

NewsBroadcastersAssociation



8th Annual Report 2014-15



News Broadcasters Association Board of Directors



Rajat Sharma
President



Ashok Venkatramani
Vice President



Anuradha Prasad
Honorary Treasurer



K.V.L. Narayan Rao



Ashish Bagga



M.K. Anand



A.P. Parigi



Ashish Kirpal Pandit



M.V. Shreyams Kumar



News Broadcasters Association

Board of Directors	Mr. Rajat Sharma Independent News Service Pvt. Ltd.	President
	Mr. Ashok Venkatramani ABP News Network Pvt. Ltd.	Vice President
	Mrs. Anuradha Prasad News24 Broadcast India Ltd.	Honorary Treasurer
	Mr. K.V.L. Narayan Rao New Delhi Television Ltd.	
	Mr. Ashish Bagga TV Today Network Ltd.	
	Mr. M.K. Anand Bennett, Coleman & Co. Ltd.	
	Mr. A.P. Parigi TV18 Broadcast Ltd.	
	Mr. Ashish Kirpal Pandit Zee Media Corporation Ltd.	
	Mr. M.V. Shreyams Kumar Mathrubhumi Printing & Publishing Co. Ltd.	
Secretary General	Mrs. Annie Joseph	
Auditors	S.S. Kothari Mehta & Co Chartered Accountants	
Bankers	Bank of India	
Registered Office	Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar, New Delhi – 110 087	
Corporate Office	Mantec House, 3 rd Floor, C-56/5, Sector 62, Noida – 201 301	

CIN: U22211DL2007NPL165480



Rajat Sharma
President

Message from President, NBA September 1, 2015

Dear Members,

It is my privilege to present the Eighth Annual Report of the News Broadcasters Association. I would delve only on issues which are of immense concern to the broadcasters and which need immediate resolution from the government and other authorities.

Carriage fee, is an issue which is crippling the news broadcasters. The demand for exorbitant carriage fees by MSO's continues even in a digitised environment despite 4 metros and 38 cities having been digitalised in Phase I and II. Digitisation, which was assumed to be a game changer for the broadcasters has not helped the broadcasters to gain in monetary terms. The "must carry provision" in the regulations, mandates payment of carriage fees. Therefore, news broadcasters have no option but to pay carriage fees that is demanded or have their channels switched off. Unless the TRAI intervenes and abolishes carriage fee in any form, the news broadcasters will not be able to survive and most of them would face closure. We hope the Ministry of Information and Broadcasting will take urgent action to stop this malaise which is crippling the news broadcasters; payment of reasonable carriage fee should remain a burden for news broadcasters only till such time the digitisation process is completed. The then Minister for Information and Broadcasting while introducing the Bill on digitisation in Parliament had committed that digitisation would put an end to carriage fees. Subscription revenues in most cases is not there as several news broadcasters are free to air channels and those which are pay channels get marginal subscription revenues. We also hope the MoI&B will ensure that digitisation will be implemented as mandated by law and there would be no delays in the entire country getting digitised.

Since, there was no resolution between the TRAI and the NBA to keep the "Standards of Quality of Service (Duration of Advertisements in Television channels) (Amendment) Regulation 2013" issued by TRAI on 22.3.2013 in abeyance, the news broadcasters had no other option but to approach the Courts for redressal. The matter is pending in court. The stand of NBA has been that the TRAI has no jurisdiction to cap advertisements, hence we hope that the TRAI will withdraw the regulations and leave it to the Ministry of Information and Broadcasting to handle content related issues.

The Government releases advertisements to news broadcasters through the DAVP. I am glad the Ministry of Information and Broadcasting has taken cognisance of our long pending request and constituted the Empanelment Advisory Committee (EAC) to look into the issue of 'fair pricing' for government advertisements and empanelment related issues. We are sure that the MoI&B will look at the issues of 'fair pricing' objectively and correct the anomalies, which have been time and again brought to the notice of the MoI&B.

I would also like to make a mention of the industry initiative of setting up of the Broadcast Audience Research Council (BARC) for having a credible and transparent audience measurement system in the country for television channels, which has become a reality. This industry initiative of broadcasters, advertisers and the advertising agencies will be a game changer for the broadcast industry. BARC has successfully rolled out viewership data in April–May 2015. I am sure as news broadcasters we would do every thing possible to make this industry initiative successful and strengthen it further.

We have had very cordial relations with the Government and I wish to record my gratitude and thanks to the Hon’ble Minister for Finance, Corporate Affairs and Information and Broadcasting Mr. Arun Jaitley, Secretary and officials in the Ministry of Information and Broadcasting and other government officials for their continued understanding and support on issues which confront us. In our discussions, Mr. Arun Jaitley has committed that he will do all that is necessary to end the carriage fee cost, which he acknowledges is phenomenally high and affecting the news gathering and in turn, the quality of content aired by news channels. Secondly, he is committed to finding an amicable solution with the TRAI in sorting out the 12 minutes ad cap regulations.

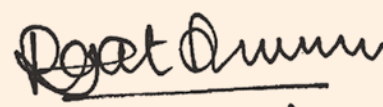
The present dispensation in the government has publicly acknowledged that they are for “self regulation” and not for any “statutory regulation”. To strengthen self regulation, the Government should recognise the NBA Code of Ethics and the Redressal Regulations and make it part of the Programme Code under the Cable TV Rules as has been done in the case of ASCI. We hope the Ministry of Information and Broadcasting would take steps in this direction.

To avoid any Government interference, we must ensure that the independent regulatory model adopted by the news broadcasters is vigourously pursued by all of us. Under the leadership of Justice (Retd) R.V. Raveendran, Chairperson NBSA, the broadcasters have gained immensely in improving broadcasting standards. On behalf of the NBA Board and on my own behalf I would like to place on record our sincere gratitude and thanks to the Chairperson and Independent Members of the NBSA for their support, invaluable guidance and time.

I would also like to express my sincere gratitude to the Board and Members of the NBA for their constant support, which we have hugely benefitted from. During the year Mr. A. P. Parigi and Mr. Ashish Pandit have joined us on the Board. Dr. Bhaskar Das and Ms. Jagi Mangat Panda, Board members have stepped down. Their contributions have been of immense value to the Association.

Finally, I would like to thank Mrs. Annie Joseph, the NBA Secretary General for her efforts in ensuring that the objectives and initiatives of the NBA are achieved and implemented. I would also like to thank the staff of the NBA Secretariat, Legal Counsel, Financial and Corporate Consultants as well as the Auditors of NBA and Bankers for their valuable time and cooperation.

Best wishes,



Rajat Sharma

NOTICE

NOTICE is hereby given that the 8th Annual General Meeting of the Members of News Broadcasters Association will be held on Wednesday, the 23rd September, 2015, at 12.00 noon at Multipurpose Hall, Kamla Devi Complex, India International Centre, 40, Max Mueller Marg, New Delhi – 110 003, to transact the following business:

Ordinary Business

1. To receive, consider and adopt the Audited Financial Statement of the company for the financial year ended March 31, 2015 together with Auditor's Report and Director's Report thereon and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT the Audited Financial Statement of the company for the financial year ended March 31, 2015, together with Auditor's Report and Director's Report thereon, be and are hereby approved and adopted.”

2. To re-appoint M/s S.S. Kothari Mehta & Co., Chartered Accountants, as Statutory Auditors of the Association, to hold office from the conclusion of this meeting until the conclusion of the next Annual General Meeting and to fix their remuneration and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT M/s S.S. Kothari Mehta & Co., Chartered Accountants, the retiring Statutory Auditors be and are hereby re-appointed as Statutory Auditors of the Association from the conclusion of this meeting until the conclusion of the next Annual General Meeting at a remuneration as may be determined by the Board of Directors of the Association.”

Special Business

3. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT Mr. A.P. Parigi who was appointed as a Permanent Director of the Association by the Board of Directors on April 2, 2015 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.”

4. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT Mr. Ashish Kirpal Pandit who was appointed as a Permanent Director of the Association by the Board of Directors on May 11, 2015 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of

Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.”

5. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“**RESOLVED THAT** Mrs. Anuradha Prasad was appointed as an Additional Director on February 1, 2012 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing her candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.”

6. To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“**RESOLVED THAT** Mr. M.V. Shreyams Kumar was appointed as an Additional Director on March 29, 2014 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.”

Place: New Delhi
September 1, 2015

By Order of the Board of Directors of
News Broadcasters Association



Annie Joseph
Secretary General

Explanatory Statement Pursuant to Section 173(2) of the Companies Act, 1956

Item No. 3

The Board of Directors of the Association appointed Mr. A.P. Parigi as a Permanent Director on April 2, 2015 subject to approval of General Body meeting on the Board of NBA. The office of his Directorship expires on the date of this Annual General Meeting. The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the members as an ordinary resolution.

Relevant documents relating to said item is available for inspection by members at the registered office of the company.

None of the Directors, except Mr. A.P. Parigi in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the resolution set out at Item No. 3 of this Notice.

Item No. 4

The Board of Directors of the Association appointed Mr. Ashish Kirpal Pandit as a Permanent Director on May 11, 2015 subject to approval of General Body meeting on the Board of NBA. The office of his Directorship expires on the date of this Annual General Meeting. The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the members as an ordinary resolution.

Relevant documents relating to said item is available for inspection by members at the registered office of the company.

None of the Directors, except Mr. Ashish Kirpal Pandit in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the resolution set out at Item No. 4 of this Notice.

Item No. 5

Mrs. Anuradha Prasad was appointed as an Additional Director on February 1, 2012 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. The office of her Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one member proposing her candidature, which has been duly seconded by another Member, for her appointment as Director, liable to retire at the next Ordinary General Body Meeting under Articles 16 and 22 of the Articles of Association of NBA.

The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an ordinary resolution.

Relevant documents relating to said item is available for inspection by members at the registered office of the company.

None of the Directors, except Mrs. Anuradha Prasad in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the resolution set out at Item No. 5 of this Notice.

Item No. 6

Mr. M.V. Shreyams Kumar was appointed as an Additional Director on March 29, 2014 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. The office of his Directorship expires on the date of this Annual General Meeting. The Association has received a notice in writing from one member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, liable to retire at the next Ordinary General Body Meeting under Articles 16 and 22 of the Articles of Association of NBA.


The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an ordinary resolution.

Relevant documents relating to said item is available for inspection by members at the registered office of the company.

None of the Directors, except Mr. M.V. Shreyams Kumar in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the resolution set out at Item No. 6 of this Notice.

Place: New Delhi
September 1, 2015

By Order of the Board of Directors of
News Broadcasters Association



Annie Joseph
Secretary General

NOTES

1. Member entities should provide Board Resolution under Section 113 of the Companies Act, 2013 authorising person(s) who will represent them at the Annual General Meeting. Such person(s) shall be deemed to be Member present in person.
2. A Member entitled to attend and vote at Annual General Meeting is entitled to appoint a proxy to attend and vote on poll instead of himself and the proxy need not be a Member of the company. The proxy, in order to be valid, must be deposited at the Registered Office of the Association not less than 48 hrs before the commencement of the meeting.
3. A Statement pursuant to Section 102 (1) of the Companies Act, 2013 relating to Special Business to be transacted at the meeting is annexed hereto.
4. Members are requested to bring their copy of the Annual Report to the Meeting.
5. No person other than the authorised representative of the Member entity or his/her duly appointed proxy as aforesaid shall be entitled to attend the Annual General Meeting of the Association.
6. Members desirous of having any information on accounts are requested to send their queries to NBA at its Registered Office, at least seven days before the date of the AGM, to make the requisite information available at the meeting.
7. Members/Proxies attending the meeting are requested to bring the attendance slip, as appended to this Notice, duly filled in and present the same at the venue of the Annual General Meeting. No photocopies of the attendance slip will be accepted.
8. Relevant documents referred to in the accompanying Notice and the Statement are open for inspection by members at the Registered Office of the company on all working days, except Saturdays, during business hours up to the date of Meeting.
9. Members who have not registered their e-mail addresses so far are requested to register their e-mail address for receiving all communication including Annual Report, Notices etc., from the company electronically.

Directors' Report to the Members

The Directors have pleasure in presenting the 8th Annual Report of your Association together with Audited Accounts for the period from April 1, 2014, to March 31, 2015.

Financial Review

	31.03.2015 (Amount in Rs')	31.03.2014 (Amount in Rs')
Income from Subscription	1,16,00,000	1,08,75,000
Other Income	31,14,813	27,54,199
Depreciation and amortisation expense	5,43,123	54,950
Total Expenditure	1,18,33,659	1,02,35,495
Surplus/(Deficit) after depreciation and tax carried to Members' General Reserve	28,81,153	33,93,704

Out of the excess of income over expenditure of Rs. 28,81,153 read with notes to accounts # 23 an amount of Rs.16,12,337 (net refer note #23) has been transferred to special reserve.

Change in nature of services

There is no change in nature of services provided by the Association.

Directors

Mrs. Anuradha Prasad and Mr. M.V. Sreyamskumar were appointed as Additional Directors on February 1, 2012 and March 29, 2014 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. Mr. A.P. Parigi and Mr. Ashish Kirpal Pandit have been appointed as Directors on 2.4.2015 and 11.5.2015 by the Board of Directors in terms of Article 17 of the Articles of Association, not liable to retire by rotation. Mrs. Jagi Mangat Panda and Mr. Bhaskar Das have tendered their resignation from the Board of the Association during the period under report.

Membership of Association

The number of Members/Associate Members of the Association are 23 broadcasters representing 56 channels.

Auditors and Auditors' Report

M/s S.S. Kothari Mehta & Co., Chartered Accountants, Statutory Auditors of the Association, hold office until the conclusion of the forthcoming Annual General Meeting and are eligible for reappointment. The Association has received letter from them to the effect that their appointments, if made, would be within the prescribed limits under Section 141(3)(g) of the Companies Act, 2013 and also that they are not disqualified for re-appointment.

The Statutory Auditors' Report on the Financial Statement of the Association for the financial year ended 31st March, 2015 is self explanatory and do not require further comments in the Directors' report. The Audit Report does not contain any qualification, reservation or adverse remark.

Report on Conservation of Energy, Technology Absorption, Foreign Exchange Earnings and Outgo etc.

Information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with The Companies (Accounts) Rules, 2014 is given hereunder:

Energy conservation measures taken by the Association include: (1) use of LED/CFL lighting in the entire office area; (2) improved insulation using ceramic fibre in the heat treatment furnaces; (3) installation of heat reflecting film on windows of air-conditioned areas etc. At present, Association has not taken any steps for utilisation of alternate source of energy and no capital investment has been made on energy conservation equipment.

And other information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with the Companies (Accounting) Rules, 2013 regarding technology absorption is not applicable to the Association being involved in welfare services to its members.

Association has no foreign exchange earnings and outgo during the period.

Directors' Responsibility Statement

Pursuant to Section 217(2AA) of the Companies Act, 1956, it is hereby confirmed:

- i) that in the preparation of the annual accounts, the applicable accounting standards had been followed along with proper explanation relating to material departures, if any;
- ii) that the Directors had selected such accounting policies and applied them consistently and made judgments and estimates that are reasonable and prudent so as to give a true and fair view of the state of affairs of the Association at the end of the accounting year and of the surplus of the Association for that year;
- iii) that the Directors had taken proper and sufficient care for the maintenance of adequate accounting records in accordance with the provisions of this Act for safeguarding the assets of the Association and for preventing and detecting fraud and other irregularities;
- iv) that the Directors had prepared the annual accounts on a going concern basis;
- v) the Directors had devised proper systems to ensure compliance with the provisions of all applicable laws and that such systems were adequate and operating effectively.

Extract of Annual Report

An extract of the annual return in Form No. MGT – 9 as provided under sub-section (3) of Section 92 which shall form part of the Board's report is attached as Annexure A.

Meetings of the Board

Five meetings of the Board of Directors were held on 27.5.2014, 24.7.2014, 24.9.2014, 24.9.2014 and 4.12.2014 during the financial year.

Particulars of loans, guarantees or investments under Section 186 of Companies Act, 2013

Company has not given any loan or provided any guarantees or made investment to any person under Section 186 of Companies Act, 2013.

Particulars of contracts or arrangements with related parties referred to in sub-section (1) of Section 188 in the prescribed form:

Company does not have any related party transaction with any person in any form as asked in Form AOC_2 under Rule 8 of The Companies (Account) Rules, 2014.

Management Report

Management Report containing a brief review of the activities of the Association and the state of the company's affairs during the year under review is attached with this Report.

Material changes and commitments, if any, affecting the financial position of the company which have occurred between the end of the financial year of the company to which the financial statements relate and the date of the report:

Material changes occurred subsequent to the close of the financial year of the company to which the balance sheet relates are: **None**

A statement indicating development and implementation of a risk management policy for the company including identification therein of elements of risk, if any, which in the opinion of the Board may threaten the existence of the Company:

Association is generating receipts through subscription from members and provide them welfare services. At present, company does not have, developed and implemented any such policy and system which nullify any type of risk on its existence.

Details of material and significant orders passed by the regulators or courts or tribunal impacting the going concern status and company's operations in future:

No such order is passed by any such regulators or courts or tribunal which impacts the going concern status and company's operations in future.

Details in respect of adequacy of internal financial controls with reference to financial statements:

The company has in place adequate internal financial controls with reference to financial statements.

Acknowledgements

The Board of Directors wish to place on record their appreciation for the support and cooperation extended by every Member of the Association, the Secretariat, its Bankers, and valuable contribution made by the Consultants, Counsels and officials of the Member Companies.

For and on behalf of the Board of Directors

Sd/-
Rajat Sharma
President

Sd/-
Ashok Venkatramani
Vice President

Sd/-
Anuradha Prasad
Honorary Treasurer

Place: New Delhi

Dated: July 22, 2015

Annexure A

Form No. MGT-9

EXTRACT OF ANNUAL RETURN

as on the financial year ended on 31st March, 2015

[Pursuant to Section 92(3) of the *Companies Act, 2013* and Rule 12(1) of the Companies (Management and Administration) Rules, 2014]

I. Registration and Other Details

i) CIN:	U22211DL2007NPL165480
ii) Registration Date:	03/07/2007
iii) Name of the Company:	News Broadcasters Association
iv) Category/Sub-Category of the Company:	Company Limited by Guarantee/ Indian Non-Government Company
v) Address of the Registered office and contact details:	Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar, New Delhi-110087.
vi) Whether listed company:	No
vii) Name, Address and Contact details of Registrar and Transfer Agent, if any:	NA

II. Principal Business Activities of the Company

All the business activities contributing 10% or more of the total turnover of the company shall be stated:

S. No.	Name and description of main products/services	NIC code of the product/service	% To total turnover of the company
1.	Subscription from Members		100%
2.			
3.			

III. Particulars of Holding, Subsidiary and Associate Companies

S. No.	Name and address of the company	CIN/GLN	Holding/Subsidiary/ Associate	% of shares held	Applicable section
1.	NA	NA	NA	NA	NA
2.					

IV. Shareholding Pattern (Equity Share Capital Breakup as Percentage of Total Equity)

i) Category-wise Shareholding

Not applicable as the Company is a Section 8 Company (Guarantee Company)

Category of shareholders	No. of shares held at the beginning of the year				No. of shares held at the end of the year				% Change during the year
	Demat	Physical	Total	% of total shares	Demat	Physical	Total	% of total shares	
Promoters									
1. Indian									
a) Individual/HUF									
b) Central Govt									
c) State Govt (s)									
d) Bodies Corp.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
e) Banks/FI									
f) Any Other....									
Sub-total (A) (1):									
2. Foreign									
a) NRIs – Individuals									
b) Other –Individuals									
c) Bodies Corp.									
d) Banks/FI									
e) Any Other....	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sub-total (A) (2):									
Total shareholding of Promoter (A) = (A)(1)+(A)(2)									
B. Public Shareholding									
1. Institutions									
a) Mutual Funds									
b) Banks/FI									
c) Central Govt									
d) State Govt(s)									
e) Venture Capital Funds	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
f) Insurance Companies									
g) FIIs									
h) Foreign Venture Capital Funds									

Contd...

Category of shareholders	No. of shares held at the beginning of the year				No. of shares held at the end of the year				% Change during the year
	Demat	Physical	Total	% of total shares	Demat	Physical	Total	% of total shares	
i) Others (specify)									
Sub-total									
(B) (1):									
2. Non-Institutions									
a) Bodies Corp.									
i) Indian									
ii) Overseas									
b) Individuals									
i) Individual shareholders holding nominal share capital upto Rs. 1 lakh	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
ii) Individual shareholders holding nominal share capital in excess of Rs.1 lakh									
c) Others (specify)									
Sub-total									
(B) (2):									
Total Public Shareholding									
(B)=(B)(1)+(B)(2)									
C. Shares held by Custodian for GDRs and ADRs									
Grand Total (A+B+C)									

ii) Shareholding of Promoters

Not applicable as the Company is a Section 8 Company (Guarantee Company)

S. No.	Shareholder's name	Shareholding at the beginning of the year			Shareholding at the end of the year			% change in shareholding during the year
		No. of shares	% of total shares of the company	% of shares pledged/encumbered to total shares	No. of shares	% of total shares of the company	% of shares pledged/encumbered to total shares	
1.								
2.								
3.								
	Total							

iii) Change in Promoters' Shareholding (please specify, if there is no change)

Not applicable as the Company is a Section 8 Company (Guarantee Company)

S. No.		Shareholding at the beginning of the year		Cumulative shareholding during the year	
		No. of shares	% of total shares of the company	No. of shares	% of total shares of the company
	At the beginning of the year				
	Date wise increase/decrease in Promoters Shareholding during the year specifying the reasons for increase/decrease (e.g. allotment/transfer/bonus/sweat equity etc):				
	At the end of the year				

iv) Shareholding Pattern of top ten Shareholders (other than Directors, Promoters and Holders of GDRs and ADRs):

Not applicable as the Company is a Section 8 Company (Guarantee Company)

S. No.	For each of the top 10 shareholders	Shareholding at the beginning of the year		Cumulative shareholding during the year	
		No. of shares	% of total shares of the company	No. of shares	% of total shares of the company
	At the beginning of the year				
	Date wise increase/decrease in Shareholding during the year specifying the reasons for increase/decrease (e.g. allotment/transfer/bonus/sweat equity etc):				
	At the end of the year (or on the date of separation, if separated during the year)				

**v) Shareholding of Directors and Key Managerial Personnel:
Not applicable as the Company is a Section 8 Company (Guarantee Company)**

S. No.	For each of the directors and KMP	Shareholding at the beginning of the year		Cumulative shareholding during the year	
		No. of shares	% of total shares of the company	No. of shares	% of total shares of the company
	At the beginning of the year				
	Date wise increase/decrease in Shareholding during the year specifying the reasons for increase/decrease (e.g. allotment/transfer/bonus/sweat equity etc.)				
	At the end of the year				

V. Indebtedness

Indebtedness of the Company including interest outstanding/accrued but not due for payment

	Secured loans excluding deposits	Unsecured loans	Deposits	Total indebtedness
Indebtedness at the beginning of the financial year				
i) Principal Amount	NIL	NIL	NIL	NIL
ii) Interest due but not paid				
iii) Interest accrued but not due				
Total (i+ii+iii)				
Change in Indebtedness during the financial year				
▪ Addition	NIL	NIL	NIL	NIL
▪ Reduction				
Net Change	NIL	NIL	NIL	NIL
Indebtedness at the end of the financial year				
i) Principal Amount	NIL	NIL	NIL	NIL
ii) Interest due but not paid				
iii) Interest accrued but not due				
Total (i+ii+iii)	NIL	NIL	NIL	NIL

VI. Remuneration of Directors and Key Managerial Personnel

Not applicable as the Company is a Section 8 Company (Guarantee Company)

A. Remuneration to Managing Director, Whole-time Directors and/or Manager:

S. No.	Particulars of Remuneration	Name of MD/WTD/Manager				Total amount
1.	Gross salary a) Salary as per provisions contained in Section 17(1) of the Income Tax Act, 1961 b) Value of perquisites u/s 17(2) Income-tax Act, 1961 c) Profits in lieu of salary under Section 17(3) Income Tax Act, 1961					
2.	Stock Option					
3.	Sweat Equity					
4.	Commission ▪ as % of profit ▪ others, specify...					
5.	Others, please specify					
	Total (A)					
	Ceiling as per the Act					

B. Remuneration to other Directors:

S. No.	Particulars of Remuneration	Name of Directors				Total amount
	3. Independent Directors ▪ Fee for attending Board Committee meetings ▪ Commission ▪ Others, please specify					
	Total (1)					
	4. Other Non-Executive Directors ▪ Fee for attending Board Committee meetings ▪ Commission ▪ Others, please specify					
	Total (2)					
	Total (B)=(1+2)					
	Total Managerial Remuneration					
	Overall ceiling as per the Act					

C. Remuneration to Key Managerial Personnel Other than MD/Manager/WTD**Not applicable as the Company is a Section 8 Company (Guarantee Company)**

S. No.	Particulars of Remuneration	Key managerial personnel			
		CEO	Company Secretary	CFO	Total
1.	Gross salary (a) Salary as per provisions contained in Section 17(1) of the Income Tax Act, 1961 (b) Value of perquisites u/s 17(2) Income Tax Act, 1961 (c) Profits in lieu of salary under Section 17(3) Income Tax Act, 1961				
2.	Stock Option				
3.	Sweat Equity				
4.	Commission ▪ as % of profit ▪ others, specify...				
5.	Others, please specify				
	Total				

VII. Penalties/Punishment/Compounding of Offences**There is no penalty/punishment on the Company or its Directors or other officers.**

Type	Section of the Companies Act	Brief description	Details of Penalty/Punishment/Compounding fees imposed	Authority [RD/NCLT/COURT]	Appeal made, if any (give Details)
A. Company					
Penalty					
Punishment					
Compounding					
B. Directors					
Penalty					
Punishment					
Compounding					
C. Other Officers in Default					
Penalty					
Punishment					
Compounding					

Sd/-
Rajat Sharma
President

Sd/-
Ashok Venkatramani
Vice President

Sd/-
Anuradha Prasad
Honorary Treasurer

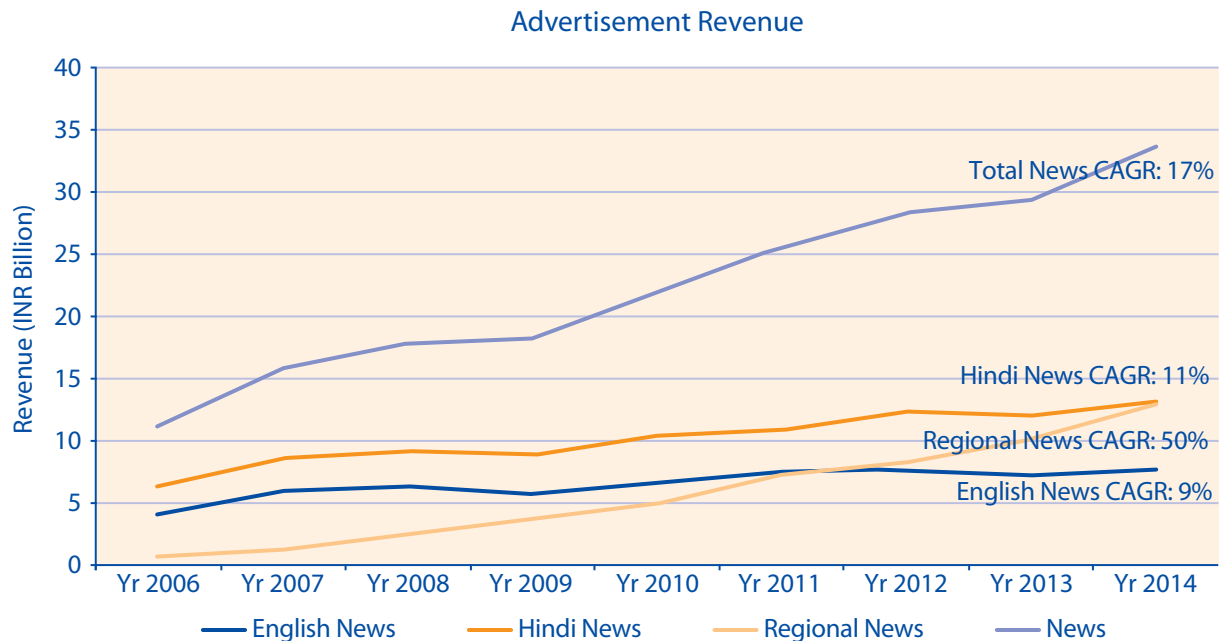
Section I

Management Report for the Year 2014-15

Industry Overview

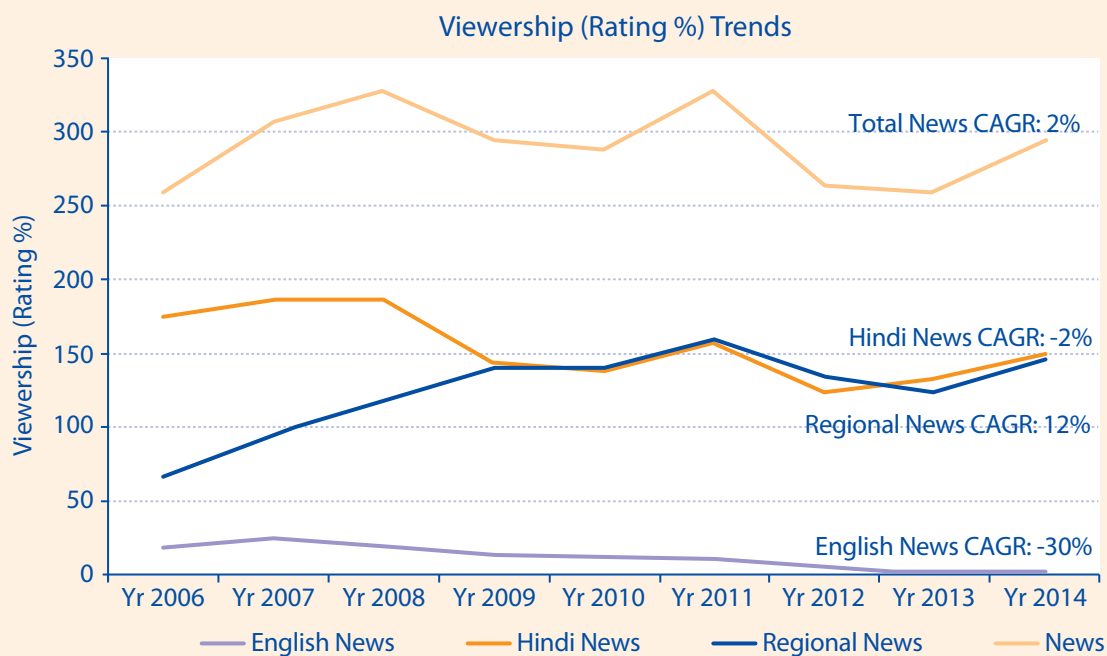
According to the FICCI-KPMG Media and Entertainment Industry Report 2015, India's media and entertainment industry stood at INR 1,026 billion in 2014, a growth of 11.7% over the previous year. The television industry is at INR 474.9 billion which is a growth of 13.8%. Television news viewership has increased in the year 2014 as the category received a major boost due to the State and Lok Sabha elections.

