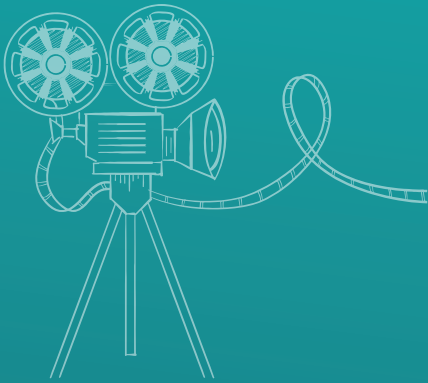


# 17<sup>th</sup> ANNUAL REPORT

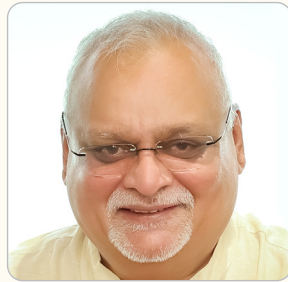
## 2023-24



# News Broadcasters & Digital Association



**Rajat Sharma**  
President



**M.V. Shreyams Kumar**  
Vice President



**Anuradha Prasad Shukla**  
Honorary Treasurer



**Rahul Joshi**



**Kalli Purie Bhandal**



**Sanjay Pugalia**



**Dhruva Mukherjee**



**Anil Kumar Malhotra**



**I. Venkat**



**Mahesh Kumar**

# News Broadcasters & Digital Association

## Board of Directors

**Mr. Rajat Sharma**

President  
Independent News Service Pvt. Ltd.

**Mr. M. V. Shreyams Kumar**

Vice President  
Mathrubhumi Printing & Publishing Co. Ltd

**Ms. Anuradha Prasad Shukla**

Honorary Treasurer  
News24 Broadcast India Ltd.

**Mr. Rahul Joshi**

TV18 Broadcast Ltd.

**Ms. Kalli Purie Bhandal**

TV Today Network Ltd.

**Mr. Anil Kumar Malhotra**

Zee Media Corporation Ltd.

**Mr. Sanjay Pugalia**

New Delhi Television Ltd.

**Mr. Dhruba Mukherjee**

ABP Network Pvt. Ltd.

**Mr. I. Venkat**

Eenadu Television Pvt. Ltd.

**Mr. Mahesh Kumar**

Sun TV Network Pvt. Ltd.

## Secretary General

**Ms. Annie Joseph**

## Auditors

**S.S. Kothari Mehta & Co. LLP**

Chartered Accountants

## Bankers

**Bank of India****Bank of Baroda**

## Registered Office

FF-42, Omaxe Square, Commercial Centre, Jasola, New Delhi – 110 025

## Corporate Office

Mantec House, 2nd Floor, C-56/5 Sector 62, Noida – 201 301

CIN: U22211DL2007NPL165480





# Message from President, NBDA



Dear Members,

It is my privilege to present the Seventeenth Annual Report of the News Broadcasters & Digital Association ('NBDA'). The Annual Report details the issues that NBDA took up on behalf of its Members with the Government.

The Board members called on the Hon'ble Prime Minister Mr. Narendra Modi on 27.8.2024. The delegation informed the Prime Minister regarding the health of the broadcast industry, constraints, problems, and challenges faced in the era of digital revolution which was severely impacting and affecting the growth of the 'News' genre.

During the year under report, the Government engaged with stakeholders on various proposed legislations and policy issues. In all its submissions to the Government, NBDA has consistently maintained that freedom of the press is sacrosanct in a democracy and must be cherished and stridently protected. Therefore, any legislation/policy or proposed legislation/policy should be carefully drafted to avoid any detrimental impact on the freedom of speech and expression, particularly the media's right to disseminate information and the citizens' right to receive information.

While formulating any legislation or policy concerning linear television, the Government should bear in mind the concerns surrounding the survival and growth of linear television and the competition it faces from other mediums. However, this does not imply that other mediums, such as OTT, social media, and online publishing, should be subjected to the same regulations as linear television. Rather, the need of the hour is to move towards light-touch regulation for all sectors of the industry. As far as content regulation is concerned, the Government should encourage industry-led self-regulation and not subject the broadcast industry to statutory regulation in the disguise of self-regulation.

Over-regulation by the TRAI on pricing, agreements, tariff orders and carriage, marketing/placement fee are issues confronting broadcasters and suppressing the growth of the broadcast industry.

NBDA has been constantly advocating for TRAI to adopt '*light-touch regulation*' in line with the Government's policy of '*ease of doing business*'; moving towards '*forbearance*' for all the stakeholders in the value chain and not micro-managing the broadcasting sector. The broadcasting industry, a shining example of the liberalized economic era, founded on the principles of '*Atmanirbharta*' would face a setback, and there would be no significant capital investments if the broadcasting industry continues to be subjected to frequent and intrusive regulatory changes.

The broadcasting industry not only caters to the viewers in India but also reaches the Indian diaspora in almost all the countries of the world. This is an exemplary example of the globalization of the Indian business. Therefore, the need of the hour is not to stifle the industry's growth but to provide an enabling environment for the industry to flourish and contribute to India's emerging position as a soft power in the changing world order.

While framing a National Broadcast Policy ('NBP'), Ministry of Information & Broadcasting ('MoI&B') should focus on the growth of the broadcast industry and adopt the policy of '*forbearance*' as adopted for the Telecom Sector. The Telecom Sector was able to grow exponentially due to the '*forbearance*' policy adopted with respect to tariffs. A future-proof vision policy document is critical for the survival of the broadcast industry, and promoting freedom of speech and expression should also be one of the cornerstones of the NBP.



The auction methodology followed for the allotment of TV Channels on DD Free Dish ('DDFD') is also a major concern for news broadcasters. The methodology fails to disclose the exact number of slots and falls short of adhering to the principle of transparency. It promotes speculation and creates uncertainty amongst participating news broadcasters. This creates artificial competition amongst the bidders, resulting in a hike in carriage fees, whereas there is no such requirement as the reserve price for different genres/languages of channels has already been prescribed in the methodology, and the reserve price, in any case, is high. This issue has also been raised with the Minister for Mol&B. It has been suggested to the Minister that DDFD should increase their capacity by 200- 300 channels by taking additional transponders on the Satellite.

