

NewsBroadcastersAssociation



5th
Annual Report
2011-12



News Broadcasters Association Board of Directors



K.V.L. Narayan Rao
President



Barun Das
Vice President



Ashok Venkatramani
Honorary Treasurer



Rajat Sharma



Sunil Lulla



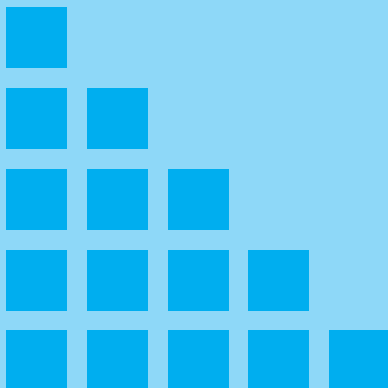
Saikumar Balasubramanian



Anil Mehra



Anuraadha Prasad



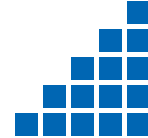
News Broadcasters Association

- **Board of Directors**
 - Mr. K.V.L. Narayan Rao
New Delhi Television Ltd. President
 - Mr. Barun Das
Zee News Ltd. Vice President
 - Mr. Ashok Venkatramani
Media Content & Communications
Services (India) Pvt. Ltd. Honorary Treasurer
 - Mr. Rajat Sharma
Independent News Service Pvt. Ltd.
 - Mr. Sunil Lulla
Times Global Broadcasting Company Ltd.
 - Mr. Saikumar Balasubramanian
ibn18 Broadcast Ltd.
 - Mr. Anil Mehra
TV Today Network Ltd.
 - Mrs. Anuradha Prasad
News24 Broadcast India 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



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Message from President, NBA
August 31, 2012



K.V.L. Narayan Rao
President

Dear Members,

It is my privilege to present the Fifth Annual Report of the News Broadcasters Association and present the initiatives and achievements of the past year. The Management Report details all the initiatives undertaken by the NBA during the year. Hence, I would not like to get into details but just dwell on issues which are of immense concern for the broadcasters - issues which affect us in many ways and threaten our very survival.

It has not been a good year for news. The cost of running news organisations has increased manifold, with no corresponding increase in revenues. Carriage and placement fees have had a crippling effect on the industry, particularly the news genre. On the contrary, revenues are shrinking with advertising remaining static and in some cases even showing “de-growth”. Moreover, the advertising pie is now being shared across various media platforms. Despite adding huge numbers of viewers every year, advertising remains subdued, largely because the ratings agency does not correctly reflect that growth in viewers. Ordinarily, more viewers should mean more advertising. Why is that not the case in India?

While advertising has not shown real growth, we continue to be denied our fair share of subscription revenues. Without adequate revenues that allow us to grow and sustain our organisations, broadcasters are unable to allocate substantial funds for innovative programming and quality content. In the end consumers do not get what they truly deserve....world class programming of the highest standards. All this needs to change very soon.

We do see a ray of hope with the plan for digitization, with the whole country converting from analogue to digital by 2014. However, slippages in timelines are already taking place and the first deadline of the four metros being digitized by June 30th 2012 has been extended to October 31st 2012. Even now it is not certain whether the new date will be adhered to. Admittedly, digitisation is the game changer for the entire industry. But it must be implemented as scheduled.

There are other trends that do not augur well for the industry. Despite a four year engagement with the Ministry to get a “fair pricing” for government advertisements released through the DAVP that are in line with the rates outside, the rates finally announced are even lower for the news genre than what we were getting earlier. Efforts are on to address this but this is yet another area with negative impact on our industry.

The recent move by TRAI to review the existing regulation on duration of advertisements and the format of their presentation in TV channels, is also worrying. High inventory is a direct consequence of poor advertising and lack of alternate revenue streams like subscription revenues.



We urge TRAI and Government to keep this move in abeyance till digitisation kicks in across the country and low or no carriage fees and healthy subscription revenues become a reality for news broadcasters.

We have, at the same time, had excellent relations with the Government and I wish to record my gratitude and thanks to the Hon'ble Minister, Mrs Ambika Soni, the Ministry of Information & Broadcasting and the TRAI for their continued understanding and support on issues which confront us.

Our self regulation initiative since 2008 has been a source of pride for us and a huge success largely due to the invaluable contribution made by Justice (Retd) J.S.Verma (former Chief Justice of India), Chairperson and other Members of NBSA in looking at complaints that come from viewers and ensuring that our editors receive guidance for improving broadcasting standards. Several initiatives we propose to take in the coming months like training will help improve broadcasting standards further. We hope the government will consider our suggestion to make the Code of Ethics and Redressal Regulations and Guidelines a part of the Programme Code under the Cable Television Networks Rules, which would further strengthen self regulation and give it a statutory status.

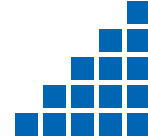
On behalf of the Board of NBA and on my own behalf I would like to place on record our sincere gratitude and thanks to the Chairperson and Members of the NBSA for their wholehearted support, time and guidance.

I would also like to express my sincere gratitude to the Board and Members of the NBA for their constant support. It has been an enriching experience for me personally. We are a group of professionals with immense individual and collective capability and experience and we have been able to benefit hugely from that. Needless to add all have become my friends and we have excellent interpersonal relations with each other, all most vital for effective functioning. During the year Mrs Anuradha Prasad and Mr. Anil Mehra joined us on the Board. Their contributions have been invaluable. I would also like to thank Mr. G. Krishnan a founder member and Mr Joy Chakraborty, both Board members who stepped down during the year. 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 tireless effort 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,

K.V.L. Narayan Rao



Notice

NOTICE is hereby given that the 5th Annual General Meeting of the Members of News Broadcasters Association will be held on Thursday, the 20th September, 2012, at 12.00 noon at Yamuna, Vyas & Tapti, Shangri-La's – Eros Hotel, 19, Ashoka Road, New Delhi – 110001, to transact the following business:-

Ordinary Business:

1. To receive, consider and adopt the Audited Balance Sheet as at March 31, 2012 and the Income and Expenditure Account for the period ended on that date together with Auditor's Report and Directors Report thereon and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

“RESOLVED THAT the Balance Sheet as at March 31, 2012, and Income and Expenditure Account for the period ended on that date, together with Auditor's Report and Directors 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.”

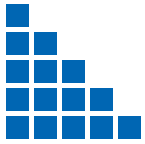
Special Business:

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

“RESOLVED THAT Mr. Anil Mehra who was appointed as a Permanent Director of the Association by the Board of Directors 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 Mrs. Anuradha Prasad who was appointed as an Additional Director of the Association by the Board of Directors 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 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 & 22 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:

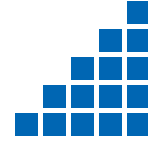
“RESOLVED THAT in terms of sub-clause 15 and 16 of Clause III (B) of the Memorandum of Association of NBA for the furtherance of its objectives or in the interest of the Association or its Members and Associate Members, unless otherwise decided by the Board, an amount of Rs 25.00 lakhs may be demanded from both Members & Associate Members over and above the budgeted amount towards meeting legal expenses of Senior Counsel(s) which includes the cost of retainership, legal advice and representation of the NBA before the Courts would be equitably shared/reimbursed by all the Members and Associate Members of NBA for the current financial year 2012-2013 ”.

“FURTHER RESOLVED THAT Secretary General, NBA be and is hereby authorised to do all or any of the acts, deeds, matters and things as may be considered expedient and necessary for implementing the said resolution on behalf of the Association”.

Place: New Delhi
Date: August 31, 2012

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, during the year appointed Mr. Anil Mehra as a Permanent Director 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.

None of the Directors except Mr. Anil Mehra in respect of whom the Resolution is being moved is concerned or interested in this Resolution.

Item No. 4

The Board of Directors of the Association, during the year appointed Mrs. Anuradha Prasad as an Additional Director subject to approval of General Body Meeting on the Board of NBA. 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.

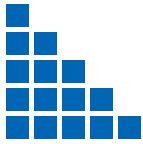
The Board of Directors therefore recommends the Resolution to be passed by the Members as an Ordinary Resolution.

None of the Directors except Mrs. Anuradha Prasad in respect of whom the Resolution is being moved is concerned or interested in this Resolution.

Item No. 5

The NBA has intervened in the following matters which are pending in the Supreme Court, Delhi High Court, Karnataka High Court & TDSAT:

1. Common Cause Vs. Union of India
2. Dr. Surat Singh Vs Union of India & Ors. (Aarushi murder)
3. PUCL & Anr Vs The State of Maharashtra & Ors.
4. TRAI Vs. Set-Discovery Pvt Ltd & Ors
5. Vodafone International Holdings BV Vs. Union of India & Ors.
6. Sahara India Real Estate Corp. Ltd. & Ors. Vs. Securities & Exchange Board of India & Ors. (Hearings Concluded)
7. Act Now for Harmony & Democracy (ANHAD) & Anr. Vs Union of India & Ors (Batla House encounter)



8. Court on its own motion Vs. Union of India & Ors.
9. News Broadcasters Association & Ors. Vs. Telecom Regulatory Authority of India.
10. IndusInd Media & Communications Ltd. Vs. Telecom Regulatory Authority of India & Anr.
11. Shri Shakeel Ahmed & others Vs Suvarna News & Ors.
12. Shri R.N. Merani Vs Union of India & Ors.

The NBA Board decided to intervene in these matters as it was of the view that these petitions pending in Supreme Court, High Courts and TDSAT would have far reaching implications on the news broadcasters, if not intervened by NBA. NBA Counsel appears when the matters come on board. When the final arguments begin, the NBA may need to engage senior counsel (s) to argue the matters in the Supreme Court, High Courts and TDSAT. Engaging senior counsel is quite expensive. With the limited resources available with the NBA, unless otherwise decided by the Board, the cost of meeting such legal expenses beyond the budgeted amount for any financial year, would need to be equitably shared /reimbursed by all Members and Associate Members of NBA as these are industry issues which affect one and all.

Regarding procuring any additional sum from the Members of NBA, sub- clause 15 and 16 of Clause III (B) of the Memorandum of Association of NBA relating to the objects incidental and ancillary to the attainment of Main Object provides as follows:

15 To accept donations, gifts, grants, subscriptions, fees or properties whether movable or immovable and whether subject to any trust or not.

16. To take such steps as may from time to time be deemed expedient for the purpose of procuring contributions, to the funds of the Company in the shape of grants, donations or otherwise.

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

None of the Directors is concerned or interested in the aforesaid resolution.

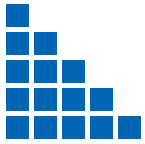
Place: New Delhi
Date: August 31, 2012

By Order of the Board of Directors of
News Broadcasters Association

Secretary General

NOTES

1. Member entities should provide Board Resolution under Section 187 of the Companies Act, 1956 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 is entitled to appoint a proxy to attend and vote instead of himself and the proxy need not be a Member. The proxy, in order to be valid must be deposited at the Registered Office of the Association not later than 48 hours before the commencement of the meeting.
3. The Explanatory Statement pursuant to Section 173 (2) of the Companies Act, 1956 is annexed hereto.
4. Members are requested to bring their copy of the Annual Report to the Meeting.
5. No person other than the authorized 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.



Directors' Report to the Members

The Directors have pleasure in presenting the 5th Annual Report of your Association together with Audited Accounts for the period from April 1, 2011, to March 31, 2012.

► Financial Review

Your Association has reported a total income of Rs.11486531/-, of which income from subscription is Rs.95,75,000/- and incurred an expenditure of Rs.68,60,818/- during the period ending 31st March 2012. Out of the excess of income over expenditure of Rs. 46,25,713/-, an amount of Rs.30,27,406/- has been transferred to special reserve.

► Directors

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. Mr. Anil Mehra has been appointed as Director on July 26, 2012 by the Board of Directors in terms of Article 17 of the Articles of Association, not liable to retire by rotation.

► Membership of Association

The number of Members/Associate Members of the Association are 22 broadcasters representing 41 channels.

► Auditors & 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 224(1-B) of the Companies Act, 1956 and also that they are not otherwise disqualified within the meaning of sub section (3) of Section 226 of the Companies Act, 1956, for such appointment.

The Statutory Auditors' Report on the Accounts of the Association for the financial year ended 31st March, 2012 is self explanatory and do not require further comments in the Directors' report.

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

Information in accordance with the provisions of Section 217(1)(e) of the Companies Act, 1956 read with the Companies (Disclosure of Particulars in the Report of Board of Directors) Rules, 1988 regarding Conservation of Energy and Technology Absorption is not disclosed as the same is not applicable to the Association. Association has no foreign exchange earnings and outgo during the period.

► Particulars of Employees

There were no employees of the Association who received remuneration in excess of the limits prescribed under Section 217(2A) of the Companies Act, 1956 read with the Companies (Particulars of Employees) Rules, 1975.

► 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;
- (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.

► Management Report

Management Report containing a brief review of the activities of the Association during the year under review is attached with this Report.

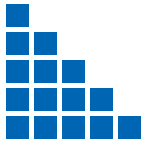
► Acknowledgements

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/-	Sd/-	Sd/-
K.V.L. Narayan Rao	Barun Das	Ashok Venkatramani
President	Vice President	Honorary Treasurer

Place: New Delhi
Dated : July 26, 2012

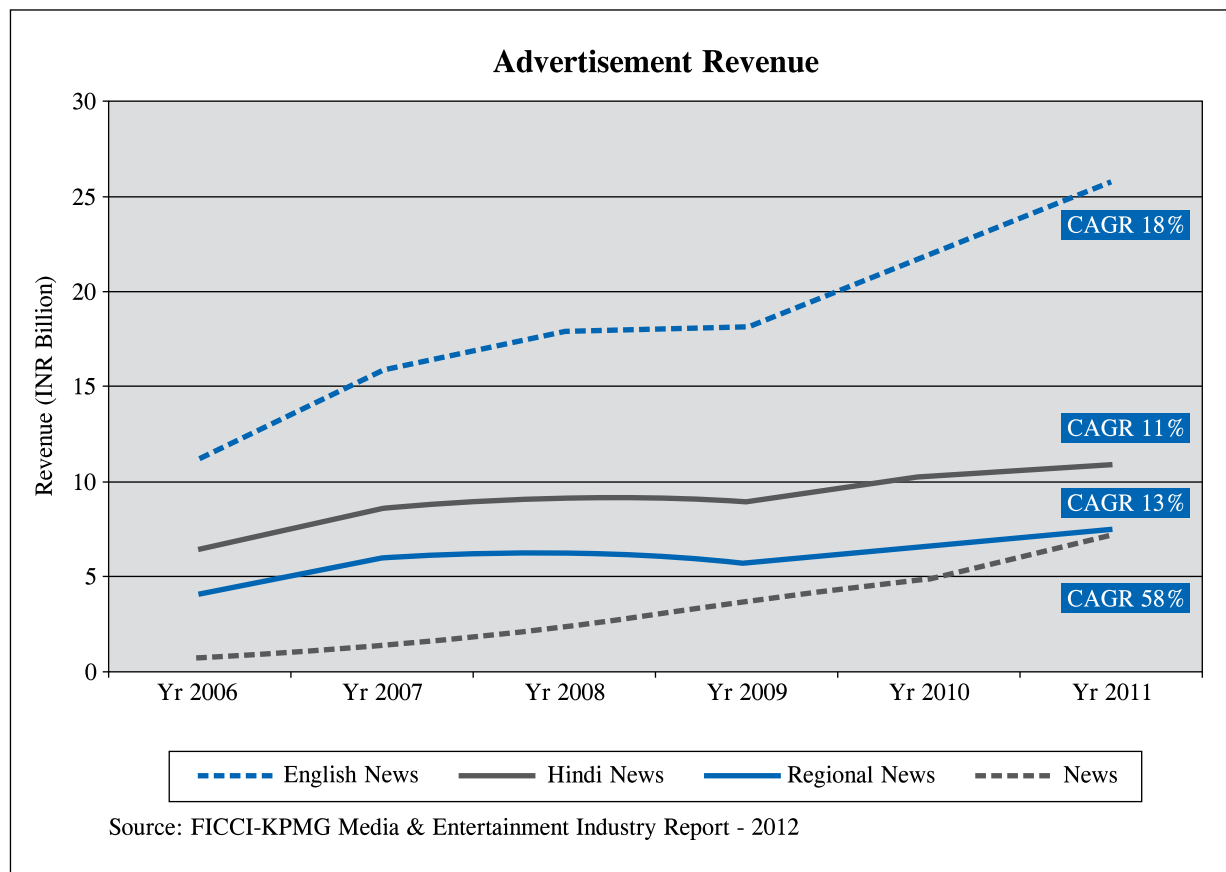


Section I Management Report for the Year 2011-12

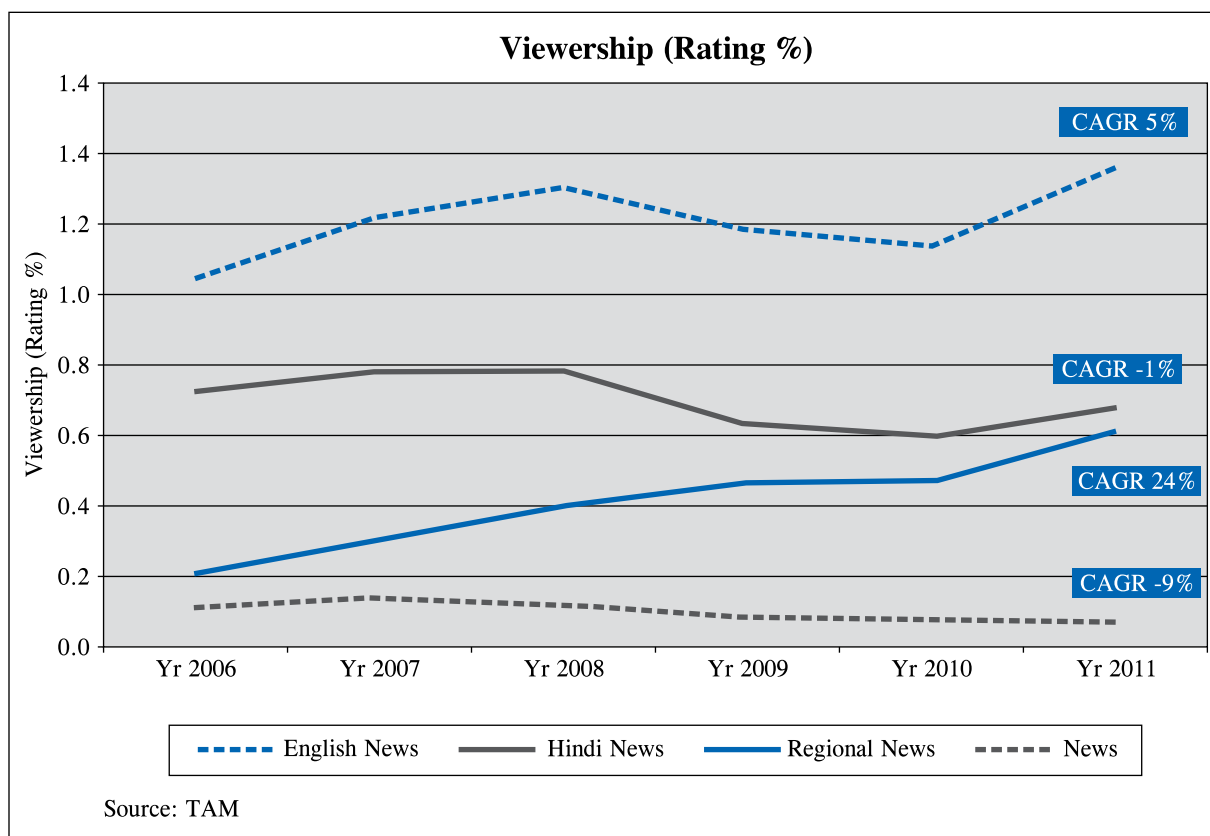
► Industry overview

According to the FICCI-KPMG Media & Entertainment Industry Report 2012, India's media and entertainment industry stood at INR 728 billion in 2011, a growth of 11.7% over the previous year. The television industry is at INR 329 billion which is a growth of 10.8%. Television viewing has continued to grow over the last few years with several English, Hindi & Regional language channels becoming operational. This has translated into substantial growth in viewership.

The charts below indicate the growth in advertising and the viewership of the news & current affairs genre during the years 2006-2011.



During the years 2006 – 2011, the revenue of news channels grew at a compounded annual growth rate (CAGR) of 18% where English news channels grew by 13%, Hindi news channels by 11% and regional news channels by 58%. If one looks at the change with respect to previous year, news channels revenue in 2011 increased by 17%.

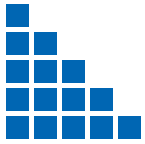


According to TAM reports the viewership of news channels grew at a Compounded Annual Growth Rate (CAGR) of 5% where English news channels viewership declined by 9%, Hindi news channels declined by 1% and regional news channels grew by 24%. Compared to the previous year, the viewership of news channels in 2011 grew by 19%.

It is gratifying to report that the present dispensation in the Ministry of I&B headed by Mrs. Ambika Soni, Minister for Information & Broadcasting, a forward thinking visionary has been very proactive and accommodating in handling issues/concerns of the news broadcasters.

