

News Broadcasting Standards Authority
Order No. 61 (2019)

Order of NBSA on complaint dated 3.10.2018 from EMMC: Showing of a viral video on ABP NEWS on 12.5.2018 (13:02:35)

The above complaint was received from the Deputy Director, Electronic Media Monitoring Centre (EMMC), Ministry of Information & Broadcasting vide letter dated 3.10.2018. The complaint relates to a news report shown on the ABP News channel in respect of a video that had gone viral on Twitter and Facebook in which some boys are appealing to the people to buy country made guns to protect their Hindu religion.

EMMC Report:

The channel has shown news in context of a video that was becoming viral on Twitter and Facebook in which some boys are appealing to the people to buy country made guns to protect their Hindu religion. During the broadcast of the news, the channel has shown the video in which three or four boys, in an inebriated condition, firing bullets in the air and saying: *“We are appealing to all Hindu brothers...don't buy phones of Rs 5,000 but buy country made guns that come for Rs 2,500 and save your Hindu religion. Say Jai Shri Ram, and after that load things and fire bullets. Say Jai Shri Ram, brothers.”* The channel while purporting to deprecate the contents of the video, showed the video for more than four minutes and repeatedly flashed on the screen the utterings of the boys in text form, which was a clear attempt to disrupt communal harmony and mislead people.

Reply from Broadcaster:

The broadcaster admitted that the contents of the video were disturbing; and that it had carried the story precisely because of its disturbing nature, so that the conscience of the common man can be shaken and such acts could be prevented. It was pointed out that EMMC complaint also admitted that the channel while playing the video, had condemned the contents of the video. According to the broadcaster, it is the duty of the news channels to air news reports as a critique and condemnation of anti-social behavior of certain elements of the society. Broadcaster denied that the news report violated Programme Code 6(1)(e) of the Cable Television Network Rules, 1994, as the news report neither encouraged or incited violence or any anti-national behavior, but condemned such behavior. The broadcaster stated that, however, in deference to the comments of the EMMC, it will in future take care to shorten the duration of such clips, while reporting on such matters. It also submitted that it would sensitize the channel's editorial team and ensure adherence to the prescribed Guidelines of NBSA.

Issue of Notice of Hearing by NBSA

NBSA, at its meeting held on 17.1.2019, considered the EMMC report, the response of the broadcaster and also viewed the broadcast. NBSA was of the prima facie view that the broadcaster had violated Specific Guidelines Covering Reportage Guideline No. 3.2 which states that “*Content should not depict techniques of crime that may tempt imitation, especially with reference to terrorism and suicide*” and Guideline No 3.8 which states that “*broadcasters should not glamorize or in any way promote individuals, groups or organizations that employ or advocate the use of violence or engage in criminal / nefarious activity. Hooliganism, vandalism and all forms of delinquency should not be shown in favorable light*”. Therefore, NBSA decided to call the broadcaster for a hearing.

On being served with notice, the following persons were present at the hearing on 25.2.2019:

On behalf of the broadcaster (ABP News Network Pvt. Ltd. - Channel: ABP News):

Mr. Shambo Nandy, Advocate

Mr. Kishan Singh Rawat, Head Admin & Regulatory Affairs

The broadcaster submitted that the object of the programme was not to sensationalise the issue, but to focus on the fact how persons are taking the law into their own hands and propagating violence and creating a law and order problem. It submitted that the report was in public interest and should be seen in that context. It was further submitted that such reports drew the attention of the law and order machinery to take stern action against perpetrators of mischief. The broadcaster agreed that it should have shortened the duration of airing the video and should not have given prominence to such perpetrators of mischief by repeatedly flashing their utterings in text form. The broadcaster submitted that it would bring to the notice of the editorial the need to shorten the duration of repeating visuals and carrying it in a loop.

Decision/Directions of NBSA:

(i) NBSA was of the view that while it is the duty of the news channels to report such news, it was equally necessary for news channels to be balanced, not glamorize or in any way promote individuals/ groups / organizations that employ or advocate the use of violence or engage in criminal / nefarious activity; and that hooliganism, vandalism and all forms of delinquency should not be given unnecessary prominence. It was of the further view that airing the video for an unnecessarily longer duration, giving prominence to perpetrators of mischief was violative of the Guidelines referred in the proceedings of 17.1.2019 (referred to above).

(ii) NBSA therefore hereby warns the broadcaster (channel ABP News) to exercise greater care, caution and discretion in future while broadcasting news reports relating to depiction of violence or news reports promoting or giving prominence to individuals/ groups / organizations advocating the use of violence or engaging in criminal / nefarious activities. NBSA further warned the broadcaster that any future violations would be viewed seriously.

(iii) NBSA directed that the video of the said broadcast, if still available on the website of the channel, or YouTube, or any other links, should be removed immediately and confirmed to NBSA in writing within 7 days.

NBSA directed the NBA to send: (i) a copy of this Order to the broadcaster and the EMMC; (ii) circulate this Order to all Members, Editors & Legal Heads of NBA; (iii) host this Order on its website and to include it in its next Annual Report; and (iv) release the Order to media.

Sd/-
Justice R.V. Raveendran (Retd.)
Chairperson

Place: New Delhi
Date: April 2, 2019