

N-41013/26/2016-BC-II
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' Wing, Shastri Bhawan, New Delhi – 110001

Date: ¹³ December, 2017

ORDER

WHEREAS, it has come to the notice of the Ministry of Information & Broadcasting that "DY 365" TV Channel, telecast a '**News Report**' on 04.06.16 at 14:59:36 hrs., based on a ritual in which a man could be seen tossing a new-born baby up and down in the air. He hurls and slings the baby in every possible manner and direction without a shred of care and concern. The video meant to expose an extremely dangerous superstition allegedly prevalent in some parts of Assam where people believe that undergoing this ritual will keep the child safe. The visuals are extremely disturbing, and not suitable for unrestricted public exhibition.

WHEREAS, a Show Cause Notice (SCN) was issued to "DY 365" TV Channel on 04.10.2016 for the apparent violations of rules 6 [1] (a), (l) & (o) of the Cable Television Network Rules, 1994. The Channel replied vide their letter dated 10.10.2016 stating that the period of violation pertained beyond a period of 90 days and as such they do not have necessary clippings of the news report. The channel desired for a copy of CD/footage, to study and analyse the same to respond to this Ministry's SCN. Accordingly, this Ministry provided the desired clippings to the channel so that they may furnish their reply.

WHEREAS, the channel replied vide their communication dated 10th December 2016 stating the following: (i) The Show Cause Notice itself speaks its volume and admitted that protection of a child and its welfare is the paramount consideration and should be the paramount consideration of every citizen of India. Also law has been framed and is in existence to prevent such exploitations of minors which the Channel in its programme has highlighted.

(ii) That as per para 2.4 and 2.5 of the Guidelines by NCPCR and as forbidden by laws the identity of the child had never been disclosed and also the programme was not sensationalized or disclosed information which may cause harm to children, but on the contrary, they highlighted the unethical and dangerous practices being carried out in the country and had vehemently spoken against such practices.

(iii) That various blind practices driven by self-interested people in India and these several acts which is not only detrimental to the child welfare but also can be life threatening, the channel is duty bound to expose, criticize and impart education to the people, media being the fourth pillar of democracy.

(iv) That the findings of this Ministry's letter were based on the visuals which are half the picture. The complete picture of the story can be derived on hearing the content/words where the channel spoke vehemently against such illogical, unscientific, unethical dangerous practices that are being carried out in India. Hence they tried to educate through the news.

(v) That the aforesaid footage of the child became viral in social media and on you-tube and people raised voice against it and as such, anything which is in public interest, it is their duty to educate the masses against such evil practices and that has been done in the instant case. Also their institution is bound to follow all the rules and regulations made for electronic media and they are following the same in letter and in spirit and keeping in view the public interest.