In the process of managing its policy environment, NBA draws constantly on the goodwill of the government. During the year under review, the NBA took up issues that concern news broadcasters with the government from time to time. The Board Members/Secretary General called on the following officials in the government:

- Mrs. Ambika Soni, Union Minister for Information & Broadcasting
- Mrs. Sheila Dikshit, Chief Minister of Delhi
- Mr. Prithviraj Chavan, Chief Minister of Maharashtra
- Mr. Pulok Chatterji, Principal Secretary to Prime Minister of India
- Mr. Rajiv Takru, Additional Secretary, Ministry of Information & Broadcasting
- Dr. Rahul Khullar, Chairperson, Telecom Regulatory Authority of India (TRAI)
- Dr. J.S. Sarma, the then Chairperson, Telecom Regulatory Authority of India (TRAI)
- Mr. B. Brahma, Chairman, Empanelment Advisory Committee & Additional Secretary & Economic Advisor - Ministry of I&B
- Mr. A.P. Frank Noronha, Director General, Directorate of Advertising & Visual Publicity (DAVP)



► Industry Matters

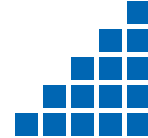
► Ministry of Information & Broadcasting

Amendments to the Cable Television Networks (Regulation) Act, 1995

In view of the digitization of the broadcast sector, it was necessary to make amendments to the Cable Act. The Ministry of Information & Broadcasting had sought comments from the stakeholders to the proposed amendments to the Cable Act, 1995. Detailed comments submitted by NBA are as follows:

- a) Carriage fee and placement fee charged to broadcasters be monitored and rationalized so that extortionate demands from MSOs/LCOs are curtailed;
- b) NBA Code of Ethics & Broadcasting Standards be statutorily recognized to enable uniformity of such standards as between news broadcasters;
- c) A specific provision be added to the said Act making it mandatory for all broadcasters to be members of a self-regulatory body, which would enforce the Programme Code and the Advertisement Code under the said Act;
- d) If a cable operator runs a local news channel/s, such cable operator must be bound by the same eligibility requirements, principles and guidelines (including as contained in the uplinking and downlinking guidelines) as are applicable to satellite news channels/ broadcasters;
- e) A graded scheme of action for violation of the Programme Code and Advertisement Code be engrafted in Section 19 of the Act so that an errant broadcaster is put to notice, given a proper hearing, made to suffer graded penalties in the case of a violation (such as running a regret etc.), instead of a straight ban or prohibition of broadcast;.
- f) A provision be added to the effect that no cable operator shall charge any pay channel or free-to-air channel fee for carrying any channel or for allocating any specific placement to any channel over its cable television network without a full and truthful declaration of the number of subscriber points on such cable television network; and such fee shall not exceed the sum charged by the cable operator to another similar channel;
- g) In the Rules to be formulated under the amended Cable TV Act, specific disclosures be required in regard to the carriage fee and placement fee charged by the cable operator to all pay channels and free-to-air channels (as per the disclosure requirement now existing in Section 4A(9) of the draft amended Act);
- h) In the Rules to be formulated under the amended Act, it be added that no programme which violates the Code of Ethics & Broadcasting Standards and Specific Guidelines issued by the News Broadcasters Association, New Delhi from time to time shall be carried in the cable service;
- i) In order to avoid multiplicity of forums and jurisdictions it be provided in the said Act that any disputes as regards MSOs not complying with digital addressability requirements etc. shall be decided by the TDSAT.

The issues raised in our representation found no place in the amendments. The MIB took action of amending the Cable Act only to the extent that was necessary for digitization. In view of Parliament



not being in session, the amendments were passed by an Ordinance promulgated by the President of India which have been notified by MIB vide Notification dated 25.10.11.

The Ministry of I&B thereafter, vide Notification dated 11.11.11 also notified in public interest that it shall be obligatory for every cable operator to transmit or retransmit programmes of any channel in an encrypted form through a digital addressable system in such city and town or area as per the schedule given in the Notification. The only change made by the Ministry while issuing the Notification related to the 4 metros. The digitization in the 4 metros would be completed on 30.6.12 instead of 31.3.12 as had been recommended by TRAI earlier. The entire country as per the notification would be digitized by 31.12.2014.

Cable Television Networks Rules 1994 amendments thereof

In view of digitization of the cable sector, the Ministry of I&B had sought comments from stake holders on the proposed amendments to the Cable Television Network Rules 1994. NBA submitted its views on certain provisions which required consideration while drafting/amending the Cable Television Networks Rules 1994 which related to:

1. Definition of programme

To add the following at the end of the definition of “Programme”:

Provided that where a television broadcast includes news and current affairs programming, the broadcaster shall be bound by the same rules, guidelines and norms regardless of whether the broadcaster is operating a satellite, terrestrial or local cable news channel.

2. Inclusion of sub-rule 5A inter alia relating to self-regulation and violation of Code of Ethics and Broadcasting Standards and Specific Guidelines

No news or current affairs programme which violates the self-regulatory Code of Ethics & Broadcasting Standards and Specific Guidelines issued by the News Broadcasters Association (NBA) from time-to-time shall be carried in the cable service; and the rules and regulation of the News Broadcasting Standards Authority (NBSA) shall apply to any violations of this sub-rule.

3. Replace the proviso to sub-rule (viii) with the following proviso

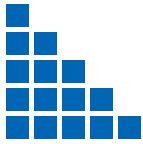
Provided that a product that uses a brand name or logo, which is also used for cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants, may be advertised on cable service if it is a bona fide, non-prohibited product;

4. Maintenance of register, inspection of Records and Statutory Filing

To add the following as sub-rule 7:

Cable Operator shall be debarred from running local news channel/s unless all guidelines, rules, regulations and norms (including those contained in the uplinking and downlinking guidelines of the Ministry of Information & Broadcasting) applicable to satellite news channels are complied with by such cable operator.

It is regretting to note that none of the suggestions given by the NBA were considered by the MIB. The Cable Rules have been amended by the Ministry of Information & Broadcasting vide Notification dated 28.4.2012.



Modification in switchover date to digital cable TV system

The PIB issued a press release on 20.6.2012 that the assessment of ground realities, compelled the Ministry of Information & Broadcasting to set a new deadline with strict benchmarks to ensure that no complacency sets-in in the system and the new target date is achieved collectively by all the stakeholders. Therefore, keeping in view public interest and after intensive and extensive consultations, as well as written commitments from all the stakeholders, for fully implementing the regulations of TRAI, the Ministry of Information & Broadcasting decided to modify the 30th June deadline for a complete switch over to 31st October 2012 for all four Metro Cities i.e Delhi, Mumbai, Chennai and Kolkata. The press release stated that the Ministry of Information & Broadcasting would closely monitor the process of digitalisation over the next four months and will issue warning letters to those going slow on their written commitments. Both the MIB and TRAI, would take action under the provisions of the Cable Act, wherever and whenever necessary.

The MIB thereafter, vide notification dated 21.6.2012 extended the date for digitization in four metros from 30.6.2012 to 31.10.2012.

Implementation of Digital Addressable Cable TV Systems – Constitution of Task Force

For smooth and timely implementation of digital addressable cable TV systems, a Task Force under the Chairmanship of Additional Secretary, MIB, had been constituted, which has representatives of industry bodies. Mr Barun Das, Vice President, NBA has been nominated on the Task Force by the NBA. Several meetings of the Task Force have been held which are either attended by Mr Barun Das or Mrs Annie Joseph, Secretary General, NBA. The Task Force has been monitoring the progress on a bi monthly basis the seeding of boxes and various other activities required to be undertaken by various stakeholders for timely implementation of digitization.

Public awareness campaign – Reconstitution of Sub-Group – MIB

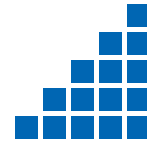
Mr. Amar Nath Singh, Under Secretary, MIB, vide letter dated 11.7.12, informed that the Sub-Group on public awareness campaign in respect of digital addressable system in cable television network had been reconstituted. Joint Secretary (Broadcasting) is the Chairperson of the Sub-Group with members from NBA, IBF, MSO Alliance etc. The terms of reference of the above Sub-Group are as follows:

- (i) To assess the awareness level of viewers/consumers across various segments of society in the four metro cities in respect of the impending DAS in cable television networks.
- (ii) To draw up print media and electronic media related public awareness material, including radio jingles and TV spots in respect of Doordarshan, AIR as well as private television channels and private FM radios.
- (iii) To monitor the publication of material in print media and running of publicity modules in electronic media and to take corrective action as deemed fit.
- (iv) To take up any publicity related task as may be warranted.

Mr. Barun Das has been nominated by NBA on the Sub Group and is attending the meetings.

Public awareness tickers and promo on digitization by NBA Members

Since digitization is an important milestone for the broadcast industry, the NBA Board decided that it would be in the interest of the industry and in public interest that addressable digitization is given



adequate coverage by way of ticker and promos by the broadcasters. The members of NBA have been running tickers to inform viewers of the need to install set top boxes to avoid losing their cable connection. The promo prepared by IBF was also run by the NBA member channels.

Proposed amendments in Policy Guidelines for Uplinking/Downlinking of TV channels

The “Policy Guidelines for Uplinking and Downlinking of TV channels” approved by the Union Cabinet contained a provision that “renewal of the permissions of TV channels will be considered for a period of 10 years at a time subject to the condition that the channel should not have been found guilty of violating the terms and conditions of permission including violations of the Programme and Advertisement Code on 5 occasions or more”.

Since the amendment was unacceptable, NBA issued a press release on 9.10.11, wherein NBA recorded its deep anguish to such amendments to the Uplinking and Downlinking Guidelines and urged the Government to urgently review the regressive decision which would be anathema to the constitutional framework of our country.

Arising out of the reactions of the NBA, BEA & IBF, Mrs Ambika Soni, Minister for Information & Broadcasting convened a meeting on 11.10.11 whereat she met representatives of all the three Associations. After hearing the views of the members present, the I&B Minister assured the delegation that since the government was committed to self regulation, it would not be the government which decides the five violations but would be decided in consultation with the self regulatory bodies of the respective associations.

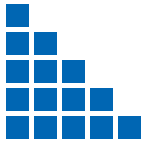
It is pleasing to report that the MIB while notifying the Uplinking & Downlinking Guidelines dated 5.12.2011, had amended the provision contained in Guideline 10.2 to state “what would constitute a violation would be determined in consultation with the established self regulating mechanisms”.

To discuss implementation of the above provision a meeting was convened by Additional Secretary, Ministry of Information & Broadcasting on 7.5.12, which was attended by the Secretary General, NBA, BCCC & ASCI. NBA informed the Additional Secretary I&B that the wording of para 10.2 of the amended Uplinking Guidelines dated 5.12.2011 is inclusive and not exhaustive. Therefore apart from violations of Programme and Advertising Codes under the Cable and Television Networks (Regulation) Act 1995 & the Cable Television Network Rules 1994, the Code of Ethics & Broadcasting Standards & Specific Guidelines issued by self regulatory bodies such as NBA would also be considered in determining the five violations in ten years as stipulated in Para 10.2. It is in this context that violations will be determined in consultation with established self regulatory mechanism.

The other amendments made in the Policy Guidelines for Uplinking & Downlinking channels from India are as follows:

Net worth criteria for Uplinking of 'Non-News and Current Affairs' channels and Downlinking of foreign channels has been revised from Rs.1.5 crores to Rs. 5 crores for the first channel and Rs. 2.5 crores for each additional channel.

For uplinking of 'News and Current Affairs' channels the net worth / criteria has been increased from Rs. 3 crores to Rs. 20 crores for the first channel and Rs. 5 crores for each additional channel.



For Teleports the net worth criteria would be uniform irrespective of channel capacity. The net worth criteria would remain Rs. 3 crores for the first teleport and Rs.1 crore for every additional teleport.

All TV channels would be required to operationalize their TV channels within a time frame of one year from the date of permission, for which non-news and current affairs channels will have to sign a Performance Bank Guarantee (PBG) of Rs.1 crore whereas news and current affairs channels will have to give a Performance Bank Guarantee for Rs. 2 crores. In the event of non-operationalisation of the permitted channel within a period of one year, the PBG will be forfeited and permission cancelled.

The period of permission/registration for uplinking/downlinking of channels will be uniform at ten years.

One of the persons occupying the top management position i.e., Chairperson or Managing Director or Chief Executive Officer or Chief Operating Officer or Chief Technical Officer or Chief Financial Officer in the applicant company should have a minimum of 3 years of prior experience in a media company, for both news and non news channels.

Proposals of merger, demerger and amalgamation will be allowed under the provisions of Companies Act, after obtaining the permissions of the Ministry of I&B as per procedure.

The channels operating in India and uplinked from India but meant only for foreign viewership should be required to ensure compliance of the rules and regulations of the target country for which content is being produced and uplinked.

Permission fee for uplinking/downlinking of TV channels and setting up of teleports would be Rs. 2 lakhs per channel/teleport per annum. Whereas permission fee for downlinking of TV channels uplinked from India would be Rs.5 lakhs per channel per annum. Permission fee for downlinking of TV channels uplinked from abroad would be Rs 15 lakhs per channel per annum.

DAVP – Policy Guidelines for empanelment of Pvt. C&S TV channels for government advertisements by DAVP and other duly authorized agencies of the MIB

NBA had represented to the Ministry of Information & Broadcasting (MIB) that since the DAVP rates were revised in 2007 and the rates offered being inadequate, there was need to re-look into the matter, as this would facilitate news broadcasters to get a “fair pricing” for DAVP rates.

Arising out of the various meetings and representations, MIB constituted the Empanelment Advisory Committee (EAC) in 2010 for empanelment of private C&S TV channels with DAVP and fixation of rates of government advertisements released through TV channels. The intent of constituting the Committee was certainly to understand the ground realities, the current environment in which the news channels are operating, the parameters to be considered and thereafter fix rates which would be economically viable.

In this regard the NBA had several meetings with the EAC, former Secretary I&B & DG, DAVP. The contribution of NBA in this initiative has been significant.

After two years of consultation with NBA, the Ministry of Information & Broadcasting on 14.5.2012 released the “Policy Guidelines for empanelment of Pvt. C&S TV channels for government advertisements by DAVP and other duly authorized agencies of the MIB”.

NBA found that none of the suggestions given in our various representations, presentations and

discussions had been considered while determining the rates for DAVP advertisements. On the contrary, news broadcasters in 2012 would receive rates lower than what they received earlier, which were already uneconomical.

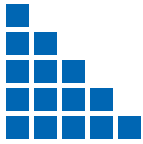
The NBA represented to Secretary I&B & DG DAVP and informed them of the issues which need reconsideration:

1. Methodology used for calculating the rates: The formula for rate calculation is incorrect as CPRP is a wrong measure to calculate rates. The CPT should be considered for calculating rates. The constant factor of Rs. 150/- and the CPRP of Rs. 23000/- was retrograde to the news genre and were in fact less favorable than the earlier rates. This may benefit the GEC's but not news channels.

The DAVP may consider the cost per thousand (CPT) model for fixing rate structures for news channels as is done for print media as against the CPRP concept. The worldwide benchmark for arriving at a rate across any media platform, is cost per thousand (CPT), which is a true measure and on which print medium in India works. CPRP is the wrong measure and is an old school, as it is a percentile and hence does not take into account the growing number of viewers, hence needs to change. It is also contradictory, as on one hand the Government is enforcing digitization for bringing about transparency on actual number of viewers/ households and on the other hand DAVP (Government body) is working on CPRP which totally defies the importance of growing viewership/ households. Even if, CPRP is taken as a measure and cannot be changed to CPT, then CPRP benchmarks should be different for every genre. However DAVP has used a consistent CPRP (Rs 23000/-) across genres. For Hindi news, it should be around Rs 55000. In arriving at an acceptable common yardstick to calculate a rate for English news channels, it would be useful to consider how various agencies calculate the cost of their campaigns on news channels. The rating mechanism completely ignores the parameters of content quality and also undermines the English news genre. While fixing a media plan (i.e. deriving a suitable channel mix for a campaign) it is content and genre that is taken into account. This has a direct bearing on the effectiveness of delivery of the message itself and most importantly on the audience who receive the message. Special weightage has to be given to English and Business channels in view of their premium viewership.

As per the trend of the media industry, print medium has undergone a decline in its reach worldwide, especially after the emergence of social networking sites and other online properties. Television has overall witnessed a hike in its reach over the last few years. Despite this positive development in terms of rates the scenario has been reverse. The basis for determining of rates in print (barring established newspapers) is not even validated. Newspapers having circulation below 75000 copies are required to submit only a CA certificate whereas others are supposed to furnish ABC certified circulation figures. For television the basis is TVR, which is constantly growing both in terms of viewership and number of channels. 100 million viewers were added in 2010 alone taking the total viewership to 600 million plus. The total numbers of channels had crossed 550 in 2010. Over the last few years the TAM universe has sharply increased resulting in higher and increased reach of channels. Since DAVP's annual media planning comprises majority of both print and TV, they should be treated on par as far as cost parameters are concerned.

DAVP may consider the cost per thousand (CPT) model for fixing rate structures for news channels as is done for print media as against the CPRP concept. While rates for print are derived after accounting for the effect of economic inflation, no such consideration has been made for TV



Channels. Also, no service tax is attracted for print but the same impacts cash flows for the TV business.

2. Time bands: We had suggested that DAVP may immediately move to the following time bands which are being followed by all broadcasters which are as per industry norms. This would bring uniformity across all news channels for both private advertisers and the government advertisements released through DAVP. This suggestion had no financial implications and would significantly improve the channels ability to execute the plans. It was also explained that operating within the stated time bands in no way reduces the effectiveness as channels make sure the spots are spread out within the band. Narrowing the bands only makes it more difficult to implement and these have to be at a 200% premium as indicated in the proposal.

Band	Non-Business Channels	Business Channels
Morning	5 am till 12 noon	6 am – 9 am
Afternoon	12 noon till 5 pm	9 am – 1800 hrs
Evening	5 pm till 1 am	1800 hrs – 24 hrs

DAVP on the contrary increased the existing time bands (which were 5 earlier) to 6 time bands i.e. 7 AM to 9 AM, 9 AM to 12 Noon, 12 Noon to 7 PM, 7 PM to 8 PM, 8 PM to 10 PM and 10 PM to 11 PM.

The six time bands specified in the Report for applying the new rate structure is based on the yardstick of CPRP, which in essence equates one Television Rating Point (TRP) in the morning time band with one TRP in the evening time band, thereby negating the meaning and relevance of different time bands. It was suggested that DAVP should accept the above time bands. Since news channels operate on live/recorded news model, it becomes extremely difficult to service the campaigns in narrow time bands in case of breaking news etc with a condition from DAVP that no make good is given in case of missed spots.

3. Target Audience: The DAVP has used Target Group (TG) 15 years+ Homes as a common measure to arrive at rates for TV channels. What has been ignored here is the fact that TV news genre caters to different TGs and therefore one common TG should not be considered for TV Channels, i.e. TG of Male 25+ AB or ABC should be factored for evaluating news channels.

4. 40% allocation to Regional Channels: DAVP's decision to allocate 40% exclusively to campaigns on regional channels drastically reduces the outlay and investment plans of national news broadcasters. This will directly affect revenues of national news channels.

5. News genre/Sports genre: News genre to be treated as a separate genre and treated in the same manner as sports has been treated in the current guidelines.

6. Impact of DTH reach: The DAVP has ignored the reach and impact of DTH homes while arriving at rates for C&S TV channels. Since television medium has penetrated almost every household today, the DAVP should consider the impact of DTH and its reach while fixing rates for spots on news channels.

7. Mandatory carrying of spots: For news channels it would be impossible to provide such a guarantee due to the nature of news operations. Content in the form of a breaking story or a sensitive news item would always get precedence over commercial breaks, which agencies are very well aware of.

8. Term of Empanelment: From a feasibility point of view and looking at the current environment in which TV Channels operate today, it would be impossible to consider a term of 3 years. It was suggested this be changed immediately to a term of one year.

9. Payment Terms: Payments by DAVP for spots actually carried come in only after a period of 6-9 months. This delay impacts business and we urged the DAVP to have advance payment option or put in adequate protection measures wherein DAVP pays interest for delayed payments and until such time these are met, embargo rule should apply.

The NBA Board has explained to the Minister & Secretary I&B that news broadcasters cannot accept rates which are lower than what it was offered four years ago. Hence, the members of NBA have not empanelled with DAVP and have decided not to carry the advertisements.

Arising out of the discussions with the Minister and Secretary I&B, Mr B. Brahma, Chairman EAC convened a meeting with NBA representatives. During the meeting all the above issues were again discussed. NBA and DAVP are in discussion to find a solution to this impasse.

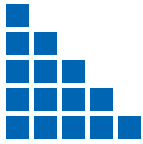
Panel Advisory Committee – DAVP

As per the policy guidelines representatives of industry bodies can be a member of the Panel Advisory Committee, which shall advise DAVP on empanelment of channels. The PAC for the empanelment of C&S TV channels for 2012–15 has been constituted under the Chairmanship of Mr. Frank Noronha, DG, DAVP with Mr. B. Brahma, officials of DAVP and representatives from NBA, IBF and ARTBI. NBA is represented by Mr Ashok Venkataramani, Board member & CEO MCCA (ABP News Group).

