

Complaint No. 4 of 2011 - 2 Corps OMC Pin No 909802 C/o 56 APO and M/s TV Today Network Ltd (“Aajtak”)

Summary of Order dated 12.3.2011

On 29th July 2010 at 10:00 pm M/s TV Today Network Ltd, telecast a programme titled “*Operation Jai Jawan*” on their channel **Aajtak**. In the said telecast, the Channel was exposing corruption in the **Ordinance Maintenance Company (OMC)**, for procuring different kinds of supplies for the use of the Indian Army; the footage /visuals of which was also broadcast as part of the said telecast;

In substance, the malpractices cited in the said telecast were: (1) there is corruption with regard to purchases made for the jawans of the Indian Army (in the Ordinance Corps); (2) the concerned officer will choose the contractor before the supply is made; (3) fraudulent quotations are accepted on the letter head of existing & non existing firms ;(4) rates for the materials are fixed in collusion with the officer & the contractor;(5) without supply fraudulent bills are submitted & payments made ;(6) chosen contractor pays bribe in advance by cash to the concerned officers; (7) due processes required for tender are not followed;

The thrust of the sting/undercover operation was to expose corruption in the Ordinance Corps; In the said telecast video clips were shown of Officers/Staff accepting bribes; none of Officers & Staff had any association with OMC/2 Corps/OMC Ambala; they were working in other units of the Army based in Ambala & Jodhpur; to justify corruption not a single officer /staff of the OMC 2 Corps /OMC Ambala were shown in the visuals telecast nor interacted with during the sting operation ;there was unnecessary reference of OMC in the video clips to sensationalize corruption in OMC Ambala/ OMC 2 Corps; Consequently serious damage has been caused to the image of the members of the OMC/2 Corps OMC from the Commanding Officer downwards to the lowest rank; it also casts baseless aspersions on the image of the armed forces in general.

When the primary source of information to the Channel was tainted, and was *ex facie* motivated by animosity towards the complainant, the required level of pre-broadcast verification and scrutiny expected of Aajtak was much higher than that done in the circumstances of the case. Aajtak was found wanting on point of due-diligence that is expected of any news organization, especially when reporting on sensitive matters and on aspects that affect the name and reputation of people and institutions. Such callous reporting by Aajtak on an institution like the Army caused serious harm not only to the institution and the concerned individuals but also to their credibility in the public mind. Such reporting is clearly in violation of the principles of self-regulation adopted by Aajtak, a Member of the NBA.

Decision:

The Authority therefore held that Aajtak had violated the Code of Ethics & Broadcasting Standards and Guidelines issued by the NBA.

Aajtak was therefore directed to do the following within 7 (seven) days of receipt of the Order:

To run the following text (static) on full screen in large font size with voice over (in slow speed) for **5 consecutive days (beginning Monday & ending Friday)** expressing regret for

the said telecast on their channel Aajtak, prior to the commencement of the telecast of the **9 p.m news** stating the following (**text also to be translated in Hindi**):

“Aajtak apologizes for mentioning the name of OMC Ambala/ 2 Corps OMC in their telecast “ Operation Jai Jawan” on 29th July 2010 at 10:00 pm since the same was a misrepresentation of facts, although not intentional. Any harm caused to OMC Ambala / 2 Corps OMC is deeply regretted.”

To grant 2 Corps Ambala an opportunity to express their version on the subject matter of the said telecast, by broadcasting the un-edited version on the subject matter of the said telecast of a duration not exceeding an aggregate of 5 (five) minutes on the **channel Aajtak at 10 pm when the said telecast was broadcasted. 2 Corps OMC** are directed to cooperate with Aajtak to record such version, which will be restricted only to the clarification they wish to offer and nothing offensive shall be included against Aajtak or against the said Channel in such clarification.

Proof of compliance by Aajtak by submitting a Compact Disc containing the telecast/apology/regret with particulars of the time and date of the telecast to be submitted to the News Broadcasters Association within 15 (fifteen) days of receipt of the Order.

The Authority further directed as follows:

- (a) To send a copy of the Order to the Complainant.
- (b) To send a copy of the Order to the Chief of the Army Staff along with the CD& the Script of the telecast “Operation .Jai Jawan”.
- (c) A copy of the Order be sent to the broadcaster TV Today Network Ltd. (Aajtak) and to NBA for necessary compliance.
- (d) The NBA to host the summary of the proceedings on its website and to include such summary in its next Annual Report.
