

News Broadcasting Standards Authority
Order No. 83 (2020)

Order of NBSA In the matter of: Rakul Preet Singh ... Petitioner Vs Union of India & Ors. ... Respondents – Zee News, Zee 24 Taas & Zee Hindustan

The complainant had filed a Writ petition in the Hon'ble High Court of Delhi in which the News Broadcasters Association (NBA) along with others were made Respondents. The prayer of the complainant in the said writ petition is that the members of the NBA should not telecast, publish or circulate on the TV channels, cable, print or social media, as the case may be, any content in the context of actress Rhea Chakraborty's narcotic drugs case that maligns or slanders the complainant or which contains anything defamatory, deliberate, false and suggestive innuendos and half-truths in respect of the complainant, or to use sensational headlines, photographs, video-footage or social media links which invade the privacy of the complainant.

The Hon'ble High Court in its Order dated 17.9.2020 had stated that "as an interim measure, it is directed that the respondents shall treat the contents of the present petition as a representation to the respective respondents under the relevant provisions of the Act as also the Guidelines and expedite the decision thereon. In case any interim directions need to be issued to any Media house or television channel, the same be issued by them without awaiting further orders from this court. As far as the prayer for further interim relief made in the application by the petitioner, it is hoped that the media houses and television channels would show restraint in their reporting and abide by the provisions of the Programme Code as also the various Guidelines, both statutory and self-regulatory, while making any report in relation to the petitioner".

The coverage docket received from the complainant had an exhaustive list of complaints with regard to Online, Print, and TV Digital, which carried the news reports. From the list of details of news reports relating to TV Digital, the concerned broadcasters/ channels of NBA were ABP News, Asianet News, Times Now, India TV, News Nation, OTV, Aaj Tak, India Today, Zee News, WION, Zee 24 Taas and CNN News18.

Accordingly, in compliance of the above Order of the Delhi High Court, NBSA on 3.10.2020 called the complainant and the aforementioned broadcasters for a hearing. In the hearing it was pointed out by a broadcaster that the allegations against it were not specific, clear and were very general in nature and therefore, the broadcaster did not know, which allegation to respond to. Upon hearing the parties, NBSA decided that in order to have a productive hearing, the complainant be requested to send the individual links pertaining to the telecast/s of the channels along with brief submissions as to the violations committed by each broadcast/s in respect of the

Code of Ethics and Broadcasting Standards (Code of Ethics) and Guidelines of the NBSA. The complainant was in agreement with this direction of NBSA. The complainant was directed to send the links along with brief submissions of the violations relating to individual channels by 5.10.2020 in order that the same may be forwarded to the individual broadcasters so that they may file their response to the allegations made against their channel's telecast on the subject matter by 9.10.2020. Dr. Aman Hingorani, Advocate submitted that he would not file a rejoinder to the replies filed by the member broadcasters and would argue the matter on the next date. The next date for hearing was fixed for 12.10.2020. In the meantime, it was reiterated by NBSA that it was expected that the member broadcasters of NBA would abide by the Delhi High Court Order dated 17.9. 2020 and also follow the Code of Ethics and Guidelines issued by NBSA which relate to Impartiality, Objectivity, Neutrality, Accuracy and Privacy while telecasting any news relating to the complainant, Ms. Rakul Preet Singh. The minutes of the proceedings dated 3.10.2020 was circulated to the complainant and the concerned broadcasters, which is attached at **Annexure A**.

Submissions made by complainant against member broadcasters on 23.9.2020 and Additional Statement dated 30.9.2020

Dr. Aman Hingorani, Advocate, on behalf of the complainant made his submissions in respect of the telecasts by the broadcasters in the said matter.

He stated that the complainant, Ms. Rakul Preet Singh, is a well-known Indian film actress and model who has worked in the Telugu, Tamil, Kannada and Hindi film industry. She has starred in numerous movies and won several film awards and acclaim over the years. She a non-smoker and a teetotaler and into fitness, yoga and meditation, is known for her healthy life-style. In recognition of her popularity, clean image and public service, the Telangana State Government appointed the complainant in 2017 as the brand ambassador for the "Beti Bachao, Beti Padhao" programme. She is also associated with various brands, including Samsung mobiles.

The Counsel submitted that in view of the allegations made by the broadcasters, has resulted in commercial and financial losses to the complainant. In this regard, the complainant pointed to, an email dated 12.9.2020 received by her from the Times Group which required the complainant *"to hide/archive all the assets of the Samsung Campaign posted across her social media platforms"*. The Counsel stated that the complainant has six ongoing films on the floor whose prospects would in all likelihood be damaged due to such scurrilous telecast and slander by the media as detailed in the submissions.

The Counsel stated that the complainant was shooting for a film near Vikarabad in Telangana when she was stunned to see private TV channels, including some members of News Broadcasters Association (NBA) running "breaking news" from

the evening of 11.9.2020 to the effect that the complainant , along with actress Sara Ali Khan and designer Simone Khambatta, have been named as individuals by Rhea Chakraborty , in the ongoing investigation by the Narcotics Control Bureau (NCB) in Mumbai, who took drugs along with Rhea. The complainant stated that she does not take drugs at all.

