

**News Broadcasting Standards Authority
Order No. 85 (2020)**

Order of NBSA in the matter of: Rakul Preet Singh ...Petitioner Vs Union of India & Ors. ... Respondents - News Nation

The complainant had filed a Writ petition in the Hon'ble High Court of Delhi in which the News Broadcasters Association (NBA) along with others were made Respondents. The prayer of the complainant in the said writ petition is that the members of the NBA should not telecast, publish or circulate on the TV channels, cable, print or social media, as the case may be, any content in the context of actress Rhea Chakraborty's narcotic drugs case that maligns or slanders the complainant or which contains anything defamatory, deliberate, false and suggestive innuendos and half-truths in respect of the complainant, or to use sensational headlines, photographs, video-footage or social media links which invade the privacy of the complainant.

The Hon'ble High Court in its Order dated 17.9.2020 had stated that "as an interim measure, it is directed that the respondents shall treat the contents of the present petition as a representation to the respective respondents under the relevant provisions of the Act as also the Guidelines and expedite the decision thereon. In case any interim directions need to be issued to any Media house or television channel, the same be issued by them without awaiting further orders from this court. As far as the prayer for further interim relief made in the application by the petitioner, it is hoped that the media houses and television channels would show restraint in their reporting and abide by the provisions of the Programme Code as also the various Guidelines, both statutory and self-regulatory, while making any report in relation to the petitioner".

The coverage docket received from the complainant had an exhaustive list of complaints with regard to Online, Print, and TV Digital, which carried the news reports. From the list of details of news reports relating to TV Digital, the concerned broadcasters/ channels of NBA were ABP News, Asianet News, Times Now, India TV, News Nation, OTV, Aaj Tak, India Today, Zee News, WION, Zee 24 Taas and CNN News 18.

Accordingly, in compliance of the above Order of the Delhi High Court, NBSA on 3.10.2020 called the complainant and the aforementioned broadcasters for a hearing. In the hearing it was pointed out by a broadcaster that the allegations against it were not specific, clear and were very general in nature and therefore, the broadcaster did not know, which allegation to respond to. Upon hearing the parties, NBSA decided that in order to have a productive hearing, the complainant be requested to send the individual links pertaining to the telecast/s of the channels along with brief submissions as to the

violations committed by each broadcast/s in respect of the Code of Ethics and Broadcasting Standards (Code of Ethics) and Guidelines of the NBSA. The complainant was in agreement with this direction of NBSA. The complainant was directed to send the links along with brief submissions of the violations relating to individual channels by 5.10.2020 in order that the same may be forwarded to the individual broadcasters so that they may file their response to the allegations made against their channel's telecast on the subject matter by 9.10.2020. Dr. Aman Hingorani, Advocate submitted that he would not file a rejoinder to the replies filed by the member broadcasters and would argue the matter on the next date. The next date for hearing was fixed for 12.10.2020. In the meantime, it was reiterated by NBSA that it was expected that the member broadcasters of NBA would abide by the Delhi High Court Order dated 17.9.2020 and also follow the Code of Ethics and Guidelines issued by NBSA which relate to Impartiality, Objectivity, Neutrality, Accuracy and Privacy while telecasting any news relating to the complainant, Ms. Rakul Preet Singh. The minutes of the proceedings dated 3.10.2020 was circulated to the complainant and the concerned broadcasters, which is attached at **Annexure A**.

Submissions made by complainant against member broadcasters on 23.9.2020 and Additional Statement dated 30.9.2020

Dr. Aman Hingorani, Advocate, on behalf of the complainant made his submissions in respect of the telecasts by the broadcasters in the said matter.

He stated that the complainant, Ms. Rakul Preet Singh, is a well-known Indian film actress and model who has worked in the Telugu, Tamil, Kannada and Hindi film industry. She has starred in numerous movies and won several film awards and acclaim over the years. She is a non-smoker and a teetotaler and into fitness, yoga and meditation, is known for her healthy life-style. In recognition of her popularity, clean image and public service, the Telangana State Government appointed the complainant in 2017 as the brand ambassador for the "Beti Bachao, Beti Padhao" programme. She is also associated with various brands, including Samsung mobiles.