The charts below indicate the growth in advertising and the viewership of the news and current affairs genre during the years 2006-2014.



Source: FICCI-KPMG Media and Entertainment Industry Report - 2015

During the years 2006 – 2014, the revenue of news channels grew at a Compounded Annual Growth Rate (CAGR) of 17% where English news channels grew by 9%, Hindi news channels by 11% and Regional news channels by 50%. If one looks at the change with respect to previous year, news channels revenue in 2014 increased by 14%.



According to TAM reports the viewership of news channels grew at a Compounded Annual Growth Rate (CAGR) of 2% where English news channels viewership declined by 30%, Hindi news channels declined by 2% and Regional news channels grew by 12%. Compared to the previous year, the viewership of news channels in 2014 grew by 15%.

The MoI&B in the present dispensation of Mr. Arun Jaitley, Minister for Finance, Corporate Affairs and Information and Broadcasting, Col.Rajyavardhan Rathore, Minister of State for Information and Broadcasting and under the earlier dispensation of Mr. Prakash Javadekar, Minister for Information and Broadcasting (Independent Charge) have been very proactive in handling issues of concerns of the news broadcasters.

In the process of managing its policy environment, the Association draws constantly on the goodwill of the government. During the year under review, the Association took up issues that concern news broadcasters with the government from time to time.

The President and Board Members of NBA during the year under report called on the following officials:

- Mr. Arun Jaitley, Minister for Finance, Corporate Affairs and Information and Broadcasting
- Mr. Prakash Javadekar, formerly Minister of State (Independent Charge) of the Ministry of Information and Broadcasting
- Mr. Bimal Julka, Secretary, MoI&B
- Mr. J. S. Mathur, Additional Secretary and Financial Advisor, MoI&B
- Mrs. R. Jaya, Joint Secretary, MoI&B
- Mrs. Supriya Sahu, formerly Joint Secretary, MoI&B
- Secretary Revenue, Ministry of Finance

Industry Issues

1. Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013 (3 of 2013) dated 22.3.2013

As reported earlier the TRAI on 22.3.2013 issued the following regulations to amend the Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations, 2012 (15 of 2012), namely:

1. Duration of advertisements in a clock hour—No broadcaster shall, in its broadcast of a programme, carry advertisements exceeding twelve minutes in a clock hour.

Explanation: The clock hour means a period of sixty minutes commencing from 00.00 of an hour and ending at 00.60 of that hour (example: 14.00 to 15.00 hrs).

2. Power of the Authority to intervene—The Authority may, by order or direction issued from time to time, intervene for the purpose of protecting the interests of the subscribers or for ensuring compliance of the provisions of these regulations.
3. Reporting requirement—Every broadcaster shall, within fifteen days from the end of a quarter, submit to the Authority, in the format specified by it by order, the details of advertisements carried in its channel.

While making the above amendments, the TRAI took the view that the issue of excessive advertisements in violation of the existing rules, needs to be addressed for giving a respite to the consumers from onslaught of prolonged duration of advertisements and thereby to enhance the quality of viewing experience of TV channels. TRAI is also of the view that the restriction on maximum duration of advertisements carried in the programmes of a TV channel, as prescribed in the Cable Television Networks Rules is to be effectively enforced on a clock hour basis, to ensure quality of service to the consumers. With regard to the reporting requirement, the TRAI is of the view that there should be a proper monitoring mechanism in place. Accordingly, a reporting requirement has been incorporated in the regulation wherein the broadcasters are required to furnish to the Authority a report in the proforma and at intervals as specified by the Authority, from time to time.

NBA in its representation and meetings with the Ministry of Information and Broadcasting and TRAI has explained all the issues involved (total dependence on advertising revenues, high carriage fees and little or no subscription revenues) and requested that the notification be kept in abeyance for about 18 months to two years by when digitisation would be completed and the resultant benefits of no carriage fees and credible subscription revenues would accrue. It was also explained that in so far as fixing the duration of maximum advertisements for channels was concerned, TRAI has only recommendatory or an advisory function. The final jurisdiction and authority to take decisions regarding the parameters for regulating maximum time for advertisements vests in the Ministry of Information and Broadcasting. Also, under the garb of “regulation of advertisements” through TRAI imposed restrictions, hitting at the finances of news channels, amounts to “Control of Content” and these advertisement regulations are in violation of Article 19 (1) (g) of the Constitution of India, which entitles a citizen to *inter alia* carry-on any trade or business. Therefore, it was suggested to the TRAI that news channels should be exempted from this notification and an appropriate

amendment be made in the Cable Act. Such exemption should be keeping in line with rest of the media such as newspapers, magazines, website etc., where there is no restriction on number of advertisements.

There has been no resolution in this matter. The matter is subjudice. The writ petition filed in the Delhi High Court is pending for final hearing.

Deletion of Rules 7(10) and 7(11) of the Cable TV Rules 1994 – Representation to Ministry of Information and Broadcasting

As reported earlier, NBA has represented to the Secretary, Ministry of Information and Broadcasting that Rules 7(10) and 7(11) are commercially unworkable and unconstitutional for the following reasons:

- The said Rules operate to regulate advertisements on television channels in a manner that amounts to “content regulation” and such regulation is anathema to the constitutional scheme in our country.
- Advertisements are part of the free speech guarantee contained in Article 19(1) (a) of the Constitution of India, which is a fundamental right and a “preferred freedom” under the Constitutional scheme and any restriction upon such fundamental right to freedom of speech and expression can only be imposed by law which must pass the test of “reasonable restriction” within the meaning of the Article 19(2) of the Constitution of India, which the said Rules do not (as explained below).
- Advertising revenue is the lifeblood of the media and therefore restrictions imposed upon advertisements that may be carried on television channels would also amount to unreasonable restriction, violative of Article 19(1) (g) r/w 19(6) of the Constitution, which grants freedom to do business.
- Restrictions placed on advertisements will have the inevitable effect of exposing broadcasters to financial loss, by reason of decrease in advertisement inventory available with broadcasters.
- Restrictions placed on advertisements will also have the inevitable effect of a sharp increase in subscriptions charges payable by subscribers/viewers for pay channels.
- Restrictions on availability of advertising time would, in addition, have the inevitable effect of increase in advertisement rates, which would be detrimental to the interests of the small scale and medium enterprises and advertisers.
- Advertisements are not a pernicious evil nor are advertisements useless or purpose-less. Advertisements serve the purpose of informing viewers and consumers about goods and services; and of promoting consumption of goods and services, which is in the best interests of economic development of the country as a whole.

NBA therefore submitted that the existence of the said Rules on the Statute Book ought to be done away with keeping in mind the constitutional provisions of free speech and for the very survival of the news genre.

This issue has been taken up with Mr. Arun Jaitley, Union Minister for Finance, Corporate Affairs and Information and Broadcasting and Mr. Prakash Javadekar, former Minister of State for MoI&B (Independent charge). The final decision of the Ministry of Information and Broadcasting is awaited in the matter.

Carriage Fees

Despite digitisation of four metros, news channels continue to pay huge sums of carriage fees. This issue has been discussed on several occasions with the MSO's but barring an initial reduction immediately after the digitisation of four metros, the carriage fees continue to loom large behind news broadcasters and no solution seems to be in sight. Exorbitant carriage fees are being demanded from Phase I and II, which have been digitised. There is a huge demand for carriage fees for Phase III and IV digitisation, which is underway, again subscription revenues, which was anticipated in a digitised environment remains meager. NBA in its representations to the Ministry of Information and Broadcasting has stated that "if the government does not intervene and does not fix reasonable carriage fees" or abolishes carriage fees in every form, this malice will continue to haunt and torture the broadcasters and affect the very survival of the broadcasters. It would lead to closure of several Indian news broadcasting companies. Only foreign broadcasting companies, with deep pockets will be able to survive in this environment. These issues are also being regularly taken up in the Task Force Meetings constituted by the Ministry of Information and Broadcasting.

Arising out of our representation to the Hon'ble Minister for Finance, Corporate Affairs and Information and Broadcasting, a meeting was taken by Minister of State MoI&B on 17.12.2014, with IBF, NBA, ARTBI, national MSO's, independent MSO's and local cable Operators nominated by State Governments relating to carriage fee and interconnect agreements. There are no positive developments in this regard.

Ministry of Information and Broadcasting

Meeting with Mr. Arun Jaitley, Minister for Finance, Corporate Affairs and Information and Broadcasting

Mr. Rajat Sharma, President, NBA along with Board members called on Mr. Arun Jaitley, Minister for Finance, Corporate Affairs and Information and Broadcasting on 27.11.2014 to discuss the following issues:

1. Carriage Fees.
2. Representation to Ministry of Information and Broadcasting on deletion of Rules 7(10) and 7(11) of the Cable TV Rules 1994.
3. DAVP Rates.
4. Recommendations of TRAI dated 12.8.2014 relating to issues of media ownership.
5. NBA Code of Ethics and the Redressal Regulations to be made part of the Programme Code under the Cable TV Act.

Constitution of a Committee for fixation of rates for advertisement in print Media, Private C&S TV channels, Private FM Radio Stations and Social media through DAVP by MoI&B

Members are aware that for the last three to four years, NBA has persistently been following with the MoI&B to constitute a Rate Structure Committee to look into the rates offered by DAVP for government advertisements so that news broadcasters can get a "fair pricing" for governments advertisements. Our efforts have borne fruit. The MoI&B vide Order No 1/50/2008 –MUC dated 2.7.2015 has decided to constitute a Committee to carry out a review and to finalise the guidelines and rate structure in print media,

Private C&S TV channels, Private FM Radio Stations and Social media besides examining the financial implications to the government in the above mentioned sectors. The Chairman of the Committee is the Additional Secretary, MoI&B. DAVP vide letter dated 3.8.2015 has informed NBA of the constitution of the Committee and has requested for information from broadcasters. The Sales Sub Committee under the Chairmanship of Mr. Ashok Venkataramani is looking into the matter and taking steps to represent to the Committee.

Extension of date of implementation of digital addressable cable TV systems in Phase III and IV

Ministry of Information and Broadcasting vide Notification No. S.O. 2308 (E) dated 11.9.2014, in public interest decided to extend the dates for implementation of digital addressable cable TV systems in Phase III and Phase IV from 30.9.2014 to 31.12.2015 and from 31.12.20014 to 31.12.2016.

Constitution of Task Force on implementation of digital addressable cable TV systems for Phase III and IV of digitisation

Ministry of Information and Broadcasting vide Notification No. 9/141/2012-BP&L dated 12.9.2014, had re-constituted the Task Force to oversee and monitor the implementation of DAS III and IV. Mr. Ashok Venkataramani, represents NBA on the Task Force. The meetings of the Task Force are being held regularly, which are attended by NBA.

The Ministry of Information and Broadcasting vide letter dated 20.5.2015, has informed that the competent authority has approved that certain additional organisations are to be included in the above Task Force and they have also permitted NBA and IBF to have one additional member on the Task Force. The Board is in the process of nominating a second member to represent NBA on the Task Force.

Re-constitution of Sub-Committee on Public Awareness Campaign for implementation of Phase III of digital addressable system (DAS) in cable television networks

Ministry of Information and Broadcasting vide letter dated 1.1.2015, informed the NBA regarding re-constitution of the above Sub-Committee to carry out, oversee and monitor the Public Awareness Campaign in Phase III of DAS implementation. The Board has nominated Secretary General, NBA to the said Committee.

Reconstitution of Central Press Accreditation Committee – Press Information Bureau

On being informed vide letter No. F-24013/17/2014-PRS dated 11.2.2015 that the Press Information Bureau was re-constituting the CPAC for the years 2015-17, as requested NBA has submitted certificate of incorporation, list of office bearers and list of members, and also the names of three Editors for its consideration.

Committee constituted by MoI&B to look into issues of setting up of Liaison Offices/Branch Offices by Foreign News Agencies

Ministry of Information and Broadcasting under the Chairmanship of Additional Secretary, MoI&B, has set up a Committee to discuss the issues of Liaison Offices (LOs)/Branch Offices (BOs) by Foreign News

Agencies (FNAs) operating in India. The Committee comprises of representatives from MoI&B, PIB, MEA, RBI, PCI, IIMC, Ministry of Finance, UNI, PTI and NBA. Since the existing policy of the functioning of FNAs is governed by the Cabinet decision of the year 1956, it is understood that a need has now arisen to relook the same in view of the tremendous development in new media technologies, changes in methods and techniques of news gathering and reporting bearing in mind the national interest, interest of Indian news agencies and the need to put in place a sound regulatory mechanism for operation of LOs, BOs of FNAs in India. The meetings of the Committee are held regularly and the Committee is expected to submit the report soon.

Show Cause Notices Issued by MoI&B

The MoI&B issued show cause notices on three member channels NDTV 24x7/NDTV India, Aajtak and ABP News regarding the Yakub execution coverage and reportedly having aired phone in interviews of Chhota Shakeel on two channels, which according to the Ministry cast aspersions against the integrity of the Hon'ble President of India and the Judiciary; and can incite violence and lead to law and order problems.

NBA issued a press release on 10.8.2015 expressing concern on the show cause notices issued and stated that since the present Government has gone on record to state that it believes the media should be independent, without any government interference and it should self regulate itself, NBA urged the Ministry of Information and Broadcasting to withdraw the show cause notices issued and refer them to the New Broadcasting Standards Authority (NBSA), which would consider them under its regulations.

Amendment to the Cable Television Network Rules 1994 - Rule 6 (Programme Code) regarding no live coverage by media of any anti-terrorist operation by security forces

Ministry of Information and Broadcasting vide Notification dated 23.3.2015, had made amendments in the Cable Television Networks Rules, 1994 - Rule 6 (Programme Code) by inserting a new Clause (p) to the Rule 6 (Programme Code), which read as under:

'(p) contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to periodic briefing by an officer designated by the appropriate Government, till such operation concludes.

Explanation – For the purposes of this clause, it is clarified that “anti-terrorist operation” means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists.'

Members and editors of NBA have been advised that while reporting any terrorist operation by security forces along with the above guideline, they should also bear in mind the NBA “Guidelines for Telecast of News During Emergency Situations and Specific Guidelines Covering Reportage”.

Pre-budget consultation meeting in respect of Information and Broadcasting Sector

Secretary (MoI&B) had convened a pre-budget consultation meeting in respect of Information and Broadcasting Sector on 28th November, 2014, which was attended by the Secretary General. The following issues were submitted by NBA in the pre-budget memorandum on which there has been no resolution since January 2013:

1. Tax on payments made to satellite operators.
2. Tax on agency Commission.

Other pre-budget issues were jointly submitted by IBF and NBA to the Ministry of Information and Broadcasting.

Secretary, Revenue, thereafter, had convened a pre-budget meeting on 14.1.2015, which was attended by the President, NBA along with Secretary, Ministry of Information and Broadcasting.

Advisories issued by Ministry of Information and Broadcasting

During the year under review Ministry of Information and Broadcasting had issued the following advisories which have been circulated to all Members and Editors for their information:

1. Circular dated 2.9.2014 regarding constitution of Internal Complaints Committee in Terms of Section 4 (1) of Sexual Harassment of Women at Workplace 2013
2. Advisory dated 12.9.2014 regarding Swachh Bharat Abhiyan
3. Advisory dated 29.9.2014 regarding PM Broadcast 'Man Ki Baat' on 3.10.2014
4. Circular dated 22.7.2014 regarding monitoring of TV Channels
5. Advisory dated 30.10.2014 regarding Rashtriya Ekta Diwas on 31.10.2014
6. Advisory dated 1.11.2014 regarding PM Broadcast 'Man Ki Baat' on 2.11.2014
7. Advisory dated 12.12.2014 regarding PM Broadcast 'Man Ki Baat' on 14.12.2014
8. Advisory dated 19.1.2015 regarding availability of free DD News signals with sign language for Republic Day telecast
9. Advisory dated 23.1.2015 regarding PM Broadcast 'Man Ki Baat' on 27.1.2015
10. Advisory dated 19.2.2015 regarding PM Broadcast 'Man Ki Baat' on 22.2.2015
11. Advisory dated 3.3.2015 regarding showing certain excerpts of a programme titled "India's Daughter"
12. Advisory dated 19.3.2015 regarding PM Broadcast 'Man Ki Baat' on 22.3.2015
13. Advisory dated 20.3.2015 regarding coverage of terrorist attack on Police Station in Kathua
14. Advisory dated 23.4.2015 regarding PM Broadcast 'Man Ki Baat' on 26.4.2015
15. Advisory dated 23.5.2015 regarding launch of DD Kisan TV Channel on 26.05.2015
16. Advisory dated 27.5.2015 regarding PM Broadcast 'Man Ki Baat' on 31.5.2015
17. Advisory dated 29.5.2015 regarding First International Yoga Day on 21.6.2015
18. Advisory dated 25.6.2015 regarding PM Broadcast 'Man Ki Baat' on 28.6.2015
19. Advisory dated 13.8.2015 regarding availability of free DD News signals with sign language for Independence day telecast.
20. Advisory dated 25.8.2015 regarding PM Broadcast 'Man Ki Baat' on 30.8.2015.

Telecom Regulatory Authority of India

TRAI Recommendations on Issues Relating to Media Ownership

TRAI released its recommendations on "Issues Relating to Media Ownership" on 12.8.2014. The recommendations covered a comprehensive definition for control; cross media ownership; vertical integration and internal plurality. TRAI has made recommendations on content related issues, which was

not within its scope and in its recommendation has stated that “editorial independence must be ensured through a regulatory framework” and accordingly recommended “a single regulatory authority for TV and print”.

Since, the recommendations dealt with “content” related issues, NBA represented to the Ministry of Information and Broadcasting and stated that the essential scope and purpose of the Consultation Paper dated 15th February 2013 was to address the aspect of market dominance in media that may arise by reason of indiscriminate cross media ownership, the emphasis and focus of the said Consultation Paper was how to permit healthy growth of the media in all its forms, without creating monopolies that would restrict the flow of information to the public. It is on these aspects that the stakeholders gave their views to the TRAI.

NBA has stated in its representation that the TRAI has no power or jurisdiction whatsoever to issue such recommendations relating to content on TV channels and submitted that the remit and power of the TRAI under Section 11(1) (b)(v) of the Telecom Regulatory Authority of India Act 1997 is to “lay-down the standards of quality of service” to be provided by service providers and does not include the power to give recommendations which amount to “content control” which is anathema to the constitutional scheme. Under the Cable TV Act, the Ministry of Information and Broadcasting, if at all, is the competent authority for regulating content in accordance with law as laid down by Parliament and not the TRAI. The TRAI has acted far in excess of its jurisdiction, by making recommendations on content related issues.

NBA submitted to TRAI that instead of recommending regulation of content, the effort of TRAI should be urgent implementation of digitisation of the cable television sector and to facilitate the broadcast industry in such transition by addressing issues of removal of price cap on subscriber tariffs, abolition of carriage and placement fee regime etc. As with the case of other content on television, NBA recommended self-regulation by the broadcast industry for content related matters rather than the imposition of impractical recommendations by the TRAI.

Department of Telecommunications

Interaction on Net Neutrality with Industry Associations

Department of Telecommunications constituted a Committee to examine various aspects of Net Neutrality. NBA nominated Mr. Kawaljit Singh Bedi, Chief Technology Officer and Senior Vice President – Strategy – NDTV to attend the meetings of the Committee. The written submissions made by NBA, *inter alia* related to:

Rule 1: All sites must be equally accessible: TSPs and ISPs should not restrict certain sites or apps. No gateways should be created in order to give preferential discovery of one site over another.

Rule 2: All sites must be accessible at the same speed (at the TSP/ISP level): This means no speeding up or throttling of sites.

Rule 3: The cost of access must be the same for all sites: This means no “Zero Rating” and no fragmentation of internet.

Other submissions made were the following:

1. Net neutrality must be maintained as defined above
2. Internet Content and Companies should not be licensed.
3. Internet Content and Services companies should not be mandated any revenue share to TSPs.

NBA submissions if Net Neutrality was not followed:

1. TSPs and ISPs have incentives to favour their own or partner OTT services and kill competing services. We are already seeing instances of this.
2. TSPs and ISPs may charge fees from content producers for adding them to certain “packs” they offer to the users – like it is done in DTH or VAS business.
3. A TSP and ISP can make an exclusive arrangement with one partner and completely block off all competition. Such deals where exclusive content is only available on one ISP would lead to multiple “internets.”

The Committee on “Net Neutrality” has submitted its report to the Department of Telecommunications. Its recommendations broadly contain technical, regulatory and public policy related measures required with respect to Net Neutrality issue. NBA has considered the Recommendations and has submitted its suggestions to the Committee to reconsider the recommendation for zero-rating as defined in Point 12.6 (i).

Examination of the subject ‘Net Neutrality’ by the Standing Committee on Information Technology

The Standing Committee on Information Technology, has informed NBA that they are examining the subject ‘Net Neutrality’ and are in the process of consultation with a number of stakeholders. They have requested NBA to forward a Memorandum containing our views/suggestions on the subject of ‘Net Neutrality’ for placing before the Committee at an early date. Action is being taken in this regard. The representation of NBA would be submitted soon to the Standing Committee.

Interaction of NBA Members with BARC

In view of the activities relating to BARC progressing at a swift pace, it became necessary to engage with BARC so that the members of NBA were fully aware of their obligations, action to be taken prior to commencement of the audience measurement system by BARC and the advantages of subscribing to the data. The interaction with NBA members and BARC officials was held on 31.10.2014. The meeting was well attended by members of NBA. Mr. Rajat Sharma, President, NBA and Mr. Partho Dasgupta, CEO, BARC along with other officials were present during the interaction. The new audience measurement ratings have been rolled out in April 2015.

255th Report of Law Commission of India on Electoral Reforms (March 2015)

The Law Commission of India submitted the above Report to the Ministry of Law and Justice “On Electoral Reforms: Issues on Paid News”. NBA in July 2013 had submitted its response to the Law Commission Consultation on Electoral Reforms: Issues on Paid News. The above Report has referred to NBSA Guidelines on Paid News and Opinion Polls.

Constitution of Delhi Press Accreditation Committee – Directorate of Information and Publicity, Government of NCT of Delhi

NBA Board has nominated Mr. Raman Kumar, Chief Political Correspondent, News 24 to represent, NBA on the Press Accreditation Committee of NCT of Delhi, which has been reconstituted for a period of two years. Confirmation has not been received from Directorate of Information and Publicity, Government of NCT of Delhi.

Order dated 3.3.2015, passed by Hon’ble Court of Shri Puneet Pahwa, Metropolitan Magistrate, Patiala House Courts regarding telecast of documentary titled “India’s daughter”

The Order received vide letter dated 5.3.2015 from Office of the Assistant Commissioner of Police, Cyber Crime Cell, Economic Offence Wing, Police Station, Mandir Marg Complex, New Delhi, not to air excerpts of the interview of the convict Mr. Mukesh Singh in the documentary “India’s daughter”, was circulated to all members on 5.3.2015 for their information.

Second Compensation Benchmarking Survey

NBA Board has decided to commission the Second Compensation Benchmarking Survey, the work for which is under progress so that the Report is available by early next year.

Sharing of Election Data for Assembly Elections – A.C. Nielsen

NBA negotiated with A.C. Nielsen for the counting day election data for the Assembly elections held during the year in Maharashtra, Haryana, Jharkhand, Jammu & Kashmir and Delhi. Several members and non member broadcasters subscribed to the data.

Meeting of NBA Editors with Chairperson, Independent Members of NBSA

A meeting of the NBA Editors with the Chairperson and Independent Members of NBSA was held on 14.1.2015. The meeting was attended by several editors, including President, NBA and Mr. Narayan Rao, Board Member and former President, NBA.

Justice J.S. Verma Memorial Lecture

The 1st Justice J.S. Verma memorial lecture on “Freedom and Responsibility of Media” was delivered by Mr. Arun Jaitley, Hon’ble Union Minister for Finance, Corporate Affairs and Information and Broadcasting on 18.1.2015 in New Delhi. The memorial lecture was well attended by Ministers, Judges of the Hon’ble Supreme Court of India, High Court, senior government functionaries, civil society members, NBA Board members and Members and Editors of NBA. It received excellent coverage in the media.

Attack on Electronic Media

NBA has condemned the attacks on journalists, cameramen and damage to television crew equipment and vehicles belonging to member broadcasters. The NBA has voiced concern on the increasing violence and attack on journalists and media organisations and resentment against the media. The NBA has on such occasions appealed to the respective Governments to restore law and order, book the culprits and ensure

that journalists are allowed to perform their duty in a free and fearless manner. The following press releases were issued during the year under report relating to attack on media:

1. Remarks made by Chief Minister of Telangana

NBA issued a press release dated 11.9.2014, on the remarks made by the Chief Minister of Telangana regarding television news channels and appealed to the Chief Minister to desist from making inflammatory charges against the media and keep the discourse civil and sane. NBA also condemned the illegal and arbitrary actions by cable operators by switching off some of the news channels and urged the government to take cognisance of the same and also take necessary action against such cable operators and individuals.

2. Condemning brutal assault by policemen on journalists and cameramen on 18.11.2014 at Hisar and letter to CM Haryana

NBA issued a press release dated 18.11.2014, condemning the brutal assault by policemen on journalists and cameramen who were covering the police action outside the ashram of self-styled godman Baba Rampal in Hisar, Haryana. NBA had also written to the Chief Minister of Haryana to ensure that action be taken immediately against the men in uniform who ordered and carried out the unprovoked attacks on journalists and cameramen.

Corporate Matters

1. Membership

The details of Members/Associate Members of the Association during the year are annexed at Annexure-1.

2. Office Bearers for 2014-15

In terms of Article 26 of the Articles of Association the following Directors were elected Office Bearers of the Association for the year 2014-15:

President – Mr. Rajat Sharma (Independent News Service Pvt. Ltd.)

Vice President – Mr. Ashok Venkatramani (ABP News Network Pvt. Ltd.).

Honorary Treasurer – Mrs. Anuradha Prasad (News 24 Broadcast India Ltd.)

3. Meetings of Sub Committees

(i) Sales Sub Committee

The Sales Sub Committee met twice during the period under report. The meetings were chaired by Mr. Ashok Venkatramani, Vice President NBA and CEO ABP News.

(ii) HR Sub Committee

HR Sub Committee met once during the period under report. The meeting was chaired by Mr. Ashok Venkatramani, Vice President NBA and CEO ABP News.