The Counsel stated that as per media reports of 10.9.2020, actress Rhea Chakraborty had filed her bail application before the Special N.D.P.S. Court, Mumbai on 9.9.2020 wherein she pleaded that she was retracting the statements said to have been given by her to the NCB on the ground that she had been coerced into making them. Despite the fact that actress Rhea Chakraborty herself had retracted her statement, the broadcasters continued to run a slander campaign against the complainant through their channels and on their social media handles. This campaign not only maligned the reputation of the complainant but contained defamatory, deliberate, false and suggestive innuendos and half-truths. The channels had not published Rhea Chakraborty's retracted statement. Further, the channels had deliberately used sensational headlines, photographs and video-footage with a view to enhance their TRPs, without any regard to the irreparable damage that was caused to the complainant, her reputation, her dignity, her privacy and her commercial interests. The channels had insidiously inserted in the report, the film scenes of the character played by the complainant from her Telugu Film "Manmadhudu 2" which showed the complainant smoking, with smoke coming out of her mouth, so as to insinuate and make a defamatory, deliberate, false and suggestive innuendo that the complainant is taking drugs; whereas she is a nonsmoker and does not take drugs; insidiously inserted in the report, the film scenes of the character played by her in the Bollywood movie "De De Pyar De", which showed her gulping alcohol, so as to insinuate and make a defamatory, deliberate, false and suggestive innuendo that she is a drunkard; whereas the complainant is a teetotalter; deliberately flashed in the report photographs of the complainant in skimpy clothes so as to sensationalise and garner attention; insidiously flashed a morphed photograph on a scooty with actress Sara Ali Khan and designer Simone Khambatta so as to insinuate and make a false and suggestive innuendo that the three of them hung out together; whereas the complainant , to the best of her recollection, had only met Sara Ali Khan twice (once at IIFA Awards and once while working out in a gym) and had not met Simone Khambatta at all; deliberately flashed misleading and mischievous headlines such as "Why Rakul Preet Singh is Missing Now", that "even before her name got released publicly from 9th September she is hiding", "Seems like she has been hiding to avoid NCB" and so on and so forth, so as to insinuate and make defamatory, deliberate, false and suggestive innuendos that the complainant has gone into hiding; whereas she has throughout been at work, shooting at Hyderabad, and has, even otherwise, not received a notice from the NCB till then . The Counsel reiterated that because of the telecast by the news channels, the complainant has suffered not only commercial losses but also she and her family have not only been defamed, there is loss of reputation and her privacy has been violated etc.

The Counsel stated that the complainant had received summons under Section 67 of the NDPS Act dated 23.9.2020 to appear before the NCB, Mumbai on 24.9.2020. Summons were again issued on 24.9.2020 which required her to appear in person before the NCB, Mumbai on 25.9.2020. The Summons dated 24.9.2020, were duly received by her father on her behalf. However, from the evening of 23.9.2020 itself, the media started running fake news to the effect that the complainant, who was in Hyderabad, had supposedly reached Mumbai on the evening of 23.9.2020 for the NCB investigation. The complainant also submitted that she had duly appeared before the NCB, Mumbai on 25.9.2020 to assist in the investigation and gave her written statement as to the facts in her knowledge. However, after she left the NCB office, the media continued their slander campaign by not only re-broadcasting and reporting the earlier falsehoods but attributing statements to the complainant during investigation which she never made to the NCB.

The Counsel submitted that such broadcasts constitute a malicious media trial resulting in violation of the complainant's fundamental right under Article 14 as well. He demanded that the broadcasters of NBA be directed not to telecast, publish or circulate on the TV channels, cable, print or social media, as the case may be, any content in context of actress Rhea Chakraborty's narcotic drugs case that maligns or slanders the complainant or which contains anything defamatory, deliberate, false and suggestive innuendos and half-truths in respect of the complainant, or to use sensational headlines, photographs, video-footage or social media links which invades the privacy of the complainant.

In the submissions filed by the complainant the following prayers were made:

“ In this view of the matter, the complainant requests by way of an interim direction, in addition to the interim directions sought in her Statement dated 23.9.2020, that all the offending broadcasters be directed:

(i) to immediately take down all such defamatory programmes and write-ups against me from their TV channels, cable, print, TV digital and social media, as the case may be;

(ii) to immediately issue a corrigendum, acknowledging and correcting their mistakes in this regard, and run for apology for such mistakes on their channels, cables, print, TV digital and social media for such period of time as may be deemed to be adequate by this Authority;

(iii) not to broadcast any programme qua me on the allegations which are pending before the NCB in the criminal investigation in Crime No. MZU/NCB/15/2020 till the time the NCB completes the investigation and files an appropriate report/document before the competent court.”

NBSA considered the complaint at its hearing held on 12.10.2020 based on the links received and the brief submissions made by the complainant and the response received from the broadcaster.

The following persons were present at the hearing:

Complainant: Represented by her father Col. (Retd.) Kulvinder Singh
Dr Aman Hingorani, Advocate

Broadcaster

Ms. Ritwika Nanda, Advocate, Trust Legal
Ms. Annie, Assistant Manager, Legal

Specific complaint against Zee News, Zee 24 Taas & Zee Hindustan:

The complainant submitted eleven offending and derogatory programmes, by way of illustration due to shortage of time which have invariably been broadcast repeatedly, and have often been posted on various digital/electronic handles and have permeated the web. The broadcaster has not issued till date a corrigendum, acknowledging or correcting the mistakes.

With regard to the aforesaid eleven broadcasts, the complainant submitted that she does not take drugs and she is not part of any drug group or gang and has no connection with drugs, she is a non-smoker and a teetollar as detailed in her statements on record. The offending broadcasts, while referring to Rhea's statement to the NCB, does not refer to the fact that Rhea had retracted her statement on 9.9.2020 and her lawyer had also stated in an interview prior to 24.9.2020 to CNN News 18 that Rhea had not named any actor. The complainant submitted that all the aforesaid broadcasts are malicious, biased, knowingly inaccurate, hurtful and misleading, and did not present the facts fully or fairly or with objectivity, and instead, were calculated to sensationalise the matter and malign her. It is fake and defamatory news.

The complaints and the response by the broadcaster to the eleven broadcasts is as follows:

In the written submission dated 5.10.2020, the complainant listed 11 broadcasts telecast by their channels Zee News, Zee 24 Taas and Zee Hindustan, which as per the complainant are offending and derogatory programmes and are violative of the guidelines framed by the NBSA.

Given below are the allegations levelled by the complainant against the content of the eleven different broadcasts, along with the submissions made by the broadcaster:

Offending Broadcast No 1: 14.9.2020

Link : <https://zeenews.india.com/video/entertainment/bollywood-breaking-20-20-how-rakul-preet-singh-got-caught-in-drug-trap-2309578.html>

Text on the Screen Shots

Screenshot 1: Nil

Screenshot 2: खुल गया 'रकुल का राज', धुएं में उड़ी रकुल की 'नोनवेज Nights'!

Screenshot 3: धुएं में उड़ी रकुल की 'नोनवेज Nights'!

Screenshot 4: धुएं में उड़ी रकुल की 'नोनवेज Nights'!