NBDA has also vehemently opposed the proposal to allocate a part of the C-Band (i.e. 3700-3800 MHz) for IMT services, as the proposal if implemented, would pose an existential threat to the Cable & Satellite Industry. NBDA has urged the Mol&B not to agree to any proposal to reallocate 100 MHz (3700 – 3800 MHz) C-Band spectrum for 5G IMT services, considering the unacceptable impact on the stakeholders of the broadcast industry and the consumers across the nation. Mol&B must ensure the flawless continuity of the broadcasters' operations and the uninterrupted availability of its services.

To demonstrate the efficacy of self-regulation, we must show our continued adherence and commitment to the independent self-regulatory model adopted by the Members of NBDA. Under the leadership of Justice (Retd) A. K Sikri, Chairperson NBDSA, the broadcasters have considerably managed to improve broadcasting standards. On behalf of the NBDA Board and on my behalf, I would like to record our sincere gratitude and thanks to the Chairperson and Independent Members of the NBDSA for their support, invaluable guidance and time.

I would also like to express my sincere gratitude to the Board and Members of the NBDA for their constant support, from which we have hugely benefitted. During the year, Mr. Sanjay Pugalia, Mr. Dhruba Mukherjee and Mr. Mahesh Kumar have joined us on the Board. Mr. Avinash Pandey, Mr. M K Anand and Ms. Sonia Singh, Board members, have stepped down. Their contributions have been invaluable to the Association.

Finally, I would like to thank Ms. Annie Joseph, Secretary General, NBDA, for ensuring that the objectives and initiatives of the Association are achieved and implemented. I would also like to thank the staff of the NBDA Secretariat, Legal Counsel, Financial and Corporate Consultants, as well as the Auditors of NBDA and Bankers for their valuable time and cooperation.

Best wishes



**Rajat Sharma**  
President

Date: September 2, 2024

## Notice

Notice is hereby given that the 17th Annual General Meeting of the Members of News Broadcasters & Digital Association will be held on Friday, the 20th September 2024, at 12.00 noon at Multipurpose Hall, Kamaladevi Complex, India International Centre, 40, Max Mueller Marg, New Delhi – 110 003, to transact the following business:

### Ordinary Business

- To receive, consider and adopt the Audited Financial Statement of the Company for the financial year ended March 31, 2024, together with Auditor's Report and Director's Report thereon and for the purpose, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

**"RESOLVED THAT** the Audited Financial Statement of the Company for the financial year ended March 31, 2024, together with Auditor's Report and Director's Report thereon, be and are hereby considered and adopted."

### Special Business

- To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

**"RESOLVED THAT** Mr Sanjay Pugalia who was appointed as a Permanent Director of the Association by the Board of Directors on November 29, 2023 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association."

- To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution:

**"RESOLVED THAT** Mr. Dhruba Mukherjee who was appointed as a Permanent Director of the Association by the Board of Directors on July 9, 2024 subject to approval of General Body Meeting and who holds office up to the date of this Annual General Meeting and in respect of whom the Association has received a notice in writing from a Member proposing his candidature for the office of Directorship duly seconded by another Member, be and is hereby appointed as a Permanent Director of the Association, not liable to retire by rotation, in terms of the provisions of Article 17 of the Articles of Association."

### Special Business

- To consider and if thought fit, to pass with or without modification(s) the following resolution as an Ordinary Resolution

**"RESOLVED THAT** when required, all Members and Associate Members of NBDA will contribute towards meeting the legal expenses for engaging Senior Counsel (s) which includes fees for appearance on behalf of NBDA before the Courts, related conference charges, settling petitions, legal advice rendered and clerkage as raised by the Senior Counsel."

**"FURTHER RESOLVED THAT** Secretary General, NBDA be and is hereby authorised to sign and to do all or any of the acts, deeds, matters, and things as may be considered expedient and necessary for implementing the said resolution on behalf of the Association."



## Ordinary Business

5. To elect a representative of any member eligible for appointment to the office of Director in General Body Meeting on five posts under Article 24 of the Articles of Association. Election of a representative of any member eligible for appointment to the office of Director in General Body Meeting on five posts under Article 24 of the Articles of Association shall be held in the following manner:

A nomination under Article 24 of Articles of Association from a representative of any member eligible for appointment to the office of Director, who is willing to contest the Election on the five posts of the Board of Directors will be invited and after receiving the nomination, members of the association will be duly informed by issuing a Supplementary Notice, about the persons who have filed the nomination and eligible for contesting the election on the said post of Directors and such election shall be held by the method of voting as prescribed under Article 38 of the Article of Association.

**By Order of the Board of Directors of  
News Broadcasters & Digital Association**



**Annie Joseph**  
Secretary General

Place: New Delhi  
Date: September 2, 2024



# Explanatory Statement Pursuant to Section 102 of the Companies Act, 2013

## Special Business

### Item No. 2

The Board of Directors of the Association appointed Mr. Sanjay Pugalia as a Permanent Director on November 29, 2023, subject to approval of General Body meeting on the Board of NBDA. The office of his Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBDA. The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company. None of the Directors, except Mr. Sanjay Pugalia in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 2 of this Notice.

### Item No. 3

The Board of Directors of the Association appointed Mr. Dhruva Mukherjee as a Permanent Director on July 9, 2024, subject to approval of General Body meeting on the Board of NBDA. The office of his Directorship expires on the date of this Annual General Meeting.

The Association has received a notice in writing from one Member proposing his candidature, which has been duly seconded by another Member, for his appointment as Director, who will be Permanent Director and not liable to retire by rotation under Article 17 of the Articles of Association of NBDA. The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.

Relevant documents relating to said item is available for inspection by Members at the Registered Office of the Company. None of the Directors, except Mr. Dhruva Mukherjee in respect of whom the Resolution is being moved, is concerned or interested, financially or otherwise, in the Resolution set out at Item No. 3 of this Notice.

### Item No. 4

The issue for consideration before the Board relates to meeting the expenses for engaging Senior Counsel(s) and other Counsels and the related expenses for legal matters pending or matters that may arise in future in the Courts. With the limited financial resources, NBDA will not be able to meet the said expenses. Since the issues are related to the industry and affects all members, these expenses should be borne/ honored by the Members/ Associate Members of NBDA and should be equitably shared pursuant to Sub clause 15 and 16 of Clause III (B) of the Memorandum of Association. There are matters presently pending before the Supreme Court and High Courts, in which NBDA has intervened or filed writ petitions. There is a possibility that in the future critical industry matters may arise in the courts, which would need intervention of NBDA. The Board of Directors, therefore, recommends the Resolution to be passed by the Members as an Ordinary Resolution.