Trade Mark Registration

NBA has filed its application with the Registrar of Trade Marks, Office of the Trade Marks Registry at New Delhi for registration of its name and logo on 14.10.2014. The Trade Mark Registration is yet to be given by the Trade Marks Office.

PF Registration

NBA has been registered with the EPF, Delhi North and has been allotted Establishment Code and Name (DLCPM1015077000 News Broadcasters Association) w.e.f. 1.4.2014.

NBA Secretariat

During the year under report, NBA Secretariat has moved to Sector 62 Noida and has been functioning from the new premises.

Re-appointment of Chairperson and Independent Members of NBSA

NBA Board upon invitation nominated Justice (Retd.) R.V. Raveendran, former Judge of the Supreme Court of India, to be Chairperson NBSA for a further period of two years commencing 26.5.2015, for which the consent of Justice R.V. Raveendran had been received. Justice Raveendran does not accept any honorarium for taking on this responsibility.

The term of Mrs. Leela K. Ponappa, Independent Member has been extended for a further period of two years w.e.f. 10.6.2015 and Mrs. Vijaylakshmi Chhabra, has been appointed Independent Member w.e.f. 4.6.2015 for a period of two years.

Sports Matters

Indian Super League (IMG-Reliance Football League 2014)

ICC Cricket World Cup 2015

Hero Hockey India League 2015

PEPSI Indian Premier League 2015

Since, the accreditation terms and conditions of the captioned tournaments, also contained news access guidelines, members were advised not to submit or sign any accreditation papers as the restrictions that are included therein (apart from any additional news access regulations that may be issued later on), shall immediately become binding upon the accredited broadcasters. Therefore, in respect of the above tournaments, member broadcasters were advised to strictly follow the NBA News Access Guidelines for Cricket Test Matches, for One Day and T20 Cricket Matches, Hockey and Football matches. In addition to adhering to the NBA News Access Guidelines, the following specific guidelines as approved by the Board are also to be followed while covering the tournaments.

1. No member broadcaster shall either directly or indirectly access the match venues.
2. Member broadcasters will only cover the matches and no other event such as press conferences, interviews, practice sessions and associated events etc.
3. Member broadcasters who have separate arrangements with third party sources such as SNTV, APTN, Reuters etc., may use footage obtained from such third party sources in accordance with the contractual arrangements with such third parties.

In addition to the above, members were also advised to bear in mind the principles of general applicability relating to fair dealing as laid down by the Hon'ble Division Bench of the Delhi High Court in Judgment dated 11.10.2012 in case FAO (OS) 460 of 2012 titled "NDTV Ltd. Vs. ICC Development (International) Ltd. and Anr."

Content Related Matters Affecting News Broadcasters Pending in the Supreme Court of India and High Courts

Supreme Court

Common Cause Vs. Union of India: Civil Writ Petition No. 387 of 2000 pending before the Supreme Court of India, is a petition under Article 32 of the Constitution of India for issuance of a writ directing the Ministry of Information and Broadcasting and the Ministry of Home Affairs to prescribe norms and guidelines for observance by TV Channels, and to bring about conditions where under TV channels and producers adopt self-regulatory measures. NBA had applied for intervention in the matter; which intervention application was allowed on 17.3.2009. Written Submissions have already been filed by Intervener/NBA in the matter. The matter came up for hearing on 25.9.2014 and Union of India sought four weeks time to obtain instructions and to file affidavits showing the steps the Union of India intended to take and the time frame by which the policy, if any, relating to the above would be implemented. The matter has not come up for hearing before the Hon'ble Court.

Hindu Janjagruti Samiti Vs. Union of India and Ors.: Writ Petition (Civil) No. 963 of 2013 pending before Supreme Court of India. This petition has been filed under Article 32 of the Constitution of India seeking *inter alia* the framing and/or issuance of guidelines in the matter of regulation of Television Channels in India. NBA has received notice in the matter. The matter came up before the Supreme Court on 15.1.2014. The Hon'ble Court observed that apart from the main writ petition, namely, "Common Cause (A registered Society) Vs. Union of India and Ors. W.P. (C) No. 387 of 2000, the other two connected writ petitions i.e., W.P. (C) No. 880 of 2013 and W.P. (C) 1024 of 2013, had to be heard along with this petition. NBA has filed its counter affidavit in the above matter. All connected matters came up for hearing on 25.9.2014 and Union of India sought four weeks time to obtain instructions and to file affidavits showing the steps the Union of India intended to take and the time frame by which the policy, if any, relating to the above would be implemented. The matter has not come up for hearing before the Hon'ble Court.

Media Watch-India Vs. Union of India and Ors.: Writ Petition (Civil) No. 1024 of 2013: This petition has been filed under Article 32 of the Constitution of India seeking *inter alia* to establish systematic and deterrent "self-regulatory" mechanism for the electronic media and other detailed reliefs in regard to content violations and grievances by/against such media. NBA has received notice in the matter. The matter came up before the Supreme Court on 15.1.2014 and has been posted for hearing with "Common Cause (A registered Society) Vs. Union of India and Ors. W.P.(C) No.387 of 2000, and the other three connected writ petitions i.e., W.P.(C) No.880 of 2013 and W.P.(C) No.963 of 2013. NBA has filed its counter affidavit in the above matter. All connected matters came up for hearing on 25.9.2014 and Union of India sought four weeks time to obtain instructions and to file affidavits showing the steps the Union of India intended to take and the timeframe by which the policy, if any, relating to the above would be implemented. The matter has not come up for hearing before the Hon'ble Court.

People’s Union for Civil Liberties and Anr. Vs. The State of Maharashtra and Ors.: Criminal Appeal No. 1255 of 1999 which is pending before the Supreme Court of India arises from an Order passed by the Bombay High Court in Criminal Writ Petition No.1146 of 1997 in relation to alleged fake encounter killings. The Hon’ble Court has delivered its judgement dated 23.9.2014 in the matter titled “People’s Union for Civil Liberties and Anr. Vs. The State of Maharashtra and Ors.” relating to the guidelines to be framed in cases of encounter killings which aspect of the matter does not concern the media or NBA. On the question of the media briefing by the police the Hon’ble Court heard the submissions made by the *amicus curiae*, Anup Bhambhani, Senior Advocate appearing on behalf of NBA, the National Human Rights Commission (NHRC) and Dr. Surat Singh at length on the propriety and procedure of media briefing by police personnel. On behalf of the NBA a compilation comprising the draft/suggested guidelines of police briefing of the media that had originally been drawn up in the ANHAD matter alongwith guidelines in vogue in England and New South Wales were presented to Court and the Court was taken through the highlights of these guidelines, which supported the NBA’s line of argument. The Court commented that the NBA draft guidelines were quite comprehensive and that they should be considered by the central government while framing draft guidelines alongwith the Amicus, which would then be considered by the Court. The NHRC also presented its guidelines to Court alongwith MoH’s advisory. After hearing the submissions the Hon’ble Court directed the amicus to circulate a questionnaire to all the parties in the matters relating to the above issue within 2 weeks. The response by the parties to the questionnaire was to be filed within 6 weeks. NBA has given its response to the questionnaire on police briefing of the media circulated by the Amicus in the matter. The matter has still not come up for consideration before the Hon’ble Court.

Dr. Surat Singh Vs. Union of India and Ors.: Civil Writ Petition No. 316 of 2008 pending before the Supreme Court of India has been filed under Article 32 of the Constitution of India for issuance of a writ for ensuring effective enforcement of fundamental right of citizens (in this case Dr. Rajesh Talwar) in relation to police and media handling of the Aarushi murder case. NBA’s intervention application has been allowed; and NBA will be heard alongwith Dr. Rajesh Talwar, who has also been impleaded in the matter. By interim Order dated 22.07.2008, which is continuing in the matter and which has been reiterated subsequently, the media has been directed by the Supreme Court to exercise restraint in reporting on the Aarushi case. The petitioner moved a fresh application alleging contempt of Court against “India Today” magazine for their coverage of the Aarushi matter in its issue dated 24.1.2011. The Supreme Court had allowed NBA’s application seeking transfer of Writ Petition (Civil) No. 7368 of 2008 titled “Act Now for Harmony and Democracy (ANHAD) and Anr. Vs. Union of India and Ors.” which was pending before the Delhi High Court to the Supreme Court, since the said petition involves similar issues. On 23.8.2013, when upon hearing parties, the Court directed counsel for the CBI and the UP Police to take instructions and revert on issues of media briefing by police personnel. NBA was directed to circulate the draft Guidelines for Media Briefing by Police to the other counsel in the matter; and the Court also further directed that if any person had a grievance in relation to coverage of the Aarushi murder case by any electronic media organisation, they may file an application before the NBSA and that the NBSA had assured the Court that such application (complaint) would be dealt with as per NBSA’s regulations. Thereafter, on 2.12.2013, the Court had sought the opinion of the States and Union Territories on four questions, viz. (i) whether the press briefing to the media by the police is regulated by any rules? (ii) Whether the press briefing given to the media is given only by the person authorised and that too whether verbally or in writing? (iii) What is the procedure in the CBI regarding the Press Briefing? and (iv) Whether

copies of all Press Releases issued by the Department concerned are maintained by the Department including Police Department? and parties had been directed to file their response within six weeks. The Court had also requested the NHRC to examine the issues and frame guidelines; which were to be placed before the Court. On 10.3.2014, the NHRC filed its guidelines and the States were directed to file their response/suggestions to the said guidelines. The matter came up on 1.9.2014 on which date Counsel for NBA pointed out that issues arising for consideration in this writ petition were being examined by another Bench headed by the Hon'ble Chief Justice of India in Criminal Appeal No.1255 of 1999 i.e., "People's Union for Civil Liberties and Anr. Versus The State of Maharashtra and Ors." in respect of the media briefing by the police personnel. In view of the above, the Hon'ble Court deemed it appropriate to direct that this matter also be listed before the Chief Justice's bench for hearing. The matter is to be heard alongwith Criminal Appeal No. 1255 of 1999 titled "People's Union for Civil Liberties and Anr. Vs. The State of Maharashtra and Ors." All Orders passed in Criminal Appeal No.1255 of 1999 i.e., "People's Union for Civil Liberties and Anr. Versus The State of Maharashtra and Ors." subsequent to its transfer to the Court of the Hon'ble Chief Justice of India may be read as a part of the present matter. The said matters have still not come up for consideration before the Hon'ble Court.

Act Now for Harmony and Democracy (ANHAD) and Anr. Vs. Union of India and Ors.: Civil Writ Petition No. 7368 of 2008 before the Delhi High Court was filed under Article 226 of the Constitution of India seeking a judicial inquiry into the encounter killings at Batla House, New Delhi and for laying down guidelines for the police and the media regarding the publication of information obtained/claimed to be obtained during investigation. On the basis of the enquiry report filed by the National Human Rights Commission on the Batla House encounter, the Delhi High Court was pleased to reject the petitioner's prayer for an independent judicial enquiry into the Batla House encounter. However, earlier on the Court had allowed the NBA to intervene in the case whereby NBA was to make submissions to the Court on police-media interaction and related issues. The NBA had also filed Draft/Suggested Guidelines for Media Briefing by Police, which were to be considered by the Court alongwith the guidelines suggested by the Petitioner. However, in the meantime, NBA's application filed in the Dr. Surat Singh matter pending before the Supreme Court (seeking transfer of this writ petition to be heard in the Supreme Court alongwith the Dr. Surat Singh matter) was allowed; and the file of this matter has since been sent up by the Delhi High Court to the Supreme Court to be heard alongwith the Dr. Surat Singh matter.

The orders in this matter are the same as in the matter, Civil Writ Petition No. 316 of 2008 i.e. Dr. Surat Singh Vs. Union of India and Ors. Both the matters will be heard along with Criminal Appeal No.1255 of 1999 i.e. " People's Union for Civil Liberties and Anr. Versus The State of Maharashtra and Ors." The matters have still not come up for consideration before the Hon'ble Court.

M/s News Broadcasters Association and Anr. Vs. Telecom Regulatory Authority of India and Ors.: Civil Appeal No. 1525 of 2013 pending before the Supreme Court of India. The Civil Appeal has been filed against Judgment dated 19.10.2012 passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi in Appeal No. 5(C) of 2012 titled "IndusInd Media Communication Ltd. Vs. TRAI and Anr." On its first listing before the Court on 1.3.2013, the appeal was admitted; and the NBA was granted leave

to file additional grounds and substantial questions of law, for which the NBA has since filed the required application. The matter was posted on 17.4.2013 for final hearing, subject to completion of pleadings. NBA has filed its counter affidavit in the connected IMCL appeal, as directed. However, it may be noted that the NBA Appeal in this case is covered by the law as laid down by the Supreme Court on 6.12.2013 in Civil Appeal No. 5253 of 2010 (Bharat Sanchar Nigam Ltd. Vs. Telecom Regulatory Authority of India and Ors.) in NBA's favour. NBA moved an application in the matter bringing to the notice of the Hon'ble Court that this Appeal is covered by the aforementioned BSNL Judgment and therefore the Court may dispose of the matter on the basis of the said Judgment. The aforementioned matters were mentioned for adjournment by the Counsel for IndusInd Media and Communications Limited on 17.2.2015 and were to come up for hearing after two weeks. The matter has still not come up for consideration before the Hon'ble Court.

IndusInd Media and Communications Limited and Anr. Vs. Telecom Regulatory Authority of India and Ors. (TRAI): Civil Appeal No. D3009 of 2013 pending before Supreme Court of India. This Civil Appeal has been filed by IndusInd Media and Communications Ltd. against Judgment dated 19.10.2012 passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi in Appeal No. 5(C) of 2012 titled "IndusInd Media Communication Ltd. Vs. TRAI and Anr. NBA has filed its counter affidavit in the matter. This appeal is connected with the appeal titled "M/s News Broadcasters Association and Anr. Vs. Telecom Regulatory Authority of India and Ors." Civil Appeal No. 1525 of 2013. The matter came up before the Supreme Court last on 8.1.2014 when parties were permitted to file additional documents/pleadings; and the matter was directed to be listed after the summer vacations. The NBA appeal in this case is covered by the law as laid down by the Supreme Court on 6.12.2013 in Civil Appeal No. 5253 of 2010 (Bharat Sanchar Nigam Ltd. Vs. Telecom Regulatory Authority of India and Ors.) in NBA's favour. NBA moved an application in the matter bringing to the notice of the Hon'ble Court that this Appeal is covered by the aforementioned BSNL Judgment and therefore the Court may dispose of the matter on the basis of the said Judgment. The aforementioned matters were mentioned for adjournment by the Counsel for IndusInd Media and Communications Limited on 17.2.2015 and were to come up for hearing after two weeks. The matter has still not come up for consideration before the Hon'ble Court.

Delhi High Court

M/s News Broadcasters Association and Ors. Vs. Telecom Regulatory Authority of India: Writ Petition (Civil) No. 7989 of 2013 pending before Delhi High Court has been filed by the NBA and its other members under Article 226 of the Constitution of India for quashing and setting aside the Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013, issued by the Telecom Regulatory Authority of India vide Notification dated 22.3.2013. At the hearing on 17.12.2013, the petition has been admitted for final hearing; parties have been directed to complete the pleadings; and in the interim the TRAI has been restrained from taking any coercive measures to make NBA members abide by the impugned Regulations. NBA Members have been directed to file weekly reports of advertising time minutage in prescribed format before the TRAI. On 13.3.2014, the NBA was given time to file its rejoinder to the counter affidavit of TRAI as TRAI had filed its counter affidavit only three days before the hearing. TRAI took almost three months to file its counter affidavit. Interim orders were continued. The matter came up for hearing last on 6.5.2014 when NBA sought further time to file its rejoinder, as NBA pointed out that there were discrepancies in the ad minutage data submitted before the Court by the TRAI and the data which had been submitted by the petitioners before the TRAI.

Further time was granted by the Court to the NBA for filing its rejoinder; and the matter was posted for hearing on 15.7.2014. Interim Orders made in the matter have been continued. NBA has filed its rejoinder to the counter affidavit of TRAI. The matter came up for hearing on 23.7.2015. Since the lawyers in the Delhi High Court were on strike the matter has been posted for hearing to 8.9.2015. The interim orders continue.

Kantar Market Research Services Pvt. Ltd. and Anr. Vs. Union of India and Ors.: Writ Petition Civil No. 494 of 2014 pending before Delhi High Court. This petition has been filed under Article 226 of the Constitution of India seeking *inter alia* the Order or direction quashing the Policy Guidelines for Television Rating Agencies in India. NBA filed their Counter Affidavit on 11.2.2014. The matter came up on 12.2.2014, when Petitioners stated that they are only challenging paras 1.7(a), 1.7(d) as well as 16.1 and 16.2 of the “Policy Guidelines for Television Rating Agencies in India” published on 16.1.2014 by Union of India which prohibits crossholding between Rating Agencies and Advertising Agencies. They also relied upon Section 11 (1) (a) (iv) and (vii) of the TRAI Act to submit that TRAI had no jurisdiction to recommend the impugned guidelines. Kantar Media gave an undertaking to the Court that they would disclose the list of affiliated companies engaged in advertising sector in India as well as a list of significant clients of its affiliated advertising companies on its website, which was accepted by the Court. They were given two weeks to place these details on their website. In view of the above undertaking, Para(s) 1.7 (a) and 1.7(d) as well as 16.1 and 16.2 of the impugned guidelines *qua* the petitioners are stayed till the final disposal of the present writ petition. In view of the deadline for registration expiring on 15.2.2014, TAM Media Research Ltd. in which Kantar Media holds 50% shares has been given two weeks to register under the impugned guidelines. The matter came up for hearing on 12.5.2015. However since the Delhi High Court lawyers were on strike, the matter could not be heard but the Hon’ble Court directed that the matter be posted for hearing to 16.10.2015 and the Indian Broadcasting Foundation who has not filed its counter affidavit after its impleadment has been directed by the Hon’ble Court to do so as per the order dated 12.2.2015. The rejoinder is to be filed by the Petitioner thereafter.

Court on its own motion Vs. Union of India and Ors.: Writ Petition (Civil) No. 787 of 2012 pending before Delhi High Court: This writ petition had been initiated by the Delhi High Court on the basis of a Letter Petition filed by Mr. Anant Asthana, Advocate drawing the attention of the Court to the on going media reportage relating to two year old baby girl named Falak who was admitted at the All India Institute of Medical Sciences and another 15 year old minor girl who had allegedly brought baby Falak to Hospital. By its Order dated 8.2.2012 the Court recorded that the issue related to the violation of particular provisions *inter alia* of the Juvenile Justice (Care and Protection of Children) Act, 2000 by causing breach of privacy by revealing the name/s and identity/ies of the children and the Court expressed that it would frame guidelines for media reportage of such situations. The NBA moved an intervention application in the matter, which application was allowed on 7.3.2012. Expressing that the views of NBA would be important for taking a decision in the matter, the Court had permitted the NBA to nominate a media representative on the committee that the Court has constituted to look into the issues arising in the case. The NBA nominated Ms. Annie Joseph, Secretary General as its nominee on the Committee; and on 7.8.2012 the said committee submitted a Report containing the “Guidelines Proposed for Media Reporting on Children” which contained a note of dissent by the NBA on certain aspects. At the hearing on 8.8.2012, the Court resolved the issues raised by NBA in its dissent by

duly modifying the proposed Guidelines to take care of NBA's concerns. By order dated 8.8.2012, the Court has directed that the guidelines so finalised insofar as media is concerned, be implemented with immediate effect. On 4.9.2013, when the Petitioner sought further time to bring on record the further Proposed Guidelines for stakeholders other than Media for Reporting on Children, NBA had given to the Petitioner a copy of its existing Specific Guidelines for Reporting on the Injured and the Ill so that the same may *mutatis-mutandis* be incorporated in the guidelines proposed by the Committee in relation to reportage on children. The matter was posted before Court on 18.12.2013, when certain procedural orders were made in regard to the members of the Committee looking into the matter; and the Committee has been directed to furnish its report/guidelines with regard to police as well as lawyers as expeditiously as possible, preferably within six weeks. The Court has also directed NCPCR and DCPCR to file their response/report in accordance with para 2.15 of the Guidelines for Media Reporting on Children (approved by the Court vide order dated 5.12.2012) within a period of eight weeks. On 5.11.2014 the Court observed that the NCPCR had filed the report dated 2.9.2014 of the Committee aforesaid *inter alia* to the effect that though the guidelines pertaining to the police and lawyers had been formulated by the Committee but the same could not be finalised as clarifications were required from the Hon'ble Supreme Court. The counsel for NCPCR sought time to make an appropriate application to the Hon'ble Supreme Court for clarification of the Order made in the petition "Bachpan Bachao Andolan" wherein the Supreme Court had directed that every found/recovered child must be photographed immediately by the police for the purposes of advertisement and to make people aware of the missing child. The counsel for NCPCR stated that any prohibition imposed in accordance with Section 21 of the Juvenile Justice (Care and Protection of Children) Act, 2000 by the Delhi High Court in the Guidelines aforementioned would contravene the Supreme Court Order in the above matter. In view of the above the Counsel sought time to seek a clarification from Supreme Court about its order. The matter came up for hearing on 15.07.2015 where upon the Counsel for NCPCR sought further time to seek a clarification from Supreme Court about its order. The matter has been posted to 28.10.2015.

Karnataka High Court

Shri Shakeel Ahmed and Ors. Vs. Suwarna News 24 x 7 and Ors.: Writ Petition No. 13677 of 2012 pending before the High Court of Karnataka at Bangalore: This writ petition filed by Shri Shakeel Ahmed, Advocate, under Article 226 and 227 of the Constitution of India seeks to stop the broadcast of programmes on various TV channels, in which it is alleged that programmes are pre-planned, recorded and broadcast depicting premeditated violence being committed upon persons, in collusion and connivance with TV channels, with a view to denigrating and defaming such persons to seek revenge (described in the petition as premeditated, violent, personal enmity programmes). The Court had issued notice and asked the Respondents to file their versions in the matter. The matter was posted for consideration last on 12.12.2012 on which date it was adjourned for hearing to a later date. Counsel in Bangalore has informed that the matter is being routinely listed everyday since April 2015, if the matter is taken up for hearing before the end of the day, some activity might transpire, as off now nothing has changed as on date.

Lucknow Bench of the Allahabad High Court

Dr. Nutan Thakur Vs. Union of India Writ Petition No. 9976 of 2013 (M/B) before the Lucknow bench. Being aggrieved by the impugned order dated 16.10.2013, passed by the NBSA, Dr. Nutan Thakur filed the above writ petition. The Court has opined that prima-facie the impugned order seems to be cryptic and

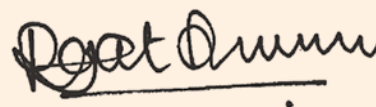
non speaking and the material submitted by the petitioner seems neither considered nor reason has been assigned. The Court expressed the view that prima-facie a writ petition against the decision taken by a non-statutory body (namely NBSA/NBA) seems to be not maintainable; but that keeping in view the public importance of the question raised by the petitioner for creation of some statutory forum where people may seek redressal of their grievances against electronic media (like the Press Council is for the print media), the writ petition was admitted. The Court has also alluded to the issue of paid news appearing sometimes on the electronic media, which the Court has described as a well established fact. The Union of India has been directed to file an affidavit bringing on record its stand as regards providing some statutory forum like PCI against the news item and other material relating to electronic media. The counter affidavit on behalf of NBA has been filed and the rejoinder filed by the Petitioner, has been received. The matter has still not come up for consideration before the Hon'ble Court.

News Broadcasting Standards Authority

Attached is a separate Section - II in relation to the initiatives of the News Broadcasting Standards Authority during the year under report.

Place: New Delhi
July 22, 2015

By Order of the Board of Directors of
News Broadcasters Association



Rajat Sharma
President

Annexure 1

Members of News Broadcasters Association

Members

S. No.	Name of the Broadcaster Member	Channel(s)
1.	ABP News Network Pvt. Ltd.	ABP News, ABP Majha, ABP Anando
2.	Asianet News Network Pvt. Ltd.	Asianet News, Suvarna News
3.	Bennett, Coleman & Co. Ltd.*	Times Now, ET Now
4.	Business Broadcast News Pvt. Ltd.	Bloomberg TV India
5.	Eenadu Television Pvt. Ltd.	ETV-Andhra Pradesh, ETV-Telangana
6.	Independent News Service Pvt. Ltd.	India TV
7.	INX News Pvt. Ltd.	News X
8.	Malayalam Communications Ltd.	Kairali, People
9.	Mathrubhumi Printing & Publishing Co. Ltd.	Mathrubhumi News
10.	MM TV Ltd.	Manorama News Central
11.	New Delhi Television Ltd.	NDTV24x7, NDTV India, NDTV Profit
12.	New24 Broadcast India Ltd.	News 24
13.	News Nation Network Pvt. Ltd.	News Nation
14.	Panorama Television Pvt. Ltd.	ETV UP/Uttarakhand, ETV Rajasthan, ETV MP/Chhattisgarh, ETV Bihar/Jharkhand, ETV Urdu, ETV News Bangla, ETV News Kannada, ETV Haryana/HP, ETV News Gujarati, ETV News Odia
15.	SUN TV Network Ltd.	Sun News, Gemini News, Udaya Varthagalu
16.	TV18 Broadcast Ltd.*	CNN IBN, IBN7, CNBC Bazaar, CNBC TV18, CNBC Awaaz
17.	TV Today Network Ltd.	Aajtak, India Today, Dilli Aajtak, Tez
18.	Zee Media Corporation Ltd.	Zee News, Zee Business, Zee 24 Taas, Zee Sangam, Zee Kalinga, Zee Madhya Pradesh Chhattisgarh, Zee Punjab Haryana Himachal, Zee Marudhara

*Permission is awaited from MoI&B

Associate Members

19.	Hyderabad Media House Ltd.	HMTV
20.	IBN Lokmat News Pvt. Ltd.	IBN Lokmat
21.	Indira Television Ltd.	Sakshi
22.	Odisha Television Ltd.	OTV
23.	Total Telefilms Pvt. Ltd.	Total TV

Independent Auditor's Report

To The Members of News Broadcasters Association

Report on the Financial Statements

We have audited the accompanying financial statements of **News Broadcasters Association**, which comprise the balance sheet as on 31 March 2015 and Income and Expenditure Account for the year then ended and notes to the financial statements comprising of a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

The Company Board of Directors is responsible for the matters stated in Section 134(5) of the Companies Act, 2013 ("Act") with respect to the preparation of these financial statements that give a true and fair view of financial positions, financial performance in accordance with the accounting principles generally accepted in India, including the Accounting Standard specified under Section 133 of the Act, read with Rule 7 of the Companies (Accounts) Rules, 2014. The responsibility also includes maintenance of adequate accounting records in accordance with the provision of this act for safeguarding the assets of the company and for preventing and detecting frauds and other irregularities; selection and application of adequate accounting policies; making judgement and estimates that are reasonable and prudent; the design implementation and maintenance of internal controls that were operating effectively for ensuring the accuracy and completeness of accounting records, relevant to the preparation and presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We have taken into account the provision of this Act, the accounting and auditing standards and matters which are required to be included in the audit report under the provision of the Act and rules made there under.

We conducted our audit in accordance with the Standards on Auditing specified under Section 143(10) of the Act. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of the material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Company's preparation

and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and reasonableness of the accounting estimates made by Directors, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion and to the best of our information and according to the explanations given to us, the financial statements give the information required by the Act in the manner so required and give a true and fair view in conformity with the accounting principles generally accepted in India:

- a. In the case of the Balance Sheet, of the state of affairs of the Company as on March 31, 2015 and
- b. In the case of the Income and Expenditure account, of the Surplus for the year ended on that date.

Report on Other Legal and Regulatory Requirements

This report does not include a statement on the matters specified in paragraph 3 and 4 of the Companies (Auditor's Report) Order, 2015 issued by the Central Government in terms of Section 143 (11) of the Companies Act, 2013, since in our opinion and according to the information and explanations given to us, the said Order is not applicable to the Company.

As required by Section 143(3) of the Act, we report that:

- a. We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit;
- b. In our opinion proper books of account as required by law have been kept by the Company so far as appears from our examination of those books;
- c. The Balance Sheet and Income and Expenditure Account dealt with by this Report are in agreement with the books of account;
- d. In our opinion, the Balance Sheet and Income and Expenditure Account comply with the Accounting Standards specified under Section 133 of the Act, read with Rule 7 of the Companies (Accounts) Rules, 2014.
- e. On the basis of written representations received from the Directors as on March 31, 2015, and taken on record by the Board of Directors, none of the Directors is disqualified as on March 31, 2015, from being appointed as a Director in terms of Section 164(2) of the Companies Act, 2013.

f. With respect to the other matters to be included in the Auditors Report in accordance with the Rule 11 of the Companies (Audit and Auditors) Rules, 2014, in our opinion and best to our information and according to the explanation given to us:

1. There are no pending litigations impacting financial position of the Company as on 31st March, 2015.
2. The Company did not have any long term contracts including derivative contracts for which there were any material foreseeable losses.
3. There were no amounts which were required to be transferred to the Investor Education and Protection Fund by the Company.

