the reporter. The complainant further stated that the patient was covered under CGHS scheme and no hospital can charge exorbitantly from such patient as the charges for treatment of such patients are fixed by the government; that this fact was also clarified to the reporter by the Institute's GM (Finance & Liaison); that knowing fully well the correct and factual position, the patient's daughter (Mrs. Vinita Arora) and the news channel team had fabricated and telecast/aired a false story, with a view to malign the reputation of the National Heart Institute amongst general public and apparently with the object of extracting money using arm twisting method; that in spite of the clarification by the Institute and in spite of showing the original bill to the channel's representative, the Anchor had stated: ***"Dono he apni apni baat par adey huvey hai"*** and that ***dilli ke hospital mein loot machi hui hai*** and that ***hume nahin pata ki kaun sach bol raha hai aur kaun jhooth***; and that was factually wrong and not in conformity with responsible journalism.

Response from Broadcaster:

2. The broadcaster in its response dated 4.12.2017 denied the allegation that the broadcaster was biased in its reporting. The broadcaster drew the attention to the following disclaimer shown at beginning of the telecast, before telecasting the

views/statements of the patient's daughter (Ms. Vinita Arora) and that of National Heart Institute:

“बीमारी कोई गंभीर नहीं थी बुखार और दस्त..लेकिन ये मौत का सबब कैसे बन गई ...दिल्ली के परिवार को यही सवाल खाये जा रही है परिवार अस्पताल पर फीस के तौर पर बड़ी रकम लेने का गंभीर आरोप लगा रहा है जबकि अस्पताल इस आरोप से इनकार कर रहा है”

The broadcaster stated that at no point during the said telecast, it had attempted to portray any of the parties involved in the dispute to be at fault, but on the other hand had merely telecast the interviews/statements of both the parties in an impartial and honest manner, maintaining the best of the journalistic standards. The broadcaster emphasized that it did not alter the content of the interview or statement of either party, and clearly conveyed the reactions of both parties involved and in particular, reported the following statement of the hospital during the telecast of the interview/statement of the representative of hospital:

“हलांकि अस्पताल प्रशासन घरवालों के आरोप को बेबुनियाद बता रहा है दावा किया जा रहा है कि इतनी बड़ी रकम ली ही नहीं गई”

3. NBSA at its meeting held on 20.1.2018 considered the complaint and the response of the broadcaster and also viewed the CD. Not being satisfied with the explanation, NBSA had decided that both parties be called for a hearing at the next meeting of the NBSA. Accordingly, a notice was issued to the parties.

4. The following persons appeared at the hearing on 16.3.2018:

National Heart Institute, New Delhi [Complainant]

Wg. Cdr B Jena, Director – Operations

Mr. R.K. Khurana, Financial Advisor

Mr. S.K. Shailly, General Manager (Finance & Liaison)

Ms. Shweta Singh, Manager – Operations and Quality

with Mr. Bipul Mishra, Advocate

News Nation Network Pvt. Ltd. [Channel: News Nation]

Mr. Sarvesh Tiwari, Editor

Mr. Dharendra Pundir, Senior Editor

Mr. Ajay Verma, Executive Editor

with Mr. Zeephon Hashmi, Advocate

(Mr. Ajay Kumar, Editor member representing the broadcaster in NBSA (News Nation), being an interested party, recused himself from the proceedings.)

5. The complainant (the hospital) reiterated the submissions made in the complaint and wondered why the broadcaster had aired a one-sided report without verification of facts, that too 14 months after the treatment of the patient (Mrs. Raj Rani was admitted to the hospital on 11.9.2016 and died on 21.9.2016) alleging that the hospital had raised false and inflated bills and collected the bill amounts from the relative of the patient. The complainant reiterated that as the patient was covered under CGHS scheme and charges for treatment of such patients are fixed by the government, the hospital could not charge any exorbitant amount to the patient as alleged in the news report; and that it had not charged Rs 15 lakhs in regard to the treatment of Mrs. Raj Rani, as alleged by the broadcaster in the news report. The complainant made available for the inspection of NBSA and the broadcaster's representative, the original bill showing the amount charged and the register showing the completion of formalities by the son of the deceased for receiving the dead body. The complainant further pointed out that no issue was raised regarding billing by the son of the deceased when taking the body from the hospital. The complainant submitted that the object of the broadcast was to malign the reputation of the National Heart Institute, New Delhi.

6. Broadcaster reiterated what was stated in their response. On being questioned as to what prompted the broadcaster to air a news item on an issue of overbilling of the deceased patient after a lapse of 14 months, it was stated that around that time, there was news in the media regarding overcharging by private hospitals and that therefore, they decided to air the story as the son of the deceased had approached the video journalist alleging overbilling when his mother was admitted to the hospital.

7. On considering contentions of the parties and the contents of the news report aired by the broadcaster, NBSA was of the view that the story was broadcast without proper or adequate verification of facts; that the contents of the news report were wrong and without basis; and that it was apparent that the news report attempted to sensationalise a baseless allegation of exorbitant billing by the hospital without proper verification, as, at that time, there were reports of overcharging by some other private hospitals.

8. At the end of hearing on 16.3.2018, the broadcaster had requested two weeks' time to discuss and settle the matter with the complainant. Accordingly, parties were given two weeks' time to hold negotiations and to submit the settlement terms to NBSA. Both sides were informed that if a settlement was not reached, NBSA would proceed to render its decision.

9. NBSA was informed at the meeting held on 24.5.2018 that the broadcaster vide mail dated 1.5.2018 had informed that they were awaiting a response from the hospital to its offer to provide *“a two minutes news coverage of the Institute with a short interview of its CEO”*. As no settlement was reported, NBSA decided to proceed to formulate its decision.

Decision of NBSA:

10. NBSA decided that the broadcaster be directed to air a regret as per the text to be furnished by NBSA on the date and time indicated by NBSA, in the following manner:

(i) The broadcaster shall, prior to the commencement of the 8 pm news on **12.6.2018**, air the following text (static) on full screen in large font size with a clearly audible voice-over (in slow speed) expressing regret for the said telecast on their channel News Nation by stating the following **(To be translated in Hindi)**:

“We regret that on 27.11.2017 at 10.30 pm we had broadcast on our channel News Nation a news report against National Heart Institute, East of Kailash, New Delhi, alleging overbilling and excess charging to patients. That was an incorrect report based on wrong information. The report was aired without proper verification of facts from the Hospital, thereby violating the principles relating to impartiality and objectivity in reporting and neutrality. We clarify that there was no intention on our part to bring disrepute to National Heart Institute, East of Kailash, New Delhi.”

(ii) The broadcaster shall also give written and signed version of the expression of regret on its letter head to the complainant by email and registered/speed post with copy to NBSA.

(iii) It is clarified that any finding or observation by NBSA in this order is only in the context of examination as to whether there was any violation of Broadcasting Standards and Guidelines; and the order of NBSA shall not be construed as a finding against the broadcaster, nor the regret to be telecast by the broadcaster in pursuance of this order shall be construed as an admission by the broadcaster of any wrong doing giving raise to a civil or criminal liability.

(iv) The video of the said broadcast, if hosted on the website of News Nation, or YouTube, or any other links, should be removed immediately and confirmed to NBSA in writing within 7 days.

(v) The broadcaster shall submit a CD containing the telecast with particulars of the date and time of the telecast, within one week of telecast, as proof of compliance. After such CD and signed version of regret is submitted by the broadcaster, the matter will be closed.

11. NBSA further directs the NBA:

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

Sd/-

**Justice R.V. Raveendran (Retd.)
Chairperson**

Date: 30.5.2018