Advisories issued by the Ministry of I&B

The Ministry of Information & Broadcasting has issued the following advisories, which have been circulated to Members/Editors and Legal Heads of NBA:

1. Advisory dated 25.8.11, regarding merchant vessel MV Fairchem Bogey with 21 Indian sailors was hijacked by suspected Somali pirates off the coast of Qatar.
2. Advisory dated 13.9.11, regarding promotional trailer of film “Dirty Picture” (Hindi), which has been certified by CBFC as “A” category and was being aired by some news & non-news TV channels.
3. Advisory dated 29.9.11, regarding guidelines for conduct & carriage of quiz based game shows.
4. Advisory dated 3.10.11, regarding reporting of Telengana issue.
5. Advisory dated 17.11.11, regarding advertisements claiming miraculous or supernatural property/quality carried on TV channels – Violation of Rule 7(5) of Advertising Code.
6. Advisory dated 29.11.11 regarding telecast of programmes apparently encouraging superstition and blind belief – Rule 6(1)(i) of the Cable Television Networks Rules, 1994.
7. Advisory dated 11.4.12, issued pursuant to a Order of Allahabad High Court, Lucknow Bench, regarding telecast any programme pertaining to movement of Indian troops.
8. Directive dated 8.8.12, regarding protection of identity of children in need of care and protection and juveniles in conflict with law.



Telecom Regulatory Authority of India

Consultation Paper on issues related to implementation of Digital Addressable Cable TV Systems

The Telecom Regulatory Authority of India (TRAI) in August, 2010 had recommended to the Government complete digitalisation with addressability by December 2013, in a phased manner. The Government accepted the recommendations and issued an ordinance in October, 2011 and a Notification in November, 2011 for complete digitization with addressability in a phased manner and to be completed by December, 2014. Parliament has also passed the Bill to amend the Cable TV Act paving the way for the digitization.

The TRAI issued a Consultation Paper on issues related to implementation of Digital Addressable Cable TV Systems. The following issues had been identified for consultation:

Issues relating to Tariff

- a) Composition of Basic Service Tier (BST).
- b) Tariff for BST.
- c) Retail Tariff.

Issues relating to Interconnection

- a) Determination of revenue share between MSO and LCO.
- b) Determination of revenue share for BST.
- c) Prescription of Standard Interconnection Agreements (SIA) for DAS.
- d) Must carry provisions.
- e) Audit of 'subscriber base' by MSOs and Broadcasters, on half yearly basis.
- f) Regulation for carriage fees.

Issues related to Quality of service

- a) Billing to be done by MSO.
- b) Introduction of pre paid billing.
- c) Clear demarcation of responsibilities for QOS.

Other issues

- a) Broadcasting of advertisement free channels
- b) Issue of non addressable digital STBs.
- c) Reference point for wholesale rate for channels post DAS implementation.

NBA submitted its response to the Consultation Paper and also participated in the Open House Discussions.

Thereafter, the TRAI issued the following Notifications relating to Tariff Order and Interconnection Regulations for Digital Addressable Cable TV Systems on 30.4.12:

1. Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) Regulations, 2012 (No.9 of 2012).
2. Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff (First Amendment) Order, 2012 (No. 3 of 2012).

Since the notifications had issues relating to carriage fees, placement fees etc the NBA Board met Mrs. Ambika Soni, Minister for Information & Broadcasting, Mr. Pulok Chatterji, Principal

Secretary to Prime Minister of India and also the then Chairperson, TRAI. The NBA explained to all the officials that there needs to be clarity in the regulations regarding “carriage fees” to be paid by the broadcasters and also there was no justification to pay “placement fee” in a digital environment, when there would be no capacity constraints.

The erstwhile TRAI Chairperson in a meeting held with NBA on 4.5.12 followed by interviews carried across all media stated that he would classify any carriage demand in excess of 50 paise to 1 Rupee per subscriber per channel per year as unreasonable. He also assured NBA that he would issue amendments and notify that “placement fee” would not be charged from broadcasters.

As per the regulations issued by the TRAI, MSO’s are required to host the Reference Interconnect Offer (RIO) on their respective websites which indicates, among other issues, the rate at which they would charge carriage fees on broadcasters in the new DAS regime. The NBA noted that the rates ranged from Rs.1.90 to Rs.2.25 per box per channel per month. This was despite the assurance given by the erstwhile TRAI Chairperson that he would classify any carriage demand in excess of 50 paise to 1 Rupee per subscriber per channel per year as unreasonable. The NBA noted that the MSO’s had not taken heed of the TRAI statement and by indicating that carriage fees will be more than 20 times what TRAI has indicated as reasonable, made it quite clear what their intent was. The MSOs appeared to be making a mockery of the entire digitization process by mentioning such exorbitant carriage fees. At 50 paise or 1 Rupee per box per year, which was the rate indicated by the then TRAI Chairperson, for say, 100 million subscribers, it was expected annual carriage fee to be capped at between Rs.5 crores to Rs.10 crores per channel. At the rates now proposed by MSO’s, that figure for the same number of subscribers would be Rs.230 crores per channel per year. For most news channel companies, this was far in excess of their existing turnover. The unanimous view of the NBA was that the NBA should oppose this move strongly and ensure that any carriage fees demand in excess of 50 Paise to 1 Rupee per subscriber per channel per year is unreasonable and this would be in line with the assurance already given and public statements made by the TRAI. This position has been communicated to Chairperson, TRAI, both in writing & in the discussions the NBA has had with him. TRAI is looking into the matter. The final outcome of the deliberations are awaited.

Meetings with the Chief Ministers of Delhi & Maharashtra regarding digitization

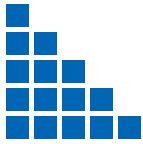
To ensure smooth implementation of digitization in Delhi & Mumbai, NBA Board members met Mrs. Shiela Dikshit, Chief Minister of Delhi & Mr. Prithviraj Chavan, Chief Minister of Maharashtra. Both the Chief Ministers have assured the delegation that they would give all assistance for its smooth implementation. NBA has requested for meetings with the Chief Ministers of West Bengal & Tamilnadu.

Consultation Paper on issues related to advertisements in TV channels - 16.3.12

The TRAI had taken suo motu action to review the existing regulations on duration of advertisements and the format of their presentation in television channels in India for which purpose they had circulated a Consultation Paper on 16.3.2012.

The Consultation Paper stated that the TRAI proposed the following stipulations, on which the comments had been invited from stake holders:

- i. The limits for the duration of the advertisements shall be regulated on a clock hour basis i.e. the prescribed limits shall be enforced on clock hour basis.



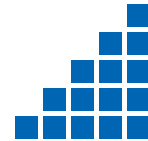
- ii. No FTA channel shall carry advertisements exceeding 12 minutes in a clock hour. For pay channels, this limit shall be 6 minutes.
- iii. The 12 minutes of advertisements will not be in more than 4 sessions in one hour. In other words, there will be continuous airing of the TV show for at least 12 minutes each. Not more than three advertisement breaks shall be allowed during telecast of a movie with the minimum gap of 30 minutes between consecutive advertisement breaks.
- iv. In case of sporting events being telecast live, the advertisements shall only be carried during the interruptions in the sporting action e.g. half time in football or hockey match, lunch/ drinks break in cricket matches, game/set change in case of lawn tennis etc.
- v. There shall only be full screen advertisements. Part screen advertisements will not be permitted. Drop down advertisements will also not be permitted.
- vi. In so far as news and current affairs channels are concerned, they are allowed to run not more than two scrolls at the bottom of the screen and occupying not more than 10% of the screen space for carrying non-commercial scrolls, tickers etc.
- vii. The audio level of the advertisements shall not be higher than the audio level of the programme.

NBA submitted its comments on the issues raised in the Consultation Paper and also stated in conclusion that the TRAI should focus on successful implementation of DAS across the country within the sunset date and 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 advertisements, rather than the imposition of impractical regulations by TRAI or the Government.

The TRAI without giving any further opportunity to stake holders or convening open house discussions issued Notification dated 14.5.12, on Standards of Quality Service (Duration of Advertisements in TV Channels) Regulations, 2012. The salient features of these regulations are as follows:

1. The advertisement regulations limit the duration of advertisements on TV channels to 12 minutes per clock hour, further providing that any shortfall in a clock hour cannot be carried over;
2. Advertisements during live broadcasts of a sporting event can only be during breaks in sporting action;
3. The minimum time-gap between any two advertisement breaks cannot be less than 15 minutes; and in case of movies such time-gap must be a minimum of 30 minutes (with the relaxation that this time-gap condition will not apply to live broadcast of a sporting event);
4. Advertisements can only be “full-screen” and “part-screen” or drop down advertisements is not permitted;

The NBA Board met Dr. Rahul Khullar, Chairperson, TRAI, and also has represented to the Minister I&B to intervene and impress upon the TRAI to keep these regulations in abeyance till such time the entire digitization process is over and its real effect on the industry is clear.



The NBA along with five broadcasters NDTV, MCCA (ABP News), TGBL (Times Now) & TVTN (Aajtak) have filed an appeal under Section 14(b) of the TRAI Act impugning Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations 2012. The appeal has been admitted by the TDSAT. The TRAI has sought time to reconsider the issues raised in the appeal. The TRAI has recently decided to amend the regulations by stating that the restrictions on maximum duration of advertisements carried in a programme of a TV channel as prescribed in the Cable TV Rules, shall be regulated on a clock hour basis, which would be monitored on a quarterly basis. Comments have been invited from stakeholders to the proposed amendments.

Rationalization of tax (including license fee) and duty structure in broadcasting and cable TV sector

TRAI, vide letter dated 15.11.11, has informed the NBA that with a view to rationalize the tax and duty structure in the B&C sector, it has decided to initiate a review exercise of the present tax (including license fee) and duty structure in the B&C sector and forwarded a summary of the information available with them regarding the present tax and duty structure in B&C sector. NBA has participated in the discussions and will soon be submitting the proposals to TRAI.

Development of MIS application software for online data collection and report generation on turnkey basis - TRAI

The TRAI decided to develop a MIS application software for online data collection and report generation. Representatives of Times Now & NDTV who have been nominated on behalf of NBA and are participating in the discussions.

Ministry of Communications & Information Technology

Constitution of Technical Committee of Experts for the development of CAS for the Indian market in view of the digitalization of the broadcast sector

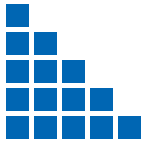
The Ministry of Communications and Information Technology vide Office Memorandum dated 15.3.12, noted that implementation of the mandatory time bound and phased digital switch over of the current analogue cable television to digital addressable system (DAS) in the country by 31.12.14, would generate a huge demand for STBs. One of the major impediments in developing Indian STBs was customized software in the STBs and license of CAS player. Therefore, there was need to develop indigenous CAS for boosting the STBs in India. Accordingly, a Technical Committee of Experts for development of CAS has been constituted. NBA is represented by Mr. Dinesh Singh, Chief Technology Officer, NDTV Ltd. Mr Singh has been attending the meetings of Committee.

Human Resources Development Ministry

Copyright (Amendment) Bill, 2010

As already reported in the previous year's report, the NBA had been actively pursuing with all concerned regarding the proposed amendments to Sections 39A and 52(1)(b)(ii) of the existing Copyright Act 1957.

The essential issue that the NBA had in regard to the proposed amendments to Sections 39A and 52(1)(b)(ii) of the existing Copyright Act 1957 were as follows :



1. If any audio-video footage belongs to a party 'A' no other person is entitled to rebroadcast it because copyright therein vests party 'A'. This kind of copyright is called "broadcast reproduction right";
2. Section 39 of the existing Copyright Act carves-out an exception to the above. It says that use - consistent with "fair dealing" - of excerpts of footage for purposes of reporting of current events or for bona fide review, teaching or research is not a violation of broadcast reproduction right;
3. However, neither Section 39 nor Court rulings on the point define how much use of footage in a given case will be considered "fair dealing". The quantum which is considered fair dealing is therefore not specified; Court rulings only lay-down broad guidance as to what is fair dealing, which ultimately depends on the facts of a case. Therefore, a person rebroadcasting someone else's audio-video footage does not know specifically what is fair dealing and when the line may have been crossed;
4. By way of the proposed amendment, breach of "fair dealing" is being sought to be made a criminal offence, by including Section 63 (which provides for criminal prosecution) in Section 39A.
5. A fundamental legal principle is that a "criminal offence" has to be defined very specifically, since the consequences are severe;
6. Therefore, to make breach of fair dealing under Section 39 a criminal offence is unwarranted and even illegal.
7. The punishment provided under Section 63 is imprisonment for a term which shall not be less than 6 months but which may extend to three years and with fine which shall not be less than Rs.50,000/- but which may extend to Rs.2.00 lakhs. Such a severe consequence cannot be visited upon a person when the offence itself is not specifically defined;
8. At the present time, violation of "fair dealing" under Section 39 is dealt with as a civil wrong; and therefore suits for injunction and damages are filed. If such violation is made a criminal offence, the amendment will be seriously misused by baselessly charging broadcasting companies under the penal provisions and therefore summoning the Board of Directors of news broadcasting companies at a criminal trial;
9. Deletion of Section 52(1)(b)(ii) also works to the same effect, since this section is also a salutary exception to violation of broadcasting reproduction right.

News broadcasters do not usually create their own footage. Since we report events and happenings of other people, news broadcasters depend heavily on other people's footage. Therefore, NBA suggested that Section 39A should stay as it is and violation of broadcast reproduction right should not be made a criminal offence.

While these issues were still pending consideration, it came to the notice of NBA that prior to the introduction of the above Bill in Parliament, the Ministry of HRD had introduced certain changes in the Copyright (Amendment) Bill, 2010 whereby the provision of statutory licensing was sought to be restricted only to "radio" and not to other broadcasting media like television; which changes would inure to the benefit only of vested business interests and act to the serious detriment of the fast growing broadcasting industry. These changes were also an attempt by the Ministry of HRD to overreach the Parliamentary Standing Committee, which had implicitly accepted the earlier dispensation.

In view of the seriousness of the matter, the lacunae in the proposed amendments were brought to the notice of Rajya Sabha MPs so that status quo is maintained. Accordingly, representatives of NBA & IBF met Rajya Sabha MPs to apprise them of the lacunae in the Bill being introduced in the Rajya Sabha.

The Bill has been passed by both the Lok Sabha & Rajya Sabha by amending Section 39A and 52 (1) (b) (ii) of the existing Copyright Act 1957. All the representations submitted to HRD Ministry including the appearance before the Parliamentary Standing Committee on HRD, headed by Mr Oscar Fernandes, MP, Rajya Sabha, meeting MP's etc. have borne no fruitful results. However status quo however has been maintained with regard to the changes proposed in the Bill relating to statutory licensing.

The Copyright (Amendment) Act 2012 has been notified on 20.6.2012. The amendments have come into effect from 21.6.2012.

Standing Committee on Information Technology – Lok Sabha

1. Appearance of NBA on 24.10.11 before Standing Committee on IT on paid news

The Parliamentary Standing Committee on IT, headed by Shri Rao Inderjit Singh, Hon'ble Member of Parliament, invited NBA to appear before them on 24.10.11. Mr. Narayan Rao, President, NBA, Mr. Q.W. Naqvi, the then News Director, Aaj Tak, Mr. Shazi Zaman, Editor, ABP News, Mr. Anup Bhambhani, NBA Counsel and Secretary General, NBA appeared before the Hon'ble Committee. The Hon'ble Standing Committee was apprised of the actions taken by NBA/ NBSA to improve broadcasting standards and to ensure that self regulation adopted was successful and that the menace of paid news was not prevalent amongst news broadcasters. The Standing Committee was also informed that since NBA and NBSA believed that paid news was an unethical practice, the NBSA was in the process of drawing up guidelines on paid news which once adopted would also be shared with the Standing Committee. Along with the response to the questionnaire, the paid news guidelines adopted by the Board has been submitted to the Standing Committee. The Report of the Hon'ble Standing Committee is awaited.

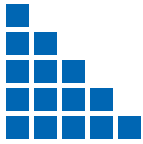
2. The Cable Television Networks (Regulation) Second Amendment Bill, 2011

The above Bill has been referred to Standing Committee on Information Technology, headed by Shri Rao Inderjit Singh, Hon'ble Member of Parliament, for examination and report to Parliament.

NBA submitted its memorandum and brought to the notice of the Hon'ble Standing Committee the representation dated 12.5.2011, it had submitted to Mr. Raghu Menon, the then Secretary, Ministry of Information & Broadcasting expressing our concerns in relation to serious lacuna in broadcasting law by reason of which entities/individuals are running "news channels" without any legal framework applying to them; and as a result the very sensitive and important functioning of dispensing information, news and views is left to entities who have no accountability or legal superintendence whatsoever.

The NBA in its memorandum also suggested the following amendments to Section 5 (A) of the Cable Television Networks (Regulations) Second Amendment Bill 2011:

1. Delete the word "broadcast" appearing in the body of Section 5A, since there ought to be no requirement that a "broadcast" be registered, approved or allowed by the Central Government since this would imply censorship of content, which is impermissible in law;



2. In the body of Section 5A add the word “cable” so as to place satellite, terrestrial and cable television channels at the same position and so that these are treated equally;
3. Add the words, “including policy guidelines for uplinking” so that all policy guidelines of the Central Government, not just downlinking guidelines, apply equally to all channels, whether cable, satellite or terrestrial

Mr Narayan Rao, President NBA, Mr Barun Das Vice President NBA, Mr Shazi Zaman Editor, ABP News & President BEA and Annie Joseph, Secretary General, NBA appeared before the Hon’ble Standing Committee and explained to them the amendments suggested by NBA in the Cable TV regulations and also requested the Hon’ble Standing Committee to consider the serious issue of entities/individuals running “news channels” without any legal framework applying to them. The Report of the Hon’ble Standing Committee is awaited.

NBA News Access Guidelines for General Entertainment Footage – Insertion of an additional Clause

To bring uniformity and rationality to the use of general entertainment footage by its members/ associate members at the last Annual General Body meeting held on 21.9.2011 had approved the above guidelines. During the year under review, the following additional clause has been added to the existing guidelines:

“NBA may, in its discretion, monitor the compliance of these guidelines by members; and for that purpose, NBA may requisition from members information (including footage) relating to the use of general entertainment footage in the programming of news broadcasters. NBA shall be entitled to circulate the information pertaining to violation of these guidelines to all members of NBA”.

National Commission for Protection of Child Rights – Constitution of a Committee to frame guidelines to regulate media reporting and disclosure of details relating to children

Pursuant to the Orders dated 8.2.2012 and 7.3.2012 issued by the Hon’ble High Court of Delhi in the matter of Mr. Anant Kumar Asthana & Others Vs. Union of India & others, the National Commission for Protection of Child Rights (NCPCR) constituted a Committee with the following Members to frame guidelines to regulate media reporting and disclosure of details relating to children:-

- | | |
|--|------------|
| 1. Ms. Dipa Dixit, Member, NCPCR | - Convenor |
| 2. Ms. Anuradha Shukla, JJB (I) | - Member |
| 3. Ms. Minna Kabir, Child Right Worker | - Member |
| 4. Ms. Suchi Sehgal, Deputy Director, DWCD, GNCT | - Member |
| 5. Representative of MWCD, GOI
(not below the rank of Director) | - Member |
| 6. Representative of Ministry of Information & Broadcasting,
(not below the rank of Director) | - Member |
| 7. Representative of Press Council of India | - Member |
| 8. Representative of News Broadcasters Association | - Member |
| 9. Mr. Anant Kumar Asthana, Child Rights Lawyer | - Member |

The functions of the Committee are as under:-

- (i) To arrange the meetings of the Committee and submit the report;
- (ii) To frame guidelines to regulate media reporting and disclosure of details relating to children;
- (iii) To implement the Section 21 of the Juvenile Justice Act that prohibits the disclosure of identity of children; and
- (iv) To implement Article 16 of United Nations Convention of the Rights of the Child.

As per the Hon'ble High Courts directive, the NBA Board nominated the Secretary General, NBA to the said Committee. The Committee met a couple of times and drafted the guidelines, which was submitted by NCPCR to the Court. The Delhi High Court in its Order dated 8.8.2012 has stated that insofar as media is concerned, the guidelines be implemented with immediate effect.

Attack on member broadcasters

NBA has condemned the attacks on journalists, cameramen and damage to equipments and vehicles belonging to member broadcasters. When such incidents have happened, the NBA has written to the respective State Governments to intervene and book the culprits. During the year under report, NBA has written to the Chief Ministers of West Bengal & Maharashtra when there were attacks on the media in their respective states.

1. Assault on Star Anando (ABP Anando) journalist

On being informed by MCCS (I) Pvt. Ltd. that one of their journalists working for Star Anando channel while covering a news on 28.2.2012 at Jadavpur CPM Zonal Office, was roughed up, beaten and his equipment damaged, NBA took up the matter with Ms. Mamata Banerjee, Chief Minister, West Bengal and other officials in the West Bengal Government and requested them to ensure that journalists and media persons are allowed to perform their duties in a free and fearless manner. The incident be investigated and action be taken against all those individuals who indulged in violence.

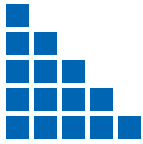
2. Attack on media persons on 11.8.2012 in Mumbai

NBA sent a letter to Mr Prithviraj Chavan, Chief Minister of Maharashtra and brought to his notice the vandalism and arson that followed during protests on 11.8.2012 against the ethnic killings in Assam and Myanmar; and inflammatory speeches which provoked the crowds to go on a rampage resulting in burning of media OB vans, targeting, attacking media persons and smashing cameras belonging to members of the NBA, which resulted in the killing of two persons and more than 50 were injured in the violent incidents that followed.

NBA appreciated the action taken by the State Government to order an enquiry, which would display that no individual(s) are beyond the law of the land. NBA has also requested that the report be made public.