For **S. S. Kothari Mehta & Co.**

Chartered Accountants

Firm Regn. No. 000756N

Sd/-

Naveen Aggarwal

Partner

(Membership No. 094380)

Place: New Delhi

Date: July 22, 2015

News Broadcasters Association

Balance Sheet as on 31st March, 2015

(Figures in Rs)

Particulars	Note no.	As at 31 st March, 2015	As at 31 st March, 2014
I. EQUITY AND LIABILITIES			
(1) Members' Funds			
(a) Entrance Fees	1	17,00,000	15,50,000
(b) Reserves and Surplus	2	3,05,51,603	2,76,70,450
(2) Non-Current Liabilities			
(a) Long term Provisions	3	10,79,730	8,17,128
(3) Current Liabilities			
(a) Short term Provisions	4	1,55,313	1,53,146
(b) Other current Liabilities	5	86,03,855	43,25,000
TOTAL		4,20,90,501	3,45,15,724
II. ASSETS			
(1) Non-Current Assets			
(a) Fixed Assets			
(i) Tangible Assets	6	44,41,060	1,85,151
(b) Other Non-current assets	7	1,89,000	
(2) Current Assets			
(a) Trade Receivables	8	80,340	1,12,360
(b) Cash and Cash Equivalents	9	3,49,94,290	3,10,37,291
(c) Short-Term Loans and Advances	10	2,04,809	1,20,760
(d) Other Current assets	11	21,81,002	30,60,162
TOTAL		4,20,90,501	3,45,15,724

Significant accounting policies and other Notes to accounts 16-26

The accompanying notes are the integral part of the Financial Statements

As per our report of even date attached

For **S.S Kothari Mehta & Co.**

Chartered Accountants

Firm Regn. No. 000756N

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(Naveen Aggarwal)	Rajat Sharma	Ashok Venkatramani	Anuradha Prasad	Annie Joseph
Partner	President	Vice President	Honorary Treasurer	Secretary General

M No.: 094380

Place: New Delhi

Dated: July 22, 2015

News Broadcasters Association Income and Expenditure Account for the year ended March 31st, 2015

(Figures in Rs)

Particulars	Note no.	Year ended 31 st March, 2015	Year ended 31 st March, 2014
Income			
I. Subscription	12	1,16,00,000	1,08,75,000
II. Other Income	13	31,14,813	27,54,199
III. Total Income (I + II)		1,47,14,813	1,36,29,199
IV. Expenditure			
Employee Benefit Expenses	14	58,40,066	50,36,645
Depreciation and Amortisation Expense	6	5,43,123	54,950
Administrative and Other Expenses	15	54,50,470	51,43,900
Total Expenditure		1,18,33,659	1,02,35,495
V. Surplus before Tax (III - IV)		28,81,153	33,93,704
VI. Tax Expense:			
(1) Current tax		—	—
(2) Deferred Tax		—	—
VII. Surplus/(Deficit) for the Year (V - VI)		28,81,153	33,93,704

Significant accounting policies and other Notes to accounts 16-26

The accompanying notes are the integral part of the Financial Statements

As per our report of even date attached

For **S.S Kothari Mehta & Co.**

Chartered Accountants

Firm Regn. No. 000756N

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(Naveen Aggarwal)	Rajat Sharma	Ashok Venkatramani	Anurradha Prasad	Annie Joseph
Partner	President	Vice President	Honorary Treasurer	Secretary General

M No.: 094380

Place: New Delhi

Dated: July 22, 2015

News Broadcasters Association

Notes Forming Part of Balance Sheet

(Figures in Rs)

NOTE # 1**Members Funds**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Entrance Fees		
Entrance fees as per last Balance Sheet	15,50,000	13,00,000
Addition during the year	1,50,000	2,50,000
	17,00,000	15,50,000

NOTE # 2**Reserve and Surplus**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
(a) Capital Reserve		
As per last Balance Sheet	50,000	50,000
	50,000	50,000
(b) Special Reserve		
As per last Balance Sheet	1,88,62,037	1,64,43,500
Addition/(Transfer) during the year (Net) (Refer Note 23)	(31,86,695)	24,18,537
	1,56,75,342	1,88,62,037
(c) Surplus, i.e., Balance in the Statement of Income and Expenditure		
As per last Balance Sheet	87,58,413	77,83,246
Addition during the year	28,81,153	33,93,704
Less: Amount transferred to Corpus Fund	(85,00,000)	
Less: (Appropriations)/transfer to/from special reserve (Net)	31,86,695	(24,18,537)
	63,26,261	87,58,413
(d) Corpus Fund (Refer Note 25)		
As per last Balance Sheet	–	–
Addition Amount transferred from Income and Expenditure A/c	85,00,000	–
	85,00,000	
	3,05,51,603	2,76,70,450

NOTE # 3**Long term Provisions**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Provision for Gratuity (Refer Note 24)	10,79,730	8,17,128
	10,79,730	8,17,128

(Figures in Rs)

NOTE # 4**Short term Provisions**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Other Provisions		
-Provision for expenses	1,55,313	1,53,146
	1,55,313	1,53,146

NOTE # 5**Other Current Liabilities**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Subscription Received in Advance	72,00,000	43,25,000
Others	14,03,855	–
	86,03,855	43,25,000

NOTE # 6**Tangible Assets**

Particulars	Gross Block			Depreciation				Net Block	
	April 1, 2014	Addition	March 31, 2015	April 1, 2014	Addition during the year (Refer note no. 18 (a) to the balance sheet)	Adjustment (Refer note no.18 (b) to the balance sheet)	March 31, 2015	March 31, 2015	March 31, 2014
Computer	4,93,628	–	4,93,628	4,24,119	(22,725)	53,953	4,55,347	38,281	69,509
Office Equipment	1,96,792	4,97,631	6,94,423	94,872	92,563	–	1,87,435	5,06,988	1,01,920
Furniture and Fixtures	17,500	–	17,500	3,778	(729)	–	3,048	14,452	13,722
Leasehold Improvement	–	43,01,401	43,01,401	–	4,20,062	–	4,20,062	38,81,339	–
Total	7,07,920	47,99,032	55,06,952	5,22,769	4,89,170	53,953	10,65,892	44,41,060	1,85,151
Previous Year	6,82,500	25,420	7,07,920	4,67,819		54,950	5,22,769	1,85,151	2,14,681

NOTE # 7**Other Non-Current assets**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Security Deposit	1,89,000	
	1,89,000	

(Figures in Rs)

NOTE # 8**Trade Receivables**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Unsecured considered good		
Outstanding for a period less than six months	80,340	1,12,360
	80,340	1,12,360

NOTE # 9**Cash and Cash Equivalents**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Balance with Banks		
In Current account	57,25,049	40,24,714
Cash on Hand	21,045	12,577
	57,46,094	40,37,291
Current portion		
Fixed Deposits with Bank	2,92,48,196	2,70,00,000
	3,49,94,290	3,10,37,291

NOTE # 9.1**Fixed Deposits with Bank**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Fixed Deposits with Bank		
-Upto 12 months maturity from date of acquisition	2,77,48,196	65,00,000
-Maturity more than 12 months but within one year from the reporting date	15,00,000	2,05,00,000
Shown as Current Assets	2,92,48,196	2,70,00,000

NOTE # 10**Short term Loans and Advances**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Unsecured considered good		
- Advances recoverable in cash or kind or value to be received	1,49,145	1,20,652
TDS Receivable	55,664	108
	2,04,809	1,20,760

NOTE # 11**Other Current Assets**

Particulars	As at 31 st March, 2015	As at 31 st March, 2014
Interest accrued on Fixed deposits	21,81,002	30,60,162
	21,81,002	30,60,162

News Broadcasters Association

Notes Forming Part of Income and Expenditure Accounts

(Figures in Rs)

NOTE # 12**Revenue from Operations**

Particulars	Year Ended 31 st March, 2015	Year Ended 31 st March, 2014
Subscription	1,16,00,000	1,08,75,000
	1,16,00,000	1,08,75,000

NOTE # 13**Other Income**

Particulars	Year Ended 31 st March, 2015	Year Ended 31 st March, 2014
Interest Income	30,13,159	26,53,399
Miscellaneous income	1,01,654	1,00,800
	31,14,813	27,54,199

NOTE # 14**Employee Benefit Expenses**

Particulars	Year Ended 31 st March, 2015	Year Ended 31 st March, 2014
Salaries and Wages	51,05,498	42,01,072
Contribution to Provident Fund	4,47,473	–
Gratuity Expense	2,62,602	8,17,128
Staff Welfare Expenses	24,493	18,445
	58,40,066	50,36,645

NOTE # 15**Administrative and Other Expenses**

Particulars	Year Ended 31 st March, 2015	Year Ended 31 st March, 2014
Printing and Stationary	1,88,259	1,57,070
Legal and Professional Charges	21,17,130	24,96,425
Meeting Expenses	8,05,143	11,00,967
Newspapers, Books and Periodicals	58,256	64,015
Communication Expenses	1,22,740	1,13,558
Travelling and Conveyance Expenses	9,98,424	8,54,375
Rent and Electricity	9,24,984	2,21,328
Website Maintenance Expenses	50,139	44,832
Repairs and Maintenance-Computer	1,100	4,410
Repairs and Maintenance-Building	1,11,516	19,042
Miscellaneous Expenses	7,299	4,676
Interest on TDS	5,180	10,055
Auditor Remuneration:		
Audit Fee	57,000	49,440
Out of pocket expenses	3,300	3,707
	54,50,470	51,43,900

16. Brief Information of the Company

News Broadcasters Association is a Company Limited by Guarantee not having a Share Capital, not for Profit registered under Section 8 of the Companies Act, 2013 (Section 25 of the Erstwhile Companies Act, 1956) with the main objectives *inter alia*, to promote, aid, help, encourage, develop, protect and secure the interests of the News Broadcasters in the Indian television Industry and other related entities and to promote awareness about the latest developments in the television industry relating to News Broadcasting and to disseminate knowledge amongst its members and the general public regarding such developments.

17. Summary of Significant Accounting Policies

- a) The company follows the mercantile system of accounting and recognises income and expenditure on accrual basis. The accounts are prepared on historical cost basis in accordance with generally accepted accounting principles in India, accounting standard specified under Section 133 of Companies Act 2013, read with Rule 7 of Companies (Accounts) Rules 2014, the Companies Act 2013 (to the extent notified and applicable) and applicable provisions of the Companies Act, 1956 as a going concern.
- b) **Revenue Recognition**
Subscription from the members is recognised on accrual basis considering the reasonable certainty for the ultimate collection.
- c) **Fixed Assets and Depreciation**
 - i. Fixed Assets are stated at cost inclusive of all related and other incidental expenses less accumulated depreciation.
 - ii. Depreciation has been provided in accordance with Schedule II of the Companies Act 2013, based on the straight line method over the remaining useful life of assets.
- d) **Taxation**
The company is exempt from tax on income under Section 11 and 12 of the Income Tax Act, 1961; hence no provision has been made for the same.
- e) **Entrance Fee**
Entrance fees treated as capital receipts and hence been shown separately.

Forfeited entrance fee is transferred to Capital Reserve in the case of removal or resignation of any member.
- f) **Employee Benefits**
Gratuity Liability is provided on actual basis *pro-rata* to the number of years served based on the principles stated under the Payment of Gratuity Act, 1972.
- g) **Provisions, Contingent Liability and Contingent Assets**
 - i. Provisions involving substantial degree of estimation in measurement are recognised when the present obligation resulting from past events give rise to probability of outflow of resources embodying economic benefits on settlement.

- ii. Contingent liabilities are not recognised and are disclosed in notes.
- iii. Contingent assets are neither recognised nor disclosed in financial statements.
- iv. Provisions are reviewed at each Balance sheet date and adjusted to reflect the current best estimates.

h) Use of Estimates

The presentation of financial statements in conformity with the generally accepted accounting principles requires estimates and assumptions to be made that affect reportable amount of assets and liabilities on the date of financial statements and the reported amount of revenues and expenses during the reporting period. Difference between the actual results and estimates are recognised in the year in which the results are known/materialised.

Other Notes to Accounts

18. Note: Change in Accounting Policy

- (a) Effective April 01, 2014, the Company has with retrospective effect changed its method of providing depreciation on fixed assets from the Written Down Value method to the Straight Line method, by providing the depreciation in accordance with Schedule II of the Companies Act, 2013. Management believes that this change will result in more appropriate presentation and will give a systematic basis of depreciation charge, representing the time pattern in which the economic benefits will be derived from the use of these assets. Accordingly, the Company has recognised a decrease in depreciation charge of Rs. 1,23,876 which has been adjusted from the depreciation charge of the current year.
- (b) Further, considering the transitional provisions of Schedule II of the Companies Act, 2013, after keeping the residual value upto 5% of the Gross Block, carrying amount of assets whose remaining useful life is Nil as on 1st April 2014 is adjusted from the current year depreciation and appropriately disclosed in the financial statement at Note No.6.

- 19. In the opinion of the management, the value on realisation of current assets, loans and advances in the ordinary course of activities would not be less than the amount at which they are stated in the Balance Sheet and provisions for all known liabilities has been made.
- 20. The company is a Small and Medium sized company (SMC) as defined in the general instructions in respect of Accounting Standards notified under the Companies Act, 1956. Accordingly, the company has complied with the Accounting Standards as applicable to a Small and Medium sized company.
- 21. Based on the information available with the company, no balance is due to Micro and Small Enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 as on 31st March 2015. Further during the year no interest has been paid, accrued or payable under the terms of the said Act.
- 22. The Company is registered under Section 8 of the Companies Act, 2013 (Sec. 25 of the Erstwhile Companies Act, 1956) and further it has got the registration under Section 12AA of the Income Tax, 1961. Accordingly, income is also exempted from Tax u/s 11 and 12 of the said Act. Therefore, provisions of the Accounting Standard, AS-22 on Accounting for Taxes on Income are not applicable on the company.

23. Special reserve has been created under Section 11 of the Income Tax Act, 1961, by transferring the unutilised amount in excess of 15% of the total income, for the purpose of building the infrastructure of the Association with a view to achieve the objects stated in the Memorandum of Association.

However, during the year, company has incurred expenditure of Rs. 47,99,032/- from special reserve created under Section 11 of the Income Tax Act, 1961, towards the objectives as stated above.

24. Gratuity provision has been provided pro-rata based on the current salary drawn and number of years of services. Management is of the opinion that this provision will not be materially different from actuarial calculations as provided in Accounting Standard-15.

25. During the year Board of Director decided to set aside some portion of the surplus of the association as corpus fund for the purpose of long term association requirement. Accordingly disclosure has been made in the Note 2 relating to reserves and surplus.

26. Figures of the previous year have been rearranged/regrouped to conform to those of current year.

As per our report of even date attached

For **S.S Kothari Mehta & Co.**

For and on behalf of the Board

Chartered Accountants

Firm Regn. No. 000756N

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(Naveen Aggarwal)	Rajat Sharma	Ashok Venkatramani	Anuradha Prasad	Annie Joseph
Partner	President	Vice President	Honorary Treasurer	Secretary General

M No.: 094380

Place: New Delhi

Dated: July 22, 2015

Section II

News Broadcasting Standards Authority

During the year under report, the NBSA has been meeting regularly under the Chairmanship of Justice R.V. Raveendran, former Judge of the Supreme Court of India and proactively taking actions to ensure that broadcasting standards of member broadcasters improve. During the year 110 complaints were considered and reviewed by the Authority, which included complaints received from the Ministry of Information and Broadcasting and the Election Commission of India.

The independent regulatory mechanism envisages a two tier mechanism for resolution of complaints of viewers. The first tier being the broadcaster and the second being the NBSA. Since, several complaints get resolved at the first tier i.e., at the broadcaster level, only a few complaints warranted action by the NBSA. In the latter category of cases, the NBSA issued notices where it so decided; in some cases even took *suo motu* action. NBSA after considering the complaints and hearing the parties or otherwise issued necessary decisions/orders.

Meetings of the Authority

The Authority met 6 times during the year and all the meetings were held in New Delhi.

Complaints received from Ministry of Information and Broadcasting

Complaint dated 7.7.2014 from Shri Rajiv Kumar Singh alleging defamatory programmes against late Shri Sudarshanji, by various TV channels

Complaint

Complaint related to news reports on Aaj Tak (26th and 28th June 2014) and ABP News (27th June, 2014) regarding alleged involvement of RSS leader late Shri Sudarshan Ji in an alleged recruitment scam of food inspectors in the state of Madhya Pradesh. The complainant stated that the broadcasters had violated the provisions of Rules 6(d) of the Cable Rules, 1994. Mr. Rajiv Khandekar, Editor Member, being an interested party recused himself from the proceedings.

Decision

NBSA at its meeting held on 27.8.2014 considered the complaint and the response given by the broadcasters. It noted that Aaj Tak in its telecast, to ensure a balanced and fair reporting, had taken the byte of the other side. ABP News stated that the broadcast was not part of their commentary or part of their script and that it had merely aired a third party's remarks as part of the programme. NBSA was of the view that when content of a third party is being broadcast, it requires due diligence and verification prior to such broadcast. NBSA sought clarification from the broadcaster as to whether an opportunity was given to the party who was being reported upon, to present or explain their views and then decide the complaint. NBSA considered the response given by ABP News at its meeting held on 30.9.2014 regarding the aforesaid broadcast and also

viewed the CD. NBSA noted that what was broadcast was the statements made by the accused referring to Shri Sudarshanji and not any comments or statements by the broadcaster itself and that to balance such report of the news item, the broadcaster had also broadcast comments from senior functionaries of the BJP and the RSS denying any involvement of Shri Sudarshanji. As there was no violation of any Regulations/Guidelines in the broadcast, NBSA decided that no further action needs to be taken in the matter and directed that the matter be closed and the MoI&B informed accordingly. The decision of the NBSA was conveyed to the MoI&B.

Complaint dated 12.6.2014 from Group Captain Anil Gupta (Retd.) against breaking news on Headlines Today

Complaint

Complaint related to ‘Breaking News’ text shown on the channel relating to summoning of Mr. Nihal Chand, a Minister in the Central government, which according to the complainant was inflammatory, objectionable and also sensational.

Decision

NBSA considered the complaint at its meeting held on 27.8.2014 and noted that the subject matter of the tickers running on the channel were factually correct and hence were not in violation of the NBA/NBSA Guidelines. NBSA decided that no action needs to be taken and the complaint be closed and MoI&B informed accordingly. The decision of the NBSA was conveyed to the MoI&B.

Complaint dated 7.6.2014, from Ms. Usha Verma and others alleging telecast of objectionable programme (Phansaram Se 10 Sawal) on Tej News Channel on 30th and 31st May, 2014

Complaint

Complaint related to a programme ‘Phansaram se 10 Sawal’ telecast on Tej News channel, wherein the complainants alleged that in the said programme the channel had ridiculed and defamed Asaram Bapu, which according to them had hurt the religious sentiments of viewers. It was also alleged that the broadcast violated Rule 6 (1) (a), (c), (d), (i), (f) and (m) of the Cable Television Network Rules, 1994, as it offends the good taste of religious persons, as it directly attacks a particular religious group who are the followers of the saint (Asaram Bapu), as it contains obscene defamatory dialogues hurting the sentiments of followers of the said saint, as it harms the image of the said saint and contains visuals or words which reflect a slandering, ironical and snobbish attitude towards the saint and his followers. It was also alleged that the broadcast violated Rule 6(1) (f) of the Cable Rules as it commented on an issue pending in the court.

The broadcaster in reply stated that the impugned telecast “Phansaram se 10 sawal” was a purely fictional, humour based programme aimed at entertaining viewers; that nowhere in the programme, the name of Asaram Bapu was mentioned; that many such shows are made by the broadcasters with fictional characters, with the intention of providing the viewers, a new paradigm of entertainment; and that the show did not intend to defame any person or hurt the religious sentiments of any Section or community. The broadcaster also stated that if the show had hurt the religious sentiments of any Section or community, the same was regretted.

Decision

NBSA at its meeting held on 27.8.2014 considered the complaint, response of the broadcaster and also viewed the programme. NBSA found that no reference was made of Shri Asaram Bapu in the telecast; and that the programme appeared to be a humorous satire for the entertainment of the viewers, and not a programme intended to hurt or bring disrepute to any individual. NBSA noted that the broadcaster did not violate any provisions of the NBSA Code of Ethics and Guidelines. NBSA decided that the MoI&B, the complainants and the broadcaster be informed of the decision of NBSA and the matter be closed. The decision of the NBSA was conveyed to the MoI&B, complainants and the broadcaster.

Complaint dated 25.2.2014 from Mr. Rahul Singh and by his father against India TV, Zee News and ETV UP followed by a repeat complaint by Mr. Rahul Singh's father

Complaint

The complaint related to a news report of an incident which took place on 15.2.2014 (around noon). In an execution of a decree, the Court Amin along with police personnel, the decree holder and his counsel (complainant), visited a premises which had to be delivered to the decree holder in pursuance of a court decree. The complainant alleged that while the decree for possession of land was being executed, some illegal occupants, when asked to vacate the premises started abusing and throwing bricks and started beating the complainant (Mr. Rahul Singh, Advocate) and the Court Amin; and to protect himself, the complainant fired a shot and ran away from the place. According to complainant, without verifying the facts or checking the court decree or giving any opportunity to the decree holder or the complainant to place their version, the broadcasters wrongly and baselessly described the complainant and the decree holder as belonging to "land mafia and goondas". The complainant also alleged that what was broadcast was a distorted version, without showing the entire incident. Complainant alleged that such biased broadcasts, has severely tarnished his reputation and that of his family.

The broadcasters in their response have stated that the allegations made by the complainant were not correct; that as news broadcasters, it was their duty to cover an incident when they came to know that large scale violence had erupted in the city of Allahabad, and when locals informed them that some individuals had come to grab a property; that the matter was reported "live"; that the telecast showed that persons from both sides were using fire arms and one person, who appeared to be a lawyer, was firing from the weapon in his possession; and that the broadcasts did not mention his name or disclosed his identity. It was contended that during a live coverage of violence it was not possible to interview any one nor hold any investigation; and that in the subsequent bulletins the versions of the police officials about the incident were also broadcast.

Decision

NBSA at its meeting held on 30.9.2014 viewed the CD of the broadcasts and noted that while the broadcasters were covering a violent incident, the visuals that were being repeatedly shown was that of the advocate (complainant) firing from his weapon. NBSA was of the view that use of the words like "land mafia, goonda" etc. when showing the complainant or his client, was objectionable and the telecast tarnished the image of the individuals shown. Even when the versions of police officials were subsequently aired, to balance the broadcast, the version of the complainant and others, who had gone to take possession of the land as per the court order, was not aired.

NBSA was of the view that the broadcasters had violated the principles relating to impartiality, objectivity and neutrality while reporting the incident and the language used was objectionable. NBSA, therefore, decided to direct the broadcasters to carry the unedited version of the complainant, at the same time that the news was first broadcast on the channels that is at 12 noon. The complainant shall be allotted a slot of one and half minutes to explain his version. The complainant shall cooperate with the broadcasters, that are ETV UP, Zee News & India TV, to record his version, which shall be restricted only to the clarification and nothing offensive or objectionable shall be stated against the said channels or the opposite party in the litigation, in such clarification. Proof of compliance with the details of the broadcast was to be submitted by the broadcaster within one week of telecast. The broadcasters have complied with the Order of the NBSA.

Letter dated 28.8.2014 received from the Section Officer (BC-II), MoI&B: Alleged violation of Programme Code by Manorama News TV Channel on 10.4.2014, 22.4.2014, 7.5.2014 and 12.5.2014

Complaint

NBSA considered the above complaint received from the MoI&B, wherein it was brought to its notice that the broadcaster (Manorama News) on various days while airing various news items had shown visuals of dead bodies without editing or blurring the same. NBSA also considered the response given by the broadcaster wherein they have expressed regret for carrying the visuals of dead bodies without blurring/masking the images. The broadcaster had also issued an advisory to the editorial staff in this regard.

Decision

NBSA noted that the broadcaster despite being warned in the past not to carry visuals of dead bodies without blurring the same was again repeatedly making the same mistake, which had to be viewed seriously. NBSA, therefore, decided that the broadcaster be directed to carry an apology (as per text provided by NBSA, to be translated by broadcaster from English to Malayalam) prominently on their channel prior to the 8 pm news expressing regret for the same. Proof of compliance with the details of the broadcast was to be submitted by the broadcaster within one week of telecast. NBSA decided that the MoI&B be also informed of the decision and the matter be closed. The broadcaster complied with the order of NBSA. The decision of the NBSA was conveyed to MoI&B.

Letter dated 28.8.2014 received from the Section Officer (BC-II), MoI&B: Alleged violation of Programme Code by Gemini News TV Channel on 6.6.2014

Complaint

NBSA considered the complaint alleging that the broadcaster while reporting gang rape of a kidnapped girl had revealed the name of the rape victim, her location and other details, which made it possible to easily identify the victim. The broadcaster stated that they were careful to mask the victim's face in the visual clippings and took utmost care in not mentioning her name during the news anchoring part. Unfortunately due to oversight they revealed the name of the victim twice in the concluding portion of the news item, which was unintentional. This fact is not in dispute.

Decision

NBSA considered the response given by the broadcaster wherein they stated that they had no intention to jeopardise the victim's future/social life by revealing her name in their news channel in particular and denigrate the image of women in general.

NBSA noted that such reporting harmed and insulted the victim in addition to the trauma and pain caused by the rape, and that the broadcast was in violation of the NBSA "Guidelines on reportage of cases of sexual assault". NBSA, therefore, decided that the broadcaster shall carry an apology prominently on their channel prior to the 8 pm news expressing regret for the same. The text of the apology (in English) shall be given by NBSA to the broadcaster, who should have it translated into the language of the broadcast, before the broadcast and compliance by submitting a compact disc containing the telecast with particulars of the time and date of the telecast within one week of telecast. NBSA decided that the MoI&B be also informed of the decision and the matter be closed. The broadcaster complied with the decision of the NBSA. The decision of the NBSA was conveyed to MoI&B.

Letter dated 10.10.2014 received from the Section Officer, (BC-II), MoI&B: Alleged violation of Programme Code by ETV Andhra Pradesh News Channel - Report broadcast on 24.7.2014 (11.36.22 hrs)

Complaint

MoI&B brought to the notice of NBSA that ETV Andhra Pradesh News Channel had repeatedly shown unedited visuals of dead and injured children, in an accident where a school bus was hit by a train at Masaipet, Medak District.

Decision

NBSA considered the complaint under its Regulations i.e. Code of Ethics and the Guidelines relating to Reporting of the Ill and Injured. It also considered the response given by the broadcaster asserting that showing such visuals was necessary and appropriate, having regard to the gravity of the incident. After viewing the CD of the broadcast, NBSA was of the view that the explanation given by the broadcaster was not satisfactory and decided that the broadcaster be directed to appear before the NBSA for a hearing.

At the hearing held on 14.1.2015, Mr. Rajendra Prasad, Deputy News Editor, ETV Andhra Pradesh, was informed that repeated showing of unedited visuals of dead bodies and lamenting family members in the Masaipet train accident (Medak District), in which 20 children were killed, was in violation of the Code of Ethics and the Guidelines relating to reporting of the Ill and Injured. Mr. Rajendra Prasad stated that the object was to show the gravity of the matter and defended the action by explaining that the objected visuals were shown in black and white to tone down the disturbing nature of the visuals. NBSA did not find the response justifying the disturbing visuals to be satisfactory, and decided to give time upto 8.2.2015 to convey in writing, its regrets for carrying such disturbing visuals. By email dated 30.1.2015, the broadcaster was informed of the said decision of the NBSA. By letter dated 2.2.2015, the broadcaster expressed clear regrets for carrying disturbing visuals of the dead bodies of children in the news broadcast on 24.7.2014 and assured that in future they would be more careful while airing any visuals relating to the ill and injured. NBSA considered the

said letter expressing regret, and decided to close the matter with a warning to the channel to be careful in the future and decided that MoI&B be also informed accordingly. The decision of the NBSA was conveyed to the broadcaster and to MoI&B.

Letter dated 10.10.2014 received from the Section Officer (BC-II), MoI&B: Alleged violation of Programme Code by OTV News Channel: Report broadcast on 22.5.2014 (at 18.05.32 hrs) and on 24.3.2014 (at 16.55.25 hrs)

Complaint

The complaint is that the channel had showed visuals of dead bodies without any editing and blurring on 22.5.2014 (18.05.32 hrs) while reporting about a murder and on 24.3.2014 (16.55.25 hrs) while reporting about a beating resulting in death.

The broadcaster admitted the violations, and stated that they were unintentional and inadvertent. The broadcaster also assured that it will be more careful in future.