Screenshot 5: बोल रकुल पर , बोल खुलासा

Screenshot 6: धुएं में उड़ी रकुल की 'नोनवेज Nights'!

Screenshot 7: धुएं में उड़ी रकुल की 'नोनवेज Nights'!

Screenshot 8: 'ड्रग जाल' में कैसे फंसी रकुल प्रीत सिंह ?

Screenshot 9: 'ड्रग जाल' में कैसे फंसी रकुल प्रीत सिंह ?

Screenshot 10: खुल गया 'रकुल का राज', ड्रग के नाम पर रकुल का 'ब्लिस्टेन'!

Screenshot 11: बेस्ट फ्रेंड्स को रिया ने छीना, खुल गई रकुल की 'ड्रग पहेली' !

Screenshot 12: ड्रग के खिलाफ बोलने वाली रकुल पकड़ी गई?

Screenshot 13: ड्रग के नाम पर रकुल का 'ब्लिस्टेन'!

Screenshot 14: ड्रग के खिलाफ बोलने वाली रकुल पकड़ी गई?

Screenshot 15: ड्रग के नाम पर रकुल का 'ब्लिस्टेन'!

Screenshot 16: ड्रग के नाम पर रकुल का 'ब्लिस्टेन'!

Screenshot 17: रिया के ड्रग गैंग की दो सहेलियां, एक सारा एक रकुल

Screenshot 18: रकुल तूने क्या किया, सारा रिया के साथ ड्रग्स लिया?

Screenshot 19: रकुल तूने क्या किया, सारा रिया के साथ ड्रग्स लिया?

Screenshot 20: रिया के ड्रग गैंग की दो सहेलियां, एक सारा एक रकुल

Screenshot 21: जब से मैं शाकाहारी बन गई हूँ मैं बस फील करती हूँ

Screenshot 22: 'ड्रग जाल' में कैसे फंसी रकुल प्रीत सिंह ?

Screenshot 23: ड्रग के नाम पर रकुल का 'ब्लिस्टेन'!

The complainant submitted that the said broadcast borders on vulgarity and abuse, and is simply fake and defamatory news. The broadcaster has insidiously inserted a film scene from the Bollywood movie “De De Pyar De” released in May 2019 in which the character that she is playing says that “I think I had fun last night”. The broadcast makes false allegations and innuendos, while flashing visuals on her “non-veg nights”. The broadcast alleges that the complainant supposedly take drugs and also shows film scenes of her character gulping alcohol and smoking, so as to insinuate and make defamatory, deliberate, false and suggestive innuendos.

The broadcast also alleged that actress Rhea Chakraborty has named her before the NCB as doing drugs and falsely accused her of taking drugs with actresses Rhea

Chakraborty and Sara Ali Khan. She does not take drugs at all. She has met Sara Ali Khan twice, to the best of her recollection – once at IIFA and once while working out in a gym.

The complainant supports PETA and advocate people going Vegan. The offending broadcast flashed visuals of the complainant's support for PETA and of individuals asking her to take ganja etc. as well.

Response of Broadcaster:

The broadcaster submitted that it is an undisputed fact that the complainant has been issued summons by the NCB in connection with the investigation into actress Rhea Chakraborty's alleged involvement in substance abuse. It is also known that actress Rhea Chakraborty in her statement given to NCB, disclosed the name of the complainant herein along with other persons who consumed narcotics substance. Since the complainant is a member of PETA and a brand ambassador of 'No-To Drugs' Campaign launched by the Government of State of Telangana, the people on social media started trolling the complainant soon after her name was linked with the drugs case.

In the aforesaid background and based on the inputs received from the officials of NCB, the broadcaster has fairly and without any biasness or preconceived notions, presented news in its show 'Bollywood Breaking 20-20', wherein it had reported and analysed the fact that how the complainant, who is a member of PETA and a strong campaigner of 'No-To-Drugs' and 'No-To-Meat Movement', got trapped in a drugs case. That soon after the name of the complainant was linked in drugs case, some of the pictures of the complainant posted by her on her Instagram account in support of 'Go Vegan Campaign' of PETA got viral and the people on the social media started trolling the complainant that on one hand the complainant claims to be a member of PETA and on the other, the complainant consumes drugs. Further, it had also shown excerpts from an interview given by the complainant in the year 2017, wherein the complainant condemned the consumption of drugs and took a strong stand that the drugs should be completely out of the system.

In view of the aforesaid facts, the allegations of the complainant that the broadcast borders on vulgarity and abuse is completely misleading and false. The words 'dhue me udi rakul ki non-veg nights' used in the broadcast only refers to the question as to how, the complainant who went vegan has been linked in an investigation related to drugs. It is further denied and false that the aforesaid broadcast makes defamatory, deliberate, false and suggestive innuendos against the complainant.

That so far as the allegations levelled by the complainant, to the effect, that "the impugned broadcast falsely accused the complainant of taking drugs with actress Sara Ali Khan and Rhea Chakraborty" is concerned, broadcaster submitted that the aforesaid allegations are completely false and baseless, inasmuch as, the impugned

broadcast nowhere states that the complainant has taken drugs with Sara Ali Khan or Rhea Chakraborty.

In reply to the allegations that in the aforesaid broadcast the broadcaster has not presented the full facts by not reporting the fact that Rhea Chakraborty has already retracted from her statement given to NCB, broadcaster submitted that the ZMCL has duly published the aforesaid fact of Rhea Chakraborty retracting from her statement in a news article published on 10.9.2020 [<https://zeenews.india.com/people/rhea-chakraborty-retracts-confession-in-drugs-case-claims-ncb-forced-her-to-make-incriminatory-statements-2308691.html>]. Thus, as a responsible media house, it had fairly reported all the relevant events and facts of the case. It is further relevant to mention that based on the statement of Rhea Chakraborty, the NCB later on issued summons to the complainant and the complainant was interrogated by the NCB officials on 25.9.2020. As such, the aforesaid broadcast was based on verified facts and does not violate any of the guidelines framed by NBSA.