Code of Practice in relation to Measurement Based Studies

NBA Board decided that all members of NBA should agree to use and apply measurement based studies in consonance with the highest ethical commercial practices and they shall abide by ethical and responsible conduct with regard to all measurement based studies, including audience /viewership measurement, opinion polls, collection of distribution data etc. Accordingly, the following Code of



Practice was approved by the NBA Board at its meeting held on 6.6.2012 which is to be followed by all members of NBA.

1. All members of the News Broadcasters Association (“NBA”) agree to subscribe to, use and apply Measurement Based Studies in consonance with the highest ethical commercial practices.
2. Without limiting the generality of Guideline (1) above, NBA members shall abide by ethical and responsible conduct with regard to all Measurement Based Studies, including audience / viewership measurement, opinion polls, collection of distribution data etc.
3. NBA members, their affiliates, associate entities and organizations undertake not to participate in any practice, act or omission, which may either directly or indirectly, affect or influence the authenticity, credibility, accuracy and/or reliability of the data of, or relating to, any Measurement Based Studies conducted in relation to the broadcasting activities of any NBA member. More specifically and without intending to be exhaustive on the subject, in relation to measurement of audience/viewership data, NBA members shall not do, or cause to be done, any of the following:
 - 3.1 NBA members shall make no attempt to “discover” panel homes/metered homes;
 - 3.2 NBA members shall not undertake any special marketing activities in areas or localities which may have panel homes/metered homes;
 - 3.3 NBA member shall not indulge in any tampering, doctoring, manipulation or other form of subverting the “peoples meters” installed by any rating/measurement agency such as TAM Media Research;
4. An NBA member shall always correctly declare the source and applicable period (with relevant specifics and details) of data generated from any study subscribed to, carried-out and/or used by such NBA member.
5. NBA members agree to adopt a “whistle-blower” policy whereby they will inform the NBA about any person or party, whether an NBA member or other service provider, who/which indulges in the malpractices hereby proscribed.
6. If any violation of this Code is brought to, or otherwise comes to, the attention of NBA, an enquiry will be conducted by the NBA using such procedure as NBA considers adequate and proper; and severe action shall be taken by the NBA against the errant member broadcaster/s, including the action of informing the Ministry of Information & Broadcasting of such violation and/or suspending and/or expelling the broadcaster/s from membership of the NBA.

Letter to I&B Minister regarding TV viewership rating system of TAM

NBA in a letter dated 10.8.2012, to the Minister for I&B drew her attention that TAM has been reporting viewership data to the industry despite serious concerns over their systems and methodology of measuring TV audiences. Data continues to be skewed and is seriously affecting broadcasters and their business. While IBF was instrumental in the formation of the BARC, the responsibility of implementing BARC will see the light of the day only if the ISA and the AAI jointly take serious efforts to launch it in the immediate future.

To aid broadcasters in resolving this malaise with the intention to protect the industry and all its stakeholders’ interest, NBA requested the Ministry to :

1. Order an independent third party time bound audit by a reputed agency to evaluate and measure the TAM systems and make the audit report public.
2. Efficient steps to correct deficiencies in the system.
3. Help build a robust, transparent and dependable rating system.
4. Direct TAM to suspend reporting data until the above is undertaken.
5. Continue to engage and work together on this issue and give the industry and all its stakeholders i.e. broadcasters, advertisers, distribution companies etc., the confidence to be able to consume data derived from such system.

In reply, the Joint Secretary, MIB, has drawn the attention to the comprehensive recommendations made by the Amit Mitra Committee regarding self regulation of TRPs in India by BARC. The MIB hopes that urgent and speedy implementation of these recommendations will be undertaken, which may lead to a lasting solution to this problem. The letter stated that the Ministry is in the process of deciding the future course of action in this matter.

Sports Matters

1. **India Australia Test & T20 series & Tri Series from 26.12.11 to 8.3.12**
2. **DLF IPL 2012 matches from 4.4.2012 to 27.5.2012**
3. **ICC World Twenty 20 Sri Lanka 2012 from 12.9.12 to 7.10.12**
4. **India New Zealand matches from 23.8.12 to 11.9.2012**

NBA Board took a decision that if in case of a certain event, the accreditation documents relating to such event do not contain any reference to any news access guidelines/other similar restriction for the specific event, member broadcasters may avail accreditation for such event but not otherwise.

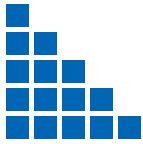
On a perusal of the accreditation terms & conditions of the captioned tournaments, it was observed that the accreditation terms & conditions also contained news access guidelines. Members were advised not to submit or sign any accreditation papers as the restrictions that are included therein (apart from any additional news access regulations that may be issued later on), shall immediately become binding upon the accredited broadcasters.

In respect of the above tournaments, member broadcasters were advised to strictly follow the NBA News Access Guidelines for Cricket Test Matches and One Day & T20 Cricket 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. Member broadcasters are to scrupulously follow the NBA News Access Guidelines for cricket test matches and one day & T20 cricket matches.
2. No member broadcaster shall either directly or indirectly access the match venues.
3. Member broadcasters will only cover the matches and no other event such as press conferences, interviews, practice sessions and associated events etc.
4. 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.

5. London Olympics 27th July – 12th August, 2012

Keeping in view the international importance of London Olympics 2012, members were advised to follow the news access rules applicable for the broadcast of the Olympic games.



► Content related matters affecting news broadcasters pending in the Supreme Court, Delhi, Karnataka High Courts & TDSAT

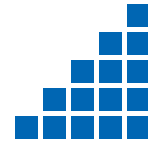
Common Cause Vs. Union of India : Civil Writ Petition No. 387 of 2000 pending before the Supreme Court of India, is a petition under Article 32 of the Constitution of India for issuance of a writ directing the Ministry of Information & Broadcasting and the Ministry of Home Affairs to prescribe norms and guidelines for observance by TV Channels, and to bring about conditions whereunder TV channels and producers adopt self regulatory measures. NBA had applied for intervention in the matter; which intervention application was allowed and NBA will be heard in the matter in due course.

Dr. Surat Singh Vs Union of India & 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 22nd July 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 Supreme Court has allowed NBA's application seeking transfer of the writ petition, being Writ Petition (Civil) No. 7368 of 2008 titled "Act Now for Harmony & Democracy (ANHAD) & Anr. Vs Union of India & Ors" presently pending before the Delhi High Court to the Supreme Court, since the said petition involves similar issues. The matter will be heard by the Supreme Court in due course.

In the meantime, the parties in this case were given an opportunity of being heard on the limited issue of regulations on media reporting of court proceedings in the matter titled "Sahara India Real Estate Corp. Ltd. & Ors. Vs. Securities & Exchange Board of India & Ors." : Civil Appeal No. 9813 of 2011 which matter was heard by a 5 Judge Constitution Bench of the Supreme Court and in which orders have since been reserved.

People's Union for Civil Liberties & Anr Vs The State of Maharashtra & 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. Pleadings in the matter were not complete. Accordingly the Supreme Court directed that pleadings in the matter be completed and the matter be listed for further proceedings thereafter. The matter will be heard in due course.

Act Now for Harmony & Democracy (ANHAD) & Anr. Vs Union of India & 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 NBA to intervene in the case whereby NBA was to make submissions to the Court on police media interaction and related issues. 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.

TRAI Vs. Set-Discovery Pvt Ltd & Ors : Civil Appeals Nos. 829-833 of 2009 pending before the Supreme Court : On the advise of Mr. F.S. Nariman, Senior Advocate in relation to the issue of carriage fee and placement fee, which has been raised by some of our member-broadcasters before the Supreme Court in this matter (namely Star News, NDTV, TV Today and Times Now), and in order to represent the interests of all its members, with the consent of Board Members, the NBA had filed an intervention application dated 8.9.2010 seeking to be heard in the matter, which application was listed before the Chamber Judge in the Supreme Court.

The Chamber Judge had ordered that the said application would be considered by the Bench hearing the main matter. In the meantime in February 2011 fresh applications were moved by the Union of India (Ministry of Information & Broadcasting) and the Indian Broadcasting Foundation also seeking impleadment in the matter; upon which applications Court had issued notice.

Thereafter in November 2011, the Cable Operators Association also moved an application for intervention. The Court thereafter placed the matter for consideration. The matter will be heard in due course.

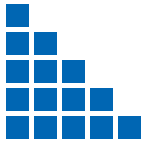
Vodafone International Holdings BV Vs. Union of India & Ors. : Civil Appeal No.733 of 2012 (arising out of S.L.P. (C) No. 26529 of 2010) pending before the Supreme Court of India : Pursuant to an issue raised by Mr. Harish Salve (Counsel for Vodafone in this matter) in regard to misreporting of his statements in the media, the Supreme Court had asked PTI's Counsel to assist in formulation of guidelines for reporting of court proceedings. Since this issue directly concerns NBA members and NBA already has laid down its own Specific Guidelines for Reporting Court Proceedings, NBA had filed an intervention application in the matter.

Although the main tax issue involved in the Vodafone case was heard and decided vide Judgment dated 20.1.2012 and thereafter the review petition in the matter was also disposed of on 20.3.2012; the issue of court reporter / reportage guidelines is still pending.

In the meantime, the parties in this case were given an opportunity of being heard on the issue of regulations on media reporting of Court proceedings in the matter titled "Sahara India Real Estate Corp. Ltd. & Ors. Vs. Securities & Exchange Board of India & Ors." : Civil Appeal No. 9813 of 2011 which matter was heard by a 5 Judge Constitution Bench of the Supreme Court and in which orders have since been reserved.

Sahara India Real Estate Corp. Ltd. & Ors. Vs. Securities & Exchange Board of India & Ors.: Civil Appeal No. 9813 of 2011 pending before Supreme Court of India : The captioned Civil Appeal arises from a dispute between M/s Sahara India Real Estate Corp. Ltd. and the Securities & Exchange Board of India in relation to money collected by Sahara India from investors. As an off shoot in the matter, the Court took note of reporting by media of certain "without prejudice" proposals submitted by parties to Court; and in that context the Court initially expressed that it would frame guidelines for media reportage of Court proceedings.

NBA moved an intervention application in the captioned matter to assist on the issue of such guidelines, which was accepted by Court. Subsequently, considering that this issue has been arising repetitively, the Chief Justice of India constituted a 5 Judge Constitution Bench to consider the matter



of framing of guidelines for media reportage of court proceedings. NBA made its submissions, both oral and written, in the matter at length. Hearing in the matter has been concluded and orders have been reserved.

NEO Sports Broadcasts Private Limited Vs. Independent News Services Private Ltd. & Anr.: CS (OS) No. 2030 of 2010 before the Delhi High Court : This suit had been filed by the host broadcaster of India-Australia Test Cricket Series 2010 viz. Neo Sports seeking permanent injunction against India TV restraining alleged infringement of copyright, broadcast reproduction right and alleging unfair competition, and seeking damages, rendition of accounts of profits, etc. against the said defendant. The NBA and certain sports broadcasters had been summoned by the Court in order to address the recurring larger issue of determining fair dealing under the copyright law and for converting the matter into a representative suit.

Subsequently the Court had directed the parties to place their objections to the BCCI draft footage sharing guidelines before the BCCI; and for the BCCI to then examine these suggestions and take the initiative to hold deliberations on the issue to come up with a possible solution to this recurring issue.

NBA has sent its objections to the draft BCCI guidelines both to the BCCI and to its lawyers. However, in the meantime it transpired that the BCCI had cancelled its contract with Neo Sports; and in view of cancellation of the contract, on 27.7.2012 Neo Sports withdrew the suit stating that the suit had now become infructuous. The suit has been dismissed.

Court On Its Own Motion Vs. Union of India & 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 8th February, 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.

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 NBA to nominate a media representative on the committee that the Court has constituted to look into the issues arising in the case. NBA nominated Mrs. Annie Joseph, Secretary General as its nominee on the Committee. On 7.8.2012 the 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 finalized insofar as media is concerned, be implemented with immediate effect.

The Committee is still deliberating on the guidelines for other stakeholders in the system, viz. Police, Lawyers, Court, Juvenile Justice Board, Child Welfare Committee etc. - and the Committee is to propose guidelines for the said other stakeholders, which will be considered in the next hearing.



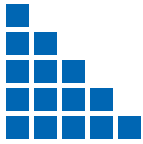
Shri Gaurav Kumar Bansal Vs. Union of India & Ors. : Writ Petition (C) No. 3837 of 2012 before the Delhi High Court : This writ petition was filed by an Advocate Shri Gaurav Kumar Bansal as a PIL seeking to stop the broadcast programmes like “Third Eye of Nirmal Baba” “Lal Kitab” – Bus Ab Dukh or Nahi” etc. which it was alleged spread superstition, occultism, blind faith and belief among the general public. The writ petition further prayed for issuance of appropriate writ/direction/order(s) to enforce the advisories issued by Indian Broadcasting Foundation and the News Broadcasters Association. After giving opportunities to the Petitioner to file better particulars and documents relating to the matter and relating to Indian law applicable to the issue being sought to be raised, on 22.8.2012, the matter was disposed of by the Delhi High Court observing that the grievances raised by the Petitioner would be considered by the NBSA in accordance with its regulations.

Smt. Ranjitha @ Smt. Ranjita Menon Vs. State of Karnataka & Ors. : Writ Petition No. 8619 of 2011 (GM-RES) before the High Court of Karnataka : This Writ Petition under Article 226 of the Constitution of India had been filed by Smt. Ranjitha @ Smt. Ranjitha Menon against 43 Nos. Respondents which includes News Broadcasting Standards Authority / News Broadcasters Association as Respondent No. 4 seeking to restrain all respondents from telecasting clippings of the “Swami Nithyananda Scandal” involving the actress Ranjitha. The matter was listed before the Karnataka High Court last on March 14, 2012 for NBSA’s view on the proposal that the Court would dispose of the matter if the NBSA undertook to take up and consider the complaint in accordance with the NBSA regulations. In this view of the matter, the NBSA agreed to consider the Petitioner’s complaint in accordance with its regulations; and the Court was pleased to dispose of the writ petition with an observation that the complaint which was subject matter of the writ petition will be considered and disposed of by the NBSA.

Shri Shakeel Ahmed & Ors. Vs. Suwarna News 24 x 7 & 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 & 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 has issued notice and asked the respondents to file their versions in the matter, which would be considered by the Court.

Shri R. N. Merani Vs. Union of India : Writ Petition No. 965 of 2012 pending before the High Court of Karnataka at Bangalore : This is a writ petition filed by Shri R N Merani, (Retd.) Air Commandore, Indian Air Force, under Article 226 of the Constitution of India, whereby the petitioner has prayed for directions to the Union of India to formulate a constitutionally compliant enforceable code of standards and conduct to be followed by television news channels, and in the interim to entrust the responsibility of overseeing TV news channels to the Press Council of India. Notice has been received by the NBA on which action is being taken.

News Broadcasters Association & Ors. Vs. Telecom Regulatory Authority of India : Appeal No. 10(C) of 2012 pending before the TDSAT : Appeal under Section 14(b) of the TRAI Act has been filed impugning the Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations 2012. After a preliminary hearing, the TDSAT has issued notice to the Respondent/TRAI; and the TRAI has sought time to reconsider the issues raised in the appeal.



IndusInd Media & Communications Ltd. Vs. Telecom Regulatory Authority of India & Anr.: Appeal No. 5(C) of 2012 pending before the TDSAT : This Appeal pending before the TDSAT arises from allegations of acts and omissions on the part of Respondents in relation to various provisions of the Digital Addressable System Regulations and Tariff Orders. The NBA had applied for intervention in the matter; which intervention application was allowed on 25.6.2012.

► Corporate Matters

► 1. Membership

The details of Members/ Associate Members of the Association during the year is annexed at **Annexure – 1.**

► 2. Office Bearers for 2011-12

In terms of Article 26 of the Articles of Association the following Directors were elected Office Bearers of the Association for the year 2011-12:-

President - Mr. K.V.L. Narayan Rao (New Delhi Television Ltd.)

Vice President - Mr. Barun Das (Zee News Ltd.)

Honorary Treasurer – Mr. Ashok Venkatramani (Media Content & Communications Services (India) Pvt. Ltd.

► 3. Resignation:

Mr. G. Krishnan (TV Today Network Ltd.) tendered his resignation from the NBA Board during the period under report.

Mr. Joy Chakraborty (TV Today Network Ltd.) tendered his resignation from the NBA Board during the period under report.

► 4. Appointment

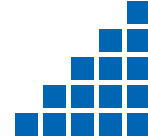
Mr. Joy Chakraborty (TV Today Network Ltd.) was appointed a Permanent Director on the NBA Board in place of Mr. G. Krishnan during the period under report.

Mr. Anil Mehra (TV Today Network Ltd.) was appointed a Permanent Director on the NBA Board in place of Mr. Joy Chakraborty during the period under report.

Mrs. Anuradha Prasad was appointed an Additional Director 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.

► 5. Meetings of Board of Directors

The Board of Directors met 10 times during the year under report and the meetings were held in New Delhi, Mumbai & Noida.



► Meeting of Sub Committees

a) Sub Committee on HR Matters

HR Sub Committee met twice during the year under review. These meetings were chaired by Mr Ashok Venkataramani, Board member & CEO, MCCS (I) Pvt. Ltd. (ABP News)

b) Sub Committee on Sales Matters

Sales Sub Committee met once during the year under review, which was chaired by Mr Ashok Venkataramani, Board member & CEO, MCCS (I) Pvt. Ltd. (ABP News)

► Election Data - AC Nielsen ORG -MARG

NBA collectively negotiated and engaged AC Nielsen ORG-MARG Pvt. Ltd. for election data, which was subscribed by members for Uttar Pradesh, Punjab, Uttarakhand, Goa and Manipur in March 2012 assembly elections held during the year under report.

► NBA collaboration for events with FICCI

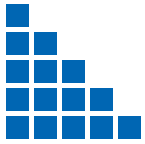
The NBA agreed to give official support for the FICCI Frames 2012 held in Mumbai. Justice (Retd.) J. S.Verma, former Chief Justice of India & Chairperson NBSA gave a key note address on self regulation. Mr. Kiran Karnik & Mr. Nitin Desai, Eminent Members NBSA participated in the interactive session that followed the key note address.

► Meeting with AAI

Mr. Ashok Venkataramani, Mr. Sunil Lulla and Mr. Joy Chakraborty Board members of NBA had a meeting with AAI representatives on 4.7.12, in Mumbai. The meeting was essentially to apprise them of the activities of NBA and the need to collaborate on industry issues. The Board decided to remain engaged with the AAI.

► Letter sent to the Prime Minister of India regarding remarks made by Justice (Retd.) M. Katju, Chairman, Press Council of India regarding self-regulation

Justice (Retd.) M. Katju, Chairman, PCI, in an interview on a channel had observed that the attempt of the NBA to adopt self-regulation under the Chairmanship of Justice (Retd.) J.S. Verma had failed. Accordingly, vide letter dated 2.11.11 Dr. Manmohan Singh, Hon'ble Prime Minister of India was requested to intervene and request the Chairman, PCI, to engage himself constructively with print media matters, which is the mandate he has under the Press Council Act and not to exceed his remit and to exercise restraint on commenting upon areas which are outside his jurisdiction. The representation also stated that under his leadership no unilateral steps will be taken to regulate the electronic media as we were consciously trying to regulate with the sole endeavour to improve broadcasting standards, which are consistent with the tenets of the freedom of speech articulated in our constitution.



► **Monitoring of content**

NBSA informed the Board that the purpose of setting up of the NBSA was not to just to look at complaints from viewers but to take steps which would facilitate improvement of broadcasting standards. In this direction, NBSA suggested that NBA should set up a monitoring mechanism, which 24x7 would monitor content of member news channels and submit analysis of violations of the Code of Ethics, Guidelines and Advisories issued from time to time. NBA has identified the monitoring agency for the purpose. The monitoring would commence shortly.

► **Appointment of Mercer for Compensation Benchmarking Survey**

NBA had decided to appoint Mercer for the above survey. Ten broadcasters participated in the survey which was completed in January 2012. Broadcasters who participated found the findings of the survey useful.

► **Training to Editorial personnel**

NBSA in its discussions with the Board had suggested the need to have training programmes to improve reporting skills of editorial personnel, which in turn would lead to improving broadcasting standards. In this regard, Mr. Narayan Rao, President, NBA, and Justice (Retd.) J.S. Verma, Chairperson, NBSA had discussions with Ms. Sally Ann Wilson, Secretary General, Commonwealth Broadcasters Association (CBA), UK, for collaborative training programmes between CBA and NBA. Ms. Wilson has been very proactive in this regard and had discussion with Mr. Phil Harding, a journalist, broadcaster and media consultant, previously a senior executive and editor at the BBC. The Board decided as a first step to appoint Mr Phil Harding to draw up a possible work plan/project design, which would include work on the editorial code plus design of workshops/seminars (or other training). The CBA has been gracious in contributing substantial amount of the fees for this initial phase.

Mr. Phil Harding visited India in March 2012 to carry out a feasibility study to assess needs of NBA/ NBSA. During his visit he met Board Members, Chairperson & Eminent Members, NBSA, Editors and visited news rooms. Mr. Harding has submitted his report which is under consideration by both the NBA & NBSA.