Decision

NBSA considered the complaint, response dated 22.10.2014 and viewed the CD containing the alleged broadcasts. NBSA decided that the broadcaster be directed to be careful in broadcasting such visuals and also inform the broadcaster that any future transgressions would be viewed seriously. NBSA decided to close the complaint and thereafter inform the MoI&B. The decision of the NBSA was conveyed to MoI&B and to the broadcaster.

Letter dated 10.10.2014 received from the Section Officer (BC-II), MoI&B: Alleged violation of Programme Code by Sakshi TV Channel: Report broadcast on 25.7.2014 at 17.55.17 hrs.

Complaint

The broadcast related to an accident in which a school bus was hit by a train at Masiapet, Telengana, in which twenty children were dead and several were injured. It is alleged that the broadcaster had repeatedly shown the unedited visuals of dead bodies of the children which were gory and disturbing.

The broadcaster admitted that while airing the news item relating to the accident on 25.7.2014 (at 13.26 hrs, 15.41 hrs and 17.55 hrs), dead bodies were shown inadvertently without proper editing, though they took utmost care in airing such visuals and footage. The broadcaster also stated that the mistake was rectified after noticing the same. The broadcaster also assured that it will ensure that such lapses are not repeated.

Decision

NBSA considered the complaint and noted that the broadcaster had not submitted the CD containing the rectified version of the broadcast. NBSA therefore decided to require the broadcaster to submit the CD containing the following broadcasts relating to the train accident at Masaipet - aired on 25.7.2014:

- First telecast at 13:26 hrs
- Second telecast at 15:41 hrs

- Third telecast at 17:55 hrs
- Rectified telecast

NBSA decided to consider the matter further, after receiving the CDs. It also decided to close the matter with a warning, in view of apology and assurance, if the broadcaster had rectified the violation in the later telecast/s.

The broadcaster in its reply dated 19.12.2014 informed NBSA that it had not aired the broadcast after rectification, as there was no occasion for it; that it had identified the problem and rectified it; that it dropped the item from the run down and did not air it later; and that the rectified video was saved in archives (video library) for future reference so that only the rectified version goes on air if there is a need.

NBSA considered the said explanation and decided to close the matter with a warning to the channel to be careful in the future. The decision of the NBSA was conveyed to the broadcaster and MoI&B.

Telecast of report relating to the death of Shiva Kumar, killed by Maoists in Khammam District of Andhra Pradesh: Sakshi TV on 22.4.2014 (at 22:22:58 hrs)

Complaint

The complaint was that the visuals of the dead body were not properly edited or blurred.

The broadcaster in its response had admitted that in the telecasts of the news item on 22.4.2014 (at 22.22 hrs and 23.36 hrs) the dead body was shown without proper editing due to inadvertence. The broadcaster assured that they will ensure that such lapses do not occur.

Decision

NBSA considered the complaint, response and viewed the CD containing the alleged broadcasts. NBSA decided to direct the broadcaster to be careful in future and inform the broadcaster that any future transgressions would be viewed seriously. With such a decision, NBSA closed the complaint and decided to inform MoI&B. The MoI&B was informed of the decision of the NBSA.

Telecast of Programme titled “Wonder World” on Sakshi TV on 20.7.2014 at 07:51:21 hrs.

Complaint

The complaint related to broadcast of a dangerous stunt on a bike. MoI&B alleged that youngsters watching such programmes may attempt to do such stunts without proper guidance and put themselves to danger.

The broadcaster stated that the programme was telecast on 19.7.2014 (19.30 hrs) and 20.7.2014 (7.30 hrs). It further stated that the following alert was aired twice, before and after the telecast: “The stunts performed in this show are done under the supervision of experts. Do not try to imitate this.” In view of the complaint, the broadcaster had assured that in future, instead of airing the warning before and after the telecast, it will run a strip containing the warning continuously during the telecast.

Decision

NBSA decided that the broadcaster be directed that in future if such programmes are to be telecast, there should be a continuous legible disclaimer throughout the programme. With such direction, NBSA decided to close the complaint and inform the broadcaster and the MoI&B. The decision of the NBSA was conveyed to the broadcaster and MoI&B.

Letter dated 23.9.2014 received from the Under Secretary, MoI&B: Complaint from S. Kumar against telecast of objectionable content by ETV News Kannada channel on 29.8.2014 (16.00 hrs)

Complaint

The complaint is that a discussion programme on the topic “whether Lord Rama and his wife Seetha were vegetarian or not,” telecast on ETV Kannada Channel on 29.8.2014, which according to the complainant, diminished the value of Indian culture; and that the channel should have debates on important burning issues.

The broadcaster stated that the programme was not intended to hurt the sentiments of any group; that several religious Gurus had participated in the said programme; and that the programme did not violate the Code of Ethics or Broadcasting Standards.

Decision

NBSA considered the complaint and the response. It found that the complaint related to the content of programme, which was within the area of Editorial discretion; and that the programme did not violate any Broadcasting Standards or Code of Ethics or Guidelines. NBSA noted that it will not sit in judgment over the nature of the content aired on any channel which falls under editorial discretion, when there are no violations of the Code of Ethics and Guidelines. NBSA decided that no action is warranted and to inform MoI&B accordingly. The decision of the NBSA was conveyed to the MoI&B and the broadcaster.

Letter dated 29.9.2014 received from the Under Secretary, MoI&B: Complaint against News-X TV channel for showing disrespect to the national flag in the programme “Speak Out India” on 30.8.2014

Complaint

The complaint is that the channel dishonored the national flag by depicting the tricolors of the national flag in the reverse (green on top and saffron at the bottom).

The broadcaster in its response asserted that it did not show the national flag in the said programme and the choice of colors for the programme theme “Speak Out India” is random.

Decision

NBSA considered the complaint, response of the broadcaster and viewed the CD and found that the channel had not shown the national flag in the said programme “Speak Out India” telecast on 30.8.2014. The broadcaster, among other colours, used green, saffron and white, as part of the background and that in no

way indicates the Indian national flag. The broadcaster has the freedom to use any colour combination in their programme. Therefore, NBSA decided to close the complaint and inform MoI&B. The decision of the NBSA was conveyed to the MoI&B and the broadcaster.

Letter dated 22.9.2014 received from the Under Secretary, MoI&B: Complaint from Mr. Birendra Raturi against telecast of alleged objectionable content/news report by Times Now TV Channel from 28th to 30th September 2014

Complaint

The complaint relates to continuous telecast of live content/news report regarding unrest in Islamabad, Pakistan by 'Times Now' TV news channel from 28th September to 30th September 2014. The grievance was about an exhaustive coverage on an issue which the complainant considered to be not relevant.

The broadcaster in its response dated 31.10.2014 contended that the unrest in a neighbouring country is relevant and news worthy having repercussions in India, and there was no wrong motivation as alleged, in broadcasting the news.

Decision

NBSA considered the complaint and the response given by the broadcaster. NBSA found no violation of any standards or Guidelines and therefore decided that no action was called for on the complaint. NBSA therefore decided to close the complaint and inform MoI&B accordingly. The decision of the NBSA was conveyed to the MoI&B and the broadcaster.

Letter dated 22.10.2014 received from the Under Secretary (BC.II), MoI&B: Complaint from Ms. Kothapalli Geetha, Hon'ble M.P. (LS) against telecast of alleged defamatory and vulgar programme by Sakshi TV channel on 29.7.2014 (at 19.00 hrs, 22.00 hrs and 23.00 hrs)

Complaint

The complaint dated 4.8.2014, submitted to the Hon'ble Speaker of Lok Sabha by Ms. Kothapalli Geetha, Hon'ble M.P. (LS), was sent to NBSA by MoI&B. The complainant alleged that certain MLAs had made defamatory and derogatory comments against her in an indecent and vulgar manner denigrating her image and threatened her existence.

When the complaint was forwarded to the broadcaster, it sent a reply pointing out that the complainant was elected as a candidate of YSR Congress party; that what were aired were the comments/views of Legislators and functionaries of YSR Congress party, in regard to complainant's meeting with the Chief Minister of Andhra Pradesh; and that there was no violation of any Guidelines in the broadcasts on 29.7.2014.

Decision

On consideration, NBSA noticed that the channel had not given an opportunity to the complainant to put forth her views. NBSA, therefore, decided that the channel be asked to confirm in writing, whether any opportunity was given to the complainant to put forth her version and the action, if any, taken by them to

set right the grievance. The broadcaster in its reply stated that two leaders of YSR Congress had organised a press meet in their office, which was aired by the channel; that what was aired was purely the opinion of the YSR Congress party representatives at the said press meet, and not expression of any opinion by the channel. It also stated that in the event of Ms. Kothapalli Geetha calls a press meet inviting Sakshi TV to counter the viewpoints of the above two leaders of the YSR Congress, it will also telecast the same. NBSA considered the complaint and explanation. NBSA decided to convey the offer of the channel to the complainant, and that if she wanted an opportunity to express her views by calling a press meet, she may inform the date and time of such press meet so that the channel can air the same. NBSA decided to close the matter with these observations. The decision of the NBSA was conveyed to the complainant, MoI&B and the broadcaster.

Letter dated 24.7.2014 received from the Under Secretary (I) MoI&B: Complaint from Shri D.K. Nathani and Shri Sanjay Patel against telecast of alleged objectionable/distorted programmes on Asaram Babu by News 24, P7, India News & News Nation TV Channels

Complaint

NBSA considered the complaint dated 26.12.2013 lodged with National Commission for Protection of Child Rights (NCPCR), which was forwarded by MoI&B. NBSA noted that three broadcasters against whom the complaint was made were not members of NBA and therefore do not fall under the jurisdiction of NBSA. Only News 24 channel was a member of NBA.

In the complaint it was alleged that on 12.12.2013 (at 3.05 PM), News 24 channel had telecast a video clip in which the act of Asaram Babu blessing a girl by placing his hand on her shoulder, had been distorted and shown as an act of caressing a minor girl in an indecent manner and has defamed the complainants and her family, in a news programme with the title 'Asaram ki Dirty Picture.'

The broadcaster furnished a recording of the telecast and contended that no part of the telecast violates the Standards/Guidelines of MoI&B, NBSA or NCPCR.

Decision

NBSA considered the complaint, response and the recording. The complaint (to NCPCR) is basically against the police for not taking action on a complaint with reference to a FIR registered with Gurgoan police station. As the complainant had already lodged a FIR and taken legal action, NBSA decided that no action was warranted by it and to inform MoI&B accordingly. The decision of the NBSA was conveyed to the MoI&B.

Letter dated 28.10.2014 received from the Under Secretary MoI&B forwarding a complaint of Devaprasad V. Kurup against telecast of objectionable content/news report by Asianet News channel

Complaint

The MoI&B had forwarded a complaint dated 11.10.2014, from Mr. Devaprasad V. Kurup regarding a programme, which was in the nature of a satirical discussion about cease fire violation by Pakistan and the retaliation of the Indian troops in the international border in the previous days.

Decision

NBSA after considering the complaint, reply of the broadcaster dated 25.11.2014, and after viewing the CD found that there was nothing objectionable in the programme and decided to close the matter and inform MoI&B accordingly. The decision of the NBSA was conveyed to the MoI&B.

Letter dated 24.11.2014 received from the Section Officer, MoI&B: Alleged violations of Programme Code by Sakshi TV Channel

Complaint

The MoI&B forwarded a violation report with its letter dated 24.11.2014, listing the alleged violations by Sakshi TV on 5.8.2014, 7.8.2014, 10.8.2014, 19.8.2014, 4.9.2014, 23.9.2014 and 26.9.2014. The violations complained were about airing of visuals of dead, mutilated bodies and other disturbing visuals without blurring or editing.

The said complaint was forwarded to the broadcaster. The broadcaster gave the following technical explanation:

“The deficiencies which are common to each of the telecasts were due to technical glitches. In the months of August and September 2014, Sakshi TV conducted technical maintenance and upgraded software. Sakshi TV faced synchronisation bugs during this period and found some render issues also. Generally when blur or mosaic effect is applied, Sakshi TV is required to wait till render effect is finished which is time consuming. Apart from this we can apply both the effect on fly in emergency situation with the help of png image as a video layer, and in such situation technical glitches are occurring which is resulting in some videos getting aired without edited effect. When such visuals were observed with certain items going on air without the morphing effects these news items were immediately dropped from the run down. Out of seven observations made, six times were dropped the item from run down after first airing and observations and in one instance we dropped the story after second air. Even though Sakshi TV took precaution in regard to airing gruesome visuals, on account of technical glitches, difficulties in the output were faced resulting in the above telecasts.”

Decision

NBSA at its meeting held on 14.1.2015 had viewed the CD and considered the reply dated 15.12.2014 wherein the broadcaster had explained that the said violations were on account of technical glitches and expressed regret and also listed the steps taken by it to avoid such errors in future, that is issuing warning memos to the concerned staff, creation of a system to closely monitor the output of such disturbing visuals and issuing circulars and notifying the Guidelines. Though the broadcaster had expressed regret and assured that it has taken steps to prevent such violations, NBSA was not satisfied with the explanation of the broadcaster that the deficiencies, which were common to all the telecasts between 5.8.2014 to 26.9.2014, were due to technical glitches.

NBSA was of the view that the image blur or mosaic applied during post-production on Avid newscutter/ Media composer (MC)/or any edition software; that technical glitches could occur in one edition, but not in several or all editions during a period of about seven weeks; that rendering of sequence is not very complex and will not require hours but only minutes, and only seconds on faster systems; and that the violation was

obviously due to negligence of the operation team of the broadcaster, as it is not advisable to apply the effect on the fly, as it is very difficult to sense motion of the subject (like fact, etc.).

NBSA decided that the aforesaid observations be communicated to the broadcaster so that the broadcaster can explain the technical issues or re-consider its stand attributing the repeated violations to technical glitches. NBSA decided to get the response of the broadcaster to the aforesaid technical position.

The decision of the NBSA was conveyed to the broadcaster vide letter dated 11.3.2015, and the broadcaster was requested to submit their response to the aforesaid technical position for its consideration.

NBSA considered the reply dated 22.3.2015 received from the broadcaster, which stated as follows:

In our letter dated 24.11.2014, we accepted our operational mistake, including human error, which occurred at certain instances. We expressed our deep regret and assured you that we will not allow violations of similar nature to take place in future. No violations of similar nature have occurred after your notice dated 1.12.2014. We have taken all precautions necessary to avoid such incidents from occurring. We once again reiterate that our compliance at all costs, stand. Some of the concrete steps taken by us towards this end are as follows:

1. We started by identifying the staff in the video editing department who were directly responsible for editing the packages in question.
2. We identified six individuals to whom memos were issued seeking explanation for the mistakes committed.
3. Based on the cases in question we have identified the cases in which human error was the reason and the staff (2) in this case were asked to resign from the rolls of the company.
4. In cases where we noted that the issue could also have been technical we have issued memos with warning of serious action, should the mistake be repeated in future with a negative remark in their personal files.
5. We have issued a warning note to the entire Video editing department. We have taken signatures of the all the video editors on the note and on the broadcast guidelines copy.
6. A “Do’s and Don’ts” note has been prominently displayed in the edit department on the news floor.
7. Every member of the desk and team of Video editors have been counseled about coverage of deaths and gruesome incidents to be done in accordance of guidelines and also the need to comply and self-regulate was explained in detail.
8. We have already stated that the problem occurred during course of software up gradation and a similar problem has not cropped up till date.
9. A training program was conducted by the technical team to overcome the issues arising out of technology related problems.
10. We have circulated the guidelines to each employee of our company involved in the production and editing of our channel content.

11. We have also ensured visual/package quality check is carried out before the content is aired for public viewing. We have assigned staff for carrying out *impromptu* checks in order to maintain constant vigil.

NBSA decided, that in view of the assurance given by the broadcaster, that corrective measures had been put in place and effective supervision measures had also been placed, to close the matter and also inform the MoI&B. The decision of the NBSA was conveyed to the broadcaster and the MoI&B.

Letter dated 9.12.2014 received from the Section Officer, MoI&B: Alleged violation of Programme Code by Z Punjabi TV Channel

Complaint

The MoI&B had forwarded a violation report with its letter dated 9.12.2014 listing the alleged violation by Z Punjabi on 22.9.2014. The alleged violation related to a special programme titled “Andhavishwas aur Crime” (Superstition and Crime) telecast on 22.9.2014 which brought to light a superstitious custom practiced from generation to generation, in Baramati area of Maharashtra. As per the custom, the parents tied the legs of children with a piece of cloth and lowered them upside down from a twenty feet high wall to the ground and then pulled them back. During this process, the heads/bodies of children sometimes hit the wall or the ground, and in that process some children suffer head or other injuries. The telecast showed the said acts several times with the bytes of some people expressing firm faith in this custom and a belief that if they did not do so, their families would be subjected to some serious misfortune or calamity. The news feature also reported that the administration has not been able to initiate any measures against such a dangerous practice as people of the area had no complaint against this custom, but on the other hand, keen to follow the custom. MoI&B in its complaint has stated that the channel showing clips of this cruel and inhuman practice of children being hung upside down from such a height, was very disturbing and upsetting and that the channel should have avoided showing such sensitive images repeatedly during the telecast of the programme.

Decision

NBSA considered the complaint, response from the broadcaster and also viewed the CD. NBSA found that the custom shown (practices in Baramati area) put the children to danger and traumatised the children; that by bringing to light such harmful superstitious and objectionable practice, the broadcaster was discharging a public duty; and that though the visuals were disturbing, it was necessary to bring to the notice of the society, the risks and dangers attached to the superstitious custom, so as to generate a public debate and public outcry, to catalyse the authorities to take some action. NBSA found that the broadcast was in public interest and did not violate any Standards or Guidelines. NBSA decided that no action was called for on the complaint. NBSA therefore decided to close the complaint. On the other hand, NBSA also decided to forward the complaint along with footage on compact disc (CD), with a copy of its decision to the Minister for Woman and Child Development, Chief Secretary of Maharashtra and the Chairperson, National Commission for Protection of Child Rights (NCPCR) for initiating suitable action to put an end to such dangerous and obnoxious practice. NBSA decided to close the matter with these observations and MoI&B be informed accordingly. The decision of the NBSA was conveyed to MoI&B and the action suggested by NBSA had been conveyed to the concerned officials.

Petition against Shri Kishanlal Kuliya regarding telecast of religious groups, defamatory and content likely to encourage violence news stories on 3.11.2014 on NDTV

Complaint

The MoI&B vide letter dated 9.1.2015 had forwarded to NBSA, the above complaint relating to the news coverage by NDTV, regarding not allowing the Muharram procession in certain area where it was a yearly event. The complainant alleged that the broadcast reported that inflammatory speeches were made at the Mahapanchayat; that local BJP MLA and Congress Councilor were present and commented that the decision of Mahapanchayat was correct; that the broadcast gave viewers an incorrect impression and that if the MLA and Councilor had made such statements, the channel should have recorded and shown the MLA and Councilor making such statement; and that the channel had unnecessarily tried to give a communal colour, by airing a wrong story.

Decision

NBSA considered the complaint, response of the channel and also viewed the CD and found no violation of Guidelines while reporting the news. The content of a 'report' or 'story' is an editorial discretion and an individual's view or perception of an issue cannot be a ground to penalise a channel, in the absence of violation of the Guidelines. NBSA therefore decided to close the matter with this observation and MoI&B, complainant and the broadcaster be informed accordingly. The decision of the NBSA was conveyed to the MoI&B, complainant and the broadcaster.

Letter dated 29.4.2015, received from the Under Secretary, MoI&B: Complaint dated 12.3.2015 received from Mr. Kishanlal Kuliya regarding telecast of excerpt/ Programme on 'India's Daughter' documentary by NDTV

Complaint

The complaint is that on 10.3.2015, NDTV had released 'India's Daughter' documentary on the channel, and aired the statement of the lawyer of the rapist and the picture of the rapist, thereby violating the "court verdict" and the "rules and regulations".

NDTV in its response dated 12.5.2015 denied having aired such documentary.

Decision

In view of such denial, NBSA decided to forward NDTV's response to the complainant (with a copy to MoI&B) with a request to furnish proof that such documentary was aired. NBSA decided that the complainant be given 15 days from the date of receipt of the letter to furnish such proof. It was decided to consider the complaint, if such proof was furnished; and if the complainant did not furnish the same, to close the complaint. The decision of the NBSA was conveyed to the complainant, MoI&B and the broadcaster.

Letter dated 25.2.2015 received from the Under Secretary, MoI&B: Complaint dated 26.1.2015, received from Shri Harsh Vardhan Reddy regarding telecast of objectionable programme in CNN IBN Channel

Complaint

The complaint was that the programme telecast on CNN IBN on 25.1.2015 under the caption: “Are a thousand bucks enough to make someone tear our national flag”, insulted our national flag for the sake of TRPs. It was alleged that the reporter in that show asked people if they were willing to tear the Indian flag for Rs.1000, and made fun of our national flag. The complainant requested MoI&B to take action against the channel as it violated the provisions of Prevention of Insults to National Honour Act, 1971. The link to the content <http://m.ibnlive.com/news/watch-are-a-thousand-bucks-enough-to-make-someone-tear-the-national-flag/524789-79.html>, was also forwarded to MoI&B.

In its response dated 24.3.2015, the broadcaster stated that no such programme was aired on any of their channels, including CNN IBN. It was explained that the complaint referred to a video which had been shot by third parties not associated with the broadcaster in any manner; that the said video was uploaded on a public platform and was going viral on the internet; that the video contained a social message and demonstrated the feeling of patriotism and not any disrespect to the national flag; that in view of it, the link was uploaded on its website “www.ibnlive.com”; that the said video did not violate any law; and that without prejudice to the above, to avoid any controversy, it had already removed the said link from their website.

Decision

In view of the denial of any broadcast, NBSA decided to forward the response of CNN IBN to the complainant (with a copy to MoI&B), with a request to furnish proof that the documentary was telecast by the channel. NBSA decided that the complainant be given 15 days from the date of receipt of such letter to furnish proof of telecast. It was decided to consider the complaint, if such proof was furnished; and if the complainant did not furnish the same, to close the complaint. The decision of the NBSA was conveyed to the complainant, MoI&B and the broadcaster.

Letter dated 7.5.2015 received from the Under Secretary, MoI&B: Complaint dated 5.2.2015, received from Mr. Rajeev Ranjan telecast of objectionable content/news report by ABP News on 3.2.2015 at 21:00 hrs and repeated twice

Complaint

The complaint is that the opinion poll surveys and news reports shown on ABP News during State Assembly elections were either “managed news” or “paid news” which ABP news projected as original news. The complainant alleged that ABP news channel behaved in an absurd manner during assembly elections; that during Jharkhand assembly elections in December 2014, ABP news showed news that Mr. Munda was the most popular face of Jharkhand and more than 45 percent people of Jharkhand wanted to see him as C.M; that similarly on 3.2.2015 it suddenly started giving 35 to 48 seats to AAP party for Delhi assembly election which was not possible; and that he strongly felt it was not the right time to show opinion poll and that the programme was a managed opinion poll. The complainant further alleged that the sample size of the survey (that only 4,000 to 5,000 persons were asked to give their opinion) was not disclosed.

The broadcaster in its response dated 26.5.2015 had stated that ABP News had reported the opinion polls without contravening any law; that they strictly adhered to the principle of neutrality as per the NBA Code of Ethics and Broadcasting Standards, and their channel had not contravened any of the guidelines of the Model Code of Conduct which comes into effect at the time of elections; that the research for their opinion poll was conducted and provided to them by a globally renowned independent research agency - AC Nielsen.

Decision

NBSA considered the said complaint and response, as also Guideline 11 of the “Guidelines for Election Broadcasts” dated 3.3.2014, provides thus:

Special care must be taken to report opinion polls accurately and fairly, by disclosing to viewers as to who commissioned, conducted and paid for the conduct of the opinion polls and the broadcast. If a news broadcaster carries the results of an opinion poll or other election projection, it must also explain the context, and the scope and limits of such polls with their limitations. Broadcast of opinion polls should be accompanied by information to assist viewers to understand the poll’s significance, such as the methodology used, the sample size, the margin of error, the fieldwork dates, and data used. Broadcasters should also disclose how vote shares are converted to seat shares.

NBSA decided that a clarification be sought from the broadcaster as to whether the said Guideline requiring disclosures prior to broadcast relating to the opinion poll, was followed. NBSA decided to consider the matter further on receipt of such clarification. The decision of the NBSA was conveyed to the broadcaster, complainant and MoI&B.

Complaints Received from Election Commission of India

Paid news cases sent by ECI in regard to election to Legislative Assembly of Rajasthan held in 2013

Complaint

The complaint dated 26.3.2014 from ECI, and five CDs containing “confirmed cases of paid news” by electronic media, detected by its Chief Electoral Officers in Rajasthan, during the Rajasthan Assembly elections were considered by the NBSA at its meeting held on 2.6.2014. Only two of the complaints related to programmes aired by a member of NBA, i.e ETV Rajasthan. The said programmes were telecast on 9.11.2013 and 11.11.2013, in respect of Mr. Ashok Parnami, a candidate from Adarsh Nagar Assembly constituency and Mr. Hanuman Beniwal, an independent candidate from Khinvsar. According to ECI, these broadcasts relating to filing of nomination by the two candidates and devoting considerable time exclusively for such telecast on the date of filing of the nominations by the said candidates, were clearly cases of “paid news”. On receipt of the complaint, NBSA issued notice to the broadcaster requiring it to explain why action should not be taken against them for broadcasting the said programmes, in violation of the “Norms and Guidelines on Paid News dated 24.11.2011” of NBSA.

The broadcaster denied the allegations that they had broadcast any “paid news”. They stated that their broadcasts were not confined to filing of nominations by the said two contestants; that they had broadcast similar events relating to filings of nominations by candidates belonging to other political parties; and that the said broadcasts were in public interest.

NBSA decided to request ECI to disclose the reasons/material for concluding that the said broadcasts on ETV Rajasthan were “confirmed cases of paid news,” before it could consider the matter further. ECI, vide letter dated 1.8.2014, forwarded the reports of the Media Certification and Monitoring Committee, which set out the reasons for concluding the said live telecasts were paid news and which directed that the amounts deemed to have been spent on such telecasts should be included in the respective candidate’s poll expenses as per the prescribed DAVP rates.

Decision

On examination of the reply of ECI, NBSA found that the findings of the Media Certification and Monitoring Committee were purely inferential; that the findings were against the respective candidates after hearing them; and that the broadcasters were not heard nor given an opportunity to give any response. In view of it, NBSA decided to consider independently whether there were any violations of its Guidelines relating to election broadcasts and paid news. In the absence of any direct evidence of any payment of consideration to the broadcaster, and the specific denials by the broadcaster that the telecasts were not for consideration, NBSA was of the view that it was not possible to hold that there was any violation of its Norms and Guidelines on Paid News. NBSA decided to inform the Election Commission of India accordingly and close the matter. The Election Commission of India (ECI) was informed of the decision of the NBSA.

Complaint of alleged electronic media related violations – ETV Rajasthan

Complaint

Election Commission of India vide letter dated 25.4.2014, forwarded a complaint dated 12.4.2014 from Mr. Pramod Jain regarding alleged paid news on ETV Rajasthan. The complainant alleged that in the evening news bulletin titled “Apni City” telecast by ETV Rajasthan on 12.4.2014, a news was shown against the Congress nominee from Jhalawar-Baran Lok Sabha seat, Shri Pramod Bhaya. It was shown that the Bharatiya Janta Party nominee from Jhalawar-Baran, Shri Dushyant Singh, would register victory with a margin of two lakh votes. In the news bulletin, it was also claimed that Shri Pramod Bhaya had already conceded defeat and that he was merely doing a formality while people were discussing only about the victory margin. In the news footage telecast on the TV channel, BJP activists were shown according a warm welcome to ETV Rajasthan channel head Shri Jagdish Chandra Katil in Jhalawar. He was shown with a large number of garlands around his neck as he moved forward as a star campaigner surrounded by BJP activists. Prior to the telecast of the news, ETV Rajasthan channel head Shri Jagdish Chandra Katil had never sought any statement at any level either from Congress nominee Shri Pramod Bhaya or from any spokesperson authorised by him. It is mentioned in the complaint that Shri Jagdish Chandra Katil, during the previous regime of Chief Minister Vasundhara Raje, had held several important posts as an official, and is thus considered a close confidant of hers. After the end of his tenure, Shri Jagdish Chandra Katil made a ‘sudden’ entry in ETV Rajasthan to become the channel head, and in pretty little time, he assumed the avatar of a journalist from an official. With the change in government, his well-known loyalty to Chief Minister Vasundhara Raje has once again risen like a wave, but for others, it appears like a planned conspiracy and an insult to the noble profession of journalism.

Decision

NBSA considered the complaint, response of the broadcaster and also viewed the CD containing the alleged broadcast submitted by the broadcaster and decided to call both the parties for a hearing.

