

October 16, 2019

IMPORTANT ADVISORY

All Editors of NBA

Re: Reporting of Ayodhya matter pending in the Hon'ble Supreme Court

As you are aware, the Hon'ble Supreme Court of India has been hearing the above matter on a daily basis and the issues involved in the above matter are extremely sensitive in nature.

Being a visual medium, the electronic media is a powerful tool and the information disseminated by it has wide impact and it plays an important role in the formation of public opinion. Therefore, it is incumbent on the news broadcasters to take extra care and be cautious while telecasting news relating to sensitive and emotive matters.

You will appreciate that the reporting of the Ayodhya issue being heard by the Hon'ble Supreme Court is one such matter in which **extra care and caution needs to be exercised to ensure that the telecast of any news relating to it should not be sensational, inflammatory or provocative. The basic guideline to be adhered to during telecasting news is respect of the above issue is that all such news should conform strictly to subserving the public interest of maintaining communal harmony and preservation of the secular ethos of the country.**

In view of the sensitive nature of the Ayodhya issue, reporting requires adherence to the Code of Ethics and Broadcasting Standards and certain specific guidelines issued from time to time in this regard.

It is, therefore, necessary that all news broadcasters should not only ensure strict compliance of the guidelines but should also ensure that no occasion arises for any speculation about the accuracy, neutrality and impartiality of the content.

Some additional specific guidelines to be observed in relation to the telecast of news in this matter are as follows:

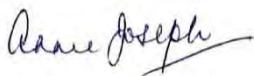
1. No broadcast should be made in any speculative manner in respect of the present proceedings before the Hon'ble Supreme Court nor of the judgement before it is pronounced; and of its likely consequence thereafter which may be sensational, inflammatory or provocative.
2. No news in relation to the present proceedings pending before the Hon'ble Supreme Court shall be broadcast unless the reporter and/or editor have adequately ascertained the accuracy, authenticity and correctness of what is

- reported, preferably from Court records, or at the very least, by being personally present during such proceedings.
3. For clarity and adherence it is emphasized that programmes/telecast should not speculate on issues relating to the Ayodhya judgement or its repercussions.
 4. No footage of the demolition of the Babri Masjid is to be shown in any news item relating to the Ayodhya matter.
 5. No visuals need be shown depicting celebration or protest by persons in respect of the Ayodhya matter.
 6. In view of the sensitivity of news reporting on this issue, extra care should be taken to ensure accuracy by vetting and clearance at the highest editorial level.
 7. Telecast of any news/programme must not give any impression of bias or prejudice in favour of, or against any community.
 8. Care should be taken to ensure that no opportunity is given to anyone to express any extreme view, including in debates in order to influence the viewers.
 9. Debates which are provocative and inflammatory and likely to create tension in the public should be avoided.

It is expected that strict adherence to these guidelines would be ensured by all the Editors to avoid any violation which may attract strict action.

It is hoped that every channel will adhere strictly to the Code of Ethics, Guidelines/Advisory and give no occasion for the NBSA to examine any allegation of violations by the Member channels.

This occasion is a challenge, as well as an opportunity to the Member channels to prove the efficacy of the self-regulatory mechanism. It is hoped that the opportunity would not be lost.



Annie Joseph
For and on behalf of the
News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA

Encl: Specific Guidelines for Reporting Court Proceedings

News Broadcasters Association

Specific Guidelines for Reporting Court Proceedings

In addition to the Specific Guidelines Covering Reportage dated 10th February 2009, the News Broadcasters Association hereby frames the following guidelines to be called the “Specific Guidelines for Reporting Court Proceedings”

1. A news report in relation to a proceeding pending in a Court, Tribunal or other judicial forum shall be neutral and balanced, giving the version of all, or substantially of all, parties to the proceedings.
2. In reporting any Court proceedings, whether in a civil or criminal matter, a news channel shall not identify itself with, or project or promote, the stand of any one contesting party to the dispute.
3. Conjectures and speculation shall be avoided in news reports relating to proceedings pending in a Court, Tribunal or other judicial forum.
4. Except where a Court, Tribunal or other judicial forum conducts proceedings *in-camera* or expressly directs otherwise, it shall be open to a news channel to report on pending judicial proceedings provided the report so broadcast is an accurate, authentic and correct version of what has transpired in Court ; and is fair and reasonable to the contesting parties.

Provided however, that no news channel shall broadcast anything:

- (i) Which is in the nature of a running commentary or continuing debate (including oral comments made by the Court, Counsel, litigants or witnesses during Court proceedings) which do not form part of the record, when proceedings are pending in the Court, Tribunal or other judicial forum;
- (ii) Which purports to report a journalist’s or the news channel’s own opinion, conjectures, reflections, comments or findings on issues that are *sub judice* or which tend to be judgmental in relation to the subject matter that is pending in a Court, Tribunal or other judicial forum;
- (iii) Which is a comment on the personal character, culpability or guilt of the accused or the victim; or
- (iv) Which otherwise interferes or tends to interfere with, or obstructs or tends to obstruct, the course of justice in connection with any civil or criminal proceeding pending in a Court, Tribunal or other judicial forum;

- (v) Which may amount to contempt of Court;
5. No news in relation to any proceedings pending or concluded in a Court, Tribunal or other judicial forum shall be broadcast unless the reporter and/or editor have adequately ascertained the accuracy, authenticity and correctness of what is reported, preferably from Court records, or at the very least, by being personally present during such proceedings. In addition to the reporter's responsibility, the executive head of the editorial operations of the news channels shall also be accountable for the accuracy, authenticity and correctness of what is broadcast in relation to proceedings pending or concluded in a Court, Tribunal or other judicial forum.
 6. After registration of a First Information Report (FIR) in respect of any crime, a news channel shall not broadcast any report that may evaluate, assess or otherwise give their own conclusions upon, or in relation to, ongoing investigation or evidence collected or produced before a Court, Tribunal or other judicial forum.
 7. While a news channel may, in public interest, make a fair comment on any judicial act, including any Order or judgment rendered by a Court, Tribunal or other judicial forum, a news channel shall not cast personal aspersions upon, or impute improper motives, personal bias or lack of integrity or ability to a judge or member of a Tribunal or other Authority ; nor shall a news channel report anything that may scandalize a Court or the judiciary as a whole.
 8. News channels shall eschew suggestive guilt by association and shall not name or otherwise identify family members, relatives or associates of an accused or convict, unless such reference is directly relevant to the subject matter of the report.
 9. A news channel shall report upon any proceedings pending in any Court, Tribunal or other judicial forum, in a manner so as to clearly distinguish between "facts" (as then available in the public domain) and the "allegations" being made by parties to such proceedings.

Place : New Delhi

Dated : September 15, 2010