Offending Broadcast No 2 :25.9.2020

Link:<https://www.google.com/amp/s/zeenews.india.com/video/india/bollywood-breaking-20-20-rakul-preet-confessed-on-drugs-chat-with-rhea-chakraborty-2312322.html/amp>

Text on the Screen Shots

Screenshot 1: NCB के सवालों से रकुल की 'बत्ती गुल'!

Screenshot 2: Nil

Screenshot 3: ड्रग्स से 'प्रीत' रकुल को महंगी पड़ गयी !

Screenshot 4: गिरफ्त में आई, बॉलीवुड की 'नशीली' हसीनाएं !

Screenshot 5: रिया से दिलदारी, गांजे से रकुल की 'यारी' !

Screenshot 6: रकुल से NCB के सवाल - आपने किस किस से ड्रग लिया?

Screenshot 7: रकुल से NCB के सवाल - लिया तो कौन सा ड्रग लिया और कितनी बार लिया?

Screenshot 8: रकुल से NCB के सवाल - क्या आपके साथ कोई और भी ड्रग्स लेता था?

Screenshot 9: गिरफ्त में आई, बॉलीवुड की 'नशीली' हसीनाएं !

Screenshot 10: गिरफ्त में आई, बॉलीवुड की 'नशीली' हसीनाएं !

Screenshot 11: काम नहीं आए रकुल के हथकंठ!

Screenshot 12: हसीनो का 'नशा' अब उतरेगा !

Screenshot 13: हसीनो का 'नशा' अब उतरेगा !

Screenshot 14: फेल हुआ रकुल का ड्रामा !

Screenshot 15: काम नहीं आए रकुल के हथकंठ!

Screenshot 16: काम नहीं आए रकुल के हथकंठ!

The complainant submitted that in this broadcast it is alleged that she has confessed to “drug chat”, that she tried to play hide and seek, evade NCB summons and even went to the Hon’ble Delhi High Court but all the strategies failed and now the game is over. The complainant stated that she has not made any such confession or tried to play hide and seek or evade summons or made any strategy. The broadcast alleges that she supposedly take drugs and also shows film scenes of her character gulping alcohol and smoking, so as to insinuate and make defamatory, deliberate, false and suggestive innuendos.

Response of Broadcaster:

The broadcaster submitted the aforesaid broadcast was telecast on 25.9.2020 when the complainant was questioned by the NCB officials. Based on the verified sources, it had fairly reported that in her statement given to NCB, the complainant confirmed and admitted the drugs chat with Rhea Chakraborty in the year 2018. While reporting the aforesaid fact, it had also clarified and mentioned the fact that the complainant has however denied having consumed any drugs.

The allegations against their reporting that the complainant tried to evade the NCB summons, broadcaster submitted that on the basis of the disclosures made by Rhea Chakraborty, the NCB issued summons to the complainant along with other actresses on 23.9.2020, whereby the complainant was called for questioning to NCB office on 24.9.2020. As per the sources, the complainant was also summoned digitally by NCB [https://timesofindia.indiatimes.com/entertainment/hindi/bollywood/news/rakul-preet-singhs-team-claims-they-have-not-received-any-summons-from-the-ncb/article show/78289111.cms], however, the complainant who was in Hyderabad at that time denied having received any summons from NCB and she even did not appear before NCB on 24.9.2020. In this regard, even the NCB have also clarified that the complainant was making excuses. Thereafter, the NCB issued another summon to the complainant on 24.9.2020 whereby she was called to NCB office on 25.9.2020. Thus, in view of the aforesaid fact and the clarification given by NCB, it had reported in the broadcast that the complainant tried to dodge the NCB summons. In view of the aforesaid, the allegations levelled by the complainant against the impugned broadcast are completely false, frivolous and misleading.

Offending Broadcast No 3: 16.3.2020

Link : <https://youtu.be/9zPYh6qTxoc>

Text on the Screen Shots

Screenshot 1: कहां है 'वो' ? - रकुल प्रीत हुई UNDERGROUND?

Screenshot 2: कहां अंग्रेज़ है रकुल प्रीत सिंह ?

Screenshot 3: कहां है 'वो' ? - रकुल ने घर से निकलना छोड़ दिया है

The complainant submitted that in this broadcast, it is alleged that the complainant has gone underground after being named by Rhea for supposedly doing drugs and cannot meet anyone in the eye. She has been throughout shooting for a film near Vikarabad/Hyderabad.

Response of Broadcaster:

The broadcaster stated that based on reliable sources, in the aforesaid broadcast, it had merely reported that actress Rhea Chakraborty named the complainant in the drugs case and since then the complainant is worried and distanced herself from social media and stopped attending the phone calls and it is matter of record that despite the honest effort of the channel to approach the complaint and her representative for her comments and statements, she on her own will and accord chose not to respond. As a responsible news channel, it was impartial and neutral, however it was the complainant who refused to answer the comments and clarify the situation and the allegations against her. It is further pertinent to mention here that while reporting the aforesaid fact, the broadcaster has also stated that the Hyderabad Police have confirmed that NCB has not contacted the broadcaster regarding the complainant.

Furthermore, the fact that Rhea Chakraborty had already retracted from her statement given to NCB was duly published in a news article published on 10.9.2020[<https://zeenews.india.com/people/rhea-chakraborty-retracts-confession-in-drugs-case-claims-ncb-forced-her-to-make-incriminatory-statements-2308691.html>]. Thus, the aforesaid broadcast does not offend any of the guidelines framed by this Hon'ble Authority in any manner.

Offending Broadcast No 4: 13.9.2020

Link : <https://zeenews.india.com/marathi/video/bollywood-rakul-preet-singh-no-drug-ambassador-under-ncb-scanner/534704>

Text on the Screen Shots

Screenshot 1: Nil

Screenshot 2: नो ड्रग्स कैम्पेन से ड्रग्स रैकेट तक ! (Hindi translation)

Screenshot 3: रकुल प्रीत सिंह का दिल दहेलानेवाला सफर

The complainant submitted that this broadcast again repeated the false drug allegation against her, while interspersing the broadcast with film scenes of her character gulping alcohol and other smoking scenes, so as to insinuate and make defamatory, deliberate, false and suggestive innuendos. The broadcast is interspersed with her other film scenes which are irrelevant and shown merely to sensationalise and garner attention.