The complainant did not appear before the NBSA. However, during the hearing, the broadcaster stated that their channel head was a former IAS officer who was well known in the area, that he was visiting several constituencies, and they had therefore broadcast the visit to Jhalawar on the channel. The broadcaster stated that as a channel head of ETV Rajasthan he did not in any manner influence the voters and at no point of time in the broadcast it was mentioned that Shri Dushyant Singh, nominee of BJP party from Jhalawar would win by a margin of two lakhs.

On a viewing of the CD and after the submissions were made by the broadcaster, the members of NBSA felt that there seemed to be some editing of the broadcast. To ascertain whether the CD produced by the broadcaster was of an edited version, it was decided to direct the complainant to submit details of the broadcast, including a CD containing the alleged broadcast, so that the truth can be ascertained.

The complainant was requested by emails (the only address available as received from ECI) on 4.8.2014 and 12.9.2014 to send the CD containing the aforesaid broadcast. Since there was no response, NBSA at its meeting held on 30.9.2014 gave a final opportunity to the complainant for a hearing on 26.11.2014 to appear before the NBSA at its next meeting, for which another reminder was sent on 13.11.2014. In spite of this, the complainant neither appeared before the NBSA nor gave any explanation/further details about the alleged broadcast, the complaint remains unsubstantiated. NBSA, therefore, decided to close the matter and inform the ECI. ECI was informed accordingly.

Letter dated 5.11.2014 received from the Under Secretary, Election Commission of India regarding General Elections to Lok Sabha 2014 – Paid News (ETV Rajasthan)

Complaint

NBSA noted that the Election Commission of India, vide letter dated 5.11.2014 had referred a detailed report of confirmed cases of paid news relating to ETV Rajasthan (Ref. S. No. 25,36,37,48, 83, 84, 86, 87, 115, 116, 126, 185 and 222 of the said report).

The said report was forwarded to ETV Rajasthan. The broadcaster vide letter dated 19.12.2014 gave its reply wherein they informed that all the mentioned news items in the report of ECI were part of their routine news coverage and they had not received any financial or non-financial rewards or benefits in exchange for broadcasting the above mentioned news items.

Decision

NBSA was of the view that it cannot proceed on the findings of the officials of ECI and if it has to take any action, it should independently consider whether there were any violations of its Guidelines relating to election broadcasts and paid news. In the absence of any direct evidence of any payment of consideration to the broadcaster, and the specific denials by the broadcaster that the telecasts were not for consideration, NBSA was of the view that it was not possible to hold that there was any violation of its Norms and Guidelines on Paid News. NBSA decided to inform the Election Commission of India accordingly and close the matter. The decision of the NBSA was conveyed to the ECI.

Hearing of Complaints

Complaints dated 8.4.2014 from Mr. Vishal Kudchadkar and Mr. Syed Ali Hussaini addressed to NBA/NBSA against Headlines Today, CNN-IBN, NDTV and Times Now, alleging violation of Section 126 of Representation of People Act 1951 and Model Code of Conduct

Complaint

On 7.4.2014, BJP released its manifesto at New Delhi. Some constituencies in Assam and Tripura went to polls on 7.4.2014. The BJP manifesto release was broadcast live on 7.4.2014 by several channels including CNN-IBN, Times Now, Headlines Today and NDTV. The telecast could be viewed all over India including those constituencies which went to poll on that day. The complainants have alleged that such broadcasters violated Section 126 (1) of the Representation of People Act, 1951 (for short 'RP Act') which prohibits any public display of election matter by means of cinematography, television and other similar apparatus during the period of 48 hrs prior to the end of polling. According to complainants, such live telecast was carried out in spite of specific instructions to the contrary from the Election Commission of India. The complainants contend that the said live coverage telecast of BJP manifesto, apart from violating the provisions of Section 126 (1) of the RP Act and the direction of Election Commission of India, also violated Guideline 12 of the NBA Guidelines for Election Broadcasts. The complainants, being not satisfied with the response from the broadcasters denying any violation, complained to the NBSA with a request to take action against the erring channels, namely CNN-IBN, Times Now, Headlines Today and NDTV.

- The complainants have produced the e-mails exchanged amongst the editors of various channels, in support of their contention that in spite of a prohibition and clear warning by the ECI, the channels had proceeded to broadcast the release of BJP manifesto. The relevant portions of e-mails exchanged are extracted below.

“6.4.2014 (19:47) - from Arnab Goswami to Sanjay: We should take it up with the cec. who from bea will speak to him. Anything regarding polls is “election matter” by that definition.

6.4.2014 (7.57 PM) – from Shazi Zaman to Arnab Goswami and others: Arnab can you pl speak to cec. We cannot restrict our beam. Anything we cover and show will be visible in poll bound area.

*6.4.2014 (08.48 PM) – from Shazi Zaman to Vinay Tewari and others: After CEC clarification, my view would be to go ahead with showing the manifesto release. As per EC advice on not publicising it in regions going to polls, I think it is beyond our control to limit the signal. **Best we can do is to NOT highlight issues specific to the states going to poll**, though if it comes in live, cannot stop it.*

If we manage to speak to CEC, would sent an update.

6.4.2014 (20.57) – Rajdeep Sardesai to others: Have spoken to CEC. Says there is no specific restriction.

6.4.2014 (09:04 AM) – Shazi Zaman to others: Many Thanks. So this issue is settled.

6.4.2014 (11.04 PM) – Rajdeep Sardesai to Shazi Zaman and others: Subject: Re: BJP manifesto release. Sorry! Sampath has called back. EC has now changed its mind. EC legal counsel mr mendiratta has now said that it cannot be shown till 5 pm. Any violation he says will attract Section 126 right away.

This is subsequent to a MTG with EC officials. EC claims position has been made amply clear that manifesto can influence voters in Tripura and Assam and cannot be shown till polling is complete. *It is now for us to decide.* But EC says it is a clear violation and any live telecast will lead to notices being served. *I would suggest collection action, whatever it be.*”

[The names of only the sender and first of the persons to whom the e-mail is addressed are mentioned above. The e-mails were addressed to editors of several broadcasters, including the four against whom the complaint is lodged].

From the said e-mails, complainants want NBSA to infer that the Chief Election Commissioner (Mr. Sampath, referred to in the e-mail) had informed that the manifesto release could not be shown till 5.00 PM on 7.4.2014 and any violation would attract Section 126 of RP Act and that in spite of the said clarification, the editors collectively decided to proceed with the broadcast knowing fully well that it was in violation of Section 126 of RP Act and Guideline 12 of the NBA Guidelines.

3. In response to the complaints, the broadcasters have contended that in broadcasting the release of BJP manifesto, they were only discharging their duty to effectively disseminate relevant news to the viewers; that they covered the release of manifesto of all the major political parties in order to apprise the people of India, the views/vision of the political parties on key issues; and that the broadcast of BJP manifesto was in public interest and in exercise of their right to freedom of speech and expression guaranteed by the Constitution of India. They also contended that the Election Commission of India had not issued any circular or communication in regard to release of the said manifesto. The broadcasters therefore contended that they have not violated either Section 126 of RP Act or any provision of the NBA Code of Ethics/Regulations.
4. NBSA, at its meeting on 2.6.2014, considered the complaint and responses by the broadcasters and decided to issue notices to all the four broadcasters to file their written statements with supporting documents and called them for a hearing on 17.7.2014. Accordingly, arguments were heard on 17.7.2014 and 27.8.2014.

Contentions

5. The contentions urged by Mr. M.S. Ganesh, learned Senior Counsel for the complainants, are as under:
 - (i) The release of the manifesto of a political party is an “election matter” as defined in the RP Act; and broadcast of any election matter during the period of 48 hrs ending with the hour fixed for the conclusion of poll is an election offence.
 - (ii) The broadcasters who had aired the BJP election manifesto while the elections were going on in other areas in the country not only violated Section 126 (1) (b) of the RP Act but also violated the NBA Guidelines on election broadcasts dated 3.3.2014, in particular Guideline 12, which stated that “the broadcasters shall not broadcast any matter intended or calculated to influence or affect the result of an election, during the 48 hrs ending with the hour fixed for the conclusion of poll in violation of Section 126 (1) (b) of the RP Act 1951.
 - (iii) In view of NBSA incorporating in its own Guidelines, the contents of Section 126 of RP Act, any failure to follow it, would be a violation of its Code of Ethics and Guidelines; and such violations by the broadcasters deserve the punishment in the hands of NBSA by way of censure, penalty and recommendation to I&B Ministry to cancel the broadcaster’s licence.

(iv) It is evident from the e-mails exchanged that the Broadcasters were fully aware that the broadcast of the BJP manifesto was in contravention of Section 126(1)(b) of RP Act and inspite of it, they proceeded with the broadcast.”

6. Ms Indu Malhotra, learned Senior Counsel for the broadcasters (Headlines Today, Times Now and CNN-IBN), urged the following contentions:

(a) Election manifesto of a political party is not an “election matter,” but is merely a “news item”; and all channels have an obligation to disseminate the said information to the public. Broadcast of election manifesto during the 48 hour period prior to the hour fixed for conclusion of the poll, does not therefore violate Section 126 of RP Act or the Regulations/Guidelines issued by NBA/NBSA. The fact that the ECI did not issue any advisory to the broadcasters regarding telecast of manifestos makes this position clear.

(b) An ‘electoral offence’ can only be considered or tried by a court of law, on a complaint by the ECI and not under the NBSA regulations. As per NBSA regulations on election broadcasts, NBSA can consider a complaint, only if the violation of NBSA Regulations/Guidelines is reported by the ECI and not otherwise.

(c) “Polling area” is not defined in RP Act 1951. Contextually and literally it refers to the polling station. Therefore, even if there is any prohibition, it should be restricted in regard to the said area.

(d) Even if polling area should be interpreted as referring to an entire constituency (or part of a constituency), in a multi-phased election where on a given day polling takes place only in a part of the country, it is not possible for the broadcasters to stop the broadcast in those constituencies where the polling is taking place.

7. Mr. Mrinal Bharti, learned counsel appearing for CNN IBN, contended as under:

“(i) The complaint had been filed before the wrong forum. Any allegation relating to violation of Section 126 of the RP Act, can be considered only by the ECI.

(ii) Whether an offence has been committed under Section 126(1)(b) of RP Act can be decided only by a Court of Law. No action can be taken under NBSA Guidelines 12, unless a Court of Law has held, in a complaint by ECI, that there is a violation of Section 126(1)(b) of the RP Act.

(iii) The broadcast of the release of the manifesto of BJP, one of the main large political parties in India, is a discharge of a public duty by the electronic media.

(iv) The broadcast involves various distribution platforms like cable, DTH, etc. Only the Government, acting under the Cable Television (Regulation) Act, 1995 can give instructions to the District Magistrate to take appropriate action of shutting Cable/DTH in polling areas. It was not possible for the broadcasters to switch off broadcast in only some parts of the country.

(v) The complainants have not disclosed the source of the e-mails produced by them. The fact that the complainants produced private exchange of e-mails among the editors of the broadcasters, showed that the complainants were acting at the behest of someone who had ‘access’ to such e-mails.”

8. Mr. Ajay Mankotia representing NDTV adopted the submissions made by the counsel for the other broadcasters. He stated that the broadcasters in general, and NDTV in particular, had covered release of the manifestos of all major political parties, and not merely that of BJP. He stated that party manifestos are relevant information which requires to be placed before the public, during elections.
9. Mr. V.V.P. Sharma, Senior Editor, TVTN, admitted that the editors debated amongst themselves the issue of broadcast of BJP manifesto and that a series of e-mails were exchanged among the editors of various channels (who were members of NBA and Broadcast Editors Association) to decide whether the release of the manifesto and the contents of the manifesto could be aired, when polling was going on in Assam. He stated that they did not disclose any 'defiance' to law or any collective decision to deliberately violate law, as alleged by the complainants. He pointed out that conversation between one of the editors and the Chief Election Commissioner referred to in the e-mails indicated that broadcasters could air the release of the BJP manifesto. Since there was no official prohibition by the ECI, the broadcasters had decided to release the details of the election manifesto in their broadcasts, as news broadcasters owed a duty to disseminate information regarding the BJP manifesto, which was of immense news value during elections. He further pointed out that where ECI wanted to prohibit any types of broadcast, it had come out with clear and specific instructions and gave the example of opinion polls, where ECI had come out with a categorical circular which was followed by the broadcasters. He stated that in the absence of any such ECI circular in regard to broadcast of election manifesto, and in the absence of any mechanism to curtail the broadcast in specific areas, the editors were justified in deciding to broadcast the details of the BJP election manifesto.

Technical and Practical Aspects

10. The broadcasters explained the following facts and circumstances to show that it was difficult, in fact impossible, to block a telecast in the areas going to polls:
 - (i) BJP held its conference where the party manifesto was released on 7.4.2014 which was a Monday and it lasted for 1 hour 30 minutes from 09:46 hrs to 11:13 hrs. Confirmation of BJP's conference's time, place and objective was received only on 6.4.2014, that is Sunday afternoon. Taking any decision relating to technical operations/functions was very difficult on Sundays.
 - (ii) As per TRAI data, there are approximately 270 cable operators in Assam and approximately 124 cable operators in Mizoram. Out of them, about 65 cable operators in Assam and 19 cable operators in Mizoram down link the signals of channels and re-transmit to other cable operators and subscribers in the States. There are also atleast five major cable operators who service multiple States besides Assam and Mizoram, from a single control room. TRAI regulation provides for mandatory notice of atleast 21 days for any de-activation of a channel by a broadcaster. Any decision to de-activate feed to cable operators in polling area, resulting in de-activation of feed to cable operators outside polling area would result in action by the Regulator.
 - (iii) In addition to cable connected homes, there are large number of DTH homes in the two States who get the channels directly from the service providers, along with the entire country. It is not possible for the broadcaster to switch off beaming to those homes. The channels also reach the consumers through routes other than regular cable, like internet, which cannot be blocked. In fact, there has never been an occasion where a designated area is completely blocked out by a broadcaster.

(iv) While switching off the feed to a particular identified cable operator could be effectively carried out by a simple procedure in a short time, switching off the feed to the cable operators to block out the entire area requires considerable resources, planning and systematic execution and the time required for complete switch off of signals of a TV channel in a given area will be anything between 24 and 48 hrs. The procedure involves time consuming exercise of taking out details of cable operators in the area intended to be blacked out from the Broadcasters' agreement data base. The Subscriber Management System, which manages activation and de-activation, takes time to de-activate the IRDs and VCs of the cable operators intended to be switched off. Further such a procedure is not available in the case of Direct-to-Home (DTH) service, where the subscribers receive the broadcasts from the channels directly from the service provider throughout the country and it is impossible for broadcasters to switch off the broadcast to such subscribers. Thus, even by following a complex process, it will be beyond the control of the broadcasters to completely black out the channel in a given area.

11. In reply, Mr. M.S. Ganesh contended and clarified as under:

- (i) The contention of complainants is that election manifesto of a political party is intended or calculated to influence or affect the result of an election and therefore an 'election matter'; that the broadcast of the release of manifesto of a political party during 48 hrs ending with the hour fixed for the conclusion of poll would be an offence under Section 126(1)(b) of RP Act and violation of Guideline 12 of NBA Guidelines.
- (ii) The question whether a broadcaster committed an offence under Section 126(1)(b) of the RP Act, is a matter to be decided by a criminal court. But, NBSA can independently decide whether there is a violation of Guideline No. 12 of NBA Guidelines on Election Broadcasts. Any finding by NBSA on an enquiry under Guideline No. 12 will be a finding for the purpose of taking action under the NBSA Regulations and will not be construed as a finding in regard to any offence under Section 126(1)(b) of the RP Act; and therefore, there can be no objection for NBSA enquiring into the question whether there is a violation of the Guidelines, irrespective of the fact that there is no complaint to a court under Section 126(1)(b) of the RP Act and there is no complaint by ECI before NBSA.
- (iii) The fact that there will be some difficulties in blocking out the broadcast in the polling areas where the elections are taking place, is not a ground to proceed with an all India broadcast; and that if it is not possible to block out the broadcast in a particular area where there is a prohibition, then there could be no broadcast at all of such election matter. A violation does not cease to be a violation merely because it is not a violation in other areas where the prohibition under Section 126 does not operate. Broadcasters cannot therefore take shelter under the contention that there was no prohibition regarding the broadcast in the major part of the country where there was no imminent polling.

Views of ECI

12. As the complaints related to broadcasts which was alleged to be in violation of the provisions of RP Act and specific directions of Election Commission of India, a communication was addressed by NBSA to the Election Commission of India to ascertain its views on the following question:

“Whether broadcast of a political party’s manifesto at New Delhi in a particular day by news channels would violate any election law, if there was polling on that day only in only one State, say Assam, and there was no bar in regard to election matters being broadcast in New Delhi or other parts of the country.”

13. In response to it, Mr. Akshay Rout, Director General, ECI and Mr. S. K. Mendiratta, Legal Advisor, ECI met the members of NBSA and explained the stand of ECI in the matter, as under: (i) Prior to the commencement of the elections they had issued a Press Note dated 7.3.2014 regarding “General election to 16th Lok Sabha and State legislative assemblies 2014 – media coverage during the period referred to in Section 126 of the RP Act 1951,” which also included the Guidelines dated 3.3.2014, for election broadcasts issued by NBSA. (ii) No special instructions or inputs were given to the Electronic Media by ECI regarding the coverage of the BJP election manifesto on 7.4.2014, in the light of the polling taking place in some parts of the country, and those who contacted ECI were advised to go by the provisions contained in Section 126 of the RP Act. (iii) The Ministry of I&B had confirmed that it would not be possible to partially switch off broadcasts in regard to ‘election matters’ in particular areas going to poll. (iv) The legal opinion (obtained by EC) on the issue relating to Section 126 of RP Act was that the said section, being a penal provision, had to be strictly construed; and that the telecasting of an election related event such as release of election manifesto or an election address or a press conference outside the limits of a constituency going to the poll would not attract the penal provisions of Section 126; and that the prohibition regarding the release of a manifesto or election address or press conference will have to be restricted to any election matters relating to that constituency and the candidates in that constituency. On an overall consideration, they indicated that ECI was not proposing to consider the broadcast of the BJP manifesto as a violation of Section 126 of RP Act.

Finding of NBSA

14. We have considered the complaints, replies as also the written and oral submissions and the documents relied upon by the parties. The core question whether the broadcast of BJP election manifesto violated Section 126(1)(b) of RP Act and Guideline No. 12 of NBA Guidelines on Election Broadcasts.

15. Section 126 of the RP Act is extracted below:

“126. Prohibition of public meetings during period of forty-eight hours ending with hour fixed for conclusion of poll – (1) No person shall -

- (a) convene, hold, attend, join or address any public meeting or procession in connection with an election; or
- (b) display to the public any election matter by means of cinematograph, television or other similar apparatus; or**
- (c) propagate any election matter to the public by holding, or by arranging the holding of, any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the members of the public thereto, **in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in that polling areas.**

- (2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to two years or with fine, or with both.
- (3) In this section, the expression “election matter” means any matter intended or calculated to influence or affect the result of an election.

(Emphasis supplied)

16. Guideline No. 12 of NBA Guidelines on Election Broadcasts provides:

“The broadcasters shall not broadcast any ‘election matter’ that is, any matter intended or calculated to influence or affect the result of an election during the 48 hrs ending with the hours fixed for the conclusion of poll, **in violation of Section 126 (1) (b) of the Representation of People Act, 1951.**”

(Emphasis supplied)

17. On a careful consideration of Section 126 of RP Act, we are of the view that the question whether an offence has been committed under Section 126(1)(b) of the RP Act, is a matter within the domain of the criminal courts and NBSA has no jurisdiction to decide that question. In fact this position is not seriously disputed by the complainants.
18. Learned Counsel for the complainants, however, submitted that when NBA/NBSA formulates the regulations and guidelines and a complaint is made complaining violation thereof, NBSA has to enquire into and can find out as to whether there was such a violation; that the very purpose of NBA/NBSA having a guideline would be defeated, if NBSA is not able to examine whether there is a violation of a Regulation or Guideline; and that NBSA has, therefore, the jurisdiction to decide whether the broadcasters had violated Guideline 12 of NBA Guidelines on Election Broadcasts.
19. We have carefully considered the said submission. The bar contained in the guideline, is in regard to broadcast of any “election matter” in violation of Section 126(1)(b) of the R.P. Act. Having regard to the clear wording of Guideline No. 12 of NBA Guidelines on Election Broadcasts, NBSA cannot consider a complaint of breach of the said guideline, unless there is a finding by a competent Court that the broadcasters have violated the provisions of Section 126(1)(b) of R.P. Act. We might have been persuaded to accept the contention of complainants if Guideline No. 12 had not used the words “in violation of Section 126(1)(b) of the Representation of People Act, 1951”.
20. However as both sides have made elaborate submissions on the merits of the matter, we consider it appropriate to consider the controversy on merits, on the assumption that Guideline No.12 requires or permits NBSA to independently consider whether the broadcasters have broadcast any matter “intended or calculated to influence or affect the result of an election during the 48 hrs.....”.
21. Guideline 12 will have to be considered with reference to the realities of multi-phase elections. The multi-phase elections in April-May 2014 were held during the course of 36 days. If the prohibition relating to broadcast of election matters during 48 hrs (ending with the hour fixed for conclusion of poll) is to be applied in regard to each phase of election for the entire country, the result would be that there could not be any debate, discussion, announcement, report or coverage of any election related issue on television during a period of about 27 days out of 36 days. That would adversely affect the right of the candidates to effectively campaign during the election. Surely, that was not the object of Guideline No. 12.

22. The words “any matter intended or calculated to influence or affect the result of an election” will have to be read to mean any matter intended or calculated to influence the result of an election in a given constituency or a given candidate. The prohibition should be read as referring to a specific constituency which is going to the polls and the candidates therein. This can be clarified by the following illustration: On a certain day, the polls are to be held in a constituency in Haryana, where the prohibition regarding display to public of any public matter, is in force. But, in a neighbouring town in Punjab where polls are to take place much later, the election campaign is in full swing and meetings are being held. In both constituencies, the same political party has fielded candidates. In such a scenario, the prohibition of display to public of any election matter in operation in the Haryana constituency cannot obviously prevent the telecast of electioneering being carried on in the neighbouring Punjab, in respect of a candidate belonging to the very political party whose candidate is also contesting in the Haryana constituency. The media would be entitled to broadcast the electioneering in regard to the Punjab constituency in regard to the same party candidate using the manifesto of the party, irrespective of the fact that the transmission would be seen in Haryana constituency also. So long as the broadcast of the election related programmes in Punjab is not used for promoting or attacking any specific candidate in the Haryana constituency election, there can be no objection. Where the broadcast is in respect of an election related matter of a general nature (or an election related matter of candidates in some other constituency where there is no prohibition) and the election related programme does not specifically touch upon the constituency going to polls or candidates therein, the prohibition under Guideline 12 will not be attracted. In other words, ‘election matter’ does not mean any and every matter referring to or relating to an election, but means a matter which is intended or calculated to influence or affect the result of ‘*an election.*’ What are prohibited are any advertisements or sponsored programmes or any reports intended to support or criticise a candidate in the constituency which is going to polls, which are intended or calculated to influence or affect the results of an election.
23. Covering a general event relating to a political party which is relevant and of common interest across the country or across a State, which does not extol the public to support any candidate or which does not criticise any candidate in the constituency going to polls, is not a violation of Guideline No. 12.
24. We therefore hold as follows:
- (a) NBSA has no jurisdiction to decide the question whether there is a violation of Section 126(1)(b) of the R.P. Act, in the absence of a finding thereon by a competent Court.
 - (b) Assuming that NBSA can examine the question under Guideline No. 12 independent of Section 126(1)(b) of the R.P. Act, we are of the considered view that broadcast of a party manifesto is not a matter intended or calculated to influence or affect the result of *an election*, and it does not violate Rule 12 of NBA Guidelines for Election Broadcasts.
 - (c) In view of the above findings, there is no need to consider the various other contentions urged by the complainants and broadcasters.
 - (d) The complaints are found to have no merit and are closed.

The decision of the NBSA was conveyed to the Election Commission of India and the complainants.

Complaint dated 26.9.2014 by Yes Bank Ltd. regarding misstating and misleading presentation of the Bank of America Merrill Lynch Report by CNBC TV 18 on 25.9.2014 at 12.54 pm regarding news flashed on “Coal Verdict; Impact on Banks”

Complaint

The complaint was that the channel had picked out sentences from Bank of America Merrill Lynch Report (‘BofA ML Report’ for short) to present a distorted report, conveying a completely incorrect impression about Yes Bank, while flashing the story “Coal Verdict: Impact on Banks.”

The broadcaster had responded by stating that the screen shot: “Higher Exposure for Axis, ICICI Bank and Yes Bank” was merely a heading/caption and on viewing the entire programme, it would be clear that it had not attempted to mislead the viewers.

NBSA at its meeting held on 26.11.2014 considered the complaint, response of the broadcaster and also the further response of the complainant. NBSA was of the prima facie view that there was absence of due diligence on the part of the broadcaster, as it did not make any effort to verify the facts by seeking the views of the bank, and that resulted in the standards relating to objectivity and neutrality being violated. NBSA therefore decided that both the broadcaster and the complainant be called for a hearing.

At the hearing held on 14.1.2015 both the parties presented their views.

Mr Sanjay Nambiar representing the complainant stated that their grievance was that the broadcaster (CNBC TV18) had aired a highly misleading and speculative presentation of the Bank of America Merrill Lynch report, on September 25, 2014 at around 12.54 p.m. The screen shots flashed during telecast of the story: “Coal Verdict: Impact on Banks” misled the viewers by stating that BofA ML Report had stated that the “coal casualties” on account of higher exposures, were Axis Bank, ICICI Bank and YES Bank. According to the complainant this was a gross misrepresentation of the BofA ML Report. The complainant drew the attention of the NBSA to the relevant extracts from the BofA ML report.

Complainant stated that the relevant portion of the BofA ML did not believe or state that the Banks mentioned in their flash were ‘Coal Casualties’. He also drew the attention of the NBSA that the broadcaster did not refer to the next paragraph of the said Report which referred to government banks which were potentially impacted given their exposure being higher. Further, he stated that this was despite statements made by Mr. Rana Kapoor, Managing Director and CEO of YES BANK to PTI, the day before, that YES Bank’s exposure to coal deallocation companies was minimal. He stated that CNBC TV18 did not even bother to verify the report / facts with YES Bank.

YES Bank’s representative stated that that the Channel has chosen to pick out select sentences from the BofA ML Report to convey a completely false impression. Such incorrect and misrepresentative coverage encouraged speculative market behaviour leading to price manipulation, apart from impacting its share prices. He submitted that the least the channel could do was to air an apology/clarification on three consecutive days.

The broadcaster explained that the subject broadcast was not a report on YES Bank, that the broadcast was with reference to an interview with the Chairman of Andhra Bank; and that as it was referring to a report and not specifically to any Institution it did not contact the YES Bank for verification or its comments. He also denied the allegations made by the complainant and stated that particular screen shot was aired only once and informed the NBSA that the complainant had chosen not to refer to the subsequent screen shot which clarified with reference to YES Bank and two other Banks, that “majority of these loans are for working capital and operating units”.

NBSA considered the relevant portions of the BofA ML Report and the screen shots which were the subject matter of the complaint. The relevant portion of the Report stated:

“Private banks & Power fincos appear better positioned

While granular bank exposures are not known, based on banks’ overall power exposures and our discussion, we believe:

- a) ***The impact of this on private banks and power fincos to be minimal. Amongst the private banks higher exposures are for Axis, ICICI Bank and Yes – but majority of these loans are for working capital and operating units, that are less likely to be impacted by the current court ruling. Hence, we reiterate our positive stance on these banks.***
- b) The govt. Banks may potentially be more impacted given their much higher project finance exposures and also overall exposures to power and steel sectors. SBI among the govt banks, appears less impacted, while Canara Bank, OBC and PNB have amongst the higher power and steel exposures”

(Emphasis supplied by italics and bold)

While purporting to report on an interview with the Chairman of Andhra Bank in regard effect of the coal verdict, the following screen shots were shown by the broadcaster:

First screen shot of News flash

**COAL VERDICT; IMPACT ON BANKS
COAL CASUALTIES
B of A ML on Banks
Higher exposure for Axis, ICICI Bank & Yes Bank**

Second screen shot of News flash

**COAL VERDICT; IMPACT ON BANKS
COAL CASUALTIES
B of A ML on Banks
Majority of these loans are for working capital & operating units**

NBSA noticed that the BofA ML Report emphasised that the impact of coal verdict will be minimal on private Banks and the majority of the loans by YES Bank (and Axis Bank and ICICI Bank) being for working capital and operations, the said Banks were less likely to be impacted by the coal verdict. The BofA ML Report also reiterated its positive stance on the said three Banks. On the other hand, the screen shots created an impression that the BofA ML Report suggested a negative position. NBSA was of the view that while BofA ML Report was positive about YES Bank, the news flashes truncated the comments and observations in BofA ML Report by highlighting the negative remarks and ignoring the positive assertions. NBSA was also of the view that the channel ought to have exercised more care and caution while reporting such comments which are likely to impact the market behaviour.