The Counsel submitted that in view of the allegations made by the broadcasters, has resulted in commercial and financial losses to the complainant. In this regard, the complainant pointed to, an email dated 12.9.2020 received by her from the Times Group which required the complainant "*to hide/archive all the assets of the Samsung Campaign posted across her social media platforms*". The Counsel stated that the complainant has six ongoing films on the floor whose prospects would in all likelihood be damaged due to such scurrilous telecast and slander by the media as detailed in the submissions.

The Counsel stated that the complainant was shooting for a film near Vikarabad in Telangana when she was stunned to see private TV channels, including some members

of News Broadcasters Association (NBA) running “breaking news” from the evening of 11.9.2020 to the effect that the complainant, along with actress Sara Ali Khan and designer Simone Khambatta, have been named as individuals by Rhea Chakraborty, in the ongoing investigation by the Narcotics Control Bureau (NCB) in Mumbai, who took drugs along with Rhea. The complainant stated that she does not take drugs at all.

The Counsel stated that as per media reports of 10.9.2020, actress Rhea Chakraborty had filed her bail application before the Special N.D.P.S. Court, Mumbai on 9.9.2020 wherein she pleaded that she was retracting the statements said to have been given by her to the NCB on the ground that she had been coerced into making them. Despite the fact that actress Rhea Chakraborty herself had retracted her statement, the broadcasters continued to run a slander campaign against the complainant through their channels and on their social media handles. This campaign not only maligned the reputation of the complainant but contained defamatory, deliberate, false and suggestive innuendos and half-truths. The channels had not published Rhea Chakraborty’s retracted statement. Further, the channels had deliberately used sensational headlines, photographs and video-footage with a view to enhance their TRPs, without any regard to the irreparable damage that was caused to the complainant, her reputation, her dignity, her privacy and her commercial interests. The channels had insidiously inserted in the report, the film scenes of the character played by the complainant from her Telugu Film “Manmadhudu 2” which showed the complainant smoking, with smoke coming out of her mouth, so as to insinuate and make a defamatory, deliberate, false and suggestive innuendo that the complainant is taking drugs; whereas she is a nonsmoker and does not take drugs; insidiously inserted in the report, the film scenes of the character played by her in the Bollywood movie “De De Pyar De”, which showed her gulping alcohol, so as to insinuate and make a defamatory, deliberate, false and suggestive innuendo that she is a drunkard; whereas the complainant is a teetotaler; deliberately flashed in the report photographs of the complainant in skimpy clothes so as to sensationalise and garner attention; insidiously flashed a morphed photograph on a scooty with actress Sara Ali Khan and designer Simone Khambatta so as to insinuate and make a false and suggestive innuendo that the three of them hung out together; whereas the complainant, to the best of her recollection, had only met Sara Ali Khan twice (once at IIFA Awards and once while working out in a gym) and had not met Simone Khambatta at all; deliberately flashed misleading and mischievous headlines such as “Why Rakul Preet Singh is Missing Now”, that “even before her name got released publicly from 9th September she is hiding”, “Seems like she has been hiding to avoid NCB” and so on so forth, so as to insinuate and make defamatory, deliberate, false and suggestive innuendos that the complainant has gone into hiding; whereas she has throughout been at work, shooting at Hyderabad, and has, even otherwise, not received a notice from the NCB till then. The Counsel reiterated that because of the telecast by the news channels, the

complainant has suffered not only commercial losses but also, she and her family have not only been defamed, there is loss of reputation and her privacy has been violated etc.

The Counsel stated that the complainant had received summons under Section 67 of the NDPS Act dated 23.9.2020 to appear before the NCB, Mumbai on 24.9.2020. Summons were again issued on 24.9.2020 which required her to appear in person before the NCB, Mumbai on 25.9.2020. The Summons dated 24.9.2020, were duly received by her father on her behalf. However, from the evening of 23.9.2020 itself, the media started running fake news to the effect that the complainant, who was in Hyderabad, had supposedly reached Mumbai on the evening of 23.9.2020 for the NCB investigation. The complainant also submitted that she had duly appeared before the NCB, Mumbai on 25.9.2020 to assist in the investigation and gave her written statement as to the facts in her knowledge. However, after she left the NCB office, the media continued their slander campaign by not only re-broadcasting and reporting the earlier falsehoods but attributing statements to the complainant during investigation which she never made to the NCB.