Response of Broadcaster:

The broadcaster submitted that in the aforesaid show it had fairly stated that out of 25 names disclosed by Rhea Chakraborty in the drugs case, one name is of actress Rakul Preet Singh, who is an ambassador for 'No To Drugs Campaign' for the State of Telangana. The telecast is for 04:29 secs where the complainant has been shown as a fitness enthusiast and various clippings from the popular movies have been shown. Broadcaster stated that the only section of the telecast where the complainant has been shown to have consumed alcohol is at 00:27 (less than a second) and between 02:04 -02:06 mins which is barely of 2 secs and is a part of a movie song which was telecast. Thus, in the aforesaid show it had fairly analysed the fact as to how the complainant, who is a part of 'no to drugs' movement and always promotes fitness, has unfortunately got linked in a drug related investigation. No part of the aforesaid show tends to insinuate or an attempt is made to make defamatory, deliberate, false and suggestive innuendos, as alleged by the complainant.

Offending Broadcast No 5 :13.9.2020

Link : <https://zeenews.india.com/video/india/rhea-and-sara-both-used-to-buy-drugs-from-the-same-dealer-says-sources-2309226.html>

Text on the Screen Shots

Screenshot 1: सारा अली खान - रकुल प्रीत सिंह - सिमोन खंभाटा - मुकेश छाबड़ा - रोहिणी अय्यर - रिया की ड्रग्स स्टोरी के '5 नशेबाज़' !

Screenshot 2: सारा अली खान - रिया चक्रवर्ती - रकुल प्रीत सिंह - ड्रग्स गैंग की 'ग्लैमर गुड़िया' ! - रिया के भाई शोविक को ड्रग्स पहुँचता था करनजीत

Screenshot 3: 'दम मारो दम' गैंग पर बॉलीवुड चूप क्यों ? – NCB ने ड्रग्स पैकिंग करनजीत को गिरफ्तार किया

The complainant submitted that in this broadcast it is alleged that she supposedly is a 'nashebaaz' and part of a "drug gang". The broadcast shows pictures of her which are irrelevant but flashed with a view to sensationalise and garner attention to get TRPs.

Response of Broadcaster:

The broadcaster stated that the said broadcast was based on the statement of Rhea Chakraborty disclosing the name of the complainant and other actresses who consume drugs. No part of the broadcast was false and the broadcasters had not stated in the broadcast that the complainant takes drugs. The broadcaster submitted that the fact of Rhea Chakraborty retracting from her statement given to NCB was duly published and telecast by them and therefore, the allegations that the broadcast is malicious, biased, inaccurate and misleading are complete false and baseless.

Offending Broadcast No 6: 13.9.2020

Link:<https://zeenews.india.com/video/india/sara-ali-khan-rakul-preet-singh-and-other-bollywood-celebrities-on-ncb-radar-2309289.html>

Text on the Screen Shots

Screenshot 1: मुंबई का 'ड्रग्स मायाजाल'!

Screenshot 2: रिया चक्रवर्ती - सारा अली खान - रकुल प्रीत सिंह - बॉलीवुड में ड्रग्स की 'ग्लैमर गुडिया' !

The complainant submitted that in this broadcast it is alleged that she was supposedly part of a Bollywood drug gang, and described as a “glamour gudia”.

Response of Broadcaster :

In the aforesaid broadcast, broadcaster has reiterated the aforesaid facts that Rhea Chakraborty disclosed the name of the complainant and actress Sara Ali Khan who have consumed drugs. In the aforesaid show, it had also fairly reported that Rhea Chakraborty has alleged that NCB has coerced her to make a statement against her. Thus, the allegations that the aforesaid broadcast ‘does not refer to the fact that Rhea retracted her statement on 09.09.2020’ are completely false and misleading.

Offending Broadcast No 7: 12.9.2020

Link : <https://zeenews.india.com/hindi/entertainment/video/rhea-names-sara-khan-and-rakul-preet-in-drug-case-before-ncb/746132>

Text on the Screen Shots

Screenshot 1: ड्रग्स गैंग की 'ग्लैमर गुडिया'

Screenshot 2: सारा अली खान - रकुल प्रीत सिंह - सिमोन खंभाटा - रिया का 'ड्रग्स गैंग'!

The complainant alleged that in this broadcast that she was supposedly part of Rhea’s drug gang, and described as a “glamour gudia”.

Response of Broadcaster:

In the aforesaid broadcast, the broadcaster stated that it had only reported the official information received from NCB that Rhea has named the complainant in her statement to NCB. In the entire broadcast, it had only referred the name of the complainant only 2-3 times and thereafter it had reported the fact of arrest of 6 drugs peddlers by NCB.

Offending Broadcast No 8: 25.9.2020

Link : <https://zeenews.india.com/video/india/sources-rakul-preet-confesses-to-ncb-about-drugs-chat-with-rhea-chakraborty-in-2018-2312311.html>

Text on the Screen Shots

Screenshot 1: रकुल प्रीत ने रिया के साथ ड्रग चैट की बात कबूली – सूत्र

रकुल प्रीत ने माना रिया के साथ हुई थी ड्रग्स की बातचीत - सूत्र

This broadcast alleged that the complainant supposedly confessed before the NCB to drug chats with Rhea in 2018 who supposedly had her 'samaan' at her residence which, as per the broadcast, was weed and which Rhea's was supposedly asking back. She stated that has not made any such confession nor did Rhea have any drug at her residence.

Response of Broadcaster:

The broadcaster submitted the aforesaid broadcast was telecast on 25.9.2020 when the complainant was questioned by the NCB officials. Based on the verified sources, it had fairly reported that in her statement before NCB, the complainant confirmed and admitted the drug chat with Rhea Chakraborty in the year 2018. While reporting the aforesaid fact, the broadcaster has also clarified that the complainant has however denied having consumed any drugs.

Offending Broadcast No 9: 23.9.2020

Link : https://www.zee5.com/news/details/rakul-preet-arrives-at-mumbai-airport-from-hyderabad/0-0-newsauto_7llhq6bvqgb0

Text on the Screen Shots

Screenshots 1& 2 : These screenshot pertains to the channel Aajtak
This broadcast plays the news of Aaj Tak to the effect that she had reached Mumbai from Hyderabad on the evening of 23.9.2020, whereas she was in Hyderabad at that point of time. This is fake news that helped the media malign me by alleging that she was hiding in Mumbai and evading NCB summons.

