

**News Broadcasting Standards Authority**  
**Order No. 47 (2018)**

**Order of NBSA on letter dated 28.9.2017 received from Under Secretary, MoI&B, forwarding complaint dated 28.8.2017 of Dr. I.C. Mittal, against telecast of a wrong news on Zee Rajasthan News on 13.8.2017**

The above complaint was received by NBSA as also from the Ministry of Information and Broadcasting (MoI&B) vide letter dated 28.8.2017.

**Complaint:**

The complainant alleged that Zee Rajasthan News on 13.8.2017 in the afternoon had carried an absolutely wrong, false, baseless made up news item with the title “*kafi sankhya me mile bhrun*” mentioning the name of his hospital; and that the report against complainant’s hospital was contradicted and proven false by the news report by Zee Rajasthan News channel which had telecast the news under the title “*jhooti khabar se hadkamp*”. The complainant also alleged that the broadcaster had failed to respond inspite of all his efforts to reach the channel.

**Response from Broadcaster:**

The broadcaster in their response dated 18.10.2017 stated that on 13.8.2017, the officials of Pre-Conception Pre-Natal Diagnostic Technique (“PCPNDT”) team from Jaipur had conducted a raid in the hospital owned by the complainant; that during the raid, Zee Rajasthan News received a shocking news from its sources that a large number of foetuses were found in the said hospital; that in view of the seriousness of the issue, the report was telecast by it as flash news on 13.8.2017 at 03:51 PM in public interest without any *malafides*; that after a few days, the broadcaster was made aware that news of finding foetuses in complainant’s hospital was not correct; that on receiving such information, as a responsible media channel, it took corrective steps and aired a corrigendum on 13.9.2017 without any delay; and that therefore nothing remains to be done.

NBSA at its meeting held on 14.11.2017 after considering the complaint and response and after viewing the CD of the alleged broadcast, decided to ascertain the following from the broadcaster before further consideration of the complaint:

- (i) Whether the broadcaster, verified the accuracy of the said news report, by cross-verification from other sources;
- (ii) What was the source of information for the news report; and
- (iii) Whether any efforts were made before airing the news report to contact Dr. Mittal, whose hospital was raided by the officials of PCPNDT Team from Jaipur, to get version or to get confirmation of what was reported.

NBSA at the meeting held on 20.1.2018 again considered the complaint, response of the broadcaster to the above queries and also viewed the CD. NBSA decided that both parties be called for a hearing at the next meeting of the NBSA. Accordingly, both the parties were requested to appear for a hearing on 15.2.2018.

At the hearing today, Zee Media Corporation Ltd. [Zee Rajasthan News] was represented by:

Ms. Ritwika Nanda Advocate

Ms. Petal Chandoke, Advocate

Mr. Gulshan Sachdev, AVP – Legal (Essel Group).

**Deliberations at the hearing:**

The complainant, vide its email/letter dated 8.2.2018, regretted his inability to attend the hearing as he is a heart patient and not fit to travel or fight against a media mogul. He however pointed out that the corrigendum was broadcast more than a month after the date of the broadcast of the false news only after a series of follow ups via email, phone and letters; that by then, his (as well as hospital's) reputation, integrity, income was irreparably harmed; that the corrigendum, released only after he raised the complaint with NBSA, was broadcast in the form of a small strip (as against the damaging broadcast which ran for 3:31 minutes), which obviously could not even be noticed by the people who had seen the false news broadcast a month earlier; that the false news was broadcast without verification and without realizing the impact of falsely accusing the hospital of "*Bhrun Hatya*". The complainant stated that he is an ordinary man with a small hospital in a rural area trying to serve the society and do some good; that enough harm was already caused due to the broadcast; that he made the complaint only when Zee Rajasthan News did not respond to his queries and communication; that his physical and financial capacity did not permit him to fight a battle against a big broadcasting news giant; that his mind is filled with fear that the channel might again broadcast something, ruining whatever is left of him. He pointed out that it was strange that the channel, having admitted that the news published against him and his hospital was incorrect and false, and knowing that the broadcast has ruined his reputation, did not even show any remorse nor willing to give an apology. He further stated that Zee Rajasthan News even now did not have their facts right; that there was no raid on the hospital; and that there was no effort to verify the facts by the channel either with PCPNDT Team or the hospital, even though the channel's local correspondent was present in hospital at the time the PCPNDT team visited the hospital. He stated that the PCPNDT Team (consisting of Shri Shriram Bhadsara, Shri Mahender Singh Charan, Shri Randeep Singh and Shri Vinod Bishnoi and others) were surprised when they received a message from the PA to District Magistrate that Rajasthan Health Ministry sought confirmation of the News "*Kafi Sankhya me Mile Bhrun*"; and that PCPNDT Team members informed