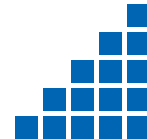
► **The News Broadcasting Standards Authority**

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
Date: July 26, 2012

**By Order of the Board of Directors of
News Broadcasters Association**

K. V. L. Narayan Rao
President



Annexure - 1

Members of News Broadcasters Association

► Members:

S.No.	Name of the Broadcaster Member	Channel(s)
1	Bennett, Coleman & Co. Ltd.	ET Now
2	Broadcast Initiatives Ltd.	Live India
3	Business Broadcast News Pvt. Ltd.	Bloomberg TV India
4	Complete News & Entertainment Broadcast Pvt. Ltd.	CNEB
5	ibn18 Broadcast Ltd.	CNN IBN, IBN 7
6	Independent News Services Pvt. Ltd.	India TV
7	Indira Television Ltd.	Sakshi
8	INX News Pvt. Ltd.	News X
9	Media Content & Communications Services (India) Pvt. Ltd.	ABP News, ABP Majha, ABP Anando
10	New Delhi Television Ltd.	NDTV24x7, NDTV India, NDTV Profit
11	News24 Broadcast India Ltd.	News 24
12	Pearls Broadcasting Corporation Ltd.	P7 News
13	Shreya Broadcasting Pvt. Ltd.	TV 5
14	SUN TV Network Ltd.	Sun News, Gemini News, Udaya Varthagalu
15	Television Eighteen India Ltd.	CNBC TV18, CNBC Awaaz
16	Times Global Broadcasting Company Ltd.	Times Now
17	TV Today Network Ltd.	Aaj Tak, Headlines Today, Dilli Aajtak, Tez
18	Ushodaya Enterprises Pvt. Ltd. (TV Division)	ETV2Telugu, ETV UP/Uttaranchal, ETV Bihar/Jharkhand, ETV MP/Chattisgarh, ETV Rajasthan
19	Zee News Ltd.	Zee News, Zee Business, Zee 24 Taas, Zee News - Uttar Pradesh, Zee 24 Ghantalu

► Associate Members:

20	Hyderabad Media House Ltd.	HMTV
21	MM TV Ltd.	Manorama News Central
22	Total Telefilms Pvt. Ltd.	Total TV



Report of the Auditors to the Members

The Members

NEWS BROADCASTERS ASSOCIATION

New Delhi

We have audited the attached Balance Sheet of News Broadcasters Association, as at 31st March 2012, the Income and Expenditure account for the year ended on that date annexed thereto. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with the auditing standards generally accepted in India. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

Further 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 purposes 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 by this report are in agreement with the books of accounts.
- d) In our opinion, the Balance Sheet and Income and Expenditure Account dealt with by this report comply with the mandatory Accounting Standards, to the extent applicable, specified by the Institute of Chartered Accountants of India referred to in sub-section (3C) of Section 211 of the Companies Act, 1956.
- e) On the basis of written representations received from the Directors, as on 31st March 2012 and taken on record by the Board of Directors, we report that none of the Directors is disqualified as on 31st March 2012 from being appointed as a Director in terms of Clause (g) of sub-section (1) of Section 274 of the Companies Act, 1956.

In our opinion and to the best of our information and according to the explanations given to us, the said accounts give the information required by the Companies Act, 1956, in the manner so required and give a true and fair view in conformity with the accounting principles generally accepted in India:

- i) In the case of the Balance Sheet, of the state of affairs of the Company as at 31st March 2012;
- ii) In the case of the Income and Expenditure account, of excess of income over expenditure of the Company for the year ended on that date.

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

Chartered Accountants

Firms' Regn. No. 000756N

Sd/-

Naveen Aggarwal

Partner

M.NO. 094380

Place: New Delhi : Date: July 26, 2012



News Broadcasters Association Balance Sheet as at 31st March, 2012

<i>(Figures in Rs)</i>			
Particulars	Note No.	As at 31st March, 2012	As at 31st March, 2011
I. EQUITY AND LIABILITIES			
(1) Members Funds	1		
(a) Entrance Fees		1,050,000	1,000,000
(b) Reserves and Surplus		19,325,003	14,649,290
(2) Current Liabilities			
(a) Short term Provisions	2	70,004	65,136
(b) Other current Liabilities	3	5,550,000	6,000,000
TOTAL		25,995,007	21,714,426
II. ASSETS			
(1) Non-Current Assets			
(a) Fixed Assets			
(i) Tangible Assets	4	251,792	291,464
(b) Other Non-current assets	5	20,876,092	16,415,473
(2) Current Assets			
(a) Cash and Cash Equivalents	6	4,792,635	4,935,389
(b) Short-Term Loans and Advances	7	74,488	72,100
TOTAL		25,995,007	21,714,426
Significant accounting policies and other Notes to accounts	12-19		

The accompanying notes are the integral part of the Financial Statements

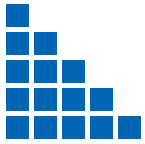
As per our Report of even date attached.

For S.S. Kothari Mehta & Co.
CHARTERED ACCOUNTANTS
Firm's Regn. No. 000756N

For and on behalf of the Board

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(Naveen Aggarwal)	K.V.L. Narayan Rao	Barun Das	Ashok Venkatramani	Annie Joseph
Partner	President	Vice President	Honorary Treasurer	Secretary General

Mem. No. 094380
Place : New Delhi.
Dated : July 26, 2012



News Broadcasters Association Income & Expenditure Account for the year ended March 31st, 2012

<i>(Figures in Rs)</i>			
Particulars	Note No.	Year Ended 31st March, 2012	Year Ended 31st March, 2011
Income			
I. Subscription	8	9,575,000	9,575,000
II. Other Income	9	1,911,531	1,084,058
III. Total Income (I + II)		11,486,531	10,659,058
IV. Expenditure			
Employee Benefit Expenses	10	2,913,700	2,500,395
Depreciation and Amortization Expense	4	89,867	108,878
Administrative & Other Expenses	11	3,857,251	2,894,568
Total Expenditure		6,860,818	5,503,841
V. Surplus before Tax (III - IV)		4,625,713	5,155,217
VI. Tax Expense:			
(1) Current tax		-	-
(2) Deferred Tax		-	-
VII. Surplus/ (Deficit) for the Year (V - VI)		4,625,713	5,155,217
Significant accounting policies and other Notes to accounts	12-19		

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's Regn. No. 000756N

For and on behalf of the Board

Sd/- (Naveen Aggarwal) Partner	Sd/- K.V.L. Narayan Rao President	Sd/- Barun Das Vice President	Sd/- Ashok Venkatramani Honorary Treasurer	Sd/- Annie Joseph Secretary General
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Mem. No. 094380
Place : New Delhi.
Dated : July 26, 2012



News Broadcasters Association Notes Forming Part of Balance Sheet

NOTE # 1	<i>(Figures in Rs)</i>	
Members Funds		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Entrance Fees		
Entrance fees as per last Balance Sheet	1,000,000	700,000
Addition during the year	100,000	300,000
Less: Entrance Fees forfeited and transferred to Capital Reserve	(50,000)	-
	1,050,000	1,000,000
Reserve and Surplus		
(a) Capital Reserve		
As per last Balance Sheet	-	-
Addition during the year	50,000	-
	50,000	-
(b) Special Reserve		
As per last Balance Sheet	10,634,796	6,863,361
Addition during the year	3,027,406	3,771,435
	13,662,202	10,634,796
(c) Surplus i.e. Balance in the Statement of Income & Expenditure		
As per last Balance Sheet	4,014,494	2,630,712
Addition during the year	4,625,713	5,155,217
Less :Allocations & Appropriations-transfer to special reserve	(3,027,406)	(3,771,435)
	5,612,801	4,014,494
	19,325,003	14,649,290
NOTE # 2		
<i>(Figures in Rs)</i>		
Short term Provisions		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Other Provisions		
-Provision for expenses	70,004	65,136
	70,004	65,136



News Broadcasters Association Notes Forming Part of Balance Sheet

NOTE # 3	<i>(Figures in Rs)</i>	
Other Current Liabilities		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Subscription Received in Advance	5,550,000	6,000,000
	5,550,000	6,000,000

NOTE # 4	<i>(Figures in Rs)</i>										
Tangible Assets											
	Gross Block					Depreciation				Net Block	
Particulars	April 1, 2011	Addition	Disposal	Acquisition	March 31, 2012	April 1, 2011	For the year	Disposal/ Adjustments	March 31, 2012	March 31, 2012	March 31, 2011
Computer	424,013	44,195	-	-	468,208	284,996	60,741	-	345,737	122,471	139,017
Office Equipment	168,792	6,000	-	-	174,792	16,345	29,126	-	45,471	129,321	152,447
Total	592,805	50,195	-	-	643,000	301,341	89,867	-	391,208	251,792	291,464
Previous Year	444,003	148,802	-	-	592,805	192,463	108,878	-	301,341	291,464	251,540

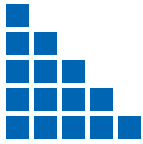
NOTE # 5	<i>(Figures in Rs)</i>	
Other Non-Current assets		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Non-Current Bank Balances (Note 6)		
- Deposit with original maturity for more than 12 months	19,500,000	15,700,000
Interest accrued on Fixed deposits	1,376,092	715,473
	20,876,092	16,415,473

NOTE # 6	<i>(Figures in Rs)</i>	
Cash and Cash Equivalents		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Balance with Banks		
In Current account	4,788,912	4,932,753
Cash on Hand	3,723	2,636
	4,792,635	4,935,389
Non Current portion:		
Balance with Banks		



News Broadcasters Association Notes Forming Part of Balance Sheet

- Deposit with original maturity for more than 12 months	19,500,000	15,700,000
Less: Non Current portion shown in Note 5 above:	(19,500,000)	(15,700,000)
	-	-
NOTE # 7	<i>(Figures in Rs)</i>	
Short term Loans and Advances		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Unsecured considered good		
- Advances recoverable in cash, kind or value to be received	74,380	71,992
TDS Receivable	108	108
	74,488	72,100
NOTE # 8	<i>(Figures in Rs)</i>	
Particulars	As at 31st March, 2012	As at 31st March, 2011
Revenue From Operations		
Subscription	9,575,000	9,575,000
	9,575,000	9,575,000
NOTE # 9	<i>(Figures in Rs)</i>	
Other Income		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Interest Income	1,760,631	1,076,393
Fine received from Members	150,000	-
Excess liability Written back	-	6,205
Miscellaneous income	900	1,460
	1,911,531	1,084,058
NOTE # 10	<i>(Figures in Rs)</i>	
Employee Benefit Expenses		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Salaries and Wages	2,896,862	2,491,057
Staff Welfare Expenses	16,838	9,338
	2,913,700	2,500,395



News Broadcasters Association Notes Forming Part of Balance Sheet

NOTE # 11	<i>(Figures in Rs)</i>	
Administrative & Other Expenses		
Particulars	As at 31st March, 2012	As at 31st March, 2011
Printing & Stationary	175,807	152,204
Legal & Professional Charges	1,645,642	1,316,960
Meeting Expenses	876,034	530,823
Newspapers, Books & Periodicals	34,255	24,959
Communication Expenses	97,335	95,111
Travelling & Conveyance Expenses	630,512	505,994
Rent & Electricity	191,670	188,597
Website Development Expenses	43,329	11,161
Repairs & Maintenance-Computer	44,853	15,526
Miscellaneous Expenses	22,699	12,973
Training & Seminar expenses	39,631	-
Auditor Remuneration:		
Audit Fee	48,804	40,260
Out of pocket expenses	6,680	-
	3,857,251	2,894,568

12. Brief information of the Company

News Broadcasters Association is a Company Limited by Guarantee not having a Share Capital, not for Profit under Section 25 of the 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.

13. Significant Accounting Policies and other Notes to Accounts

A. SIGNIFICANT ACCOUNTING POLICIES

1. The company follows the mercantile system of accounting and recognizes income and expenditure on accrual basis. The accounts are prepared on historical cost basis, as a going concern and are consistent with the generally accepted accounting policies.

2. FIXED ASSETS AND DEPRECIATION

- (i) Fixed Assets are stated at cost inclusive of all related and other incidental expenses.
- (ii) Depreciation on fixed assets is provided on Written Down Value method on pro-rata basis at the rates specified in Schedule XIV (as amended) to the Companies Act 1956.

3. TAXATION

The company is exempt from tax on income under Section 11 of the Income Tax Act, 1961; hence no provision has been made for the same.

4. Entrance Fees

Entrance fees treated as capital receipts and hence been shown separately.

► Other Notes to Accounts

14. In the opinion of the management, the value on realization 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.
15. The company is a small & 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 & medium sized company.
16. Based on the information available with the company, no balance is due to Micro & Small Enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 as on 31st March 2012. Further during the year no interest has been paid, accrued or payable under the terms of the said Act.
17. The Company is registered under Section 25 of the 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 & 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.
18. Special reserve has been created under Section 11 of the Income Tax Act, 1961, by transferring the unutilized 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.
19. Financial figures have been rounded off to the nearest Rupee and previous year's figures have been redrawn to confirm to the current year's classification as per the notification of Revised Schedule VI under the Companies Act, 1956 for the financial year commencing on or after 1st April 2011.

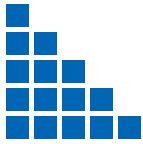
As per our Report of even date attached.

For S.S. Kothari Mehta & Co.
CHARTERED ACCOUNTANTS
 Firm's Regn. No. 000756N

For and on behalf of the Board

Sd/-	Sd/-	Sd/-	Sd/-	Sd/-
(Naveen Aggarwal)	K.V.L. Narayan Rao	Barun Das	Ashok Venkatramani	Annie Joseph
Partner	President	Vice President	Honorary Treasurer	Secretary General

Mem. No. 094380
 Place : New Delhi.
 Dated : July 26, 2012



Section II

News Broadcasting Standards Authority

The News Broadcasting Standards Authority (NBSA) has been functioning since 2008. Since its establishment the NBSA has not just been looking into complaints in relation to the violation of the Code of Ethics and Broadcasting Standards and Guidelines issued from time to time but has also been proactively taking actions to ensure that broadcasting standards of member broadcasters improve. With this in mind the NBSA has been guiding the NBA to put in place a monitoring mechanism and a mechanism for training of editorial personnel. It is pleasing to report that NBA's efforts have borne results. NBA has put in place a system for monitoring of content, which would assist the NBSA in identifying breach of the guidelines by member broadcasters and would also give material for discussions during workshops/ interactions with editors. The other action that the NBA took was to appoint Mr Phil Harding, an international media consultant to draw up a possible work plan/project design, which would include work on the editorial code plus design of workshops/seminars (or other training). The report has been submitted by Mr Phil Harding, which are under consideration by both the NBA and NBSA.

► Decisions and orders passed by the NBSA

During the year 303 complaints were considered and reviewed by the Authority. Of this 214 complaints were received by member broadcasters/Authority directly and 89 complaints were received from the Ministry of Information & Broadcasting of both members and non-members. In view of the satisfactory resolution of complaints at the first tier of broadcasters itself, only a few complaints warranted action by the NBSA. In the latter category of cases, the NBSA issued notices or took suo motu action. Such complaints included those received directly, through members, or from the Ministry of I&B. The NBSA after considering the grievances and hearing the parties proceeded to decide and issue necessary orders.

a) Complaints received directly by NBSA/Member broadcasters or Suo Motu Action:

1. Complaint filed by Mr. Sharad Shah regarding News Hour programme "Will Kanimozhi Turn Approver" in violation of Specific Guidelines for Reporting Court proceedings on Times Now – Suo Motu action

Mr Sharad Shah of Mumbai placed before the NBSA complaint letter dated 24th June, 2011 on the subject programme. After viewing the programme, it was decided that prima facie the subject matter, tone and tenor of the said programme appeared to be objectionable inasmuch as the content thereof was needlessly speculative and conjectural in relation to a very serious matter that was sub judice before the Trial Court as well before the Supreme Court of India. NBSA decided to initiate suo motu action.

After considering the contents of the broadcast and the reply submitted by Times Now and personal hearing given in the matter, the NBSA opined that the broadcast in question evidently violated Guidelines 3 and 4 of the Specific Guidelines for Reporting Court Proceedings. NBSA also opined that a broadcaster cannot be permitted to speculate or make unrestrained conjectures, or to permit

its panelists to speculate or make unbridled conjectures, in relation to an extremely serious criminal matter that is pending adjudication before the Trial Court as well as being monitored by the Supreme Court of India, masquerading such conjectures and speculation as “debate” on a public platform of such immense reach and power as a television news channel.

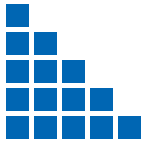
NBSA also noted that it had convened a special meeting to review the telecast of both news and special programmes in the context of the sub judice matter i.e the Aarushi Talwar murder case in February 2011; and had discussed in detail the issue of reportage of criminal trials and such like proceedings pending before courts of law. At this meeting, the NBSA had decided that member broadcasters be again advised to strictly adhere to the Specific Guidelines for Reporting Court Proceedings while covering matters which are sub judice. NBSA had also decided to keep a close watch on reporting of sub judice matters and that non-compliance would lead to suo motu action by the NBSA. Pursuant thereto the NBA had issued Advisory dated 23.2.2011 to all its member broadcasters.

NBSA therefore, was compelled to take a stringent view of this matter. NBSA was also persuaded to do so for the reason that the said programme covered a very serious and sensitive criminal trial which was pending in Court, and the fairness of which should not be compromised by any extraneous impact. Accordingly, the NBSA decided to issue to the broadcaster a “censure” for the breaches and made it clear that any further transgression by the broadcaster would be dealt with more severely.

2. Complaints by Mr. Sameer Kolambkar and Mr Yusuf Shaikh regarding disturbing images and irresponsible coverage of Mumbai serial blasts on 13.7.11 on Aajtak

In respect of the above two complaints relating to coverage of Mumbai blasts by Aajtak the Authority after viewing the CD and the complaints was of the view that the channel had clearly failed to observe the Code of Ethics and Guidelines for Emergency Situations dated 18.12.08 while covering the Mumbai blasts of 13.7.2011. NBSA noted that the cameraperson of the said broadcaster went all the way inside the casualty ward of the hospital where patients in pathetic condition were being treated, thereby breaching the privacy of the persons under treatment; and the coverage of showing injured individuals lying in hospital in that state and trying to obtain a byte was highly insensitive and ought not to have been broadcast by the channel. NBSA decided that a “warning” be issued to the broadcaster for violating the Code of Ethics and Specific Guidelines for Emergency Situations while covering the Mumbai blasts and it be made clear that any further transgression by the broadcaster would be dealt with more severely.

NBSA while considering the said complaints decided that no broadcaster had the right to invade the privacy of individual(s) who were in hospital either injured or otherwise. It was necessary that broadcasters gave due respect to the sick and injured individual(s). NBSA decided that guidelines be issued immediately that all members of NBA should be debarred from entering a hospital to interview the injured or the sick. NBSA also decided that such guidelines should not prevent the media from covering issues of public interest such as corruption, malpractices etc. that may be happening in hospitals, even where such issues were being covered. The privacy of the sick and injured should be respected by masking such persons to ensure they are not identified.



3. Complaint dated 21.9.11, by Mr. Anil Chamadia regarding question asked in an interview to Mr. Narendra Modi telecast on Star News channel on 17th & 18th September, 2011

NBSA considered the complaint, and the material placed before it. NBSA noted that the specific question asked in the interview by the correspondent was tendentious, objectionable and clearly judgmental; and violated the principles relating to “impartiality and objectivity and ensuring neutrality” in reportage. The question asked by the anchor may have been to elicit information but the phrasing of the question was such that it appeared highly opinionated and hence it was not appropriate as it infringed the tenets of neutrality and objectivity. NBSA, therefore, decided that the channel be apprised of its opinion requiring it to be careful in future to avoid such a slant.

4. Complaint dated 14.9.2011, filed by Dr. Y.S.P.Thorat, Chief Executive Officer, Rajiv Gandhi Charitable Trust (RGCT) regarding reporting by CNN IBN & IBN7 on 1.8.2011 on land leased by the Trust for its proposed charitable eye hospital in District Gurgaon, Haryana.

On receipt of the complaint and the responses received, NBSA noted that the Haryana Government had been asked by the Punjab & Haryana High Court to explain certain matters regarding land allotment to various parties including the arbitrary release of land to RGCT. NBSA therefore observed that as per Regulations 7.2 read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it was not appropriate for the NBSA to take up matters which are already sub judice. It was decided that before proceeding further with the complaint, the RGCT be asked to confirm if the subject matter of its complaint was also pending before any court of law or other Tribunal or statutory authority (whether the Hon’ble Punjab & Haryana High Court or otherwise) and to place before the NBSA any material in this regard. The complainant responded to state that RGCT was not a party to any proceedings in any court of law or tribunal or statutory authority pertaining to the subject matter of RGCT complaint to NBSA. They had no means to verify whether or not the subject matter of any related matter was pending before any court or Tribunal or statutory authority in proceeding to which RGCT is not a party.

The broadcaster and the complainant were therefore requested to appear before the NBSA. Mr K.Parasaran, Senior Advocate and former Attorney General for India who appeared for the Rajiv Gandhi Trust was informed that the NBSA had also independently verified whether RGCT had been made a party in any suit/ writ pending before the Hon’ble High Court of Punjab & Haryana in the above matter. Mr Parsaran was informed that NBSA had learned that there are three matters pending before the Hon’ble High Court of Punjab & Haryana, challenging the acquisition of land, which land is also subject matter of the complaint before the NBSA. In two matters it appeared that RGTC has not been made respondents, but in all likelihood will be heard being an interested party. Also, in a PIL filed by 6 petitioners who are residents of Village Ullahawas, District Gurgaon, RGCT had been made one of the respondents. The NBSA accordingly informed Mr Parasaran that as per Regulations 7.2 read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it was not appropriate for the NBSA to take up matters which are already sub judice. The NBSA was accordingly unable to entertain and decide the said complaint. The complainant would be at liberty to revive the complaint before the NBSA if necessary on conclusion of the court proceedings. Mr Parasaran accordingly accepted the position and stated that necessary action would be taken.