Response from Broadcaster

The broadcaster submitted that the aforesaid link is of the OTT platform being run by Zee Entertainment Enterprises Limited, which is neither the part of ZMCL nor the member of NBA

Offending Broadcast No 10 : Date : 12.9.2020

Link : <https://zeenews.india.com/people/drug-case-rhea-chakraborty-names-sara-ali-khan-rakul-preet-singh-mukesh-chhabra-in-ncb-interrogation-2309139.html>

This broadcast refers to Rhea's statement to the NCB and insinuates that she does drugs and has been to the alleged drug party at Sushant Singh Rajput's farmhouse. The complainant has never visited Sushant Singh Rajput's farmhouse in her life.

Response of Broadcaster:

The broadcaster submitted that it had fairly reported the fact of Rhea Chakraborty disclosing the names of 25 persons who take drugs. Based on the information received from NCB, it reported the names of 5 persons, including the complainant, out of 25 names disclosed by Rhea Chakraborty. Further, in the broadcasts it had analysed the questions as to - whether there is any concrete evidence against the

complainant, what Rhea Chakraborty knows about the complainant and other persons.

Offending Broadcast No 11: 25.9 .2020 [Zee Hindustan]

Link : <https://zeenews.india.com/hindi/zee-hindustan/video/10-ka-danagi-rakul-preet-singh-will-open-the-secret-of-drugs-gang-badi-bahas-rakul-preet-singh-ncb/754319>

Text on the Screen Shots

Screenshot 1: रकुलप्रीत खोलेगी 'ड्रग्स गैंग' का राज?

कल राकुलप्रीत को NCB ने भेजा था समन

This broadcast alleged that she is part of a drug gang, that takes drugs and had sought to evade NCB summons. The broadcast shows pictures of me which are irrelevant but flashed with a view to sensationalise and garner attention to get TRPs.

Response of Broadcaster

The broadcaster submitted that in this programme aired on 25.9.2020, it had reported that several Bollywood stars are on the radar of NCB in the drugs case and further reported the fact that NCB had issued summons to the complainant and on the same day the complainant was questioned by the NCB. The broadcast was fairly focused on the drugs mafia and Bollywood nexus as a whole and there was no intention to target any individual. Further, despite the honest effort of the channel to approach the complainant and her representative for her comments and statements, she on her own will and accord chose not to respond. As a responsible news channel, it was impartial and neutral, however it was the complainant who refused to answer their comments and clarify the situation and the allegations against her.

The broadcaster submitted that actress Rhea Chakraborty has given a statement to Narcotics Control Bureau ('NCB') in a drug case related to the death of actor Sushant Singh Rajput, wherein, she named 25 persons, including the complainant, who takes drugs. The aforesaid fact was confirmed by the Deputy Director of NCB, Mr K.P.S Malhotra, which was published by other electronic and print media, few of the links of such news articles published on 14.9.2020/1509.2020 are given below:

a. <https://timesofindia.indiatimes.com/entertainment/hindi/bollywood/news/ncb-deputy-director-on-sara-ali-khan-and-rakul-preet-singhs-name-in-drug-case-we-cant-comment-on-the-further-course-of-action/article-show/78111050.cms>

b. <https://www.indiatoday.in/movies/celebrities/story/rhea-named-sara-ali-khan-rakul-preet-during-drug-probe-no-summons-sent-yet-ncb-1721929-2020-09-15>.

Based on the statement given by Rhea Chakraborty, the NCB issued summons to the complainant on 23.9.2020, whereby the complainant was called for questioning

on 24.9.2020. As per the sources, the complainant was also summoned digitally by the NCB.

[<https://timesofindia.indiatimes.com/entertainment/hindi/bollywood/news/rakul-preet-singhs-team-claims-they-have-not-received-any-summons-from-the-ncb/articleshow/78289111.cms>],

The complainant, who was in Hyderabad denied having received any summons from NCB and she even did not appear before NCB on 24.9.2020. In this regard, even the NCB clarified that the complainant is making excuses. Thereafter, the NCB issued another summon to the complainant on 24.9.2020 whereby she was called to NCB office on 25.9.2020. On 25.9.2020, the complainant appeared before the NCB and was interrogated in the case.

The broadcaster reported the aforesaid verified facts in its broadcasts, which have been objected to by the complainant without any valid and justifiable grounds and the complainant is seeking a gag order restraining the media from reporting the true facts relating to her alleged involvement in the drug case which is being investigated by the NCB.

The broadcaster submitted that the aforesaid broadcasts telecast by ZMCL, links of which are provided by the complainant in her written submissions, are completely based on verified facts and official sources and no part of it was false, manipulated and even there was no deliberate attempt to malign the image of the complainant by ZMCL, as falsely alleged by the complainant.

It is relevant to mention that the broadcaster has not only given wide coverage to the order dated 17.09.2020 passed by the Hon'ble Delhi High Court in the Writ Petition filed by the complainant, wherein, the Hon'ble Court directed media to exercise restraint but has also complied with the aforesaid order in full spirit.

[<https://zeenews.india.com/people/hope-media-will-show-restraint-while-reporting-about-rakul-preet-singh-in-connection-with-rhea-chakraborty-case-hc-2310292.html>]

The broadcaster submitted that the broadcast was balanced, fair, neutral and objective and was in accordance with NBSA guidelines and journalistic ethics and the allegations in the written submission of the complainant qua ZMCL are completely false and hence denied.

Decision of NBSA

NBSA considered the complaints, response from the broadcaster, heard the arguments of both the complainant and the broadcaster and reviewed the footage.

In so far as the discussion about the above subject is concerned, NBSA is not dealing with the issue as to whether the broadcaster can or cannot telecast on the said issue because NBSA is conscious of the fact and respects that the media has the right of freedom of speech and expression. However, at the same time whenever any subject is discussed/telecast by the media, the Code of Ethics and Broadcasting Standards, Principles of Self Regulations and Specific Guidelines Covering Reportage relating to Guideline 2-Impartiality, Objectivity and Fairness; Guideline 4-Good Taste & Decency, Sex & Violence; Guideline 5-Privacy and Specific Guidelines for Reporting Court Proceedings must be kept in mind.