Relevant documents relating to said item are available for inspection by members at the Registered Office of the Company. None of the Directors, in respect of whom the Resolution is being moved, is concerned, or interested, financially or otherwise, in the Resolution set out at Item No. 4 of this Notice.

## Ordinary Business

### Item No. 5

Election of a representative of any member eligible for appointment to the office of Director in General Body Meeting on five posts under Article 24 of the Articles of Association shall be held in the following manner:

A nomination under Article 24 of Articles of Association from a representative of any member eligible for appointment to the office of Director, who is willing to contest the Election on the five posts of the Board of Directors will be invited and after receiving the nomination, members of the association will be duly informed by issuing the Supplementary Notice along with other documents, about the persons who have filed the nomination and eligible for contesting the election on the said post of Directors and such election shall be held by the method of voting as prescribed under Article 38 of the Article of Association.

Note No. 10 to 14 of the Notice disclose the procedure for contesting the Election on the five posts of the Board of Directors after being nominated by a candidate, under Article 24 of the Articles of Association.

**By Order of the Board of Directors of  
News Broadcasters & Digital Association**



**Annie Joseph**  
Secretary General

Place: New Delhi  
Date: September 2, 2024

# Notes

1. Member entities should provide Board Resolution under Section 113 of the Companies Act, 2013 authorizing person(s) who will represent them at the Annual General Meeting. Such person(s) shall be deemed to be Member present in person.
2. Use of proxy in relation to any matter concerning the affairs of the Association is expressly forbidden.
3. A statement pursuant to Section 102 (1) of the Companies Act, 2013 relating to Special Business to be transacted at the meeting is available as Explanatory Statement.
4. Members are requested to bring their copy of the Annual Report to the meeting.
5. No person other than the authorized representative of the Member entity shall be entitled to attend the Annual General Meeting of the Association.
6. Members desirous of having any information on accounts are requested to send their queries to NBDA at its Registered Office, at least seven days before the date of the AGM, to make the requisite information available at the meeting.
7. Members attending the meeting are requested to bring the attendance slip, as appended to this Notice, duly filled in and present the same at the venue of the Annual General Meeting. No photocopies of the attendance slip will be accepted.
8. Relevant documents referred to in the accompanying Notice and the Statement are open for inspection by Members at the Registered Office of the Company on all working days during business hours up to the date of the meeting.
9. Members who have not registered their e-mail addresses so far are requested to register their e-mail address for receiving all communications, including Annual Report, Notices etc. from the Company electronically.
10. Election of a representative of any member eligible for appointment to the office of Director in General Body Meeting of the Association on the five posts under Article 24 of the Articles of Association shall be held in the following manner:

A representative of any member eligible for appointment to the office of Director in General Body Meeting is willing to contest the election on the five posts of the Board of Directors may submit a nomination under Article 24 of Articles of Association before 14 days of the AGM, which is on 20.9.2024 (on or before 6<sup>th</sup> September 2024).

After receiving the nomination, members will be duly informed by issuing the Supplementary Notice, about the persons who have filed the Nomination and contesting the election on the post of Director under Article 24.

The Director(s), so elected shall be liable to retire at every Ordinary General Body Meeting in terms of Article 22 of the Articles of Association.

Extract of the Article 24 of the Articles of Association of NBDA, is reproduced below:

## **24. Nomination for Directorship**

*"A representative of any member (other than a retiring Director) shall be eligible for appointment to the office of Director at any General Body Meeting, if some member intending to propose him has not less than fourteen days before the meeting, left at the office of the Association a notice in writing signifying his candidature for the office of Director or the intention of such member to propose him as a candidate for that office, as the case may be. In order for such nomination to be effective, the same shall be proposed by one Member and seconded by another. The Association shall thereupon inform its members of the candidature of such person for the office of Directorship by serving individual notices to all the members not less than 48 hours before the meeting.*



*However, there shall be no requirement for such nomination in case of a retiring Director offering himself for re-election.*

*The Association shall not be responsible for considering or remedying any defective, incomplete or delayed notice of candidature."*

11. NBDA has already intimated on 14.6.2024 to its Full Members through a General Intimation about the election of a representative of any member eligible for appointment to the office of Director in General Body Meeting of the Association on the five posts under Article 24 of the Articles of Association.
12. Under Article 3 of the Articles of Association, Associate Member shall neither be entitled to voting rights nor shall be eligible for election to the Board of Directors.
13. In terms of Article 38 of the Articles of Association, at any general meeting a resolution put to vote at the meeting shall be decided on a show of hands unless a poll is ordered by the Chairman on his own (before or on the declaration of the result of the show of hands).
14. The representative of any member eligible for appointment to the office of Director in General Body Meeting must be an employee or a Director of the Member entity and a Board resolution is submitted authorizing the person to represent the Member entity on the Association.

**By Order of the Board of Directors of  
News Broadcasters & Digital Association**



**Annie Joseph**  
Secretary General

Place: New Delhi  
Date: September 2, 2024

# Directors' Report to the Members

The Directors have pleasure in presenting the 17th Annual Report of your Association together with Audited Accounts for the period from April 1, 2023 to March 31, 2024.

## Financial Review

Particulars	31.03.2024 (Amount in Rs. '00)	31.03.2023 (Amount in Rs. '00)
Income from Subscription	2,98,950	1,47,825
Other Income	34,464	27,400
Depreciation and amortization expense	346	380
Total Expenditure	3,00,170	1,85,303
Surplus/(Deficit) after depreciation and tax carried to General Reserve	33,244	(10,078)

Of the Income and Expenditure account a sum of Rs.75,514 (previous year Rs. 94,138) has been transferred to special reserve.

## Change in Nature of Services

There is no change in nature of services provided by the Association.

## Directors

Mrs. Anuradha Prasad Shukla, Mr. M. V. Shreyams Kumar and Mr. I. Venkat were appointed as Additional Directors on February 1, 2012, March 29, 2014 and February 17, 2017 by the Board of Directors in terms of Articles 16 and 22 of the Articles of Association liable to retire at every Ordinary General Body Meeting. Members again approved their appointment in the last Annual General Meeting.

Mr. Sanjay Pugalia has been appointed as a Director w.e.f. 29.11.2023 in place of Ms. Sonia Singh who resigned from the Directorship of the Association w.e.f. 6.10.2023.

## Membership of Association

The number of Members/Associate Members of the Association are 27 broadcasters representing both channels and digital news platforms.