5. Complaint dated 25.12.11 filed by Dr. Santosh Agrawal, Managing Director, Shivalik Hospital & Trauma Centre, Mohali regarding incorrect report of kidney transplant by the hospital on Zee News

After hearing both the parties and considering the materials produced by them, NBSA came to the conclusion that the broadcaster is liable for violation of the Code of Ethics & Broadcasting Standards and Specific Guidelines, amongst others, norms relating to “accuracy, lack of due diligence and balanced reporting”. NBSA decided that the broadcaster be directed to air an apology. The broadcaster has complied with the order of the NBSA.

6. Complaint dated 8.11.11, filed by Associated Broadcasting Co. Pvt. Ltd. against Sakshi TV (both are members of NBA) regarding a news report telecast on Sakshi TV on 22.10.11 and 23.10.11.

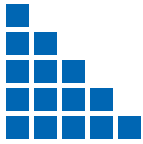
NBSA considered the complaints and decided that both parties be called for a hearing. As agreed both broadcasters had exchanged the translated transcripts of the broadcasts, which was also submitted to the NBSA.

Upon a detailed consideration of the matter, including hearing the oral submissions of both parties made by Mr U. U. Lalit Senior Advocate (representing TV9) & Mr Jaideep Gupta, Senior Advocate (representing Sakshi TV), NBSA concluded that to the extent that TV9’s reportage on the CBI raids on Shri Jaganmohan Reddy were based upon verified information derived from FIR and other investigations conducted by the CBI relating to Shri Jaganmohan Reddy made on TV9, could not be faulted. On the other hand, the reportage relating to Shri Ravi Prakash made by Sakshi TV was a clear case of counter-attack on TV9 to silence it in reporting the raids at the premises of Shri Jaganmohan Reddy.

NBSA was of the view that TV9 had also failed to do due diligence to verify from Shri Jaganmohan Reddy about the existence of a foreign bar, foreign liquor, escalator or cinema hall, swimming pool and other such matters, which were also reported as “facts” as part of telecasts dated October 20, 2011 and October 21, 2011. To that extent TV9 was in breach of the tenets of fair and accurate reporting in respect of Shri Jaganmohan Reddy.

NBSA therefore held that Sakshi TV was in breach of NBA Code of Ethics and Guidelines particularly the provisions relating to accuracy, impartiality, objectivity, neutrality and privacy in reporting; while TV 9 too had failed to perform due diligence before reporting the unverified damaging facts, which have not been proved to be correct. To this extent TV 9 had also committed breach of the NBA Code of Ethics and Regulations issued from time to time. As a result both the broadcasters were held accountable, even though the lapse of Sakshi TV was held to be more egregious.

NBSA decided that both the broadcasters be directed to air an apology on their respective channels. On receipt of the order both the broadcasters represented and requested for reopening the case and to be provided another opportunity for bringing further material before the NBSA. Both the broadcasters were informed that the matter had been finally decided after giving full opportunity to both the parties and to produce whatever material they had relied on. Two hearings were convened in the matter. Besides, no fresh material, relevant to the case, had been disclosed in their representations. Accordingly, there was no occasion to reopen the case or provide any further opportunity to either side to produce any more evidence or material. The applications were disposed off accordingly without reopening the case; and the parties were required to make the compliance as already directed by the NBSA.



TV9 did not air the apology on the date and time intimated.

NBSA was of the view that such transgression needs to be viewed seriously. The NBSA noted that as per provisions contained in the amended “Policy Guidelines for Uplinking & Downlinking from India dated 5.12.2011” issued by the MIB regarding “Renewal of existing permissions” the Ministry of Information & Broadcasting had provided that renewal of permission is to be considered (for a period of 10 years at a time), subject to the condition that the channel should not have been found guilty of violating the terms and conditions of permission including violations of the Programme and Advertisement Code on five occasions or more; and further that, what would constitute a violation would be determined in consultation with the established self-regulating mechanisms.

NBSA decided to recommend to the MIB that this violation by TV9 and its refusal to comply with the directions given by the NBSA be treated as a violation in this behalf.

NBSA decided that if Sakshi TV did not report compliance of the directives issued, the same action, as was taken against TV9, would be taken against Sakshi TV. A communication was received from Sakshi TV declining to comply with the NBSA order dated 27.3.2012 citing non compliance by TV 9 as the reason. Since there was no compliance of the NBSA order by Sakshi TV either, the NBSA wrote to the Ministry of Information & Broadcasting recommending that this violation by Sakshi TV and its refusal to comply with the directions given by the NBSA be treated as a violation in this behalf when considering renewal of license of Sakshi TV.

7. Complaint dated 10.10.2011 by Mr. Tushar Moperkar, Mumbai regarding telecast of illicit behaviour in the news report titled “Mumbai ke Piyyakkad” by News 24 on 11.8.11

NBSA considered the complaint and decided that prima facie the language used in the captioned news report was objectionable and violated the principles relating to “accuracy, good taste and decency” and issued notice to the broadcaster. NBSA viewed the CD and considered the reply wherein the broadcaster had stated that the clip in question was played and repeated several times with the aim to promote awareness against drunken driving and in support of the campaign started by the Mumbai police. NBSA decided that the subject matter of the broadcast was evidently in public interest and they did not find anything objectionable in the programme. Hence the matter was closed and the complainant was also informed.

8. Complaint dated 7.8.2011 by Mr. Ram Kumar Verma, Chhattisgarh regarding programme titled “Shatak” telecast on News 24 on 7.8.11 regarding airing of sensitive information on news channels

In its response to the complaint and NBSA’s direction to produce the footage of the programme complained of, the broadcaster had informed that there was a server crash and for that reason they were not able to retrieve the programme and hence they were unable to provide footage of the telecast to the NBSA. Considering the nature of the allegations in the complaint, and the untenability of the excuse offered by the broadcaster for not producing the footage for viewing, the NBSA opined that in the absence of any effective rebuttal from the broadcaster, the impugned program was in breach of Guideline 6 “National Security” of Specific Guidelines Covering Reportage dated 10.2.2009. NBSA decided that the broadcaster be issued a “warning” and be also informed that any future transgressions would be dealt with more severely.

9. Telecast of a programme titled “How serious is the ammunition shortage for our defence services” on CNN IBN on 5.4.12 in their programme India at 9 - Suo motu action

NBSA noted that from a viewing of the captioned programme, prima-facie it appeared that the broadcaster had committed breach of the Guidelines relating to “National Security” and had also completely ignored the Advisory dated 29.3.12, regarding reportage relating to the defence establishment of the country. NBSA decided to initiate suo motu action.

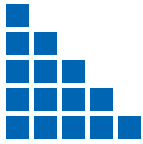
NBSA heard the broadcaster, which presented its views on the complaint and also explained the editorial procedures put in place by them before airing sensitive stories which may impinge on national security of the country and the decision to air sensitive stories is taken at the highest editorial level in which the senior editors and the Editor in Chief is involved; thorough verification is done of the documents which are received to ascertain their veracity and multiple cross-checks are initiated to ensure that the facts are reliable. The broadcaster explained that in telecasting the story in question, it was never the intention to sensationalize the matter and the story was carried since it was believed that airing of the story was in public interest. As explained by the broadcaster, NBSA generally approved of the procedures that were in place for telecast of stories on sensitive subject matters. NBSA suggested that the broadcaster should also incorporate in their vetting procedure another aspect, whereby in matters of serious and sensitive nature, the reasons for airing such story/ies with documented references be also recorded and retained, for possible future evaluation.

NBSA decided that in view of the satisfactory explanation given by the broadcaster, no further action was called for and the suo motu action initiated against the broadcaster was closed.

10. Complaint dated 26.2.2012 filed by Mr. Srikanth, Director, Saravana Stocks Pvt. Ltd. & Member NSE of India, Chennai, regarding a programme aired on ET Now on 24.2.2012

NBSA gave to the parties an opportunity of hearing, which however the complainant did not avail. NBSA decided that since the complainant had not availed of the opportunity, it would proceed with the hearing in his absence. NBSA heard the broadcaster, which presented its views on the complaint and also explained the editorial procedures put in place by the broadcaster before airing sensitive financial stories. After viewing the footage and hearing the representatives of the broadcaster, it was found that even on points of fact, the allegations contained in the complaint were not made out.

The Editor of ET Now explained that they have put in place strict procedures and that the decision to air sensitive financial stories was taken at the highest editorial level in which the senior editors and the Editor-in-Chief is involved. He stated that thorough verification is done of the documents which are received to ascertain their veracity and multiple cross-checks are initiated to ensure that the facts are reliable. The broadcaster explained that in telecasting the story in question, it was never the intention to sensationalize the matter or to cause any financial harm to either of the companies. In the instant case they stated that the reporter tried to contact the Head of Corporate Communications of Sesa Goa Ltd seeking comments on the merger, share ratio etc. but no response was received. The news report, hence only gave the “range” regarding the share ratio relating to the proposed merger and no more. Considering this explanation of the broadcaster and in the absence of any rebuttal of the facts as presented by the broadcaster, it was considered unnecessary



to proceed any further in the matter. NBSA suggested that the broadcaster should also incorporate in their vetting procedure another aspect, whereby in serious and sensitive business matters, the documented references relating to financial stories be retained for possible future evaluation.

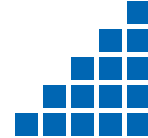
11. Footage relating to actress Ms. Sayali Bhagat admitted in hospital telecast on 7.4.2012 on India TV – Suo Motu action

India TV on 7.4.2012 carried on their channel a news report relating to an accident that had taken place at the inauguration of “Great Adventure Mall” in Noida. It was reported that in a promotional event that was held as a part of the inaugural function at the Mall a known actress Ms. Sayali Bhagat had sustained injury on her arm and was admitted to hospital in that connection. The news report was viewed by the NBSA and it appeared that in the broadcast the channel had violated the “Specific Guidelines for Reporting the Injured and the Ill” dated 5.3.2012. Inasmuch as the channel had recorded and broadcast footage showing the actress in an injured condition, lying on a hospital bed, when it was evident from the circumstances that the actress did not wish to be video-graphed or to be seen by the public in that state.

After viewing the footage in question and hearing the broadcaster, the NBSA was clearly of opinion that the channel has disregarded the guidelines on reporting on an injured person in hospital. The footage itself showed that the channel had ignored Ms. Bhagat’s remonstrations where she clearly communicated that she did not want to be video graphed in that state and it invaded her privacy in hospital. NBSA decided that the broadcaster should air an apology on their channel India TV expressing regret for the said telecasts.

12. Complaint dated 31.1.2012 filed by Ms. Geetha, Member Kranthi Karnataka regarding telecast of programme comprising sting operation titled “Hanumana Hendiru” (Wives of Hanumantha) under title “Goenka Gari” on 17.1.2012 on TV9 Kannada channel.

A complaint dated 31.1.2012 was received from Ms. Geetha, member of Kranthi Karnataka (being a coalition of community based organization of sex workers, working for HIV prevention and for community rights) complaining against the broadcast on TV9 Kannada news channel of a programme titled ‘Goenka Gari’ on 17.1.2012 alleging principally that such programme was in breach of journalistic ethics and in violation of the rights of sex workers inter-alia as comprised in the NBA Code of Ethics & Broadcasting Standards and Specific Guidelines. It was stated in the complaint that the programme broadcast on 17.1.2012 under the title “Goenka Gari’ was a re-run or re-telecast of old sting operation titled “Hanumana Hendiru” (Wives of Hanumantha). Both parties were requested to be present for a hearing. The complainant was represented but no one appeared on behalf of the channel to avail the opportunity given to it. The channel stated that they would like to restate that the story was an investigative story as per the information and facts available at the time of telecast. The story has been appreciated and awarded for its efforts. The same story was re-telecast on the event of the Ramnath Goenka award. NBSA noted that the conferment of any award to the channel by anyone else for the programme has no relevance to the issue for decision before the NBSA about the alleged violation of the Code of Ethics and Broadcasting Standards and Specific Guidelines. NBSA decided that the broadcaster should air an apology on their channel TV9 Kannada expressing regret for the said telecast. NBSA also decided to recommend to the MIB that this violation by the broadcaster be treated as a violation at the time of renewal of license as per Clause 10 of the Policy Guidelines for Uplinking of Television Channels from India dated 5.12.11.



b) Complaints received from the Ministry of Information & Broadcasting

1. Letter dated 25.7.11 received from Ministry of I&B on Obscene, indecent & vulgar visuals on news channel “News 9” in the programme “Courtship Hollywood Style” relating to Hollywood star Kim Kardashian

NBSA considered the complaint and the response given by the broadcaster and opined that the justification given by the broadcaster that they “ ... could only use the available visuals of Kim Kardashian” and that the footage used in the story was also aired on a Zee Café (India) show “Keeping-up with the Kardashians”(which Zee Café India still continues to show on prime time) was unacceptable. In view of the confirmation given by the broadcaster that the said programme was immediately stopped from further telecast; that they had taken action to sensitize their producers in regard to these matters; and that they had also served a show cause on the producer upon receipt of the notice from NBSA & suspended the producer, it was decided that a warning be issued and the broadcaster be also informed that future transgressions by the broadcaster would be dealt with more severely. The MIB had also been informed of the decision of the NBSA.

2. Alleged gross violation by Headlines Today Channel by broadcast of a documentary on Sri Lanka’s killing fields, namely the treatment of the dead by the Sri Lankan Army in the context of the Tamil insurgency.

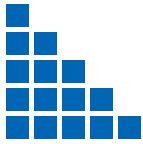
NBSA considered the complaint received from the Ministry of Information & Broadcasting and viewed the footage complained of; and decided that while the footage in question was certainly disturbing, before a final view is taken certain information be called from the broadcaster, which information was received and considered. The broadcaster had represented that the program had also been run by Channel 4 in UK, and the subject matter of the reportage was legitimate and justified. NBSA decided that they would not proceed with any action against the broadcaster in view of the discussions held earlier at a workshop with editors whereat it was unanimously agreed that such gory and insensitive material would not be shown by member news channels in future. It was decided that it be made clear to the broadcaster that they should be more sensitive when airing such disturbing visuals and that any further transgressions would be dealt with severely. The Ministry of I&B was also informed of the decision.

3. Complaint regarding telecast of biased/one sided/defamatory news regarding auction sale of property by Debts Recovery Tribunal, Ulubari, Guwahati by “DY 365” TV channel on 27.4.2011. (non member)

NBSA considered the complaint received from the MIB and decided to proceed under its regulations. However upon a consideration of the matter, the NBSA was of the view that since the DRT is a quasi judicial body, the DRT could itself proceed against the alleged broadcast under its rules and regulations, and it would be inappropriate for the NBSA to consider the complaint under the NBSA regulations. The MIB was informed of the NBSA’s view and the matter was closed.

4. Telecast of Obscene, indecent and vulgar visuals in programme titled “Entertainment News” on Bharat Samachar channel on 13.4.11 (non member)

NBSA considered the complaint received from the MIB and decided to proceed under its regulations. The broadcaster did not respond to the notice which was sent to the address given by the MIB.



The NBSA viewed the CD and found that prima facie the observations of the Ministry of I&B were borne out and the programme appears to have far exceeded the limits of good taste and decency that are to be observed in relation to broadcasts on news channels, especially evaluating the “news value” of the content itself. In the absence of a response from the broadcaster and since the broadcaster is not a member of the NBA, the NBSA was not able to proceed and take any further action on the reference made by the Ministry of Information & Broadcasting. The MIB was informed of the decision.

5. Telecast of obscene, indecent and vulgar visuals in programme titled “B Town Buzz” on Lemon News on 24.4.11 (non member).

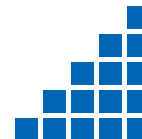
NBSA considered the complaint received from the MIB and decided to proceed under its regulations. NBSA considered the response given by the broadcaster and decided that no further action needs to be taken as the broadcaster had confirmed that in the repeat telecast, the offending visual was deleted by the producer on instruction from the channel News Editor-cum-CEO; and that the broadcaster had dismissed the producer on the same day by reason of the offending broadcast. NBSA however noted with concern the broadcaster’s response that “they will follow more strictly any instruction/guideline of the MIB and rules of Cable Television Network Rules, 1994, in future”. NBSA was of the view that to obviate such observations by non-member broadcasters, despite the Ministry having communicated to the broadcaster to cooperate with NBA/NBSA, it is desirable for the efficacy of the self-regulation initiative that the NBA Code of Ethics & Broadcasting Standards and Specific Guidelines are given statutory recognition.

6. Complaint regarding broadcast of programme titled “Feast – Part two” on BBC World on 13.8.11 (non member)

NBSA considered the complaint received from the MIB and decided to proceed under its regulations. NBSA considered the response and viewed the programme and noted that while the broadcaster has justified that the broadcast clearly demonstrated that the documentary exhibited the historical, cultural and religious aspects of the festival and the alleged objectionable visuals was only a small part of the entire festival coverage, it reiterated that prima facie the observations of the Ministry were borne out and the programme appeared to have far exceeded the limits of good taste & decency that are to be observed in relation to broadcasts on news channels, especially evaluating the “news value” of the content itself. NBSA decided that the broadcaster be informed that they should be more careful and sensitive while airing such visuals and a warning be issued to the broadcaster. The MIB was also informed of the decision.

7. Complaint regarding broadcast of programme titled “Kautukalokam” on Asianet News on 4.9.11 (non member)

NBSA considered the complaint received from the MIB and decided to proceed under its regulations. NBSA after considering the reply given by the broadcaster, decided that the depiction of a woman’s form, even though as part of purported artistic body-painting, was offensive to the tenets of good taste and decency as contained in the NBA Code of Ethics & Broadcasting Standards and Specific Guidelines; and that therefore the broadcaster be advised that in future while telecasting such programmes they should be more careful and properly blur the visuals so as to conform to good taste and decency and also not be denigrating of women. MIB was also informed of the observations made by the NBSA.



8. Complaint forwarded by Ministry of I&B regarding telecast of a live programme “Sri Sri on 4 day yatra in UP” on Face the Nation on 9.11.11 filed by Mr. Avi Sharma and Mr. Sujoy Bhattacharya on CNN IBN Channel

NBSA considered the complaints received from the MIB and the complaint made by viewers directly to the NBSA alleging that CNN IBN had televised a pre-recorded interview and quoted it as “Live” which gave the impression that the discussions with Sri Sri Ravishankar were happening in real time with the anchor of the programme. NBSA viewed the programme and was of the view that these allegations would not have been leveled against the broadcaster if they had duly indicated prior to the programme that the interview with Sri Sri Ravishankar was pre-recorded. Not mentioning it as a pre-recorded interview had misled viewers into believing that the entire programme was “live” and that Sri Sri Ravishankar was participating in it “live”, which was not the case. NBSA noted that the broadcaster had clarified on air and accepted their mistake and had also given an unqualified apology for the error on their channel. In view of the prompt and earnest admission by the broadcaster of their mistake and airing it at the same time the next day before the programme “Face the Nation”, NBSA decided that no further action needs to be taken in the matter.

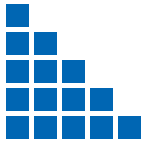
9. Letters dated 9.9.2011 and 19.9.2011 received from Ministry of Information & Broadcasting regarding telecast of obscene, indecent and vulgar visuals in programme titled “Pamela Anderson in Steamy Shoot” on 13.6.2011, and telecast of programme “What a Beauty” telecast on 7.5.2011 on News 9 channel

NBSA considered the response given by the broadcaster with regard to the above programmes telecast on News 9 channel and was of the view that the channel must be cognizant of the fact that television viewing is unrestricted and therefore programmes such as the ones under consideration may also be viewed by young persons, whose minds are susceptible to influence by such indecent visuals, which may appeal to their prurient tastes and thereby have the tendency to deprave impressionable minds. It must be borne in mind by the channel that even the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution is subject to reasonable restrictions specified on the grounds mentioned in Article 19(2), one of which grounds include decency and morality. The telecasts were evidently indecent and vulgar, and wholly lacked any news content and clearly violative of the guidelines which are required to be followed by the broadcasters. The explanation given by the broadcaster was unacceptable. NBSA noted that the mere action taken by the broadcaster of terminating the services of the person responsible at the channel for the offending telecasts was not sufficient to exonerate the broadcaster itself of the flagrant breach of guidelines. The NBSA also took note of the repeated breaches of the NBA Code of Ethics & Broadcasting Standards by the same broadcaster and decided that instead of taking the severe step of recommending to the Ministry of Information & Broadcasting for the suspension/revocation of the uplinking/downlinking license, a fine of Rs.50,000/- be imposed on the broadcaster; and that the broadcaster be informed that any further transgressions in the future would be dealt with more severely.

The Broadcaster complied with the Order and remitted the fine of Rs 50,000 to the NBA.

