

## **I. Re: Complaint No 1 of 2009(SM) Complaint of Farhana Ali**

The complaint related to a broadcast made on India TV in December, 08, wherein the said channel had misused the interview given by Ms. Farhana Ali to Reuters by broadcasting it on India TV and thereby misrepresenting that Ms. Farhana Ali had given such interview to India TV, which was factually incorrect, unethical and unjustified. Ms. Farhana Ali had given the interview to Reuters in the English language. But India TV deceptively dubbed the voice in Hindi, a language Ms. Farhana Ali did not know and did not speak. India TV also downloaded Ms. Farhana Ali's picture from the internet and used it in the story giving the false impression that she had given the interview to India TV. India TV said in its story that Ms. Farhana Ali was a spy for the United States Government, which she never was. The language used by India TV in the broadcast was damaging and placed Farhana Ali's life in jeopardy. In its broadcast India TV exaggerated the statement made by Ms. Farhana Ali to portray her as pro-India and anti-Pakistan. Since she was born in Pakistan and had never issued any such statement, such broadcast would damage her relations with family and friends in Pakistan. Ms. Farhana Ali worked as a political analyst and India TV's broadcast had falsified her position within the US Government.

### **Decision:**

After carefully considering the response of India TV the Authority held that India TV has violated the News Broadcasters Association's Principles of Self-Regulation and Specific Guidelines Covering Reportage, among other things, Privacy, Impartiality and Objectivity.

The Authority found Independent News Service Pvt. Ltd., Channel India TV, guilty of the aforesaid provisions and passed the following directions:

- (I) It records a strong "disapproval" of the acts and omissions in relation to the subject broadcast made on India TV in relation to Ms. Farhana Ali;
- (II) It directs M/s Independent News Service Private Limited Channel India TV as under:
  - (a) To pay a fine of Rs.1,00,000/- (Rupees One Lac Only) to the News Broadcasters Association within 1 (one) month of receipt of this Order;
  - (b) The broadcaster shall also, within 7 (seven) days of receipt of this Order, run on India TV on any one day an apology/regret as a ticker between 20:00 hrs. and 21:00 hrs, five times with a space of 12 minutes each, containing the following text:

"India TV apologizes for the story run on Ms. Farhana Ali in December, 2008 since the same was a misrepresentation of facts. Any harm caused to Ms. Farhana Ali is regretted."
  - (c) To supply to the NBA a Compact Disc containing the broadcast of such apology / regret with particulars of the time and date of broadcast;
- (III) The Authority further directed:
  - (a) The NBA to issue a press release within one week in this behalf and to release the same to the Press Trust of India (PTI) and the United News of India (UNI) and to other national dailies.
  - (b) The NBA to host the summary of these proceedings on its website and to include such summary in its next Annual Report and also inform the members of the NBA.
  - (c) To send to Ms. Farhana Ali a copy of the Order.

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**II. Complaint dated 21.2.09 made by parents against the electronic media for false, baseless, derogatory, defamatory, sensational and inhuman reporting of an accident that took place on February 24, 2008 in which their children died.**

**Summary of Complaint:**

Sneha Kapoor and Anirudh Rawat died in an accident that took place on 24.2.08, near India Gate. The parents of the deceased Mrs. Anuradha Bhattacharya (mother of Sneha Kapoor) and Mr. Vijai Rawat & Mrs. Anita Dighe (parents of Anirudh Rawat) complained to the Authority on 21.2.09, rather than reporting that the accident had occurred due to the drunken driving of their friend, the media gave only the police version and reported that all the four occupants of the car were drunk. By constantly playing and replaying the video clips that emphasized that all of them were drunk, the TV channels conveyed to the viewers that the two dead young adults deserved the death they got and were not worthy of any sympathy or grief. The sheer tragedy of two young lives being snuffed out was thus completely sidelined and underplayed by the electronic media.

**Decision:**

The complaint was considered by the NBA Authority in its meeting held on 20.3.09. The Authority viewed the telecast of the news item in ten member channels of the NBA i.e. Aaj Tak, Dilli Aaj Tak, CNN IBN, India TV, Live India, NDTV, NDTV India, NDTV Metronation, Delhi, News 24 and Zee News as received on compact disc (CD) from the parents. The Authority noted that while reporting the accident, the broadcasters had relied upon the police version for which they could not be faulted. Accordingly, the Authority was of the considered view that it had not been established that any of these channels had violated the Code of Ethics and Broadcasting Standards.

However, being conscious of the poignant nature of the episode and in view of the sentiments expressed by the parents and also as a matter of propriety, the Authority directed that, a clarification be aired by the respective channels with prior information to the complainants of the date & time of the telecast. A CD of the telecast would also be sent to the parents by the concerned broadcasters.

The Authority also advised that the members of the NBA should take special precaution and thoroughly verify facts when reporting tragic incidents.

The Authority also noted that India TV on receipt of the Advisory from the Ministry of I&B with the copy of the complaint filed by Mrs Anuradha Bhattacharya (mother of Sneha Kapoor), had already telecasted a clarification, which incidentally happened to be on the first death anniversary. On request, a copy of the CD had also been sent to Mrs Anuradha Bhattacharya.

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