Furthermore, whenever anything is telecast by the broadcasters in respect of a person involved in any controversy, the broadcasters have to keep in mind the privacy, dignity and the reputation of a person and they cannot prejudge an issue.

NBSA noted that the explanation of the broadcaster that while displaying the Hashtags, Taglines, some clarifications were given on the telecast in respect of these Taglines and if the programme had been viewed in its entirety and in context, the Taglines could not be said to be offensive, is not entirely correct. Though NBSA has no serious objection to the news story telecast, however NBSA found that on several occasions the Hashtags/Taglines telecast did not match with what the anchor was saying in the programme. It is also possible that a viewer could have kept the television on mute and was just watching the telecast and thereby viewing the Taglines only. It is in this context that NBSA has come to the conclusion that the following Hashtags, Tag-lines telecast by the broadcaster (extracted below) are violative of the Code of Ethics and Broadcasting Standards, Principles of Self Regulations, Specific Guidelines Covering Reportage and Specific Guidelines for Reporting Court Proceedings mentioned above.

खुल गया 'रकुल का राज', धुएं में उड़ी रकुल की 'नोनवेज Nights',
बोल रकुल पर , बोल खुलासा, 'ड्रग जाल' में कैसे फंसी रकुल प्रीत सिंह ? खुल गया 'रकुल का राज', ड्रग के नाम पर रकुल का 'ब्लैक स्टैट्स',
बेस्ट फ्रेंड्स के बॉयफ्रेंड को रिया ने छीना, खुल गई रकुल की 'ड्रग पहेली' !, ड्रग के खिलाफ बोलने वाली रकुल पकड़ी गई?,
रिया के ड्रग गैंग की दो सहेलियां, एक सारा एक रकुल, रकुल तूने क्या किया, सारा रिया के साथ ड्रग्स लिया?
जब से मैं शाकाहारी बन गई हूँ मैं बस फील करती हूँ
'ड्रग जाल' में कैसे फंसी रकुल प्रीत सिंह ?
NCB के सवालों से रकुल की 'बत्ती गुल'!
ड्रग्स से 'प्रीत' रकुल को महंगी पड़ गयी !
रिया से दिलदारी, गांजे से रकुल की 'यारी' !
रकुल से NCB के सवाल - लिया तो कौन सा ड्रग लिया और कितनी बार लिया?
काम नहीं आए रकुल के हथकंडे!
फेल हुआ रकुल का ड्रामा !
कहां है 'वो' ? - रकुल प्रीत हुई Underground?

नो ड्रग्स कैम्पेन से ड्रग्स रैकेट तक !

सारा अली खान - रकुल प्रीत सिंह - सिमोन खंभाटा - मुकेश छाबड़ा - रोहिणी अय्यर - रिया की ड्रग्स स्टोरी के '5 नशेबाज'!

NBSA observed that these Hashtags/ Taglines were very offensive and derogatory and gave an impression that the complainant was definitely a part of the 'drug circle gang' and was peddling and consuming drugs. NBSA observed that the broadcaster, while telecasting such Hashtags, Taglines, and Images must understand the impression that these create on the viewers and the fact that these Taglines and Images, which have no connection with the news programmes being telecast, cannot be broadcast randomly.

NBSA found that the aforesaid Taglines were clearly violative of the Code of Ethics and Broadcasting Standards, Principles of Self Regulations and Specific Guidelines Covering Reportage relating to Guideline 2- Impartiality, Objectivity and Fairness ; Guideline-3. Reporting on Crime and Safeguards to Ensure Crime and Violence are not glorified. Specific care must be taken not to broadcast visuals that can be prejudicial or inflammatory... Guideline 4-Good Taste & Decency, Sex & Nudity.... "In selecting content, broadcasters should abide by current norms and mores of decency and taste, in visuals, language and behaviour, keeping in mind the context in which any visuals, language or behaviour occurs, including the broadcast time, type of content, target audience, use of parental advisories, cautions and content classification" and Specific Guidelines for Reporting Court Proceedings: 4... no news channel shall broadcast anything: (iii) Which is a comment on the personal character, culpability or guilt of the accused or the victim". These Taglines should have been avoided and were broadcast to sensationalise the issues of the news story.

NBSA also noted that the Images of the complainant shown gulping alcohol, smoking and other images shown in the broadcasts were certainly misleading. Some of the images had no connection with the news being telecast and were taken from the complainant's movies without any reference to the same. Therefore, the use of these images in the broadcast are violative of the Specific Guidelines Covering Reportage- Fundamental Standards-C. 'Content' of matter broadcast should not be shown out of 'context' and the Specific Guidelines Covering Reportage relating to Guideline 5-Privacy. These images were repeatedly telecast and therefore the violations by the broadcaster were egregious in nature and the response given by it was not considered a sufficient explanation or justification for the telecast of the above Taglines and Images.

In view of the above, NBSA directs that the broadcaster to issue an apology as follows:

The broadcaster shall, prior to the 9 PM news on 17.12.2020, air the following text (static) on full screen in large font size with a clearly audible voice-over (in slow

speed) apologise for the said telecasts on their channels Zee News, Zee 24 Taas and Zee Hindustan by stating the following:

[TEXT TO BE TRANSLATED IN HINDI]

“We apologise for the manner in which the Hashtags/ Taglines and Images were telecast, while reporting the ongoing investigation of Rhea Chakroborty’s narcotic drugs case. These telecasts violated the Code of Ethics and Broadcasting Standards requiring broadcasters to maintain neutrality, impartiality, accuracy and fairness, the Specific Guidelines Covering Reportage and Specific Guidelines for Reporting Court Proceedings. We clarify that there was no intention on our part to sensationalise the issue or to prejudice the investigation in any manner. We reiterate our commitment to uphold every individuals right to fair trial and reputation, while reporting about matters under investigation.”

NBSA directed that the broadcaster should be careful while telecasting such misleading Taglines and Images in future and should not repeat the said violations.