At the end of the hearing both sides arrived at a broad understanding that within two weeks the broadcaster would give an opportunity to the bank to put forth its views which would be telecast and also clarify that it did not intend to show the YES Bank in a bad light; and that if that did not happen, NBSA could proceed to render its decision. In view of it, NBSA decided to take up the matter at the next meeting either to record compliance or to render its decision on the complaint.

In pursuance of the above, the broadcaster informed the complainant by e-mail dated 16.1.2015, the proposed matter (clarification) to be played by it for three seconds. The complainant was not agreeable and by reply e-mails dated 16.1.2015 and 21.1.2015 sought an unconditional apology and suggested the matter to be telecast as clarification/apology (which was to be read over for 90 to 120 seconds). The broadcaster by e-mail dated 21.1.2015 informed NBSA that the demand made by the complainant was unacceptable to them and requested a speedy and just resolution to the issue.

Decision

NBSA at its meeting held on 19.2.2015 decided that the broadcaster had committed to violation. As parties have not been able to agree upon the wording of clarification/regret to be telecast, it became necessary for NBSA to provide the content for broadcast and the manner of broadcast. After careful consideration, NBSA decided to direct the broadcaster to carry the following apology on CNBC-TV18 along with the relevant portion of the BoAML report once, on the date and time fixed by the NBSA:

Apology to be carried and read at normal speed (for 60 seconds)

“On September 26, 2014 at 12.54 p.m., this channel had, while referring to the Bank of America Merrill Lynch report on “Coal Verdict: Impact On Banks” had put a news flash stating “**Coal casualty: Higher exposure for AXIS, ICICI and YES Bank**” whereas the said report had maintained a positive stance on YES BANK. We could not show the relevant portion of the report in entirety, for time and space constraints. Any inconvenience caused to **YES Bank** due to the above incorrect reporting is regretted. The full version of the relevant part of the said report is now shown:

Extract from the report to be flashed for 30 seconds, after the apology:

“Private Banks and power fincos appear better positioned:

While granular bank exposures are not known, based on banks’ overall power exposure and our discussion, we believe: The impact of this on private banks and power fincos to be minimal. Amongst the private banks higher exposures are for Axis, ICICI Bank and YES – but majority of these loans are for working capital and operating units, that are less likely to be impacted by the current court ruling. Hence, we reiterate our positive stance on these banks.”

NBSA further decided that on submission of proof of compliance of the telecast the matter will be closed. The broadcaster submitted proof of compliance to the NBSA.

Complaint dated 12.11.2014 regarding news broadcast on 27.10.2014 – 30.10.2014 on ETV UP/Uttarakhand by Mr. Nishith Verma, Secretary, Citizen Housing and Developing Co-operative Society Ltd., Allahabad

As the complainant did not receive a response to its complaint dated 31.10.2014, from the broadcaster, the complainant has sent his complaint to NBSA for redressal. The complaint was forwarded to the broadcaster for a response to the complainant. NBSA considered the complaint and the response given by the broadcaster and also the email dated 16.2.2015, addressed to NBSA by the complainant. As it appears that the news report aired was one sided and without ascertaining the version of the complainant, NBSA decided that the complainant and the broadcaster be called for a hearing at the next meeting of the NBSA.

Complaint

The complaint related to news broadcasts between 27.10.2014 and 30.10.2014 on ETV UP/Uttarakhand regarding Citizen Housing and Developing Co-operative Society Ltd., Allahabad, alleging that under the caption ‘Breaking News’, the broadcaster had run contents, which were incorrect, and no efforts had been made by the broadcaster to verify the facts prior to airing incorrect news. The broadcasts were made with disregard to standards and codes for self regulation prescribed by the NBSA. There was no impartiality and objectivity in reporting. The breaking news text translated in English read as follows:

1. Investors trapped in Sun Township’s fraudulent project had earned money of investors stuck in the illegal township.
2. Customers duped by putting up boards without obtaining licence.
3. Township’s board has come up on Jhansi’s Banaras Road. ADA likely to initiate action against Sun Township.

The complainant submitted to the NBSA that he was the Secretary of Citizen Housing and Developing Co-operative Society Ltd., Allahabad, and the said Society was registered with UP Housing Development Board, Lucknow. The bye-laws framed by the Society had been approved by the UP Housing and Development Board, Lucknow. All the projects developed by them have been completed in time and there have been no complaints received from any investors or any action taken against them by the Allahabad Development Authority. He stated that the project Sun City, located on Allahabad Banaras Road had been completed and handed over to respective members with mutations/transfers/possessions under law, some of whom have constructed houses and living there. The “Advertisement Board” referred to in the broadcast related to the said project.

The complainant alleged that the broadcaster maintained very cordial relationship with the complainant as long as it received advertisements periodically from them; that they had released advertisements in the years 2012, 2013 and 2014; that relationship soured when the complainant expressed their inability to give advertisements prior to Diwali in October 2014, which became the cause of annoyance and resulted in the sensational breaking news which the complainant alleged was a deliberate attempt to malign the reputation of the Cooperative Society. The complainant relied upon the Release Orders for the advertisements along with the complaint.

The complainant stated that it would be satisfied if the broadcaster accepted that it had aired one sided story on their channel without verification of facts. Mr. Anubhav Verma also stated that he did not want any action to be taken against the broadcaster which would revive the issue in the media.

Mr. Mrinal Bharti representing the broadcaster stated that they stood by the broadcasts and the broadcast were factually correct. The story related to illegal construction of a township in Allahabad, the information of which, they had received through their sources. In order to verify the information, they had also taken the byte of Mr. Ajay Singh, Vice Chairman of the Allahabad Development Authority, who had stated that he had given instructions for removal of the illegal Board and also for initiating an enquiry against the persons responsible for putting the Board of the township. He denied that there was any link between the broadcasts and absence of advertisements from the complainant. He drew the attention of the NBSA regarding various notices issued by the Allahabad Development Authority, regarding illegal constructions in the area.

On enquiring whether there was any reference to the particular township, Mr. Bharti stated that the notices were of a general nature and not specific to the township. NBSA instructed the broadcaster to share the notices with the complainant.

Decision

At the hearing held on 11.4.2015, both the parties stated that they will try to arrive at a mutually agreed settlement and inform the NBSA of the same within two weeks; and if there was no settlement, the NBSA may pass an appropriate order.

The broadcaster vide email dated 1.7.2015 informed NBSA that it offered to telecast the complainant's version of the story, but the complainant had not responded.

NBSA at its meeting held on 9.7.2015, perused the minutes of the hearing held on 11.4.2015 and the subsequent offer by the broadcaster to the complainant. After deliberations, NBSA decided that the Broadcaster shall, by a written notice/call letter, give the complainant a final opportunity to give his version for being telecast for a period of three minutes. The version offered by the complainant shall be restricted only to the clarification he wishes to offer and nothing objectionable shall be stated against the broadcaster. The complainant shall be given 15 days time from the date of broadcaster's written notice, to give his version. If the complainant gives his version, it shall be telecast at 8.00 PM. If the complainant fails to respond and give his version within the said period, the broadcaster shall be relieved of its obligation to air the complainant's version. NBSA decided that the parties be informed of the said decision.

Complaint dated 7.1.2015 received from Mr. Sharad Shah regarding broadcast of News hour at 9 PM on January 6, 2015, on the Times Now channel on the subject of unnatural death of Smt. Sunanda Tharoor

In his complaint dated 7.1.2015, Mr. Sharad Shah stated that the programme on 6.1.2015 at 9.00 PM on 'TIMES NOW' was full of innuendos and leading questions by the Anchor that were intended to lead the viewers to believe that Sunanda Tharoor was murdered either by Tharoor or at his instance. The complainant stated that such broadcasts adversely impact the ongoing investigations and violated NBSA Guidelines covering reportage. He also complained that the reporters of TIMES NOW hounded

Mr. Tharoor all through the day on 11.1.2015 from his home to airport, on the plane and later from Delhi airport to his house, in an obnoxious and unacceptable manner in total violation of the rights of a citizen.

2. The complainant listed the following captions and catchy titles said to have been used by TIMES NOW to attack Mr. Tharoor, which, according to him, showed bias in dealing with a sensitive issue and contended that it amounted to media holding a parallel trial to the prejudice the person maligned, and was intended to pressurise the investigation to take a particular course:
 1. *Shashi Tharoor to be quizzed again.*
 2. *Tharoor's lies will be caught: Swamy.*
 3. *Tharoor faces cops, quizzed in detail.*
 4. *Shashi Tharoor quizzed in detail.*
 5. *Cong MP Tharoor to be quizzed tonight.*
 6. *Will question Tharoor soon: Delhi Police.*
 7. *Tharoor to be quizzed in 48 hrs: Delhi top cop.*
 8. *Year on, Cong. MP Tharoor is silent.*
 9. *Year on, Tharoor still silent.*
 10. *Tharoor to be quizzed soon.*
 11. *Tharoor blames media, but IPL angle's out.*
 12. *Tharoor slams Indian media.*
 13. *Tharoor once again evades questions on Sunanda case.*
 14. *Tharoor's friend dodges questions.*
 15. *Shashi Tharoor again evades questions.*
 16. *Tharoor's 'emergency friend' opens up.*
 17. *Tharoor aided killers: BJP leader Swamy.*
 18. *How Shashi Tharoor pushed five theories.*
 19. *Shashi Tharoor to be quizzed by Friday.*
 21. *Grilling in store for Tharoor?*
 22. *I have nothing more to say: Shashi Tharoor.*
 23. *Tharoor silent on Swamy's allegations.*
 24. *Tharoor still won't take questions.*
 25. *Debate: Tharoor emerges, attacks media – 1.*
 26. *Shashi Tharoor is hiding facts: Swamy.*
 27. *Shashi Tharoor won't take questions.*
 28. *Sunanda death mystery: Legal notice to Tharoor.*
 29. *Shashi Tharoor asked to join probe.*
 30. *Tharoor claims cops pressurised domestic help.*
 31. *Cops to record Tharoor's statement.*

3. The broadcaster denied the said allegations. It contended that the death of Sunanda Tharoor was widely reported in several channels and the debate on 6.1.2015 raised several important questions relating to the process of investigation. It was stated that though Mr. Tharoor was invited to give his version or clarify several issues, he failed to do so. It was asserted that the channel has neither used any conjectures nor misled viewers.

4. The matter was considered by NBSA at its meeting held on 19.2.2015. NBSA decided that since the issue raised by the complainant related to an ongoing investigation and the broadcast was likely to have an adverse effect on any trial or completion of the investigations, both the complainant and broadcaster should be called for a hearing.
5. When notices of hearing were issued, the complainant, by his e-mails dated 17.3.2015 and 1.4.2015, conveyed his inability to attend the hearing and requested NBSA to proceed on the basis of his complaint and summarised the issues raised by him as under:
 1. Do these broadcasters through the month of January 2015 violate Clauses 5.1 and 5.3 of “Specific Guidelines Covering Reportage?”
 2. Was the coverage balanced and fair?
 3. Were the debates on the subject full of innuendos and leading/suggestive questions that would lead the viewers to believe that Smt. Tharoor was either murdered by Shri Tharoor or the murder was arranged by him?
 4. Was the dissenting voice of panelists in the debate muzzled?
 5. Were the debates conducted in a manner that could vitiate the ongoing investigation?
 6. Was the coverage intended to help the Investigating Agency more in the direction desired under present dispensation by subtle use of leaked information from the Agency?
 7. At the hearing held on 11.4.2015, Mr. Arnab Goswami, Editor-in-Chief, TIMES NOW and Ms. Jyothi S. Kumar, Legal Counsel of TIMES NOW were present.

Mr. Arnab Goswami stated that news channels like TIMES NOW, which emphasise the importance of creating a sense of accountability amongst public figures is bound to upset entrenched lobbies and interest groups. He submitted that Mr. Sharad Shah represents some vested interests and is a serial ‘harrasser’ who has been singularly targeting TIMES NOW, particularly when certain political interests are affected. He stated that the subject matter of the programme was covered by the national media and though equally strong comments were made by speakers/experts in the programmes of other channels, the complainant had singled out TIMES NOW. Mr. Goswami pointed that the headlines/captions used were no more than the captions used by other TV channels and wondered why Mr. Shah chose to single out TIMES NOW. He provided the following comparative statement of some of the headlines/captions used by TIMES NOW and other channels, to make out this point:

Channels	Headlines
TIMES NOW	Shashi Tharoor to be quizzed again
NewsX	Shashi Tharoor called for questioning again
Headlines Today	Shashi Tharoor to be quizzed again
NDTV	Shashi Tharoor likely to be questioned again, says Delhi Police
CNN-IBN	Shashi Tharoor quizzed again
TIMES NOW	Tharoor lies will be caught: Swamy
News X	Shashi Tharoor knows who killed Sunanda; Subramanian Swamy

Channels

CNN-IBN

TIMES NOW

News X

NDTV

CNN-IBN

Headlines Today

TIMES NOW

Headlines Today

CNN-IBN

India TV

TIMES NOW

News 24

Headlines Today

TIMES NOW**TIMES NOW**

News X

CNN-IBN

TIMES NOW

News X

TIMES NOW**TIMES NOW****Channels**

News X

Headlines

Tharoor's statements are contradictory, says Subramanian Swamy

Tharoor faces cops, quizzed in detail

Cops prepares questions for Shashi Tharoor

Politician Shashi Tharoor interrogated for 4 hrs by police

Shashi Tharoor being questioned by SIT at Vasant Vihar police station

SIT to quiz Shashi Tharoor: Delhi Police Commissioner

Will question Tharoor soon: Delhi Police

Sunanda Pushkar's murder: Delhi Police to question Shashi Tharoor soon

Shashi Tharoor will be questioned in few days in Sunanda death case: Delhi Police Chief

Delhi Police Chief: Shashi Tharoor will be questioned soon

Tharoor to be questioned in the next 48 hrs: Delhi Top cop

Shashi Tharoor likely to be quizzed within next 48 hrs: Delhi top cop

Shashi Tharoor to be quizzed within 48 hrs in Sunanda Pushkar case: Delhi Police

Year on Cong MP Tharoor is silent + Year on Tharoor still silent**Tharoor blames media, but IPL angle out**

#Sunanda Mystery: IPL angle behind Sunanda murder? Sunanda Pushkar Murder Case: Congress slams Shashi Tharoor for attacking Media

Shashi Tharoor hits out at media, says news reports are defamatory

Tharoor once again evades questions on Sunanda Case

News X Exclusive: Out of answers, Shashi Tharoor slams media

Tharoor's friend dodges questions**Tharoor's emergency friend opens up****Headlines**

Now Sunanda aide busts #Tharoorplus alibi

8. Referring to the alleged hounding of Tharoor on 11.1.2015, Mr. Goswami stated that what was alleged against TIMES NOW applies to every other channel whose reporters were waiting for Tharoor and who put questions to him, but the complaint is made only against TIMES NOW.
9. Mr. Goswami pointed out that the stage of investigation is not the same as a trial before a court and the Guidelines relating to matters pending in court and criminal trials are inapplicable at the stage of investigation. Mr. Goswami stated that every responsible news channel is required to ask tough questions as a part of legitimate voice for justice for victims and to ensure a prompt and thorough investigation.
10. NBSA considered the explanation. While several channels may report about an issue, the manner and the extent of reporting by a channel will determine whether the Guidelines have been breached.

11. Even assuming that Mr. Sharad Shah was prejudiced and he singled out TIMES NOW for giving complaints, and even assuming that the other channels had also posted provocative leading questions in regard to the death, the need for objectivity in reporting matters under investigations, cannot be gainsaid. It is true that the Specific Guidelines for reporting court proceedings may not apply to investigations, but the Specific Guidelines Covering Reportage will be applicable.
12. It is true that in some cases, the government or investigating agencies may be slow or lax in investigations. While investigative journalism and media activism may be a catalyst for ensuring proper investigation by Investigating Agencies, a very thin line separates it from reportage bordering on media pressure interfering with due and proper investigation. The tendency of the media to hold parallel investigations and prematurely/inaccurately disclosing certain facts, certain half-truths and inaccuracies as facts or findings, apart from putting tremendous pressure in high profile cases on the investigating officers, may dangerously mould public opinion about the guilt or innocence of persons, thereby destroying reputations and careers and adversely affecting any subsequent trial in a court of law.
13. In view of the explanation offered by the broadcaster on the facts and circumstances of the case, NBSA decided to close the complaint by advising the broadcaster to exercise care and caution while reporting about matters under investigation. NBSA also decided that for guidance, it would draw up Guidelines for reporting matters under investigation. NBSA also recognised that if NBSA Guidelines are to be effective, similar Guidelines are required for investigation briefings by public authorities also.

The Order was sent to the broadcaster and the complainant for their information.

Complaints Received by NBSA

Complaint dated 11.6.2014 from Mr. Anand Kulkarni regarding invasion of privacy of the family members/close relatives of deceased.

Complaint

The complaint related to telecast on Indian channels improperly showing mourning weeping/crying family members and relatives of the deceased persons at a time when they are in mental pain, shock and anguish. The complainant pointed out that these are moments when they should be left alone and their privacy should not be intruded, apart from the fact that such broadcasts are improper and not in good taste.

Decision

NBSA was of the view that there was some justification for the complaint of invasion of privacy. It was also noted that broadcasting the comments (which sometimes may be unpatriotic, inappropriate and unwarranted) of grieving family members of Military, Quasi-Military and Police personnel killed or injured in war, terrorism acts or other incidents, will demoralise the respective forces or show the forces in very bad light. NBSA noted that though there are guidelines relating to “privacy” and “Guidelines for telecast of news during emergency situations”, specifically directing that distressing footage should not be telecast, required to be reviewed and additional guidelines may be added for reporting accidents/traumatic events.

Complaint dated 28.5.2014 filed by Mr. K.R. Sunil Kumar regarding telecast of a news item on Mathrubhumi Channel on 1.5.2014, at 10 am, relating to scuffle at Guruvayoor temple.

Complaint

The complainant alleged that he is the son of Mr. K.K. Ramachandran, a member of the KPCC and AICC, who has been in public service for over 25 years; that he is employed as Assistant Manager at Guruvayoor Devaswam; that a news telecast on the Mathrubhumi channel on 1.5.2014 (at 10 AM) while referring to a scuffle at the Guruvayoor temple, falsely reported that Mr. K.K. Ramachandran's son had physically attacked a devotee and had gone scot free; and that the said telecast made without proper verification of facts, was an attempt by the channel to defame his father Mr. K.K. Ramachandran. The complainant alleged that the said broadcast violated the Code of Ethics and Broadcasting Standards of the NBA/NBSA.

The broadcaster in its response dated 12.7.2014 to the complainant stated that while showing the clippings of the assault of devotee (telecast on 1.5.2014 in the morning), the name of the complainant was not mentioned; as it was for the Devaswam to identify the person responsible for the assault. In another news report broadcast in the evening (on the same day) in regard to another incident of assault during the festival of Ulsavabali, the names of Devaswam Chairman, a member and the complainant were referred as stated in the official report; and that in connection with the said attack on a member of the managing committee (which is the subject matter of the evening news), the complainant was an accused in crime No. 414/2014, which is under investigation by Guruvayoor Police.

Decision

NBSA considered the complaint, the response of the broadcaster and also viewed the alleged offending telecast. On viewing the video submitted by the broadcaster in regard to the morning telecast, it was noted that it did not contain any reference to the complainant. NBSA, therefore, decided that there was no merit in the complaint and decided to close the matter and inform the complainant and the broadcaster. The broadcaster and the complainant were informed of the decision of the NBSA.

Complaints dated 17.5.2014 and 25.5.2014 from Branch Manager, SBBJ Kaman, Distt. Bharatpur, Rajasthan against ETV Rajasthan

Complaint

The Branch Manager, SBBJ, Kaman, Distt. Bharatpur, Rajasthan alleged that the channel had broadcast false and misleading news about the Bharatpur branch of the bank and its officers, under the false and mischievous caption "SBBJ Kaman Dalalon ke changul me".

Decision

NBSA at its meetings held on 17.7.2014 and 30.9.2014 considered the complaint and the response dated 26.5.2014 from the broadcaster and the rejoinder dated 26.5.2014 from the complainant. Being of the prima facie view that the broadcasts were one sided and that the Bank/Bank officers, though the subject of the broadcast, were not given an opportunity to explain their side, even though it seriously affected their reputation, NBSA decided to issue a notice to the broadcaster as to why action be not taken under its

Regulations and also call upon it to submit their response with supporting material, if any. Accordingly, notice was issued to the broadcaster. The response was considered by the NBSA. The broadcaster contended that the broadcast was in public interest and that the news, based on complaints filed by various organisations; that the broadcast did not contain any views or opinions of the broadcaster; and that the broadcast was in an unbiased manner. The broadcaster also stated that they had approached the bank seeking its views, but there was no response. The broadcaster had not placed any material to show that it made any reasonable effort to ascertain and broadcast the version of the bank and its officers. The broadcaster had however expressed its willingness to air the views of the manger of the bank on the specific allegations levelled. NBSA decided to direct the broadcaster to carry the unedited version of the bank (complainant), prior to the 9 pm news. The complainant shall be given 3 minutes to give their version. The complainant should cooperate with the broadcaster, i.e ETV Rajasthan, to record such version, which will be restricted only to the clarification they wish to offer and nothing offensive shall be included in such clarifications, either against ETV Rajasthan or the persons who complained against the Bank and its officers. Proof of compliance was to be submitted within one week of telecast. As per NBSA's Order dated 22.10.2014, the broadcaster was advised to air an unedited apology of the complainant on 7.11.2014 prior to 9 pm news and furnish the proof of compliance within one week of telecast. In spite of reminder dated 13.11.2014, the broadcaster neither responded nor sent any CD by way of proof of compliance. NBSA, therefore, decided that a strongly worded reminder be sent to the broadcaster to comply with its Order. The broadcaster informed NBSA that in spite of repeated requests, the complainant did not give her version for being broadcast in compliance with the Order dated 22.10.2014. The broadcaster also submitted a chronological sequence of what transpired after the NBSA passed the Order dated 22.10.2014, along with emails exchanged with the complainant. After considering the response of the broadcaster on 14.1.2015, NBSA decided that the complainant be given a final opportunity to give her version as per the Order of NBSA within 15 days of receipt of the NBSA's communication; and that if the complainant failed to give her version within the said period, to relieve the broadcaster of its obligation to air the complainant's version. NBSA noted that vide email dated 30.1.2015, the complainant had been informed of the above decision. NBSA also noted that the broadcaster had, as a follow up measure, vide email dated 3.2.2015 written to the complainant to give her version. But the complainant failed to do so. It was, therefore, apparent that the complainant was not interested in her version being aired. NBSA after considering the matter decided that since the complainant has not availed the offers for providing her version to be broadcast on the channel as per the Order dated 22.10.2014, the matter be closed and the complainant and broadcaster be informed accordingly. The decision of the NBSA was conveyed to complainant and to the broadcaster.

Complaint dated 30.5.2014, addressed to President, NBA by Mr. Madhukar Jetley, Advisor, Government of UP (Externally Aided Projects Department), Minister of State Rank, regarding news item aired on ETV UP Channel

Complaint

The complainant alleged that ETV UP has broadcast between 20th and 29th May 2014 unverified defamatory stories about him and Samajawadi Party and requested for strict action. The broadcaster had initially stated in its response that in the absence of time of broadcast, it was not able to track the telecast in question. The complainant was therefore directed to provide the date and time of the broadcasts and also submit a CD of the alleged broadcast. Subsequently, the broadcaster, by e-mail dated 10.11.2014, informed that it was

not able to locate the flash news telecast in question. They however submitted the script of the said news flash. The purport of the news flash was that persons given Minister of State rank have brought ridicule to the Samajwadi Party Government during the election and that Mr. Madhukar Jetley, who was an Advisor to the Government with Minister of State rank could not even ensure votes in his locality. The complainant confirmed that his grievance was about the said observations.

Decision

NBSA considered the complaint dated 30.5.2014 and e-mail dated 28.7.2014 and the response by the broadcaster vide email dated 10.11.2014, wherein the broadcaster submitted the script of the flash news, which they could locate from their records about the alleged broadcast. NBSA noted that the complainant vide emails both dated 12.11.2014, confirmed that his complaint related to the said broadcast. NBSA did not find the script to be objectionable nor found any violation of the Standards or Guidelines. It, therefore, decided to close the complaint by informing the complainant and the broadcaster. The decision of the NBSA was conveyed to complainant and to the broadcaster.

The complainant on receipt of the letter requested NBSA to re-consider its decision. NBSA considered the said request of the complainant dated 16.12.2014 and found no ground to change its decision. The complainant was informed that its earlier decision stands.

Complaint dated 26.10.2014 from Mr. Sharad Deshpande regarding news aired on NDTV 24x7 on 26.10.2014

Complaint

The complaint is that NDTV 24x7 in its report relating to the newly elected CM of Haryana, had repeatedly referred to his being a “non-jat.” According to the complainant, as the CM was elected by virtue of his performance, the repeated reference to his being a non-jat was not warranted and description was mischievous and malicious and violated secular principles.

The broadcaster stated that the reference to the CM being a non-jat was only to give information about the CM, as he is the first non-jat CM in over a decade and the reference was not intended to cast any doubt on his performance or highlight his caste.

Decision

NBSA did not find the report to be mischievous or malicious as alleged. Nor did it find any violation of any Guidelines of NBSA and, therefore, decided to close the complaint and inform the complainant accordingly. The decision was conveyed to the complainant.

Complaint dated 14.11.2014, lodged by PRO, Assam Rifles, regarding news item telecast on Mathrubhumi News on 25.9.2014

Complaint

On receipt of the above complaint by NBSA, the broadcaster was advised to respond to the complainant with copy to NBSA. On receipt of the email, the broadcaster informed NBSA that the matter was sub-

judice, as the subject matter is pending before the Hon'ble High Court of Kerala; that as per Order dated 5.11.2014 in WP (C) No 28971/2014 (V), the Hon'ble High Court had granted them an interim stay pending consideration of the issue; and that in view of the said interim Order and since the matter is sub judice, the proceedings initiated as per NBSA mail dated 24.11.2014 should be kept in abeyance.

On the basis of the said letter dated 2.12.2014, NBSA by its letter dated 5.1.2015, informed the PRO, Assam Rifles that since the matter is sub judice, NBSA would not be in a position under its regulations to entertain the complaint and therefore it was being closed.

The PRO, Assam Rifles vide letter dated 23.12.2014 (received on 13.1.2015) had informed NBSA that the subject matter of WP(C) No. 28971/2014 related to exemption of appearance of the Chief of News of the broadcaster before the Court of Enquiry being conducted by the Assam Rifles, whereas the subject matter of their complaint to NBSA was about the violation of the Code of Ethics and Broadcasting Standards.

In view of the information and documents furnished by PRO, Assam Rifles, the complaint was re-opened and the broadcaster vide email dated 23.1.2015, was directed to respond to the complainant and also submit details of the broadcast and script etc. In its reply dated 28.1.2015, the broadcaster took the stand that as NBSA had closed the complaint, the regulations do not permit NBSA to review its order nor permit restoration of a complaint disposed off on merits.

NBSA noted that the Writ Petition filed by Mr. B. Unnikrishnan Nair, Chief of News, Mathrubhumi News, being summoned as a witness before the Court of Inquiry conducted by the Assam Rifles for investigation into the authenticity of the allegations made by Mathrubhumi News in respect of corruption in Assam Rifles as aired in the broadcast "Operation Hill Top". The summons was served by the Office of Major General (Inspector General) Assam Rifles through the Chief Judicial Magistrate Court, Thiruvananthapuram. The High Court of Kerala, by interim Order dated 5.11.2014 stayed further proceedings pursuant to the communication seeking 'Raw footage' from the broadcaster, as also the summons issued to the petitioner in the writ petition and the consequential notice from the CJM, Thiruvananthapuram. The interim order however stated that the "authorities are free to suggest any alternative way of examining the witness pursuant to the notice issued by the CJM, including video conference or any other convenient place."

Decision

NBSA considered the matter. It found that it had not closed the complaint after examining the complaint on merits. It was of the view that the broadcaster's contention that NBSA could not reopen the matter, was not tenable. Consequently, it decided that the broadcaster be directed to respond to NBSA's e-mail dated 23.1.2015 and submit all documents for the consideration at the next meeting of NBSA.