the District Magistrate that there was neither any open septic tank or pit in and outside the hospital premise, nor were there any foetuses and that the news was false.

During the hearing, it was submitted on behalf of the broadcaster that the channel was not attempting to defend the broadcast; and that, when the channel came to know that its information leading to the news report was incorrect, it had itself ran a ticker stating so. The broadcaster also admitted that the ticker was run a month after the initial broadcast. At the end of her submissions, the learned counsel for the broadcaster, after consulting Mr. Gulshan Sachdev, AVP – Legal (Essel Group), submitted that the channel was agreeable to air an apology.

### **Decision of NBSA:**

NBSA after hearing the broadcaster and after considering the written submissions of Dr. I.C Mittal, was of the view that the broadcast was made without any verification; that no opportunity was given to Dr. I. C. Mittal (hospital) to give his version on the subject matter of the news report, before or after the broadcast; and that thus, there was a violation of the principles of self-regulation relating to “impartiality & objectivity in reporting, ensuring neutrality and privacy”. NBSA was also of the view that the channel should bear in mind that “news media have no claim to any special privilege or licence to malign any person or organisation”. However, in view of the channel’s offer to air an apology, no further punishment was called for.

NBSA directed the broadcaster to air a regret as per the text to be furnished by NBSA on the date and time indicated by NBSA, in the following manner:

(1) The broadcaster shall, prior to the commencement of the 8 PM news on **9.4.2018**, air the following text (static) on full screen in large font size with a clearly audible voice-over (in slow speed) expressing regret for the said telecast on their channel Zee Rajasthan News by stating the following **(To be translated in Hindi)**:

“ We regret that on 13.8.2017 at 03:51 pm we had broadcast on Zee Rajasthan News a news report against Dr. I.C. Mittal’s Sri Ram Hospital, Ganganagar, Rajasthan, with a breaking news text **“kafi sankhya me mile bhrun”**. That was an incorrect report based on a false information. The report was aired without verification of facts and without ascertaining the facts from the Hospital and its owner, thereby violating the principles relating to impartiality and objectivity in reporting and neutrality. We clarify that there was no intention on our part to pre-judge the issue in any manner or bring disrepute to Dr. I. C. Mittal or his hospital”

(2). The broadcaster shall also give written and signed version of the expression of regret to the complainant by Email and registered/speed post with copy to NBSA.

(3) The video of the said broadcast, if hosted, on the website of Zee Rajasthan News or any other links should be removed immediately and confirmed to NBSA in writing within 7 days.

(4) The broadcaster shall submit a compact disc containing the telecast with particulars of the date and time of the telecast, within one week of telecast, as proof of compliance. After such CD and signed version of regret is submitted by the broadcaster, the matter will be closed.

NBSA further directs the NBA:

- a) To send a copy of this Order to the MoI&B, complainant and the broadcaster.
- b) To circulate this Order to all Members, Editors & Legal Heads of NBA.
- c) To host this order on its website and to include it in its next Annual Report.
- d) To release the Order to media.

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

**Place: New Delhi**

**Date: 23 March, 2018**