The decision of the NBSA is based only on the links/ submissions made by the complainant and the response of the broadcaster.

NBSA also directs that the video of the said broadcasts, if still available on the website of the channels, or YouTube, or any other links, should be removed immediately and the same should be confirmed to NBSA in writing within 7 days.

NBSA decided to close the complaints with the above observations and inform the complainant and the broadcaster accordingly.

NBSA directs the NBA to send:

- (a) A copy of this Order to the complainant and the broadcaster;
- (b) Circulate this Order to all Members, Editors & Legal Heads of NBA;
- (c) Host this Order on its website and include it in its next Annual Report and
- (d) Release the Order to media.

Proof of compliance of telecast of the apology to be submitted to NBSA on Compact Disc within 7 days of telecast.

It is clarified that any statement made by the parties in the proceedings before NBSA while responding to the complaint and putting forth their view points, and any finding or observation by NBSA in regard to the broadcasts, in its proceedings or in this Order, are only in the context of an examination as to whether there are any violations of any broadcasting standards and guidelines. They are not intended to be ‘admissions’ by the broadcaster, nor intended to be ‘findings’ by NBSA in regard to any civil/criminal liability.

Sd/-
Justice A. K Sikri (Retd.)
Chairperson

Place: New Delhi

Date: 9.12.2020

Encl: As above

ANNEXURE – A

Proceedings of the hearing held on 3.10.2020 in the Matter of: Rakul Preet Singh ...Petitioner Versus Union of India & Ors. ...Respondents [The matter was referred to NBSA by the Delhi High Court]

Present: NBSA

1. Justice (Retd.) A. K. Sikri: Chairperson

Members:

2. Mr. Nasim Zaidi
3. Ms. Stuti Kacker
4. Ms. Zohra Chatterji
5. Mr. Navtej Sarna
6. Mr. Prasanth P.R
7. Ms. Dipika R. Kaura
8. Mr. Amrendra Pratap Singh
9. Mr. Deep Upadhyay

Mrs. Annie Joseph ... Secretary General

Mrs. Nisha Bhambhani ... Special invitee

On behalf of complainant:

1. Dr. Aman Hingorani, Advocate
2. Col. Kulvinder Singh, father of complainant

On behalf of the member news broadcasters:

1. ABP Network Pvt. Ltd. [Channel: ABP News]

1. Mr. Rajkumar Varier, VP-Legal & Regulatory
2. Ms. Disha Sachdeva, Senior Executive-Legal

2. Asianet News Network Pvt. Ltd. [Channel: Asianet News]

1. Mr. Girish. K. S, Senior Manager (Legal)

3. Bennett, Coleman & Co. Ltd. [Channel: Times Now]

1. Ms. Navika Kumar, Group Editor (Politics)
2. Ms. Jyothi Suresh Kumar, Authorised Representative

4. Independent News Services Pvt. Ltd. [Channel: India TV]

1. Ms. Ritika Talwar, Legal Consultant

2. Mr. Rohan Swarup, Advocate

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

1. Mr. Ajay Verma, Sr. Executive Editor
2. Ms. Nupur Giri, Company Secretary and Compliance Officer, NBSA

6. Odisha Television Ltd. [Channel: OTV]

1. Ms. Utsa Pattnaik, Asst. Legal Manager

7. TV18 Broadcast Ltd. [Channel: News18]

1. Ms. Aditi Ojha, Manager Legal
2. Mr. N. C. Satpathy, Editor, Special Projects

8. TV Today Network Ltd. [Channels: Aaj Tak, India Today]

1. Mr. Aiman Hasaney, Legal Counsel
2. Mr. Shahrukh Ejaz, Advocate

9. Zee Media Corporation Ltd. [Channels: Zee News, WION, Zee 24 Taas]

1. Ms. Ritwika Nanda, Advocate
2. Ms. Annie, Assistant Manager, Legal

Summary of Arguments:

Dr. Aman Hingorani, Advocate, on behalf of the complainant made his submissions in respect of the telecasts by the broadcasters in the said matter based on the Writ Petition/ Affidavits / Applications and other documents filed before the Delhi High Court.

He submitted, the channels had violated the Code of Ethics and the Guidelines of the NBSA relating to Impartiality, Objectivity, Neutrality and Accuracy. He also submitted that the telecasts relating to the complainant did not fall within the realm of fair reporting.

It was also submitted that the news telecast relating to the complainant was “fake news” in respect of certain taglines and tickers run by the news channels. Furthermore, the Counsel stated that because of the telecast by the news channels, the complainant has suffered not only commercial losses but also loss of reputation, had been defamed and her privacy had been violated etc.

India TV, one of the member channels who has reported on the complainant, rebutted the submissions made by the complainant. The Counsel submitted that the grievance against India TV's telecast related basically to one screen shot in which the complainant was shown to be smoking and this photograph was from one of her movies and was in the public domain. India TV further stated that the allegations against it were not specific and clear and were very general in nature. The channel also requested that it be permitted to file its submissions/response in the proceedings. Upon hearing the parties, NBSA decided that in order to have a productive hearing, the complainant be requested to send the individual links pertaining to the telecast/s of the channels along with brief submissions as to the violations committed by each broadcast/s in respect of the Code of Ethics and Guidelines of the Authority. The complainant was in agreement with this direction of NBSA.

The links along with brief submissions of the violations relating to individual channels should be sent by the complainant by 5.10.2020 in order that the same may be forwarded to the individual broadcasters so that they may file their response to the allegations made against their channel's telecast on the subject matter by 9.10.2020.

Dr. Aman Hingorani, Advocate submitted that he would not file a rejoinder to the replies filed by the member broadcasters.

NBSA will hear the complainant and the member broadcasters on 12.10.2020 before passing its Orders.

In the meantime, it is expected that the member broadcasters of NBA will abide by the Delhi High Court Order dated 17.9.2020 and also follow the Code of Ethics and Guidelines issued by NBSA which relate to Impartiality, Objectivity, Neutrality, Accuracy and Privacy while telecasting any news relating to the complainant, MS. Rakul Preet Singh.

Sd/-

**Annie Joseph
For & On behalf of
News Broadcasting Standards Authority**

October 6, 2020