The above decision of the NBSA was conveyed to the broadcaster vide letter dated 11.3.2015. In response, the broadcaster vide letter dated 21.3.2015, stated that the NBSA regulations do not permit the NBSA to either review its earlier order or to re-open a closed matter, whether disposed of on merits or otherwise. They have also drawn the attention of the proviso to Para 7.3 of the Regulations. The broadcaster stated that the NBSA cannot entertain this complaint as it was not in accordance with NBSA Regulations. NBSA considered the same and decided to await the Court Order. The decision of the NBSA has been conveyed both to the broadcaster and the complainant.

Complaint dated 10.11.2014, received from Mr. V.K. Naswa against objectionable contents in current affairs programme titled ‘Aap Ki Adalat’, telecast by Independent News Services Pvt. Ltd. (India TV), Noida, on 2.11.2014

Complaint

The complaint dated 10.11.2014 relates to the interview of Mr. Yaasin Malik, separatist leader who heads JKLF, in the programme “Aap ki Adalat” anchored by Mr. Rajat Sharma on 2.11.2014 in the backdrop of two ‘National Flags’. The complainant alleged that telecast of the said interview violated the guidelines of NBA/NBSA relating to “Reporting of Crime”; “Endangering National Security” and “Guidelines Relating to Election Broadcast”, etc. The complainant was of the view that “anti national elements, terrorists, naxalites and maoists ought not to be provided space on the dignified forum of ‘Aap ki Adalat’ as long as the two national flags were displayed in the programme”.

The broadcaster responded to the complaint by e-mail dated 18.11.2014 explaining the nature of the programme ‘Aap Ki Adalat,’ the role played by media in news dissemination, the need for public political debate, the fundamental right of freedom of speech and expression, absence of any bar on conducting such interview etc. Not being satisfied with the response, the complainant filed the complaint dated 30.11.2014 before NBSA.

Decision

NBSA considered the complaint and the response given by the broadcaster and also viewed the programme. NBSA noted that the broadcaster had the editorial freedom to structure the programme as it deemed fit. NBSA found no violation of any Standards or Guidelines and, therefore, decided that no action was called for on the complaint. NBSA therefore decided to close the complaint and complainant be informed accordingly. The decision of the NBSA was conveyed to the complainant.

Complaint dated 28.12.2014, from Mr. Praveen Dang, Spokesman, Sh Hindu Nyay Peeth, Ludhiana against programme telecast on 26.12.2014, on IBN 7 News Channel regarding film P.K

Complaint

The complaint dated 28.12.2014 relates to a panel discussion telecast on 26.12.2014 as to whether the film P.K should be banned. The complainant alleged that the said programme was not neutral and the details of the SMS poll were declared in the middle of the programme without giving the number of SMS received. It was alleged that the anchor was promoting the film. The broadcaster denied the allegations in its reply dated 9.1.2015 and also explained how the panel discussion and polls were held. Not being satisfied with the response, complainant filed a complaint dated 15.1.2015 with NBSA.

Decision

NBSA considered the complaint and the response dated 9.1.2015 given by the broadcaster. NBSA found no violation of any Broadcasting Standards or Guidelines, including the Standards relating to neutrality and impartiality. NBSA therefore decided that no action was called for on the complaint and closed the complaint. The decision of the NBSA was conveyed to the complainant.

Complaint dated 6.1.2015, filed by Mr. Ashish Gaba regarding wrong reporting in a programme titled “Asaram or Sangram on 1.1.2015 at 5 pm on IBN 7 New Channel.

Complaint

The complaint dated 6.1.2015 to the broadcaster, pointed out a mistake in a program titled “Asaram or Sangram” aired on IBN 7 on 1.1.2015 at 5 PM, in which it was stated that two girls from Surat had made the rape allegations against Asaram Babu. According to the complainant only one girl from Surat had made the rape allegations against Asaram Babu in respect of which investigations were going on; and another girl had made allegations of rape, not against Asaram Babu, but his son Narayan Sai. The complainant therefore wanted the channel to run a scroll accepting the mistake and give the right information to the audience.

The broadcaster in its response dated 15.1.2015 admitted that in the course of the programme, the channel had showed various news items in the news flash, intermittently and one of the news flash items stated that two ladies from Surat had accused Asaram Babu of rape. The broadcaster however clarified that towards the end of the programme, the channel specifically clarified via a news flash which stated – “Two sisters from Surat levelled rape allegations on Asaram and Narayan Sai respectively”. Broadcaster clarified that the programme containing the panel discussion was aired in good faith.

The complainant was not satisfied with the response and sent a complaint dated 16.1.2015 to the NBSA for its consideration. In the complaint to NBSA, the complainant did not deny the broadcaster’s statement that the statement was corrected in the same programme.

Decision

NBSA considered the complaint and the response given by the broadcaster. NBSA noted that as required under the regulations, the broadcaster had corrected the mistake immediately and hence found no violation of any standards or Guidelines and therefore decided that no action was called for on the complaint. NBSA therefore decided to close the complaint and the complainant be informed accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 12.1.2015 from Mr. Vishal Kudchadkar against breach of NBA Code of Ethics and Broadcasting Standards by CNN IBN in the programme India at 9 on 12.1.2015.

Complaint

The complainant stated that the above programme which focused on the Delhi election, had representatives of the Congress and the BJP but none from AAP; that as the Delhi election was a direct fight between AAP and BJP it was unfathomable as to why AAP was not represented on the discussion panel; that many allegations made by the panelists against AAP were left unchallenged as there was none to defend it; and that by not providing space to AAP on the panel, CNN IBN violated the NBA standards, which states that “TV News channels must provide for neutrality by offering equality for all affected parties, players and actors in any dispute or conflict to present their point of view” and “news channels must strive to ensure that allegations are not portrayed as fact”.

Since the complainant did not receive a response from the broadcaster, a fresh complaint dated 21.1.2015 was submitted to NBSA, which was forwarded to the broadcaster.

The broadcaster in response dated 22.1.2015 stated that in the said programme, a few eminent persons were invited to speak and debate on the Delhi elections. The panel was extremely balanced ensuring views of all prominent political parties. It contended that it was incorrect to state that AAP was not represented in the programme since there was an entire segment of a special interview of Mr. Yogendra Yadav, senior leader of the AAP, which was broadcasted during the program. The channel contended that it had the right to speak to such individuals as it deemed fit, while maintaining objectivity in the broadcast and ensuring that all points of view are adequately captured.

The complainant had sent a rejoinder dated 22.1.2015 pointing out how AAP could have countered the points made out during the show. He reiterated that Section 1(2) of NBA Code of Ethics and Broadcasting Standards were violated.

Decision

NBSA considered the complaint and the response given by the broadcaster and also viewed the programme. NBSA noted that the broadcaster had the editorial freedom to structure the programme as they deemed fit. NBSA found no violation of any Standards or Guidelines and therefore decided that no action was called for on the complaint. NBSA therefore decided to close the complaint and complainant be informed accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 20.12.2014, from Dr. Sukhdev Kumar, regarding news aired on News 24 channel on 19 and 20th December, 2014 at 9 pm and 10 am respectively

Complaint

NBSA at its meeting held on 19.2.2015 considered the complaint, which was received from Mr. R.K. Singh, Advocate, acting on behalf of his client Dr. Sukhdev Kumar of Indo Gulf Hospital. The complaint was that News 24 had broadcast falsely linking the name of Dr. Sukhdev Kumar, Managing Director, Indo-Gulf Hospital with Mr. Yadav Singh ex-Chief Engineer, Noida and his companies. It was also alleged that News 24 had aired the report for 5-7 minutes without any facts. It was alleged that such allegations were all false, made without verifying the facts and without ascertaining the version of Dr. Sukhdev Kumar prior to airing the news.

NBSA noted that the broadcaster in its reply dated 5.1.2015 stated that the report was about a company named Naveen Infra Developers and Engineers Private Ltd.; that the contents of the report were based on the facts which were taken from various sources like the Registrar of Companies, the website of the company and a visit to the residence of Km. Mayawati at Sardar Patel Marg in Delhi. It was also alleged that there were abundant materials to prove the proximity and links of Dr. Sukhdev Kumar and the family of Km. Mayawati as also with Naveen Infra Developers and Engineers Private Ltd; and that they had not maligned or not intended to malign the reputation of any person/organisation and utmost care was taken from their end by verifying the facts through different layers, to prove the genuineness and in order to present unbiased information involving public interest.

Decision

NBSA considered the complaint, the response of the broadcaster and viewed the CD. NBSA noted that while the broadcaster had made efforts to gather data regarding the company, it had not approached Dr. Sukhdev Kumar, who was being reported upon for his connection with the company and Km. Mayawati, for his point of view, to ensure neutrality and for verification.

NBSA decided that since the response of the broadcaster had not been endorsed to the complainant, the same be sent to the complainant for his comments. NBSA decided to consider the matter at the next meeting, and in the meantime the broadcaster be asked to explain why the views/comments of Dr. Sukhdev Kumar were not ascertained prior to airing the report, which was forwarded vide letter dated 5.1.2015.

NBSA at its meeting held on 11.4.2015 considered the response. In its response, the broadcaster relied upon the address of Mr. Sukhdev Kumar as mentioned in the records available with them and also relied upon by them in their investigation was stated as B 498 A, Sector -19, Noida. The broadcaster stated that during investigation, they had come across the fact that the specified address B 498 A, Noida is the address of well known Hospital viz. Indo Gulf Hospitals Private Limited, and that it is not a residential premise. It was stated that based on available information, their Reporter tried to contact Mr. Kumar at the Hospital address, although the same was not a residential premises. While trying to enter the Hospital, their Reporter was first denied access inside the campus on the ground that camera persons were not permitted to enter the Hospital premises. Moreover, without assigning any reason, Reporter was told that neither any meeting nor an interview can be fixed with either Mr. Kumar or any other Hospital Authority available at that time inside the Hospital premises. It was alleged that despite the denial of access inside the Hospital, their Reporter tried to gather information about Mr. Kumar from the staff at the Hospital, with the object to fix an appointment with him. But the Hospital staff remained tight lipped and refused to divulge the actual information about availability as well as actual residential address of Mr. Kumar. The broadcaster stated that therefore, despite their best possible efforts, the views/comments of Dr. Sukhdev Kumar could not be ascertained by the Channel prior to airing the report due to the reason stated above.

NBSA also considered the response dated 1.4.2015 wherein the complainant stated that he was not satisfied with the justice provided to him by NBSA.

NBSA on consideration of the fact was of the view that the broadcaster had made sufficient attempts to get the views of the complainant and that there was no violation of any Regulations or Guidelines by the broadcaster. NBSA decided to accept the response given by the complainant and to close the matter. The complainant and the broadcaster be informed accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 27.1.2015 from President, Delhi High Court Bar Association and further letter dated 28.1.2015 from Hony. Secretary, Delhi High Court Bar Association regarding Aap ki Adalat programme on 24.1.2015 on India TV News channel

Complaint

The President, Delhi High Court Bar Association had filed a complaint dated 27.1.2015 alleging that in an Aap ki Adalat programme of India TV, in which Mrs. Kiran Bedi was interviewed by Mr. Rajat Sharma,

he avoided asking certain questions relating to her tenure in the IPS, for which she would have had no answer; and that the legal fraternity requests action against India TV. NBSA however received another letter dated 27.1.2015 from the Hony Secretary, Delhi High Court Bar Association, stating that the contents of the complaint dated 27.1.2015 by the President of the Association did not express the collective sentiments of the Delhi High Court Bar Association and that they were only the personal views of the President, Delhi High Court Bar Association; that Delhi High Court Bar Association had not given any authority or mandate to Shri Khosla (President) to lodge the complaint with NBSA; and therefore the complaint may not be treated as a complaint filed by the Delhi High Court Bar Association.

Decision

NBSA noted that apart from the fact that the authority of the President of the Bar Association to give the complaint was disputed, there was no substance in the complaint as the broadcaster had the editorial freedom to structure the programme as it deemed fit. As there was no violation of the Guidelines or the Standards, NBSA decided to close the complaint and inform the President and Hony. Secretary of the Delhi High Court Bar Association and also the broadcaster. The decision of the NBSA was conveyed to President and Hony. Secretary of the Delhi High Court Bar Association and broadcaster.

Complaint dated 15.1.2015 by Mr. Rohit Gaunker against Headlines Today

Complaint

The complaint relates to a question posed by Mr. Karan Thapar, on his show on 15.1.2015 at 8:30 pm to Archbishop Anil Couto: “Is this a bad time for Christians in India?” Complainant alleged that the object of the episode was to create tensions and instil fear among Christian community in India; and that the bias displayed by the anchor requires action against the channel and the anchor. As the complainant was not satisfied with the redressal at the first level with the broadcaster, the grievance was brought up to the second level before the NBSA.

The response dated 10.2.2015 of broadcaster was that the question was posed to ascertain the factual status and that every question during the programme was fair and objective. The complainant sent a rejoinder dated 11.2.2015.

Decision

Mr. Vivek Law recused himself while considering this matter. NBSA considered the complaint, reply and rejoinder and also viewed the programme. NBSA found that in the said programme, several questions were put in a fair and balanced manner to Archbishop Anil Couto, in connection with reports of attacks on minorities, which were responded by him. NBSA found that the programme did not violate any norms, regulations or Guidelines of NBA/NBSA and therefore decided to close the matter and inform the complainant accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 11.5.2015, filed by Mr. Ramesh Ramachandra regarding broadcast of two programmes on 22.4.2015 News Break (19:30 hrs) and Left Right and Centre (20:00 hrs) on NDTV 24x7

Complaint regarding News Break at 19.30 hrs

The complaint relates to a news bulletin telecast on NDTV 24x7 (on 22.4.2015) relating to the rally called by the Aam Admi Party (AAP), during which the unfortunate incident of suicide by a farmer took place. The complainant states that the suggestions by the anchor to the reporter covering the rally, to ask the persons present whether the police were laughing, deliberately and falsely implied that the police were irresponsible and negligent and that the news reporting lacked impartiality and objectivity. As the complainant was not satisfied with the response dated 5.5.2015 received from the broadcaster, matter was brought before NBSA.

In its responses dated 5.5.2015 and 25.5.2015, the broadcaster had admitted that its anchor had asked the reporter covering the story to ask whether the police were laughing, as there were reports and visuals of members of the AAP party claiming that the police personnel deployed at the rally were not doing their job. It was stated that the said information was needed to be verified and could not be reported without the necessary substantiation; and that the reporter and the anchor had to adopt this line of questioning so that they could ascertain the truth about the allegations and then report the correct news.

Decision

NBSA considered the complaint and also viewed the CD. On such viewing, NBSA was satisfied that the broadcaster had not violated any guidelines of NBA/NBSA, and there was no deliberate misreporting. Therefore it was decided to close the complaint and inform the complainant accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint regarding the programme ‘Left, Right and Centre’ at 20:00 hrs

The second complaint was that there was also lack of objectivity and impartiality in the programme “Left Right and Centre” telecast on 22.4.2015. It was alleged that Mr. Vishnu Som, the anchor of the programme was putting leading questions to Mr. Sanjay Kaul, BJP Spokesperson, in an attempt to suggest that Delhi CM Arvind Kerjiwal was responsible for the death of the farmer, who allegedly committed suicide at the AAP rally at Jantar Mantar.

The broadcaster vide letter dated 25.5.2015 informed NBSA that Mr. Vishnu Som had not anchored the show on 22.4.2015 and therefore the complaint is without any basis.

Decision

In view of the above, NBSA decided that the complainant be addressed a letter instructing him to submit, within 15 days of receipt of the letter, proof to establish that the programme as alleged by him was aired on NDTV. It was decided to examine the matter, if the complainant furnished proof of such broadcast; and if the complainant did not do so, to close the complaint. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 3.3.2015 filed by Mrs. Meenaxee Padhy and Mr. Manoj Kumar Padhy regarding broadcast on OTV on 17.12.2014 from 7 pm onwards regarding Mamata Educational Aids, Bhubaneswar, Proprietress Mrs. Sumitra Panda

Complaint

The complainants alleged that strangers - OTV reporter/cameraman, forcibly entered premises No. 216-B-3, Mancheswar Industrial Estate without the permission of the owner - mother of one of the complainants; and that thereafter, OTV News telecast erroneous, inaccurate and misleading news regarding use of their premises.

The broadcaster in their response dated 10.3.2015 stated that on 17.12.2014, officials of Odisha Industrial Infrastructure Development Corporation (IDCO) carried out physical inspections of several industrial units who had taken land from the government at concessional rates, to ascertain whether the land was being utilised for the allotted purpose or whether the land provided for industrial purposes at concessional rate was being misused for other purposes; and that their reporter/cameraman had accompanied such inspection team and a news report in that behalf was telecast on 17.12.2014; and that there was no violation of any rules or Guidelines.

Decision

NBSA considered the complaint, reply and viewed the CD. The broadcast showed the inspection of several premises in the industrial units by IDCO officials to ascertain whether they were areas being used for other purposes; one of which was the property referred by the complainants. The reaction of the complainant's mother along with the bytes of the owners of other industrial units whose premises were inspected by IDCO were also duly shown in the news story. They had also shown the statement of a senior IDCO official. NBSA found that the news report was balanced and related to official inspection by IDCO officials, of various industrial units; and that opportunity was given to every one to give his/her version; and that the broadcaster did not violate any Guidelines of NBA/NBSA. NBSA therefore decided to close the matter and inform the complainants accordingly. The decision of the NBSA was conveyed to the complainants and the broadcaster.

Complaint dated 13.5.2015 filed by DMA Nursing Home and Medical Establishment Forum, New Delhi (Delhi Medical Association) against News Nation for telecasting false and fabricated "sting operation" on 7.5 2015 and repeated on 8.5.2015

Complaint

The complaint relates to a sting operation titled JONK 2, which was aired on News Nation on 7.5.2015 and 8.5.2015. The complainant alleged that the sting operation brought disrepute to doctors and diagnostic centers as a whole, as the programme was telecasting false and fabricated information. It was alleged that the channel did it having failed to extort money from the concerned doctors. It was also alleged that during the telecast of the sting operation, the anchor was not allowing the panelists to give their independent views on the debate.

The broadcaster in its response dated 26.5.2015 denied any bias against any one. It was stated that the entire programme was based on facts and telecast was focused on specific cases and issues. It was stated that first part of sting operation (JONK 1) led to initiation of enquiry against practice of commission in diagnostic tests and public having a right to know the truth.

Decision

NBSA considered the complaint, response of the broadcaster and further reply dated 4.6.2015 by the complainant and also viewed the CD relating to the sting operation. It was noticed that the complainant did not deny the sting operation. NBSA was of the view that highlighting and disclosing the malpractice of doctors offering money/discounts to get patients to designated diagnostic centres for tests etc. was in public interest as the public had a right to know about such practices. NBSA was of the view that such practice/malpractice can be exposed only by such sting operations. The broadcaster, while conducting the sting operation, had not violated any guidelines including the “Guidelines for Conducting Sting Operations” dated 27.2.2012. The allegation that only one diagnostic centre was targeted/highlighted in the sting operation was incorrect as the JONK 2 had conducted sting operation on 5 other diagnostic centers, which was shown in the telecast. NBSA also noted that during the panel discussions, all the participants were given due opportunity to give their views, which included doctors who were associated with the Medical Council of India (MCI), including Mr. Ajay Lekhi, President, Delhi Medical Association. NBSA decided that no action was called for on the complaint, as there was no violation of the Guidelines and the matter be closed with due intimation to the complainant. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 1.6.2015 filed by Ms. Meenaxee Padhy against ABP News regarding telecast of interview on ABP News on 29.5.2015, with Sohanlal Valmiki, the accused of KEM Hospital Nurse Aruna Shanbag

Complaint

The complainant alleged that the following ‘improper’ questions were asked by the ABP reporter to Sohanlal Valmiki, the convicted rapist of the KEM Hospital nurse Aruna Shanbag rape case:

ABP - Aurna Shanbag ke sath apne usdin kya kia tha?

ABP - Gharwali ne kabhi is baat mein apko data, kaha?

ABP - Bahu, bete sath nazar milate hue sharam aati hai?

ABP - Jo kaam apne kiya..absosh bahut chota shabd hota hai uske liye.

ABP - Gaon walo ko patta hai is baremein?

According to the complainant, the channel had tried to punish the convicted rapist who has completed his sentence, again by broadcasting his interview.

The response of the broadcaster was that the interview was in the context of covering the death of Ms. Aruna Shanbag who was the unfortunate victim. Since the complainant was not satisfied with the responses received from the broadcaster, the complaint was brought before NBSA.

Decision

NBSA considered the complaint and the responses given by the broadcaster and also viewed the interview. NBSA noted that the questions asked were not unrelated to the news story and there was no violation of any guidelines. NBSA therefore decided to close the matter and convey the decision of the NBSA to the complainant. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 11.6.2015 from Mr. Vinod Nagar regarding showing unmasked Myanmar Operations Group by News Nation

Complaint

The complaint was that the channel, while showing the picture of Myanmar operations commandos in front of a chopper, had not concealed their identity, while most other channels had concealed the identity of the commandos. The complainant has also expressed anguish at the manner in which the TV channels were going overboard to discuss highly sensitive matters, which should not be highlighted. The broadcaster in its response dated 25.6.2015 denied that the faces of Army Commandos were shown by it in any of its telecasts.

Decision

NBSA considered the complaint, response of the broadcaster and also viewed the programme submitted by the channel. It found that the faces of the commandos were masked, especially those who were standing/sitting before the chopper. NBSA decided that since there was no violation of any regulations or Guidelines, the complaint be closed and the complainant be informed accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 22.5.2015 from Mr. Kumar Nishant regarding broadcast of a programme on ABP News on 22.5.2015

Complaint

In the complaint against ABP news channel, it was alleged that while Prime Minister Mr. Narendra Modi was speaking in a programme on Rashtrakavi Dinkar on 22.5.2015, the channel was showing the captions: “Dinkar Ke Bahane Rajneeti” and “Bhomihar vote par nazar”; and that, according to the complainant, was promoting castism, apart from being biased and insulting the Prime Minister and Rashtrakavi Dinkar.

The broadcaster denied the allegations of bias, insult and castism in its replies dated 13.6.2015 and 26.6.2015. It contended that the captions were in the context of editorial analysis with reference to the upcoming Bihar elections.

Decision

NBSA considered the complaint, the reply given by the broadcaster and the rejoinders of the complainant dated 13.6.2015 and 26.6.2015. It also viewed the programme and noted that there was no violation of any Guidelines of NBSA. NBSA therefore decided to close the matter and inform the complainant accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 24.4.2015, by Mr. Hemant Deepak Shewade against biased reporting by Times Now, Zee News and India TV (other news channels as well) against Aam Aadmi Party (AAP) during unfortunate death of Mr. Gajendra during AAP's rally against BJP Govt.'s land acquisition bill

Complaint

The complaint relates to the reporting of Mr. Gajendra Singh's unfortunate death during AAP rally on 23.4.2015, by various news channels, which according to the complainant, was biased. NBSA noted from a reading of the complaint that the complaint related to "live" broadcasts of the AAP rally and the unfortunate death of the farmer was captured by most of the channels "live".

Decision

Bearing in mind the circumstances in which the reporting was being done, NBSA decided that no action was required on the complaint as the broadcasters were covering a "live" event had not violated any Guidelines; and that the matter be closed and the complainant be informed accordingly. The decision of the NBSA was conveyed to the complainant.

Complaint dated NIL (Received on 15.5.2015) filed by Mr. Arvind Khajrana against a live telecast on 1.5.2015 on ETV MP/Chhattisgarh

Complaint

The complaint relates to the live telecast programme on the channel wherein one Ms. Khushi Mukherjee (an actor) as also a minor (who is alleged to have entered the actor's room and misbehaved with the actor in Bhopal) were invited to the channel's news studio to share their view point regarding the incident, in a live telecast. The complainant alleged that the telecast was a planned programme and it violated the Guidelines relating to "privacy" and "objectivity" in reporting the incident and the face of the minor boy was not covered during the programme.

The broadcaster had, in its response, asserted that the minor's identity was concealed throughout the telecast; and there was nothing in the programme which violated the Guidelines.

Decision

NBSA considered the complaint, response from the broadcaster and also viewed the programme. NBSA was of the view that the allegations of the complainant had no merit, as minor's face was covered and only his eyes were visible during the interview. No violation of regulations/Guidelines were found. As there was no violation of the Guidelines/Regulations, NBSA decided to close the matter and also inform the complainant accordingly. The decision of the NBSA was conveyed to the complainant and the broadcaster.

Complaint dated 5.5.2015 from Mr. Jasbir Chawla regarding violation of Code of Ethics by various channels while telecasting the alleged allegations on Kumar Vishwas.

Complaint

The complaint was that in the news report, the woman who levelled the allegations against Mr. Kumar Vishwas was only repeating what was tutored to her; and that though she was being tutored in front of the cameras, several channels did not show her being tutored; and that showed that the reporting was not objective.

Decision

NBSA considered the above complaint and also watched the clipping given by the complainant. While some channels had shown a person trying to tutor the woman who leveled the allegations, other channels did not. That by itself does not mean that the channels which did now show the tutoring were not objective or biased. NBSA noted that there was no violation of the Guidelines by the broadcasters while covering the above telecast. NBSA decided to close the complaint and inform the complainant accordingly. The decision of the NBSA was conveyed to the complainant.

CIN: U22211DL2007NPL165480

Proxy Form

[Pursuant to Section 105(6) of the Companies Act, 2013 and Rule 19(3) of the Companies (Management and Administration) Rules, 2014]

Name of the Company: News Broadcasters Association

Regd. Off: Juris House, Ground Floor, 22, Inder Enclave, Paschim Vihar,

New Delhi – 110 087

Name of the Member:

Registered address:

E-mail Id:

I _____, authorised representative of the above named Member Entity of NBA, do hereby appoint:

1) Mr./Ms _____ R/o _____

_____ having email id _____ or failing him/her

2) Mr./Ms _____ R/o _____

_____ having email id _____ or failing him/her

3) Mr./Ms _____ R/o _____

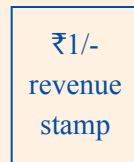
_____ having email id _____ or failing him/her

and whose signature(s) are appended below as my/our proxy to attend and vote (on a poll) on behalf of member entity at the 8th Annual General Meeting of the Association to be held on Wednesday, the 23rd September, 2015, at 12.00 noon at Multipurpose Hall, Kamla Devi Complex, India International Centre, 40, Max Mueller Marg, New Delhi – 110 003, and at any adjournment thereof in respect of such resolutions as are indicated below:

Resolution No:

1. To receive, consider and adopt Audited Financial Statement, Reports of Board of Directors and Auditors.
2. To re-appoint M/s S.S.Kothari Mehta & Co., Chartered Accountants, as Statutory Auditors of the Association and fix their remuneration.
3. To appoint Mr. A.P. Parigi as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.
4. To appoint Mr. Ashish Kirpal Pandit as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association.
5. To appoint Mrs. Anuradha Prasad as a Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.
6. To appoint Mr. M.V. Shreyams Kumar as a Director of the Association, liable to retire at the next Ordinary General Body Meeting, in terms of the provisions of Articles 16 and 22 of the Articles of Association.

Signed this _____ day of _____ 2015



Signature of Member's Representative _____

Signature of Proxy holder(s) _____

Note: This form of proxy in order to be effective should be duly completed and deposited at the Registered Office of the Association, not less than 48 hrs before the commencement of the Meeting.

Attendance Slip

News Broadcasters Association
Regd. Off: Juris House, Ground Floor,
22, Inder Enclave, Paschim Vihar,
New Delhi – 110 087

(To be filled in BLOCK LETTERS)

Name and Address of the Member Entity: _____

Name of the Authorised Representative of Member Entity _____

Name of the Proxy _____

(To be filled in if proxy form has been duly deposited with the Association)

I hereby record my presence at the 8th Annual General Meeting of the News Broadcasters Association held on Wednesday, the 23rd September, 2015, at 12.00 noon at Multipurpose Hall, Kamla Devi Complex, India International Centre, 40, Max Mueller Marg, New Delhi – 110 003.

Signature of Member Representative/Proxy
(To be signed at the time of handing over this slip)

(Please fill attendance slip and hand it over at the entrance of the Meeting Hall)

Chairperson & Members on the News Broadcasting Standards Authority



Justice R.V. Raveendran
[Former Judge of Supreme Court of India]
Chairperson

Members Representing Independent Persons



Nitin Desai



Dr. S.Y. Quraishi



Leela K. Ponappa



Vijayalaxmi Chhabra

Members Representing Editors



Vivek Law



Manika Raikwar Ahirwal



Hemant Sharma



Rajiv Khandekar

NewsBroadcastersAssociation



News Broadcasters Association

Registered Office:

Juris House, Ground Floor,
22, Inder Enclave, Paschim Vihar,
New Delhi – 110 087

Corporate Office:

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C- 56/5 Sector 62,
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Tele/Fax : 0120-4129712
Email: nba@nbanewdelhi.com
Website: www.nbanewdelhi.com