

**Summary of Proceedings & Order dated 18.9.2010
made by NBSA against News-X**

1. A news article titled “*Scribe booked for inciting mob violence*” appeared in issue dated July 11, 2010 of *The Hindustan Times* newspaper. The said newspaper article related to alleged ‘incorrect’ reporting by the television news channel *News X* (“said Channel”) of news claiming that a person had been killed in police firing in Srinagar, which news was telecast on July 10, 2010 between 00:00 hrs and 09:30 hrs. The said newspaper article alleged that the news telecast on the said Channel had enraged locals, who had attacked a police station, injuring 15 policemen, in Pulwama town near Srinagar ; and that the concerned police had registered a case against the said Channel and against its Srinagar correspondent for attempt to murder, rioting, endangering life and personal safety of others and other unlawful activities. The said newspaper article further stated that the Srinagar correspondent of the said Channel Suhail Bukhari had admitted that it was human error and had said that the telecast was taken off-air and a written apology had been issued.
2. The said newspaper article was brought to the attention of News Broadcasting Standards Authority (“NBSA”), whereupon the Authority took *suo motu* cognizance of the matter and issued Show Cause Notice dated July 28, 2010 (“said Show Cause Notice”) to M/s INX News Prvt Ltd (“said Broadcaster”), being the owner of the said Channel, calling upon the said Broadcaster to show cause why action should not be taken against it for the telecast of a incorrect report of the death of a person in police firing in Pulwama town near Srinagar on the said Channel on July 10, 2010 between 00:00 hrs and 09:30 hrs (the “Impugned Broadcasts”).
3. In the said Show Cause Notice, it was also brought to the notice of the said Broadcaster that vide Advisory dated June 30, 2010, the NBA had specifically brought to the notice of its member broadcasters that coverage of the Kashmir issue, including the Amarnath Yatra, involves a situation which requires sensitive handling and additional caution, in consonance with the Specific Guidelines Covering Reportage dated February 10, 2009 and Guidelines for the Telecast of News During Emergency Situations dated December 18, 2008 issued by the NBA earlier, which Advisory and Guidelines all member channels were obliged to follow.
4. The substance of the defence taken by the said Broadcaster in its reply dated August 9, 2010 furnished to the said Show Cause Notice was :
 - 4.1 That the erroneous statement that “one person has been killed” was an error committed inadvertently by their news desk in Noida, which statement was however, not highlighted or overstressed in any manner;
 - 4.2 That the error in question was noticed by the correspondents of the said Channel in Srinagar, who immediately brought it to the notice of the news desk in Noida;
 - 4.3 That thereafter the news was immediately withdrawn and the matter was brought to the notice of senior editors of the said Broadcaster ;
 - 4.4 That after cross-verification and consultation, a rebuttal was also telecast and run repeatedly ; and that upon realizing the mistake, not only was the said news report immediately withdrawn but repeated tickers were run acknowledging the mistake and stating correct facts;

4.5 That in-house investigation was conducted into the matter and two staff members found responsible for the error had been suspended, besides several Heads of the Department having been reprimanded ;

5. After considering the matter, the NBSA held that :

5.1 The said Broadcaster's unequivocal admission of its lapse, prompt telecast of the rebuttal of the incorrect news with apology, disciplinary action taken against the persons responsible for the lapse, measures quickly taken to strengthen the procedures for checking accuracy of facts telecast, candid reiteration of its lapse even in its further reply dated August 25, 2010 are significant correctional steps, relevant for consideration by the NBSA as mitigating factors ;

5.2 In addition to the steps already taken by the said Broadcaster, it is advisable that the said Broadcaster also holds a workshop to educate all its concerned personnel in the modalities necessary for faithful performance of their task of disseminating correct information (not misinformation) to the people in accordance with the true role of the media;

5.3 The NBSA was however constrained to observe that the demeanor of the Broadcaster's Representative at the hearing before it on August 20, 2010 left much to be desired. He gave the impression of being cussed at being required to explain the admitted lapse; he had also to be educated with the information that the NBSA is an independent Authority, distinct from the NBA; and that the Broadcaster was being answerable to the NBSA ; and the NBSA hoped that the message has been educative to all concerned ;

5.4 The lapse is rightly admitted by the said Broadcaster. Remedial action has also been taken by it, along with measures to improve the system to prevent such lapses in future. Thus, the major component of punishment i.e. the reformatory and curative element is already satisfied. The mitigating factors, such as, candid admission of the lapse, correctional steps, and finally unequivocal submission to the Authority "*that the facts and circumstances as stated in our submissions be considered sympathetically*", are relevant considerations for determining the appropriate final order ;

5.5 Accordingly, on a conspectus of all the facts and circumstances, the Authority deems it fit and expedient to record a warning to the Broadcaster to ensure no repetition of this admitted lapse; and to also ensure a faithful prompt implementation of all the correctional steps indicated to have been taken by it.

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