The Counsel submitted that such broadcasts constitute a malicious media trial resulting in violation of the complainant's fundamental right under Article 14 as well. He demanded that the broadcasters of NBA be directed not to telecast, publish or circulate on the TV channels, cable, print or social media, as the case may be, any content in context of actress Rhea Chakraborty's narcotic drugs case that maligns or slanders the complainant or which contains anything defamatory, deliberate, false and suggestive innuendos and half-truths in respect of the complainant, or to use sensational headlines, photographs, video-footage or social media links which invades the privacy of the complainant.

In the submissions filed by the complainant the following prayers were made:

"In this view of the matter, the complainant requests by way of an interim direction, in addition to the interim directions sought in her Statement dated 23.9.2020, that all the offending broadcasters be directed

- (i) to immediately take down all such defamatory programmes and write-ups against me from their TV channels, cable, print, TV digital and social media, as the case may be;
- (ii) to immediately issue a corrigendum, acknowledging and correcting their mistakes in this regard, and run for apology for such mistakes on their channels, cables, print, TV digital and social media for such period of time as may be deemed to be adequate by this Authority;

(iii) not to broadcast any programme qua me on the allegations which are pending before the NCB in the criminal investigation in Crime No. MZU/NCB/15/2020 till the time the NCB completes the investigation and files an appropriate report/document before the competent court.”

NBSA considered the complaint at its hearing held on 12.10 2020 based on the links received and the brief submissions made by the complainant and the response received from the broadcaster.

The following persons were present at the hearing:

Complainant Represented by her father Col. (Retd.) Kulvinder Singh
Dr Aman Hingorani, Advocate

Broadcaster

Mr Ajay Verma, Sr Executive Editor
Ms. Nupur Giri, Compliance Officer for NBSA

Specific complaint against News Nation:

The complainant submitted two offending programmes, by way of illustration due to shortage of time, which have invariably been broadcast repeatedly, and have often been posted on various digital/electronic handles and has permeated the web. The broadcaster had not issued till date a corrigendum, acknowledging or correcting the mistakes.

Offending Broadcast No 1: Date: 25.9.2020

The complainant submitted that in this broadcast, it was alleged that while she says no to drugs, she is different in real life. With the headline to the effect that she loves drugs, the broadcast questioned her supposed love for drugs. She stated that she has no connection with drugs and does not take drugs. The broadcast alleged that she tried to evade summons from the NCB but was unsuccessful and insidiously inserts her pictures which are not only irrelevant and maligns her but calculated to sensationalise and garner attention.

The headlines and the text in the screen shots were as follows:

Drugs se Rakul ki Preet !
Bindas adakara par sangeen aarop

NCB ne Rakul Preet ko summon bheja
Drugs se Rakul ki kaisi ' Preet ' ?
NCB ne Rakul ko summon bheja

Drugs gang mein kitne sitare sameel ?

Offending Broadcast No 2: Date: 24.9.2020

In the second broadcast it is alleged that she is supposedly part of a Bollywood ‘drug mandli’, and questioned what love she supposedly had for drugs. The broadcast alleged that there were chats where she was supposedly procuring drugs, and that the NCB was in a Bollywood clean up by questioning her. The complainant stated that she was not part of any “drug mandli” and that she has no connection with drugs and does not take drugs. Further, the broadcast claimed that Rhea Chakraborty had taken her name. In this regard, the complainant submitted screenshots of the information in the public domain to the effect that Rhea Chakraborty had stated as far back as 9.9.2020 that she had been coerced into making the alleged statement to the NCB supposedly naming the complainant as doing drugs along with Actress Sara Ali Khan and Designer Simone Khambatta, and that Rhea had retracted her alleged statement. She also submitted screenshots of the information in the public domain that Actress Rhea Chakraborty’s lawyer had stated in an interview prior to 24.9.2020 to CNN News 18 that actress Rhea Chakraborty had not named any actor.