10. Complaint dated 19.9.11 by Mr. Ambati Rambabu regarding telecast of a programme titled “Raasaleelala Rambabu” on 16.9.11, on ABN Andhra Jyoti, Hyderabad (non member)

NBSA considered the complaint received from the MIB and decided to proceed under its regulations. Both parties were called for a hearing. During the hearing the Advocate representing the complainant



informed that after filing the complaint they had filed a writ petition in the High Court of Andhra Pradesh. In view of the matter having become sub judice, NBSA decided that as per Regulation 7.2 read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it was not appropriate for the NBSA to proceed with the matter already sub judice. NBSA accordingly decided to close the matter and MIB was informed of the decision.

11. Complaint relating to programme telecast on 11.7.2011 on News 24 channel regarding atrocities on children

NBSA after viewing the CD and the reply given by the broadcaster was of the view that the intent of airing the story was unexceptionable, namely to bring to light occult practices being followed in certain parts of the country of inflicting severe pain upon children in the mistaken belief of preventing disease and in the garb of religion and custom, which practices are to be deprecated. However, the intent of airing the story by the channel could have been adequately served without needless repetition of gruesome and gory visuals, which were completely unnecessary, out of context and not in good taste. NBSA decided that the channel be advised to observe more sensitivity in that regard and be informed that future transgressions would be dealt with severely. The MIB was informed of the decision.

12. Complaint dated 20.11.2011 filed by Mr. Sindhu regarding telecast of photograph of a farmer's dead body on 20.11.2011 by Surya News channel (non member)

NBSA considered the complaint, viewed the CD and the reply given by the broadcaster and found that reporting of news relating to farmer suicides was relevant and important to inform the viewers though the visuals of the dead body should have been masked so as not to cause distress to the viewers, and in particular not to aggravate distress to the family who had lost a member. It was decided that since the broadcaster is not a member of the NBA they be given copies of the Code of Ethics & Specific Guidelines Covering Reportage dated 10.2.09 and Advisory dated 16.9.11 regarding broadcast of distressing footage. The broadcaster be informed that while the regulations are not binding on them, they may circulate these guidelines to their editorial staff as it would help in improving broadcasting standards.

13. Complaint dated 3.11.11, filed by Mr Anik Advocate regarding telecast of news programme on 29th & 30th September, 2011 on Zee 24 Ghante Chhatisgarh (non member)

The complainant had alleged that the broadcaster without verifying facts had telecast a one sided broadcast that police personnel who had been transferred to naxal affected areas had got their transfer orders cancelled. NBSA considered the complaint and sought details from the broadcaster regarding the verification done on the facts of the broadcast. NBSA noted that the broadcaster had collated enough documentary evidence before airing the story. The complaint was closed.

14. Complaint regarding programme titled "Mout Ka Shanivar" telecast on News 24

The broadcaster appeared before the NBSA and was asked to respond to the prima facie view that the programme violated the NBA Code of Ethics & Broadcasting Standards and Specific Guidelines Covering Reportage dated 10.2.09 relating to "Refraining from advocating or encouraging superstition and occultism" and "Supernatural, Occultism and Paranormal" and to explain why the programme sensationalized and dramatized the issue and how it served any public purpose.



The broadcaster contended that the programme was aired with the intention to educate the viewers regarding the superstition prevailing in the concerned village. However, the broadcaster admitted that the presentation of the programme should have been less dramatic to avoid sensationalisation of the subject matter which appeared to present a fatalistic and alarming picture of what was clearly a superstitious belief entertained in the village. The representatives of the broadcaster assured the NBSA that they would be more careful in the future.

NBSA decided that in view of the broadcaster admitting the mistake and giving the assurance it would forbear from taking any stringent action against the broadcaster, even though otherwise called for in the case; the broadcaster be directed to air an apology on their channel. The broadcaster was also warned that any repetition of such aberration would be viewed more strictly. The broadcaster complied with the Order of NBSA.

15. Complaint filed by Mr. Alath Rajan, Managing Director, Vrindavan High Range Realtors Ltd., Kanthalloor, Idukki District against India Vision in relation to a news item telecast on 12.6.11, on channel India Vision (non member)

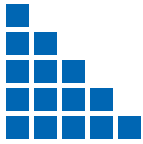
The NBSA was of the view that prima facie the telecast of the captioned programme was violative of the tenets relating to “accuracy, impartiality, neutrality & fairness”. A notice was accordingly issued to the broadcaster under its regulations. Both the parties were called for a hearing. Instead of appearing before the NBSA a “Hearing Note” was received on behalf of the complainant. The individuals appearing for the broadcaster were unable to give satisfactory response to the queries made during the hearing. In support of their arguments they read out some portions of a document issued by the village Panchayat written in Malayalam. They were unable to clarify or explain in English what the document had stated for the understanding of the Authority. A copy of the “Hearing Note” was also handed over to the representatives of the broadcaster to give their response, to which also they were not able to answer. To a specific question as put in the “Hearing Note” about telecasting of the arrest of Shri Ravindran by their channel, the representatives denied having aired such news. In view of the inability of the representatives to give proper response, the NBSA decided to get accurate information for which the following actions were directed to be taken:

1. The document in Malayalam received from the broadcaster be translated in English by the NBA and given to both parties.
2. The broadcaster to give a response within 10 days to the “Hearing Note” handed over to them during the hearing.
3. Both parties be advised to appear again before the Authority at its next meeting scheduled on 20.3.12. The request made by the complainant to post the hearing in South India was not considered feasible.

No further action has been taken in the matter and the complaint is pending awaiting MIB's response.

16. Letter dated 15.5.12 from Mr. Amar Nath Singh, Under Secretary, MIB - Gross violations by news and current affairs channels.

Mr. Amar Nath Singh, Under Secretary, MIB had informed NBSA that news channels Manorama News (NBA Member), Kalaighar TV, Raj TV, Asianet News (non-members) had shown visuals of dead bodies; two channels i.e. TV100 (non member) had showed a rape victim without blurring



her face and Samay (non member) had shown “Andhvishwas Ki Salakhein” and also programmes on Nirmal Baba. In the same letter MIB had also drawn the attention of NBSA that Aaj Tak, IBN7, India TV, P7 News, Total TV, Sony, SAB, AXN and Star Utsav were also showing programmes on Nirmal Baba. MIB was informed that as far as programmes relating to non-member news channels were concerned, the Ministry of Information & Broadcasting should send footage of the programmes, along with letters sent to the broadcasters to enable NBSA to proceed under its regulations. With regard to GEC channels, the MIB may take up the complaints with BCCC/IBF.

NBSA considered the complaint regarding visuals of dead bodies shown by Manorama News, a member broadcaster and after viewing the CD, NBSA noted that prima-facie the broadcaster had violated/breached the Specific Guidelines relating to reporting the dead which interalia states that “the dead must be treated with respect. Close-ups of dead or mutilated bodies should not be shown”; and decided that a notice be issued as to why action against the NBSA Regulations be not taken against them. The broadcaster has responded to the notice.

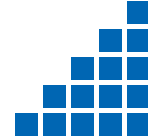
Complaints of non member broadcasters received from Ministry of I&B

The NBSA received several complaints from the Ministry of Information & Broadcasting relating to broadcasters who are not members of the NBA; and who have therefore not voluntarily submitted themselves to the discipline of the NBA and consequently to the jurisdiction of the NBSA.

In view of the many such complaints received by the NBSA, a considered view was taken that, while the NBSA was willing to proceed with such matters, in the absence of cooperation from such non member broadcasters, action by the NBSA would be futile. It was further the view that the essence of the NBA’s act of voluntary submission by member broadcasters to the “self-regulatory” regime set-up by the NBA, its absence would be antithetic to the very basis of self-regulation.

In this view of the matter, the NBSA decided that action in these matters be held in abeyance and the Ministry of Information & Broadcasting be informed that for the NBSA to proceed in such matters, the Ministry should secure cooperation from the concerned broadcasters and an assurance from them to submit to the discipline of the NBSA, so that the decisions of the NBSA can be effective and binding. Twenty non member broadcaster’s complaints are pending with the NBSA, awaiting the Ministry’s response. In all such complaints against non members transmitted to the NBSA for appropriate action, often the non members do not respond to the notice/communication issued by the NBSA. In view of the fact that the mechanism of self regulation applicable to the members empowering the NBSA to deal with such a matter does not apply to non members, the NBSA finds itself unable to take any further action unless the defaulting non members accept its Authority, with the result that there is a stalemate and the complaints against them remain unresolved. It was therefore, necessary that an appropriate solution is found to overcome the impasse created by an unwilling/defaulting non member broadcaster.

Accordingly, the Chairperson wrote a letter dated 9.3.2012 to the Minister of Information & Broadcasting. He drew the attention of the Minister to a matter relating to the needed compliance by the non members of NBA of the response to the complaints against them, which are transmitted by the MIB to the NBSA to make it meaningful. It was also suggested for the Minister’s consideration that the MIB recognize the Code of Ethics, Redressal Regulations and Guidelines and make them part of the Programme Code of the Cable Television Networks (Regulation) Act, 1995, to bind all news broadcasters to that discipline. NBSA would await the MIB’s response.



Letter dated 8.5.12, received from Mr. K.S. Rejimon, Deputy Secretary (BP&L), Ministry of Information & Broadcasting regarding status on self-regulation mechanism of NBA, including asking for regular reports on NBSA functioning.

The letter was considered by both the NBA and the NBSA and MIB was informed of the considered view that while we were all in favour of transparency, as correctly acknowledged by the Ministry of Information & Broadcasting itself, the NBSA is an independent, self-regulatory body headed by a former Chief Justice of India; and therefore in order to preserve this independent position it is important that no wrong impression is created that the NBSA functions in any manner (even through the submission of regular reports) under the authority of the MIB or any one else. MIB is aware that all orders passed by the NBSA against broadcasters are in any case hosted on the NBA website and are accessible to all. However, to make its website even more informative, instead of hosting only the NBSA orders on the NBA website, the NBSA has decided that all decisions (whether these be final orders against broadcasters or otherwise) taken by the NBSA since 2008 would be hosted on the NBA website, which would therefore be accessible by all who may want to do so, including the Ministry and the public at large. NBA is taking action to host all decisions on the website.

Email received from Mr. K. Rejimon, Deputy Secretary, MIB regarding advertisements telecast relating to “Nirmal Darbar” or “Third Eye of Nirmal Baba”

Mr.K. Rejimon, Deputy Secretary MIB forwarded to the NBA a copy of Memorandum No.227/12 of the Hon’ble Judicial Magistrate (First Class), Bina, Sagar (Madhya Pradesh), passed on 1.6.2012 with regard to a petition filed by Shri Surendra Versus Nirmaljit Singh Narula alias Nirmal Baba, in which the following directions were made by the Hon’ble Court to the Secretary, Ministry of Information and Broadcasting, Government of India:-

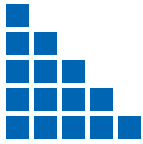
- (i) To produce before the Court CDs of content in regard to all advertisements telecast during the last five months, relating to “Nirmal Darbar” or “Third Eye of Nirmal Baba” by 25.6.2012, after obtaining the same from the concerned TV channels.
- (ii) To immediately stop telecast of sponsored advertisements relating to “Nirmal Darbar” or “Third Eye of Nirmal Baba”, which are being telecast on private TV channels, and
- (iii) To direct, in public interest and in the interest of justice, all those TV channels which are telecasting the aforesaid advertisements, to forthwith stop such telecast till further order.

The NBSA noted that upon information in the above regard being forwarded to them, the concerned NBA members had stopped airing programmes on Nirmal Baba including the “Third Eye of Nirmal Baba.

Review of telecasts of News/ Programmes aired by Member Broadcasters

To ascertain whether member broadcasters were following the Code of Ethics, Specific Guidelines Covering Reportage and other Guidelines issued from time to time, the NBSA reviewed the analysis from the monitoring agency in respect of the following news/programmes by member channels:

1. Mumbai blasts.
2. Army related matters relating to leak of confidential letter, interview of former Army Chief and news report in the Indian Express regarding the movement of troops to Delhi.
3. Fire in AMRI Hospital, Kolkata.
4. Assault on Mr Sharad Pawar, Union Minister for Agriculture.



NBSA considered the analysis received from the monitoring agency and decided to proceed under the regulations for alleged violations of the NBA Code of Ethics & Broadcasting Standards and Guidelines issued from time-to-time. Response from the broadcasters are awaited

► **One to One Meeting of NBSA with Member Broadcasters**

Arising out of the meeting between Chairpersons, Board Members & Editors on 21.9.2011, it was agreed to individually meet the CEO/ MD/Chairman with the Editor-in- Chief of the respective channel(s) along with the Legal Heads. NBSA met 11 member broadcasters between 12- 14th October, 2011. The discussions have been very fruitful. NBSA took the opportunity to explain to member broadcasters that if the broadcasters do not actively participate and cooperate in the initiative which they had chosen for themselves, they would invite external regulation, including possibly governmental regulation, which unfortunately would also be imposed on the broadcasters who were diligently following self regulation and who were making a conscious effort to participate and also taking steps to improve broadcasting standards. The decision was theirs as to whether they wished to remain within self regulation or expose themselves to external regulation that may erode the freedom implicit in the peoples right to freedom of speech and expression.

► **Workshop with Editors and editorial personnel on 5.11.11**

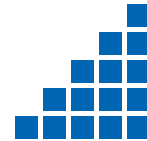
NBSA had a workshop with editors and editorial personnel. Various programmes aired by news broadcasters including programmes relating to astrology, superstition, occultism etc. which violated the Code of Ethics, Regulations and Guidelines issued from time to time were shown to the participants. Some of the news items/ programmes used language/gory visuals, which were inappropriate for news channels and seemed to be used to sensationalize news rather than reporting news in a balanced/accurate manner, which is the hall mark of good news journalism. The unanimous view amongst the editors present at the workshop was to completely stop astrology, sex, nudity, sleaze and gory visuals while telecasting news/ programmes which the NBSA thought was a very positive step in the direction of improving broadcasting standards.

► **Tickers on Member news channels regarding procedure for filing complaints**

As part of its commitment to make the public/viewers aware of the self-regulatory mechanism, the NBA members are continuously running a ticker on their respective channel(s) in English, Hindi & in regional languages regarding the redressal mechanism set up by the NBA. This publicity by member broadcasters has resulted in creating awareness amongst the public regarding the self regulatory mechanism for the redressal of grievances. NBSA does not only receive complaints but also receives suggestions from viewers for improving broadcasting standards. These suggestions are considered and used by the NBSA in its interaction with editors & editorial personnel.

► **Meetings of the Authority**

The Authority met 9 times during the year and all the meetings were held in New Delhi.



► Issuance of Guidelines / Advisories

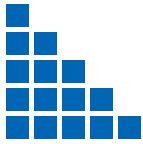
Apart from its role of deciding complaints, a very important role of the NBSA is to lay down principles and norms for improving broadcasting standards to provide guidance to member broadcasters. During the year, the following Advisories/Guidelines were issued to both the Members & Editors for compliance:

- Use of National Flag by member broadcasters in news/current affairs programmes.
- Coverage of Delhi High Court blast.
- Non-compliance of use of word “file” while using archival footage.
- Use of caption “LIVE”.
- Reportage of family matrimonial matters.
- Reportage spreading superstition, occultism & blind belief.
- Broadcast of distressing footage.
- Editorial responsibility.
- Programmes/Coverage of 3rd Anniversary of 26/11 Mumbai terror attacks.
- Coverage of illness of Yuvraj Singh.
- Guidelines for conducting sting operations.
- Specific Guidelines for reporting the injured and the ill.
- Reporting on issues relating to the defence establishment of the country.
- Use of adjectives & hyperbole.
- Programmes relating to Nirmal Baba and similar subjects.
- Slot aired by member broadcasters titled “Third Eye of Nirmal Baba”.

Smt. Ranjitha @ Smt. Ranjita Menon Vs. State of Karnataka & Ors. - Writ Petition No. 8619 of 2011 (GM-RES) High Court of Karnataka

The Hon’ble High Court of Karnataka at its hearing on 14.3.12 had disposed of the matter with the direction that the NBSA should take up and consider the complaint in accordance with the NBSA regulations. On receipt of the copy of the order action had been initiated under the NBSA regulations. The following broadcasters (which included members & non-members) were advised to file a response to the petition and also file a written statement of their reply to the complaint along with any documents or material that may wish to rely upon in defence.

- | | |
|---------------------------|--------------|
| 1. Aaj Tak | – Member |
| 2. CNBC Awaaz | – Member |
| 3. CNN IBN | – Member |
| 4. Times Now | – Member |
| 5. Jain TV Jain Studios | – Non-member |
| 6. Sahara Film Ltd., News | – Non-member |



- | | |
|--|--------------|
| 7. Sahara One Corporation News Downlink | - Non-member |
| 8. TV South Asia Broadcast World Wide Ltd. | - Non-member |
| 9. Zee TV South East Asia | - Non-member |
| 10. NTV Telugu | - Non-member |
| 11. India News | - Non-member |
| 12. TV9 | - Non-member |

Secretary MIB has also been informed of the orders of the Hon'ble Court and the action NBSA is taking as per the court orders. Response is awaited from the broadcasters.

The text of the Guidelines and Advisories issued during the year under Report by the NBA and NBSA are annexed to the Report.

September 1, 2011

All Editors of NBA

**Re: Use of National Flag by Member Broadcasters in
news/current affairs programmes**

In the recent past the NBSA has received several complaints regarding the incorrect use of the National Flag by member broadcasters in various news and current affairs programmes.

The Authority, while disposing of these complaints, decided that the relevant statutory provisions be circulated to all Editors to ensure compliance of the requirements for use of the National Flag and other Emblems. Accordingly, we are circulating herewith the Flag Code of India, 2002, Emblems and Names (Prevention of Improper Use) Act, 1950, and the Prevention of Insults to National Honour Act, 1971.

You are requested to kindly circulate the attached provisions to all editorial staff and in particular to producers to avoid incorrect use of the National Flag and Emblems, violation of which provisions is an offence.

A copy of these provisions may also be prominently displayed in the news room for easy access to all editorial personal & producers.

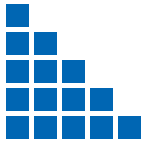
This is for your information and necessary action.

Issued under Orders of the
News Broadcasting Standards Authority

Sd/-
Annie Joseph
For & on behalf of the
News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA
Chairperson & Members of NBSA

Encl: a/a (not attached)



September 7, 2011

All Editors of NBA

Re: Advisory on coverage of Delhi High Court Blast

As you are aware, a bomb blast has taken place today morning in Delhi High Court resulting in death and injuries.

In view of the highly sensitive situation that has arisen thereby, Members are advised to strictly follow the Code of Ethics, particularly the Emergency Guidelines issued by the NBA earlier, which are reproduced below:

“Guidelines For Telecast of News During Emergency Situations (18.12.2008)

1. *All telecast of news relating to armed conflict, internal disturbance, communal violence, public disorder, crime and other similar situations should be tested on the touchstone of “public interest”.*
2. *The media has the responsibility to disseminate information which is factually accurate and objective.*
3. *No live reporting should be made that facilitates publicity of any terrorist or militant outfit or its ideology or tends to evoke sympathy for the perpetrators or glamorizes them or their cause or advances the illegal agenda or objectives of the perpetrators.*
4. *In live reporting of hostage situations or rescue operations, no details of identity, number and status of hostages should be telecast or information given of pending rescue operations or regarding the number of security personnel involved or the methods employed by them.*
5. *Media should avoid:*
 - a) *Live contact with the victims or security personnel or other technical personnel involved or the perpetrators during the course of the incident.*
 - b) *Unnecessary repeated or continuous broadcast of archival footage that may tend to reagituate the mind of the viewers. Archival footage, if shown, should clearly indicate “file”. The date and time be given when feasible.*
6. *The dead should be treated with dignity and their visuals should not be shown. Special care should be taken in the broadcast of any distressing visuals and graphics showing grief and emotional scenes of victims and relatives which could cause distress to children and families.*

These are broad Guidelines and are not meant to be exhaustive”.

Editors are advised to ensure strict adherence to these guidelines to avoid any violation which may invite strict action.

Member broadcasters are also advised to preserve the footage of all the news/programmes telecast in relation to the Delhi High Court blast, including scripts for examination, should it become necessary.

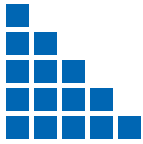
Kindly circulate this Advisory to all Editorial personnel in particular the journalists covering the blast and also brought to the notice of all producers in your respective organizations.

Kindly ensure strict compliance of this Advisory

Issued under Orders of the
News Broadcasting Standards Authority

Sd/-
Annie Joseph
For & on behalf of the
News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA
Chairperson & Members of NBSA



September 15, 2011

All Editors of NBA

**Re: Non-compliance of use of word “file”
while using archival footage**

As per Guideline No. 1.4 of the “Specific guidelines covering reportage” dated 10-02-2009 and Guideline No. 5(b) of the “Guidelines for telecast of news during emergency situations” dated 18-12-2008, in order to ensure accuracy in reporting, it is provided that all archival material should be clearly labeled “file” and preferably also state date and time of initial broadcast.

The Authority has observed that this criteria laid down in the aforementioned Guidelines is being blatantly violated by the Member broadcasters. This violation is happening in most of the regularly scheduled news bulletins and also in news & current affairs programmes. This violation is happening almost daily. However, it may be worth mentioning a few recent instances relating to the bomb blasts in Mumbai, Delhi, and the coverage of Anna Hazare fast which lasted for almost 12 days. The continuous reporting of these news items using both fresh and archival footage resulted in confusion amongst the viewers since archival footage was used by broadcasters without being labeled “file”.

