

No. 804/05/2016-BC-III
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' WING, SHASTRI BHAWAN,
NEW DELHI - 110001

2nd Nov., 2016

ORDER

Whereas it had been brought to the notice of the Ministry of Information & Broadcasting that NDTV INDIA channel telecast news report on Pathankot terrorist attack on 4.1.2016 at 12:25:46 -12:31:25 hrs while the anti-terrorist operations were still underway.

Whereas in its report, anchor of the channel (NDTV India) narrated that a short while ago, some minutes ago, a press conference had been held by NSG, Army and Airforce in which it was clarified that everything was safe and the operation was still on; killing of only 4 terrorists had been reiterated; and it was also told that the aim of the terrorists was to destroy the military Heli crafts, helicopters, MIGs which were available there; ...further, a crucial piece of information had been given out that there were two terrorists; who could be hiding in the two-storied building situated in the area meant for Airforce personnel and who had been cornered there. The anchor then contacts the correspondent for further information who gives away following information:

संवाददाता (12:26:49): दो आतंकी जिंदा हैं और उसी जगह हैं जहां पर हथियारों का डिपो है वहां बिल्कुल उनके करीब हैं। और जो सेना के जवान, एनएसजी के जवान जो आतंकियों से लोहा ले रहे हैं, उनको डर इस बात का है, चिंता इस बात का है कहीं आतंकियों की पहुंच अगर उस हथियार के डिपो तक हो जाती है, तो फिर उन आतंकियों से निपटना आसान नहीं होगा, बहुत मुश्किल हो जायेगा। क्योंकि उस हथियार के डिपो में रॉकेट लॉन्चर, मोर्टार जैसे कई हथियार हैं, जो और ज्यादा तबाही मचा सकते हैं।

Whereas the anchor asks the correspondent as to how much time will be taken to finish such kind of operation in a big airbase, to which, the correspondent tends to divulge sensitive information as below:

संवाददाता (12:28:16): दो आतंकियों का ग्रुप आया था जो कहीं इधर उधर गए होंगे, हो सकता है ठीक उसके सामने वहां एयरपोर्ट भी है, दूसरा आर्मी का बेस भी है तो कहीं भी जा सकते हैं। इस तरह पूरी पक्की सावधानी के साथ चप्पे-चप्पे में छान लेना चाहते हैं, उसके बाद ही यह ऑपरेशन को खत्म करने का ऐलान किया जायेगा।

Whereas the correspondent further recounts that as per Army, the remaining two terrorists had been cornered in a small area, in a building and who would be killed soon, or say, would be eliminated in a blast; but it would not be so simple; and thereafter it would be declared when the operation would be over and when the entire area could be sanitised; every inch could be sanitized; and there is no chance that any terrorist would be alive; at this point, the anchor makes out following poser:

एंकर (12:30:15): साथ ही आखिरी सवाल राजीव जैसे कि बड़े इलाके में एयरफोर्स बेस फैला हुआ है जिसमें परिवार भी रहते हैं, स्कूल भी हैं शायद वहां, हेलीकॉप्टर हैं, मिग हैं तो इतने बड़े इलाके में जब छानबीन की जाती है, इतने बड़े इलाके में जब फिज़िकली जाकर जब इन्सपेक्ट किया जाता है तो चुनौतियां क्या रहती हैं?

And in the similar vein, the correspondent also reveals following information:

संवाददाता (12:30:37): बिल्कुल चुनौतियां बहुत ज्यादा और खासतौर से शुरू से ही जैसे कि पठानकोट एयरबेस पर आतंकियों ने हमला किया, तो वहां जो एयरफोर्स के जवान थे स्पेशल फोर्स के जवान थे, उनको चिंता इस बात की थी कि वह (आतंकी) टैक्निकल एरिया में न जा पाएं। आपको यह बता दें कि वहां के टैक्निकल एरिया में मिग-21, बाइसेन अटैक हेलीकॉप्टर, एमआई-35, एमआई-25 है और यह फ्यूल टैंक वहां पर मौजूद था ये बहुत (खतरनाक) बम की तरह होते हैं अगर आतंकी वहां पहुंच जाते तो उस इलाके में बस तबाही का अंदाज़ा ही लगाया जा सकता है चूंकि आज पठानकोट एयरबेस जो है वहां सिविलियन आबादी के बिल्कुल करीब आ चुका है तो तबाही बहुत भारी भरकम होती। उनकी कोशिश यह थी कि आतंकियों को डोमेस्टिक एरिया में लिमिट किया जाए, एक छोटे से एरिया में लिमिट किया जाए ताकि अपने ऑपरेशन को बेहतर तरीके से चला सके और आतंकी ज्यादा डैमेज ना कर पाए।

Whereas, it has been observed that while reporting on the operation relating to the Pathankot terrorist attack, NDTV India TV channel has given away information on the ammunition stockpiled in the airbase, MIGs, fighter planes, rocket launchers, mortars, helicopters, fuel tanks which was likely to be used by the terrorists themselves or their handlers to cause massive harm not only to the national security, international standing of the country but also life of civilians and defence personnel. The channel has also given details of school and residential areas located in the airbase which could have been used by the terrorists or their handlers to cause violence to the innocent lives in the school and the residential area. Telecast of such strategically-sensitive information was also likely to be used by the perpetrators to put impediment in the counter-operations carried by the security forces.

Whereas the aforesaid news report telecast by NDTV INDIA channel appeared to violate the following provision of the Programme Code under Cable TV Network Rules, 1994:

Rule 6(1)(p) : No programme should be carried in the cable service which contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to periodic briefing by an officer designated by the appropriate Government, till such operation concludes.

Explanation – For the purposes of this clause, it is clarified that “anti-terrorist operation” means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists.

Whereas a Show Cause Notice (SCN) dated 29.1.2016 was issued to NDTV INDIA asking it to show cause within 15 days from receipt of the communication as to why action as per the provisions of Uplinking/ Downlinking Guidelines, the terms and conditions of the permission granted and the provisions of Section 20 of the Cable Act should not be taken against it;

Whereas responding to the SCN, the channel, vide its letter dated 5.2.2016, submitted that NDTV India's coverage of the Pathankot terrorist attack was entirely balanced and