The complainant submitted that the offending broadcast of 24.9.2020, while referring to Rhea’s alleged statement does not refer either to the fact that it had been retracted as aforesaid, nor to her Counsel’s statement that Rhea had not named any actor – both facts that were bound to be in the knowledge of the broadcaster.

Broadcast No 2 in question: 24.9.2020

Bollywood ki drug mandali hazeer ho
Rakul Preet ki drug se preet kaisi ?
Drug ke khel mein sameel kai bade chehre
Riya Chakraborty ne Rakul ka liya tha naam

Submissions of Broadcaster

Broadcaster submitted that after the receipt of the same, they had conducted a thorough enquiry and checked their broadcasts of the said period, and found that neither was there any intent, nor did any of the said clips/shows/broadcasts of the news report in any manner cause or showcase the complainant in bad light or made any defamatory or false allegations against the complainant. Further, the complainant may have made assumptions based on external derivatives which are not at all related to the channel. The complete viewing of the said clips shows that the statements/submissions made by the complainant are frivolous and baseless as the clips/shows/broadcasts are not violative of the Code of Ethics and Guidelines .

The broadcaster submitted that the aforesaid broadcasts were created, designed and telecast to update their viewers about the probe by the Narcotics Control Bureau

(NCB), India. The show aired on 24.9.2020 was a part of their channel's morning routine intended to cover the news regarding the appearance of Bollywood celebrities before the NCB pursuant to summons issued by it. The said information that Ms. Rakul Preet Singh was summoned to appear before the NCB on 24.9.2020 is a matter of record. At 0:14 in the video dated 25.9.2020 annexed with the statement, it was fairly reported by the broadcaster at the outset itself that though she has been summoned for interrogation regarding her role in the drug probe by the NCB on 24.9.2020, however, she had sought a day's time to appear. There is absolutely no reference to deliberate evasion of summons. It has been wrongly alleged in the complaint that the broadcast stated that she evaded summons. The complaint deserves to be dismissed on the ground of deliberate concealment with intent to mislead the authority.

Broadcaster stated that it has been further alleged that the headline stated that she loves drugs. This is also an absolute lie as the running header raised the very question under investigation by the NCB, i.e. whether she has indulged in drugs. The said header was merely a creative play on her name. The question mark following the header clearly conveys the intended meaning which is that this is the very aspect under investigation. The broadcaster made reference to the background of the NCB's recent investigation and presented issues and questions that could form the scope of the questioning by NCB.

Another bland allegation is regarding insertion of her pictures with intent to garner attention and sensationalize. Apart from the bare allegation the reason why the said pictures malign her or sensationalize the issues has not been stated. All the pictures used are available in the public domain and have been used for her easy identification by the viewers. No statement referring to any of the pictures has been made. It was submitted that the said videos and photos were not altered or modified to create a false narrative against the complainant. There was no usage of any suggestive innuendos or attachment of any sensationalism while showcasing pictures taken from the public domain. All statements made by the broadcaster in the said show was based on the information present in the public domain and those received by it from sources.

Further, it was reported in the show aired on 25.9.2020 that the complainant had not appeared before the NCB as scheduled on 24.9.2020 and was expected to appear on 25.9.2020. The said report truthfully mentioned that the NCB had summoned Ms. Rakul Preet Singh for investigation purposes. The report also mentioned that while the information in the public domain mentions that Ms. Rhea Chakraborty had revealed the names of prominent actresses including the name of Ms. Rakul Preet Singh during her recorded confession with NCB, it also mentioned at 2:27 in the video annexed with the statement, that Ms. Rhea Chakraborty's lawyer had denied that Ms. Rhea has

dropped any name in her confession to NCB. Further, the retraction of statements has no effect in law unless it is accepted by the court.