Such irresponsible reporting by member broadcasters, especially while reporting sensitive matters and even otherwise, needs to be looked into seriously. The archival material used has to be marked “file” to differentiate between fresh and archival footage, in order not to mislead or confuse viewers.

The Authority has decided that editors be advised that all archival material is required to be labeled “file” and wherever practicable the date and time of the initial broadcast is also required to be given. Non compliance of this Advisory would lead to action by the Authority.

Kindly circulate this Advisory to all the producers of your channel (s) and also give them a copy each of the “Specific guidelines covering reportage” & “Guidelines for telecast of news during emergency situations” to ensure compliance therewith. Copies of the relevant Guidelines are attached.

Kindly acknowledge & report compliance.

Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

Encl: a/a (not attached)

CC: All Members & Legal Heads of NBA
Chairperson & Members of NBSA

September 16, 2011

All Editors of NBA

Advisory on use of caption “LIVE”

It has come to the notice of the News Broadcasting Standards Authority (“Authority”) that member news channels are sometimes using the caption “Live” in the course of their broadcasts in a manner that is misleading, and in some cases, even deceptive.

It is worse, when the caption “Live” is used in relation to a particular footage along with other footage which in fact is not “Live”.

Member broadcasters are accordingly therefore advised to make judicious use of the caption “Live” to avoid any misrepresentation to the viewers.

Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA
Chairperson & Members of NBSA

September 16, 2011

All Editors of NBA

Advisory on reportage of family / matrimonial matters

It has come to the notice of the News Broadcasting Standards Authority (“Authority”) that some member news channels are carrying reports on family, matrimonial and other private matters of persons not in public life and passing-off such reportage as “news”.

The Authority is of the view that such reportage is not of “public interest” to require dissemination, which is the hallmark of news journalism. Moreover, such reportage also intrudes into the privacy of individuals.

Member broadcasters are accordingly advised to refrain from broadcasting such reports.

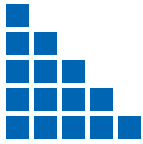
Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA
Chairperson & Members of NBSA



September 16, 2011

All Editors of NBA

**Advisory on reportage spreading superstition,
occultism & blind belief**

It has come to the notice of the News Broadcasting Standards Authority (“Authority”) that some member news channels are carrying reports on matters propagating, promoting and advocating superstition, occultism and blind belief. Such reportage often purports to even distort purely scientific phenomena on baseless and often factually incorrect material and information. Such reportage are not “newsworthy”. In addition such reportage does harm and tends to create fear psychosis, among the uninformed viewers. The impression gathered is that such reportage is usually to garner higher TRPs.

The Authority expects the member broadcasters to voluntarily improve the broadcasting standards by desisting from airing such reports.

Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA

Chairperson & Members of NBSA

September 16, 2011

All Editors of NBA

Advisory on broadcast of distressing footage

It has come to the notice of the News Broadcasting Standards Authority (“Authority”) that some member news channels are broadcasting footage, visuals and other similar material that are extremely distressing and insensitive. Repetition of such visuals further aggravates distress to the viewers. A few examples of such recent broadcasts are; explicit telecast of the shooting of persons by the Taliban; telecast of footage relating to burning of a live leopard; showing a tusker killing a person and a calf in Mysore; showing a family drowning in Patalpani near Indore; telecast of the killing of a person at a road crossing in Coimbatore.

The Authority has noted that not only were such broadcasts per se distressing, they were carried on news channels without masking the offensive visuals. The distress caused by such visuals can psychologically disturb the viewers, especially those who are young; and it also has the potential of creating panic and undue fear.

Extreme care should be exercised to decide whether such visuals are “newsworthy” and if found “newsworthy”, the “news” alone may be broadcast without graphic visual depictions.

Sd/-

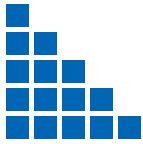
Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members & Legal Heads of NBA

Chairperson & Members of NBSA



October 13, 2011

All Members of NBA

Advisory on Editorial Responsibility

At the meeting of the NBSA held on 27.7.2011 the Authority considered a response from one of the member channels, wherein it was contended that principal news anchor/Editor in Chief was not responsible for the editorial content aired on the news channel; and the responsibility for such content was sought to be foisted upon a subordinate editorial person.

After due deliberations, the Authority has opined that such stand by a news channel is completely unacceptable and shall not be countenanced; and that it be made clear to member broadcasters that for the Authority, the ultimate responsibility for all editorial content shall lie with the editorial head of the news channel, by whatever designation called.

Accordingly, all member broadcasters are advised to take note of it.

Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: Editors & Legal Heads of NBA

November 25, 2011

All Editors of NBA

Re: Advisory on Programmes/Coverage of 3rd Anniversary of 26/11 Mumbai Terror Attacks

This Advisory is being issued in regard to the programmes / reports that member news channels may broadcast in relation to, and on the occasion of, the 3rd anniversary of the terror attacks that took place on 26/11/2008 in Mumbai killing innocent people.

Considering the extremely sensitive nature of the subject and also that the matter is sub-judice, Editors/Members are advised that all programmes/reports relating to the 26/11 terror attacks be carried carefully bearing in mind the Emergency Guidelines & the Specific Guidelines relating to Reportage dated 18.12.08 & 10.2.09 respectively that were issued by the NBA.

All telecast of programmes/reports relating to 26/11 terror attack should be tested on the touchstone of “public interest” to avoid any breach of the above guidelines.

Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members/Legal Heads of NBA

February 10, 2012

All Members of NBA

Re: Advisory Regarding Coverage of Illness of Yuvraj Singh

Lately there has been extensive coverage by our member news channels of the recent illness of Yuvraj Singh, a leading cricketer of our country. In this connection it has been brought to the notice of the News Broadcasting Standards Authority that some of the coverage so made has been unacceptably intrusive.

Attention of our members is drawn to the Principles of Self-Regulation and Specific Guidelines relating to Privacy, which are reproduced below:

Principles of Self-Regulation:

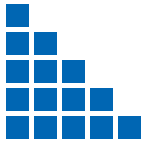
6. Privacy:

As a rule channels must not intrude on private lives, or personal affairs of individuals, unless there is a clearly established larger and identifiable public interest for such a broadcast. The underlying principle that news channels abide by is that the intrusion of the private spaces, records, transcripts, telephone conversations and any other material will not be for salacious interest, but only when warranted in the public interest. However, it is also understood that the pursuit of the truth and the news is not possible through the predetermined principle of prior permission; hence door stepping individuals or authorities for the purpose of newsgathering may be used only in the larger purpose of public interest. Further, in the case of minors, in any broadcast that intrudes on their privacy, the channel should attempt, where possible, to seek the consent of the parent or legal guardian. However, the defense of the premise of privacy cannot be misconstrued as the denial of access, and this applies to all individuals, including those in the public eye and public personalities. It does however apply in its entirety, as per the provisions mentioned above, to their children and kin who are minors.

Specific Guidelines Covering Reportage:

5. Privacy

- 5.1 Broadcasters should exercise discretion and sensitivity when reporting on distressing situations, on grief and bereavement.*
- 5.2 Persons should not be featured in content in a manner that denigrates or discriminates against sections of the community on account of race, age, disability, sex, sexual orientation, occupation, religion, cultural or political beliefs.*
- 5.3 Content that would cause unwarranted distress to surviving family members, including by showing archival footage, should be avoided.*
- 5.4 No information relating to the location of a person's home or family should be disclosed without permission from the concerned person.*
- 5.5 Surreptitious recording of any person or event should only be made without committing any illegality and if editorially justified.*



5.6 Interviews of the injured, victims or grieving persons should be conducted only with prior consent of the persons or where applicable their guardian.

In the recent past the channels showed maturity in reporting the illness of a national figure, but the same restraint is denied to Yuvraj Singh and others. This is unacceptable.

Members may note that intrusive broadcasts in relation to the illness of a person, even if a celebrity, are in clear violation of the NBA norms against invasion of privacy, apart from being in breach of the dignity of an individual.

All Members are accordingly advised to bring this matter to the specific attention of their chief editorial personnel. Members are cautioned that any violation of the above principles/guidelines will be viewed very seriously by the NBSA and appropriate action may be initiated, even suo motu.

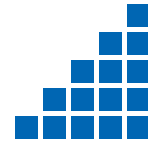
All members are also advised to preserve the footage of all news/programmes telecast in relation to the illness of Yuvraj Singh, including broadcasts and scripts for consideration of the NBSA, should it become necessary.

Kindly circulate to all concerned.

Issued Under Orders
Of the News Broadcasting Standards Authority

Sd/-
Annie Joseph
For & on behalf of the
News Broadcasting Standards Authority

CC: Editors & Legal Heads of NBA

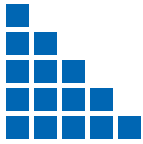


Guidelines for Conducting Sting Operations

In furtherance of the principles of self-regulation as contained in NBA's Code of Ethics and Broadcasting Standards and Specific Guidelines Covering Reportage, a member news channel may conduct a "sting operation", but only in conformity, with the following guidelines :

1. A sting operation may be conducted only if warranted in public interest;
2. A sting operation should be conducted only for exposing a wrong-doing;
3. A sting operation should not be used for gratuitously prying into peoples' private lives;
4. A sting operation may be resorted to only if there is no other effective overt means of collecting or recording the same information or news;
5. In conducting a sting operation, a news channel shall not indulge in inducing a person to commit a wrongful act not otherwise contemplated by the person;
6. Resort shall not be had to sleaze or sex or any illegal act as a means for carrying-out a sting operation;
7. The entire recordings of a sting operation, including edited and un-edited, audio and video footage, must be preserved, as they are for a period of 90 days or for such other period as may be necessary in a given case;
8. Recordings of a sting operation, including edited and un-edited, audio and video footage, shall not be tampered, manipulated, interposed, altered, distorted, morphed or otherwise doctored in any manner that may change the context, purport or meaning thereof;
9. There must be concurrent and contemporaneous recording in writing of the various stages of progress of a sting operation by the person in-charge of it; and such written record shall also be preserved for a period of 90 days or for such other period as may be necessary in a given case;
10. A sting operation must not offend against the provisions of Section 5 of The Cable Television Networks (Regulation) Act 1995 and Rule 6 of The Cable Television Networks Rules 1994 relating to "Programme Code" or any other law in force for the time being, including Section 24 of the Prevention of Corruption Act, 1988;
11. A sting operation shall be telecast only if, and when there is ample evidence to prima facie demonstrate the culpability of a wrong-doer;
12. If a sting operation is found false or fabricated, all persons concerned with conducting the sting operation could be liable for punishment in accordance with the law;
13. No sting operation shall be conducted except with the prior approval and under the supervision of the head of the editorial team of a news channel, who shall also, along with other person concerned, be responsible for all consequences. The Managing Director and/or the Chief Executive Officer of the broadcasting company should also be kept fully informed of any sting operation being conducted by a news channel.

February 27, 2012



Specific Guidelines for Reporting the Injured and the ill

Covering news relating to persons in hospitals and other similar institutions requires special sensitivity and care, particularly to ensure that the privacy and dignity of victims and patients is preserved.

All decisions to broadcast audio and/video recordings made in such places require balancing the public interest in the story with any distress such filming/broadcast may cause to the patient or, in the case of deceased patients, to the family.

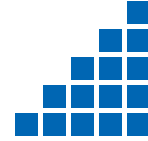
When filming in potentially sensitive places, such as ambulances, hospitals, etc. a broadcaster should ordinarily obtain consent from the team attending on the person/patient or any other responsible person concerned.

The right to privacy and confidentiality of the patient is paramount. A broadcaster should not normally broadcast any footage without clear, informed consent from the persons being filmed and or relatives, and when such broadcast is in public interest.

In reporting on persons under treatment in sensitive places such as hospitals and other places, the following guidelines must be rigidly followed:

1. A broadcaster should not film or interview anyone who is distressed or in pain.
2. No broadcaster shall invade the privacy or violate the dignity of persons who are affected, injured and/or under treatment in hospitals and other similar places. When otherwise justified in public interest, care should be taken to record both audio and video in a way which minimizes intrusion and privacy of the patient. However, in case of objection, by the patient or any other person on his or her behalf, a broadcaster should not do any audio or video recording.
3. No broadcaster shall enter any casualty, intensive care unit, ward, room or other medical section of any hospital or other places without the express consent of the concerned persons.
4. No broadcaster shall door-step or attempt to contact the family, relatives or friends of a patient under treatment in a hospital or other similar places, without their express consent.
5. Special care should be taken while reporting incidents relating to children, mindful of the increased sensitivity needed in their case.
6. In case showing the patient is justified, the face and sensitive parts of the body should invariably be masked.
7. While a broadcaster shall be entitled to report upon issues of public interest such as mishandling, corruption, malpractices, etc. that may be happening in and in relation to hospitals and other similar institutions, even where such issues are covered, the privacy and dignity of patients, the affected and injured shall always be respected by duly masking faces and identities of such persons to ensure that their privacy and dignity are not compromised in any manner.
8. Broadcasters must scrupulously abide by the provisions of the Juvenile Justice (Care & Protection of Children) Act 2000 and the Commissions for Protection of Child Rights Act 2005 and the National Commission for Protection of Child Rights Rules 2006, and other applicable laws.

March 5, 2012



March 29, 2012

All Members & Editors of NBA

Re: Reporting on issues relating to the defence establishment of the country

During the last few days it has been noticed that member broadcasters are reporting on issues relating to the defence establishment of the country.

It must be appreciated that most defence related matters are highly sensitive since they impinge upon national security and relations with foreign states.

In view of such sensitivity, while reporting matters relating to the defence establishment care must be taken by the member broadcasters not to air sensitive communications or any information relating to the armed forces, their officers, the administration and ancillary matters.

In this regard attention is drawn to the following Code of Ethics and Specific Guidelines, which are to be observed while reporting on issues relating to national security:

7. *Endangering national security:*

In the use of any terminology or maps, that represent India and Indian strategic interests, all news channels will use specific terminology and maps mandated by law and Indian government rules. (The depiction of the map of the territory of India will reflect official guidelines, as detailed in official literature). News channels will also refrain from allowing broadcasts that encourage secessionist groups and interests, or reveal information that endangers lives and national security. However, it is in the public interest to broadcast instances of breach of national security and loopholes in national security and reporting these cannot be confused with endangering national security.

6. *National Security*

6.1 *Broadcasters should not disclose confidential information of operations involving national security.*

6.2 *Broadcasters should use due discretion in reporting on operational methods used by perpetrators of serious offences against the State during the occurrence of the event.*

6.3 *Live interviews with perpetrators should not be aired.*

6.4 *Reporting of events which erodes public confidence in the capacity of national institutions meant to protect them should be avoided during the occurrence of the event.*

6.5 *Broadcasters should not reveal technical details of operations, to prevent information relating to strategies and operations of security agencies becoming known to the perpetrators.*

You are accordingly advised to adhere to the above Guidelines while reporting on issues relating to the defence establishment of the country and ancillary matters.

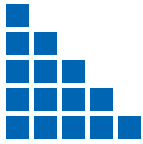
Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: Legal Heads of NBA



May 8, 2012

All Editors of NBA

Advisory on use of adjectives & hyperbole

Recently, the News Broadcasting Standards Authority considered a complaint, whereby grievance was made in regard to the use of the word “tainted” in relation to an office bearer of a sports association which was out-of-context insofar as the news being reported was concerned.

While considering the above matter, the Authority also referred to reports in the electronic media regarding the former C.V.C Mr. P.J. Thomas wherein he was also unjustifiably branded as “tainted” in news reports.

In light of such instances, the Authority deems it appropriate to issue the following Advisory:

1. In telecast of news items, broadcasters must not use words that tend to be judgmental, in the sense of being disparaging, denigrating or scurrilous;
2. The role of the news media is to soberly report news in a fair and balanced manner, by providing adequately verified information in order to help the public form opinion on various issues;
3. While it is perfectly legitimate for the news media to report on matters with a view to exposing corruption or other issues of general social concern and relevance, it is not the mandate of the media to sensationalize matters by use of hyperbole or by making exaggerated statements;
4. News channels should desist from using “adjectives” which colour verified facts/news with personal opinions of journalists, such as by use of the words “tainted”, “killer” “cheat” etc.;
5. It must be borne in mind that the news media have no claim to any special privilege or license to malign any person or organization.

Kindly circulate the same to all concerned in the Editorial/Production teams. It is expected that strict adherence of this Advisory would be ensured to avoid any violation, which may attract action.

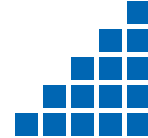
Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Members/Legal Heads of NBA
Chairperson & Members of NBSA



May 29, 2012

All Members of NBA

**Re: Advisory on Programmes relating to
Nirmal Baba and similar subjects**

The matter of broadcast of certain programmes relating to Nirmal Baba on member channels has been brought to the attention of the NBA.

In this regard, we wish to draw your attention to the following guideline, which is part of “Norms & Guidelines on Paid News” dated 24.11.2011 issued by NBSA, which guideline is self explanatory:

6. Every news broadcasting organization shall disclose conspicuously in an appropriate manner during broadcast of a program, on their television channel/s and on their website/s, including during a news, current affairs, sports, entertainment or promotional broadcast as to whether the content of such broadcast has been paid for by or on behalf of the Entity that is subject matter of such broadcast in any manner whatsoever; and whether such broadcast is an “advertorial” or other media marketing initiative.

By way of the foregoing guideline it has been mandated that where any footage/ segment/ programme carried on a news channel has been “paid-for” whether as an advertisement or advertorial or other promotion, this aspect is required to be disclosed conspicuously during the broadcast, with the aim and intent that viewers are not misled into believing that such content is part of news reportage.

Member channels are therefore advised that where any footage/segment/programme relating to Nirmal Baba or other similar programmes is/are “paid-for”, during telecast such footage/segment/ programme must be conspicuously marked “Advertisement” continuously throughout the duration of such footage/segment/programme.

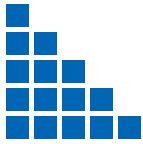
Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Editors & Legal Heads of NBA



June 11, 2012

All Members of NBA

**Re: Advisory relating to slot aired by member broadcasters titled
“Third Eye of Nirmal Baba”**

As you are aware, we have issued an Advisory dated 29.5.2012 whereby Member channels have been advised that any footage/segment/programme relating to Nirmal Baba or other similar “programmes is/are “paid-for”, during telecast such footage/segment/programme must be conspicuously marked Advertisement” continuously throughout the duration of such footage/segment/programme.

The Secretary I&B has discussed with President NBA today that some news channels are carrying a slot titled “Third Eye of Nirmal Baba” and he has requested President, NBA that he may take appropriate action to stop this programme as the Courts are also seized of this matter.

Since carrying this programme is in clear violation of the Guideline 7 of the Specific Guidelines covering reportage relating to “Supernatural Occultism & Paranormal”, members carrying the slot “Third Eye of Nirmal Baba” are hereby advised to stop airing the same.

It is understood that the IBF has also advised its members to stop airing slots as it appears to encourage “superstition and blind belief”.

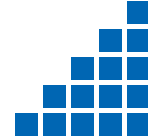
Sd/-

Annie Joseph

For & on behalf of the

News Broadcasting Standards Authority

CC: All Editors & Legal Heads of NBA



Proxy Form

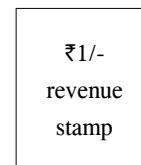
**News Broadcasters Association
 Regd. Off: Juris House, Ground Floor,
 22, Inder Enclave, Paschim Vihar,
 New Delhi – 110 087**

I _____ being a Member of the above named Association,
 representing _____ (Corporate Entity) do hereby appoint
 Mr./Ms _____ R/o _____ or failing him/
 her Mr./Ms. _____ R/o _____ as my proxy to
 vote for me on my behalf at the 5th Annual General Meeting of the Association to be held on
 Thursday, the 20th September, 2012, at 12.00 noon at Yamuna, Vyas & Tapti, Shangri-La's –
 Eros Hotel, 19, Ashoka Road, New Delhi – 110 001, and at any adjournment thereof.

Signed this _____ day of _____ 2012

Signature of Member Representative _____

Name of Broadcaster _____



Note : In order to be effective & valid, the proxy form must be received by the Association at its Registered Office not less than 48 hours before the commencement of the Meeting.

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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 of the Member Representative _____

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 5th Annual General Meeting of the News Broadcasters Association held on Thursday, the 20th day of September, 2012, at Yamuna, Vyas & Tapti, Shangri-La's – Eros Hotel, 19, Ashoka Road, New Delhi – 110 001.

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)

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Chairperson & Members on the News Broadcasting Standards Authority



Justice J. S. Verma
(Former Chief Justice of India)
Chairperson

Members Representing Eminent Persons



Chokila Iyer



Dipankar Gupta



Kiran Karnik



Nitin Desai

Members Representing Editors



Sonia Singh



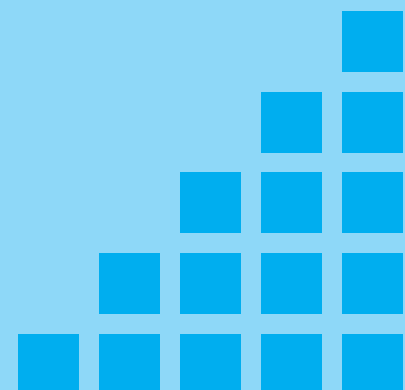
Sagarika Ghose



P.V. Narendra



Rahul Kanwal





News Broadcasters Association

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

Email: nba@nbanewdelhi.com

Website: www.nbanewdelhi.com