## News Broadcasting & Digital Standards Authority (NBDSA)

News Broadcasting & Digital Standards Authority [NBDSA] is an independent self-regulatory adjudicatory body. The present composition of the NBDSA is as under:



## Chairperson

Justice A. K. Sikri, former Judge of the Supreme Court of India

## Independent Members

1. Dr. Nasim Zaidi, former Chief Election Commissioner of India
2. Mr. Navtej Sarna, former India's Ambassador to the United States of America
3. Dr. Mohan Kumar, former India's Ambassador to France
4. Ms. Vrinda Sarup, former Secretary to the Govt. of India

## Editor Members

1. Mr. Vishal Pant, Senior Executive Editor of India Today TV
2. Mr. Rajeev Devraj, Executive Editor, Mathrubhumi News
3. Mr. M. Gunasekaran, Editor-in-Chief, Sun News
4. Ms. Vaishali Sood, Sr Managing Editor, NDTV

## Auditors & Auditors' Report

M/s S.S. Kothari Mehta & Co. LLP, Chartered Accountants, were appointed as the Statutory Auditors of the Association to hold office for a period of five years from the conclusion of 14th Annual General Meeting until the conclusion of the Annual General Meeting in the year 2026.

The Statutory Auditors' Report on the Financial Statement of the Association for the financial year ended 31st March, 2024 is self-explanatory and do not require further comments in the Directors' report. The Audit Report does not contain any qualification, reservation or adverse remark.

## Report on Conservation of Energy, Technology Absorption, Foreign Exchange Earnings and Outgo etc.

Information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with the Companies (Accounts) Rules, 2014 is given hereunder:

Energy conservation measures taken by the Association include: (1) use of LED/CFL lighting in the entire office area; (2) improved insulation using ceramic fibre in the heat treatment furnaces; (3) installation of heat reflecting film on windows of air-conditioned areas etc. At present, Association has not taken any steps for utilisation of alternate source of energy and no capital investment has been made on energy conservation equipment.

And other information in accordance with the provisions of Section 134 (m) of the Companies Act, 2013 read with the Companies (Accounting) Rules, 2013 regarding technology absorption is not applicable to the Association being involved in welfare services to its members.

Association has no foreign exchange earnings and outgo during the period.

## Directors' Responsibility Statement

Pursuant to Section 134 (5) of the Companies Act, 2013, it is hereby confirmed:

- i. that in the preparation of the annual accounts, the applicable accounting standards had been followed along with proper explanation relating to material departures, if any;
- ii. that the Directors had selected such accounting policies and applied them consistently and made judgments and estimates that are reasonable and prudent so as to give a true and fair view of the state of affairs of the Association at the end of the accounting year and of the surplus of the Association for that year;

- iii. that the Directors had taken proper and sufficient care for the maintenance of adequate accounting records in accordance with the provisions of this Act for safeguarding the assets of the Association and for preventing and detecting fraud and other irregularities;
- iv. that the Directors had prepared the annual accounts on a going concern basis;
- v. the Directors had devised proper systems to ensure compliance with the provisions of all applicable laws and that such systems were adequate and operating effectively.

## Extract of Annual Report

Pursuant to Section 92 (3) and Section 134(3) (a) of the Companies Act, 2013 the Annual Return is available on the website of the Company at [www.nbdanewdelhi.com](http://www.nbdanewdelhi.com) and may be accessed through the web link <https://www.nbdanewdelhi.com/annual-return> as compliance under amended Companies (Management and Administration) Rules, 2014 *vide* MCA Notification No. GSR 538(E) dated 28<sup>th</sup> August, 2020.

## Meetings of the Board

Seven meetings of the Board of Directors were held on 4.5.2023, 12.6.2023, 4.8.2023, 18.9.2023, 18.9.2023, 29.11.2023 and 18.12.2023 during the financial year.

## Particulars of Loans, Guarantees or Investments under Section 186 of Companies Act, 2013

Company has not given any loan or provided any guarantees or made investment to any person under Section 186 of Companies Act, 2013.

## Particulars of Contracts or Arrangements with Related Parties Referred to in Sub-Section (1) of Section 188 in the Prescribed Form

Company does not have any related party transaction with any person in any form as asked in Form AOC\_2 under Rule 8 of the Companies (Account) Rules, 2014.

## Management Report

Management Report containing a brief review of the activities of the Association and the state of the Company's affairs during the year under review is attached with this Report.

### **Material changes and commitments, if any, affecting the financial position of the Company which have occurred between the end of the financial year of the Company to which the financial statements relate and the date of the report:**

Material changes occurred subsequent to the close of the financial year of the Company to which the balance sheet relates are: **None**.

### **A statement indicating development and implementation of a risk management policy for the Company including identification therein of elements of risk, if any, which in the opinion of the Board may threaten the existence of the Company:**

Association is generating receipts through subscription from members and provide them welfare services. At present, Company has not developed and implemented any such policy and system which nullify any type of risk on its existence.



**Details of material and significant orders passed by the Regulators or Courts or Tribunal impacting the going concern status and Company's operations in future:**

No such order is passed by any such Regulators or Courts or Tribunal which impacts the going concern status and Company's operations in future.

**Compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013**

The Company has only four employees which includes two women employees. Under the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Policy of Sexual Harassment of Women at Workplace, along with enclosure approved by the Board have been circulated to the Internal Complaints Committee Members, employees of NBDA and the Members of NBDA and also uploaded on the NBDA website. The Internal Complaints Committee has the following persons as its members:

1. Presiding Officer – NBDA Representative: Ms. Anuradha Prasad Shukla
2. Member – NBDA Representative: Ms. Kshipra Jatana
3. Member – NBDA Representative: Mr. M. N. Nasser Kabir
4. External Member: Ms. Nisha Bhambhani

NBDA has not received any complaints under the provisions of this Act.

**Details in respect of adequacy of internal financial controls with reference to financial statements:**

The Company has in place adequate internal financial controls with reference to financial statements.

**Details of Application made or any proceeding pending under the Insolvency and Bankruptcy Code, 2016 during the year along with their status as at the end of the financial year:**

Neither any application was made nor any proceeding pending under the Insolvency and Bankruptcy Code, 2016 (31 of 2016) during the financial year.

**Details of difference between amount of the valuation done at the time of onetime settlement and the valuation done while taking loan from the banks or financial institutions along with the reasons thereof:**

As the Company has not done any onetime settlement during the year under review hence no disclosure is required.

**Fraud Reported by Auditor, if any**

No fraud was reported by Auditors during the year.

**Acknowledgements**

The Board of Directors wish to place on record their appreciation for the support and cooperation extended by every Member of the Association, the Secretariat, its Bankers, and valuable contribution made by the Consultants, Counsels and Officials of the Member Companies.