Further the extended version of the show aired on 24.9.2020 also mentions how NCB had summoned the prominent figures of the Bollywood industry based on the WhatsApp conversations revealed after investigation. The broadcaster had been informed by sources that the WhatsApp chats are a part of the investigation being conducted by NCB. Even in the present statement the complainant does not deny the existence of the WhatsApp chats. The WhatsApp chats are a matter of investigation and no finding regarding their existence or the material present in such chats can be made at this stage without supply of any tangible proof by the complainant. The said WhatsApp chats were also referred in the bail order of Ms. Rhea Chakraborty. Thus, the complainant's claim that the report was presented after cherry-picking information to malign her name is baseless, as the report only meant to update the viewers about the developments made in the NCB investigation, and also included Ms. Rhea Chakraborty's retraction of statements as well as the connection of dots by the NCB in summoning Ms. Rakul Preet Singh as a part of their investigation.

In the show dated 11.9.2020, no allegations regarding the complainant were made by them nor was her name taken by the broadcaster in the said show. The complainant is making false and vague allegations regarding the said show as prima facie no news regarding her was aired by it. The complainant is hunting in the dark by making such false allegations as it is crystal clear that there is no case against the channel and the present complaint is totally misconceived.

The broadcaster submitted that they take utmost care and maintained complete honesty while telecasting any news/report and the said shows were based on the information received by them from it's sources. The news/report was based on true facts which were verified before telecasting and the said facts were also discussed with various experts before airing the same. The said show in no manner was intended to malign or defame the name and reputation of the complainant, and was just designed, created and aired to provide an update on the investigation probe by the NCB. The show was restricted to cover the ground report which mentioned that Ms. Rakul Preet Singh was summoned by the NCB, and had appeared before the NCB, and to contemplate the possible questions that would be asked during the interrogation to find information about the alleged usage, supply and peddling of drugs in the Bollywood industry.

The shows aired on 24.9.2020 and 25.9.2020 in no manner indicated that the complainant was a user or consumer of drugs, but only mentioned that she was summoned by the NCB for interrogation where she would be questioned on whether she had consumed or supplied drugs to anyone as a part of the Bollywood industry.

The shows intended to report only on the NCB investigation and were based on the facts which were verified and authenticated.

The contents of the said submissions furnished by the complainant are wrong, and denied in its entirety as being baseless and frivolous. It is specifically denied that the subject shows dated 24.9.2020 and 25.9.2020 in any way tried to malign or defame the complainant, and in the course of the same violated the Code of Ethics and Broadcasting Standards issued by the News Broadcasters Association. As a responsible news channel, the broadcaster maintained the journalistic ethics and did not cross any guideline or journalistic boundary nor did it attempt to show false information against any individual. The subject shows were aired and telecast with complete impartiality and the information contained therein was accurate and only intended to spread true information about the matter in issue. The broadcaster is known for its authentic and genuine news coverage and it does not indulge in unethical practices of manufacturing news.

The broadcaster also relied on various judgments of the Supreme Court and the High Court to state that as a news channel it is important to cover and telecast authentic news related to each and every aspect of the society. Further, people at large have a right to be aware and be informed about events which relate to public figures. The news which was reported/aired by it, is in accordance with the principles of freedom of speech and expression as enshrined under Article 19(1)(a) of the Constitution of India and is in consonance with the basic and fundamental right and duty of the media to raise and discuss issues of public concern and interest with a view to educate and inform the masses regarding the current affairs and events. The broadcaster ensured that none of its shows or news broadcasts, in any way hurt or even appear to hurt or hamper the dignity of a person or social group or community in particular. The complainant failed to establish that the shows dated 24.9.2020 and 25.9.2020 have violated the Code of Ethics and Broadcasting Standards

The broadcaster also quoted the following cases to support its arguments.:

Surya Prakash Khatri v. Madhu Trehan (2001 (92) DLT)
Court on Its Own Motion v. State and Ors. (2009 CrL. L.J. 677)
Romesh Thapar v. The State of Madras (AIR 1950 SC 124)
S. Khushboo V. Kanniammal and Ors. (AIR 2010 SC 3196)
Shreya Singhal v. Union of India (UOI) (AIR 2015 SC 1523)
Sunil Baghel & Ors. v. State of Maharashtra and Ors, (Criminal Writ Petition No. 5434 of 2017)
Court on Its Own Motion v. State (146 (2008) DLT 429)
Indian Express Newspapers (Bombay) Pvt. Ltd. and Ors. v. Union of India (AIR 1986 SC 515)
Shashi Tharoor v. Arnab Goswami and Anr.