**For and on behalf of the Board of Directors**

Sd/-  
**Rajat Sharma**  
President  
[DIN No.: 00005373]

Sd/-  
**M.V. Shreyams Kumar**  
Vice President  
[DIN No.: 00877099]

Sd/-  
**Anuradha Prasad Shukla**  
Honorary Treasurer  
[DIN No.: 00010716]

Place: New Delhi  
Dated: July 9, 2024



# Independent Auditor's Report

## To the Members of News Broadcasters & Digital Association

### Report on the Audit of the Financial Statements

#### Opinion

We have audited the accompanying financial statements of News Broadcasters & Digital Association ("the Association"), which comprise the Balance Sheet as at 31 March 2024, and the statement of Income and Expenditure and cash flow for the year then ended and notes to the financial statements comprising of a summary of significant accounting policies and other explanatory information (hereinafter referred to as "the financial statements").

In our opinion and to the best of our information and according to the explanations given to us, the aforesaid financial statements give the information required by the Companies Act 2013 ("The Act") in the manner so required and give a true and fair view in conformity with the accounting principles generally accepted in India, of the state of affairs of the Company as at March 31, 2024, and the Surplus and its cash flows for the year ended on that date.

#### Basis for Opinion

We conducted our audit in accordance with the Standards on Auditing (SAs) specified under Section 143(10) of the Companies Act, 2013. Our responsibilities under those Standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Company in accordance with the Code of Ethics issued by the Institute of Chartered Accountants of India together with the ethical requirements that are relevant to our audit of the financial statements under the provisions of the Act and the Rules thereunder, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the Code of Ethics. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Information Other than the Financial Statements and Auditor's Report Thereon

The Company's Board of Directors is responsible for the other information. Other information comprises the information included in the Director's report, does not include the financial statements and our Auditor's Report thereon. The Director's Report is expected to be made available to us after signing of this Auditor's Report.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

When we read the other information identified above if, we conclude that there is a material misstatement of this other information, we are required to report the matter to those charged with governance.

#### Responsibility of Management for Financial Statements

The Company's Board of Directors is responsible for the matters stated in Section 134(5) of the Companies Act, 2013 ("the Act") with respect to the preparation of these financial statements that give a true and fair



view of the financial position, financial performance and cash flow of the company in accordance with the accounting principles generally accepted in India, including the Accounting Standards specified under Section 133 of the Act. This responsibility also includes maintenance of adequate accounting records in accordance with the provisions of the Act for safeguarding of the assets of the Company and for preventing and detecting frauds and other irregularities; selection and application of appropriate accounting policies; making judgments and estimates that are reasonable and prudent; and design, implementation and maintenance of adequate internal financial controls, that were operating effectively for ensuring the accuracy and completeness of the accounting records, relevant to the preparation and presentation of the financial statement that give a true and fair view and are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Company or to cease operations, or has no realistic alternative but to do so. Those Board of Directors are also responsible for overseeing the company's financial reporting process.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with SAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with SAs, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances. However the provisions of Section 143(3)(i) of the Companies Act, 2013 are not applicable on the Company as per MCA Notification No. G.S.R. 583(E) dated June 13, 2017, read with corrigendum dated July 13, 2017 on reporting on internal financial controls over financial reporting, accordingly, we are not responsible for expressing our opinion on whether the company has adequate internal financial controls system in place and the operating effectiveness of such controls.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our Auditor's Report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our Auditor's Report. However, future events or conditions may cause the Company to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Materiality is the magnitude of misstatements in the financial statements that, individually or in aggregate, makes it probable that the economic decisions of a reasonably knowledgeable user of the financial statements may be influenced. We consider quantitative materiality and qualitative factors in (i) planning the scope of our audit work and in evaluating the results of our work; and (ii) to evaluate the effect of any identified misstatements in the financial statements.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide those charged with governance with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

## Report on Other Legal and Regulatory Requirements

1. This Report does not include a statement on the matters specified in paragraph 3 & 4 of the Companies (Auditor's Report) Order, 2016 issued by the Central Government in terms of Section 143(11) of the Companies Act, 2013, since in our opinion and according to the information and explanations given to us, the said Order is not applicable to the Company.
2. As required by Section 143(3) of the Act, we report that:
  - a. We have sought and obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purposes of our audit. In our opinion proper books of account as required by law have been kept by the Company so far as it appears from our examination of those books;
  - b. The Balance Sheet and Income and Expenditure Account and the cash flow dealt with by this Report are in agreement with the books of account;
  - c. In our opinion, the aforesaid financial statements comply with the Accounting Standards specified under Section 133 of the Act, read with relevant Rules issued thereunder;
  - d. On the basis of written representations received from the Directors as on March 31, 2024, and taken on record by the Board of Directors, none of the Directors is disqualified as on March 31, 2024, from being appointed as a Director in terms of Section 164(2) of the Companies Act, 2013.
  - e. This Report does not include Report on the internal financial controls under clause (i) of Sub-section 3 of Section 143 of the Companies Act, 2013 (the 'Report on internal financial controls'), since in our opinion and according to the information and explanation given to us, the said Report on internal financial controls is not applicable to the Company in the current year basis the exemption available to the Company under MCA Notification No. G.S.R. 583(E) dated June 13, 2017, read with corrigendum dated July 13, 2017 on reporting on internal financial controls over financial reporting.
  - f. The Provision of Section 197 read with Schedule V of the Act are not applicable to the Company, since the Company is not a public company as defined under Section 2(71) of the Act. Accordingly, reporting under 197(16) is not applicable.
  - g. With respect to the other matters to be included in the Auditors Report in accordance with the Rule 11 of the Companies (Audit and Auditors) Rules, 2014, in our opinion and best to our information and according to the explanation given to us:
    - 1 There are no pending litigations impacting financial position of the Company as on 31<sup>st</sup> March, 2024.



- 2 The Company did not have any long-term contracts including derivative contracts for which there were any material foreseeable losses.
- 3 There were no amounts which were required to be transferred to the Investor Education and Protection Fund by the Company.
- 4
  - a. The Management has represented that, to the best of its knowledge and belief, no funds (which are material either individually or in the aggregate) have been advanced or loaned or invested (either from borrowed funds or share premium or any other sources or kind of funds) by the Company to or in any other person or entity, including foreign entity ("Intermediaries"), with the understanding, whether recorded in writing or otherwise, that the Intermediary shall, whether, directly or indirectly lend or invest in other persons or entities identified in any manner whatsoever by or on behalf of the Company ("Ultimate Beneficiaries") or provide any guarantee, security or the like on behalf of the Ultimate Beneficiaries;
  - b. The Management has represented, that, to the best of its knowledge and belief, no funds (which are material either individually or in the aggregate) have been received by the Company from any person or entity, including foreign entity ("Funding Parties"), with the understanding, whether recorded in writing or otherwise, that the Company shall, whether, directly or indirectly, lend or invest in other persons or entities identified in any manner whatsoever by or on behalf of the Funding Party ("Ultimate Beneficiaries") or provide any guarantee, security or the like on behalf of the Ultimate Beneficiaries;
  - c. Based on the audit procedures that have been considered reasonable and appropriate in the circumstances, nothing has come to our notice that has caused us to believe that the representations under sub-clause (i) and (ii) of Rule 11(e), as provided under (a) and (b) above, contain any material misstatement.
- 5 The Company is registered as limited by Guarantee; hence it has neither declared nor paid any dividend during the year and until the date of this report in compliance with Section 123 of the Act.
- 6 Based on our examination, which included test checks, the Company has used accounting softwares for maintaining its books of account for the financial year ended March 31, 2024 which has a feature of recording audit trail (edit log) facility and the same has operated throughout the year for all relevant transactions recorded in the softwares. Further, during the course of our audit we did not come across any instance of the audit trail feature being tampered with.

As proviso to Rule 3(1) of the Companies (Accounts) Rules, 2014 is applicable from April 1, 2023, reporting under Rule 11(g) of the Companies (Audit and Auditors) Rules, 2014 on preservation of audit trail as per the statutory requirements for record retention is not applicable for the financial year ended March 31, 2024.

**For S. S. Kothari Mehta & Co. LLP**

**Chartered Accountants**

Firm Regn. No. 000756N / N500441

Sd/-

**Naveen Aggarwal**

Partner

Membership No. 094380

UDIN: 24094380BKBFA2446

Place: New Delhi

Date: July 9, 2024

## NEWS BROADCASTERS & DIGITAL ASSOCIATION

### Balance Sheet as at 31<sup>st</sup> March, 2024

(All amounts in '00 unless otherwise stated)

	Particulars	Note No.	As at 31st March, 2024	As at 31st March, 2023
<b>I</b>	<b>EQUITY AND LIABILITIES</b>			
	(1) <b>Members' Funds</b>			
	(a) Entrance Fees	1	16,000	15,500
	(b) Reserves and Surplus	2	3,99,900	3,66,656
	(2) <b>Non-Current Liabilities</b>			
	(a) Long Term Provisions	3	36,654	39,256
	(3) <b>Current Liabilities</b>			
	(a) Short Term Borrowings	4	-	19,226
	(b) Short Term Provisions	5	851	710
	(c) Other Current Liabilities	6	15	-
	<b>TOTAL</b>		<b>4,53,420</b>	<b>4,41,348</b>
<b>II</b>	<b>ASSETS</b>			
	(1) <b>Non-Current Assets</b>			
	(a) Property, Plant & Equipment and Intangible Assets			
	(i) Property, Plant & Equipment	7	1,586	1,752
	(b) Other Non-Current Assets	8	1,890	1,890
	(2) <b>Current Assets</b>			
	(a) Cash and Cash Equivalents	9	4,04,556	4,09,507
	(b) Short-Term Loans and Advance	10	11,576	15,181
	(c) Other Current Assets	11	33,812	13,018
	<b>TOTAL</b>		<b>4,53,420</b>	<b>4,41,348</b>

Significant accounting policies and other Notes to Accounts 17-26

The accompanying Notes are the integral part of the Financial Statements

As per our Report of even date attached

**For S S Kothari Mehta & Co. LLP**  
**Chartered Accountants**  
 Firm Regn. No. 000756N/ N500441

**For and on behalf of the Board of Directors of**  
**News Broadcasters & Digital Association**

Sd/-  
**Naveen Aggarwal**  
 Partner  
 M No. – 094380

Sd/-  
**Rajat Sharma**  
 President  
 DIN- 00005373

Sd/-  
**M.V. Shreyams Kumar**  
 Vice President  
 DIN No: 00877099

Place : New Delhi  
 Date : July 9, 2024

Sd/-  
**Anuradha Prasad Shukla**  
 Honorary Treasurer  
 DIN No: 00010716

Sd/-  
**Annie Joseph**  
 Secretary General  
 PAN No: ADTPJ0257E



## NEWS BROADCASTERS & DIGITAL ASSOCIATION

### Income & Expenditure Account for the year ended 31<sup>st</sup> March, 2024

(All amounts in '00 unless otherwise stated)

	Particulars	Note No.	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
	<b>Income</b>			
I.	Subscription	12	2,98,950	1,47,825
II.	Other Income	13	34,464	27,400
III.	Total Income (I + II)		<b>3,33,414</b>	<b>1,75,225</b>
IV.	<b>Expenditure</b>			
	Employee Benefit Expenses	14	1,25,562	1,23,514
	Finance Cost	15	42	229
	Depreciation and Amortization Expense	7	346	380
	Administrative & Other Expenses	16	1,74,220	61,180
	<b>Total Expenditure</b>		<b>3,00,170</b>	<b>1,85,303</b>
V.	Surplus/(Deficit) before Tax (III - IV)		33,244	(10,078)
VI.	Tax Expense:			
	(1) Current Tax		-	-
	(2) Deferred Tax		-	-
VII.	Surplus/(Deficit) for the Year (V - VI)		33,244	(10,078)

Significant accounting policies and other Notes to Accounts 17-26

The accompanying Notes are the integral part of the Financial Statements

As per our Report of even date attached

**For S. S. Kothari Mehta & Co. LLP**  
**Chartered Accountants**  
Firm Regn. No. 000756N / N500441

**For and on behalf of the Board of Directors of**  
**News Broadcasters & Digital Association**

Sd/-  
**Naveen Aggarwal**  
Partner  
M. No.: 094380

Sd/-  
**Rajat Sharma**  
President  
DIN No: 00005373

Sd/-  
**M.V. Shreyams Kumar**  
Vice President  
DIN No: 00877099

Sd/-  
**Anuradha Prasad Shukla**  
Honorary Treasurer  
DIN No: 00010716

Sd/-  
**Annie Joseph**  
Secretary General  
PAN No: ADTPJ0257E

Place : New Delhi  
Date : July 9, 2024

## NEWS BROADCASTERS & DIGITAL ASSOCIATION

### Cash Flow Statement for the year ended 31<sup>st</sup> March, 2024

(All amounts in '00 unless otherwise stated)