Decision:

NBSA considered the complaint, response from the broadcaster, also heard the arguments of both the complainant and the broadcaster and reviewed the footage.

NBSA stated that whenever anything is telecast by the broadcasters in respect of a person involved in any controversy, the broadcasters have to keep in mind the privacy, dignity and the reputation of a person and they cannot prejudge an issue.

NBSA noted that the Images of the complainant in Broadcast No 1 was certainly misleading in so far as the viewers were concerned and could have been avoided. NBSA also noted that the use of the tagline “Drugs se Rakul ki Preet!” is offensive, in as much as it conveys that the complainant is in love with drugs. The Taglines give an impression that the complainant is a drug addict and therefore it appears that the broadcaster is prejudging the issue. Such Taglines should have been avoided.

Therefore, the images and taglines violate the Principles of Self Regulation and Specific Guidelines Covering Reportage relating to Impartiality, Objectivity and Fairness.

In view of the above, NBSA warns the broadcaster to be more careful in future while broadcasting such misleading Images and offensive taglines. If such violations are repeated in future, NBSA will take stricter action against the broadcaster as per Regulation 7.1 of the News Broadcasting Standards Regulations.

NBSA noted that the broadcast on 25.9.2020 at 2:27minutes had mentioned the statement that Ms. Rhea Chakraborty’s lawyer had denied that Ms. Rhea has dropped any name in her confession to NCB. Therefore, the allegations of the complainant are incorrect as the broadcaster had telecast the retraction statement of Ms. Rhea Chakraborty.

The decision of the NBSA is based only on the links/ submissions made by the complainant and the response of the broadcaster.

NBSA also directed that the video of the afore mentioned offensive broadcasts, if still available on the website of the channel, or YouTube, or any other links, should be removed immediately and the same should be confirmed to NBSA in writing within 7 days.

NBSA decided to close the complaint with the above observations and inform the complainant and the broadcaster accordingly.

NBSA directs the NBA to send:

- (a) A copy of this Order to the complainant and the broadcaster;
- (b) Circulate this Order to all Members, Editors & Legal Heads of NBA;
- (c) Host this Order on its website and include it in its next Annual Report and
- (d) Release the Order to media.

It is clarified that any statement made by the parties in the proceedings before NBSA while responding to the complaint and putting forth their view points, and any finding or observation by NBSA in regard to the broadcasts, in its proceedings or in this Order, are only in the context of an examination as to whether there are any violations of any broadcasting standards and guidelines. They are not intended to be 'admissions' by the broadcaster, nor intended to be 'findings' by NBSA in regard to any civil/criminal liability.



Justice A. K Sikri (Retd.)
Chairperson

Place: New Delhi

Date: 9.12.2020

Encl: As above

Proceedings of the hearing held on 3.10.2020 in the Matter of: Rakul Preet Singh ...Petitioner Versus Union of India & Ors. ...Respondents [The matter was referred to NBSA by the Delhi High Court]

Present: NBSA

1. Justice (Retd.) A. K. Sikri: Chairperson

Members:

2. Mr. Nasim Zaidi
3. Ms. Stuti Kacker
4. Ms. Zohra Chatterji
5. Mr. Navtej Sarna
6. Mr. Prasanth P.R
7. Ms. Dipika R. Kaura
8. Mr. Amrendra Pratap Singh
9. Mr. Deep Upadhyay

Mrs. Annie Joseph ... Secretary General
Mrs. Nisha Bhambhani ... Special invitee

On behalf of complainant:

1. Dr. Aman Hingorani, Advocate
2. Col. Kulvinder Singh, father of complainant

On behalf of the member news broadcasters:

1. ABP Network Pvt. Ltd. [Channel: ABP News]

1. Mr. Rajkumar Varier, VP-Legal & Regulatory
2. Ms. Disha Sachdeva, Senior Executive-Legal

2. Asianet News Network Pvt. Ltd. [Channel: Asianet News]

1. Mr. Girish. K. S, Senior Manager (Legal)

3. Bennett, Coleman & Co. Ltd. [Channel: Times Now]

1. Ms. Navika Kumar, Group Editor (Politics)
2. Ms. Jyothi Suresh Kumar, Authorised Representative

4. Independent News Services Pvt. Ltd. [Channel: India TV]

1. Ms. Ritika Talwar, Legal Consultant

2. Mr. Rohan Swarup, Advocate

5. News Nation Network Pvt. Ltd. [Channel: News Nation]

1. Mr. Ajay Verma, Sr. Executive Editor
2. Ms. Nupur Giri, Company Secretary and Compliance Officer, NBSA

6. Odisha Television Ltd. [Channel: OTV]

1. Ms. Utsa Pattnaik, Asst. Legal Manager

7. TV18 Broadcast Ltd. [Channel: News18]

1. Ms. Aditi Ojha, Manager Legal
2. Mr. N. C. Satpathy, Editor, Special Projects

8. TV Today Network Ltd. [Channels: Aaj Tak, India Today]

1. Mr. Aiman Hasaney, Legal Counsel
2. Mr. Shahrukh Ejaz, Advocate

9. Zee Media Corporation Ltd. [Channels: Zee News, WION, Zee 24 Taas]

1. Ms. Ritwika Nanda, Advocate
2. Ms. Annie, Assistant Manager, Legal

Summary of Arguments:

Dr. Aman Hingorani, Advocate, on behalf of the complainant made his submissions in respect of the telecasts by the broadcasters in the said matter based on the Writ Petition/ Affidavits / Applications and other documents filed before the Delhi High Court.

He submitted, the channels had violated the Code of Ethics and the Guidelines of the NBSA relating to Impartiality, Objectivity, Neutrality and Accuracy. He also submitted that the telecasts relating to the complainant did not fall within the realm of fair reporting.

It was also submitted that the news telecast relating to the complainant was “fake news” in respect of certain taglines and tickers run by the news channels. Furthermore, the Counsel stated that because of the telecast by the news channels, the complainant has suffered not only commercial losses but also loss of reputation, had been defamed and her privacy had been violated etc.

India TV, one of the member channels who has reported on the complainant, rebutted the submissions made by the complainant. The Counsel submitted that the grievance against India TV's telecast related basically to one screen shot in which the complainant was shown to be smoking and this photograph was from one of her movies and was in the public domain. India TV further stated that the allegations against it were not specific and clear and were very general in nature. The channel also requested that it be permitted to file its submissions/response in the proceedings. Upon hearing the parties, NBSA decided that in order to have a productive hearing, the complainant be requested to send the individual links pertaining to the telecast/s of the channels along with brief submissions as to the violations committed by each broadcast/s in respect of the Code of Ethics and Guidelines of the Authority. The complainant was in agreement with this direction of NBSA.

The links along with brief submissions of the violations relating to individual channels should be sent by the complainant by 5.10.2020 in order that the same may be forwarded to the individual broadcasters so that they may file their response to the allegations made against their channel's telecast on the subject matter by 9.10.2020.

Dr. Aman Hingorani, Advocate submitted that he would not file a rejoinder to the replies filed by the member broadcasters.

NBSA will hear the complainant and the member broadcasters on 12.10.2020 before passing its Orders.

In the meantime, it is expected that the member broadcasters of NBA will abide by the Delhi High Court Order dated 17.9.2020 and also follow the Code of Ethics and Guidelines issued by NBSA which relate to Impartiality, Objectivity, Neutrality, Accuracy and Privacy while telecasting any news relating to the complainant, MS. Rakul Preet Singh.

Sd/-

Annie Joseph
For & On behalf of
News Broadcasting Standards Authority

October 6, 2020