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
<b>A. CASH FLOW FROM OPERATING ACTIVITIES</b>		
Net Operating Surplus before Tax	33,244	(10,078)
<b>Adjustments for:</b>		
<b>Net Operating Surplus before Tax</b>		
Depreciation	346	380
Interest Income	(32,205)	(23,450)
Interest Expense	42	229
<b>Operating Surplus before Working Capital changes</b>	<b>1,427</b>	<b>(32,919)</b>
<b>Movements in Working Capital</b>		
(Increase) / Decrease in Other Current Assets	(20,794)	(1,866)
(Increase) / Decrease in Short Term Loans and Advances	3,605	(10,552)
Increase / (Decrease) in Long Term Provisions	(2,602)	5,857
Increase / (Decrease) in Short Term Borrowings	(19,226)	19,224
Increase / (Decrease) in Short Term Provisions	141	(7)
Increase / (Decrease) in Other Current Liabilities	15	(63)
<b>Cash generated from Operations Before Tax</b>	<b>(37,434)</b>	<b>(20,326)</b>
Net Direct Taxes Paid	-	-
<b>Net Cash from Operating Activities</b>	<b>(37,434)</b>	<b>(20,326)</b>
<b>B. CASH FLOW FROM INVESTING ACTIVITIES</b>		
Purchase of Fixed Assets	(180)	
Interest received	32,205	23,450
<b>Net Cash from Investing Activities</b>	<b>32,025</b>	<b>23,450</b>
<b>C. CASH FLOW FROM FINANCING ACTIVITIES</b>		
Entrance fees received	500	2,000
Interest paid (Net)	(42)	(229)
<b>Net Cash from Financing Activities</b>	<b>458</b>	<b>1,771</b>

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
<b>Net Increase in Cash &amp; Cash equivalent</b>	<b>(4,951)</b>	<b>4,894</b>
<b>Cash &amp; Cash equivalent at the beginning of the year</b>	<b>4,09,507</b>	<b>4,04,612</b>
<b>Cash &amp; Cash equivalent at the end of the year</b>	<b>4,04,556</b>	<b>4,09,507</b>

**Notes :**

1. The above cash flow statement has been prepared under the 'Indirect Method' as set out in Accounting Standard - 3 on "Cash Flow Statement" issued by the ICAI.
2. Previous year figures have been regrouped and recasted wherever necessary to conform to the current year's classification.
3. Figures in brackets denotes cash outflow.

Significant accounting policies and other Notes to Accounts

The accompanying Notes forms an integral part of the Financial Statements

As per our Report of even date attached

**For S. S. Kothari Mehta & Co. LLP**  
**Chartered Accountants**  
Firm Regn. No. 000756N / N500441

**For and on behalf of the Board of Directors of**  
**News Broadcasters & Digital Association**

Sd/-  
**Naveen Aggarwal**  
Partner  
M No. – 094380

Sd/-  
**Rajat Sharma**  
President  
DIN No: 00005373

Sd/-  
**M.V. Shreyams Kumar**  
Vice President  
DIN No: 00877099

Place : New Delhi  
Date : July 9, 2024

Sd/-  
**Anuradha Prasad Shukla**  
Honorary Treasurer  
DIN No: 00010716

Sd/-  
**Annie Joseph**  
Secretary General  
PAN No: ADTPJ0257E



## NEWS BROADCASTERS & DIGITAL ASSOCIATION

### Notes Forming Part of Balance Sheet

#### Note # 1

##### Members Funds

(All amounts in '00 unless otherwise stated)

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
<b>Entrance Fees</b>		
Entrance fees as per last Balance Sheet	15,500	16,500
Addition during the year	500	2,000
Transferred to Capital reserve	-	3,000
	<b>16,000</b>	<b>15,500</b>

#### Note # 2

##### Reserve & Surplus

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
<b>Reserve and Surplus</b>		
(a) Capital Reserve		
As per last Balance Sheet	10,000	7,000
Addition during the year	-	3,000
	<b>10,000</b>	<b>10,000</b>
(b) Special Reserve		
As per last Balance Sheet	94,138	1,21,853
Addition/(Transfer) during the year (Refer Note 23)	(18,624)	(27,715)
	<b>75,514</b>	<b>94,138</b>
(c) Surplus i.e. Balance in the Statement of Income & Expenditure		
As per last Balance Sheet	2,518	4,882
Addition during the year	33,244	(10,078)
Amount transferred to Corpus Fund	(25,000)	(20,000)
(Appropriations)/transfer from Special Reserve	18,624	27,715
	<b>29,386</b>	<b>2,518</b>
(d) Corpus Fund (Refer Note 26)		
As per last Balance Sheet	2,60,000	2,40,000



Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Addition Amount transferred from Income & Expenditure A/c	25,000	20,000
	2,85,000	2,60,000
	<b>3,99,900</b>	<b>3,66,656</b>

**Note # 3**  
**Long Term Provisions**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Provision for Gratuity (Refer Note 25)	36,654	39,256
	<b>36,654</b>	<b>39,256</b>

**Note # 4**  
**Short Term Borrowings**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Bank Overdraft*	-	19,226
	-	<b>19,226</b>

\*Secured against Fixed Deposit amounting to Rs. 87489.44

**Note # 5**  
**Short Term Provisions**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Provision for expenses	851	710
	<b>851</b>	<b>710</b>

**Note # 6**  
**Other Current Liabilities**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Statutory Dues payable	15	-
	<b>15</b>	-

**Note # 7****Property, Plant and Equipment**

(All amounts in '00 unless otherwise stated)

Particulars	Gross Block				Depreciation				Net Block	
	April 1, 2023	Addition	Disposal/ Adjustments	March 31, 2024	April 1, 2023	Addition during the year	Sale/ Adjustment	March 31, 2024	March 31, 2024	March 31, 2023
Computer	9,724	-	-	9,724	8,762	230	-	8,992	732	962
Office Equipment	9,256	180	-	9,435	8,476	116	-	8,592	844	779
Furniture & Fixtures	237	-	-	237	226	-	-	226	11	11
Leasehold Improvement	43,014	-	-	43,014	43,014	-	-	43,014	-	-
<b>Total</b>	<b>62,230</b>	<b>180</b>	<b>-</b>	<b>62,410</b>	<b>60,478</b>	<b>346</b>	<b>-</b>	<b>60,824</b>	<b>1,586</b>	<b>1,752</b>
<b>Previous Year</b>	<b>62,230</b>	<b>-</b>	<b>-</b>	<b>62,230</b>	<b>60,098</b>	<b>380</b>	<b>-</b>	<b>60,478</b>	<b>1,752</b>	<b>2,132</b>

**Note # 8****Other Non-Current Assets**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Security Deposit	1,890	1,890
	<b>1,890</b>	<b>1,890</b>

**Note # 9****Cash and Cash Equivalents**

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
<b>Balance with Banks</b>		
In Current account	7,989	7,737
Cash on Hand	87	59
	<b>8,076</b>	<b>7,796</b>
<b>Current Portion</b>		
Fixed Deposits with Bank*	<b>3,96,480</b>	<b>4,01,710</b>
	<b>4,04,556</b>	<b>4,09,507</b>

\* Including amount under lien with Bank for Credit facilities Rs. 87489.44



### Note # 9.1

#### Fixed Deposits with Bank

(All amounts in '00 unless otherwise stated)

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
<b>Fixed Deposits with Bank</b>		
Upto 12 months maturity from date of acquisition	3,96,480	4,01,710
<b>Shown as Current Assets</b>	<b>3,96,480</b>	<b>4,01,710</b>

### Note # 10

#### Short Term Loans and Advances

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Unsecured considered good		
Advances recoverable in cash or kind or value to be received	11,576	15,181
	<b>11,576</b>	<b>15,181</b>

### Note # 11

#### Other Current Assets

Particulars	As at 31 <sup>st</sup> March, 2024	As at 31 <sup>st</sup> March, 2023
Interest accrued on Fixed deposits	33,812	13,018
	<b>33,812</b>	<b>13,018</b>

## Notes Forming Part of Income & Expenditure Account

### Note # 12

#### Revenue From Operations

(All amounts in '00 unless otherwise stated)

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
Subscription	2,98,950	1,47,825
	<b>2,98,950</b>	<b>1,47,825</b>

### Note # 13

#### Other Income

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
Interest Income	32,205	23,450
Miscellaneous Income	2,259	3,950
	<b>34,464</b>	<b>27,400</b>

**Note # 14****Employee Benefit Expenses**

(All amounts in '00 unless otherwise stated)

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
Salaries and Wages	1,11,485	1,09,867
Contribution to Provident Fund	7,872	7,680
Gratuity Expense	6,112	5,856
Staff Welfare Expenses	93	112
	<b>1,25,562</b>	<b>1,23,514</b>

**Note # 15****Finance Cost**

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
Interest on Overdraft	42	229
	<b>42</b>	<b>229</b>

**Note # 16****Administrative & Other Expenses**

Particulars	Year Ended 31 <sup>st</sup> March, 2024	Year Ended 31 <sup>st</sup> March, 2023
Printing & Stationary	623	890
Legal & Professional Charges	1,47,782	34,469
Meeting Expenses	4,668	5,238
Communication Expenses	308	353
Travelling & Conveyance Expenses	465	264
Rent & Electricity	16,979	15,724
Website Maintenance Expenses	1,167	1,191
Repairs & Maintenance-Computer	520	664
Repairs & Maintenance- Building	756	586
Office Insurance-Noida	65	65
Miscellaneous Expenses	28	16
Amount written off	-	393
Rates & Taxes	76	690
Auditor Remuneration:		
Audit Fee	750	600
Out of pocket expenses	33	36
	<b>1,74,220</b>	<b>61,180</b>

**SPECIAL RESERVE**

(All amounts in '00 unless otherwise stated)

Financial	INCOME					UTILISATION					SPECIAL RESERVE				
	Income	Entrance Fees	Total Income	% of Income As per I.T.Act.	Revenue Expenditure	Capital Expenditure	Total Utilisation *	Reqd. If G<D	Amount to be transfd.	Amount Actually transfd.	Utilisation in 2022-23 Previous Year	Amount Utilised in 2023-24	Balance in Spl Reserve	Last Date of Utilisation	
	A	B	C=A+B	%	D=% of C	E	F	G=E+F	H=D-G						
2014-15	1,47,148	1,500	1,48,648	85	1,26,351	1,10,228	47,990	1,58,218	YES	(31,867)	16,123	-	-	31.03.2020	
2015-16	1,35,615	-	1,35,615	85	1,15,273	1,05,670	1,009	1,06,678	YES	8,595	22,008	-	-	31.03.2021	
2016-17	1,38,028	-	1,38,028	85	1,17,324	93,740	-	93,740	YES	23,583	23,583	-	-	31.03.2022	
2017-18	1,40,657	1,000	1,41,657	85	1,20,408	68,782	424	69,206	YES	51,203	51,203	-	0	31.03.2023	
2018-19	1,53,867	2,000	1,55,867	85	1,32,487	40,297	308	40,605		91,882	91,882	-	(0)	31.03.2024	
2019-20	1,83,145	1,000	1,84,145	85	1,56,524	74,494	582	75,076	YES	81,449	81,449	-	(0)	31.03.2025	
2020-21	1,63,229	500	1,63,729	85	1,39,169	84,731	629	85,360	YES	53,811	53,811	-	0	31.03.2026	
2021-22	1,96,124	1,500	1,97,624	85	1,67,980	99,478	458	99,936	YES	68,044	68,044	-	(0)	31.03.2027	
2022-23	1,75,225	2,000	1,77,225	85	1,50,641	56,503	-	56,503	YES	94,138	94,138	94,138	0	31.03.2028	
2023-24	3,33,414	500	3,33,914	85	2,83,827	2,08,133	180	2,08,313	YES	75,514	75,514	-	75,514	31.03.2029	
	17,66,452	10,000	17,76,452		15,09,985	9,42,055	51,580	9,93,635		5,16,352	5,77,755	94,138	75,514		

## 17. Brief Information of the Company

News Broadcasters & Digital Association is a Private Company Limited by Guarantee not having a Share Capital, not for Profit having CIN – U22211DL2007NPL165480 registered under Section 8 of the Companies Act, 2013 (Section 25 of the erstwhile Companies Act, 1956) with the main objectives inter alia, to promote, aid, help, encourage, develop, protect and secure the interests of the news broadcasters in the Indian television Industry and other related entities and to promote awareness about the latest developments in the television industry relating to news broadcasting and to disseminate knowledge amongst its members and the general public regarding such developments.

## 18. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

a. The Company follows the mercantile system of accounting and recognizes income and expenditure on accrual basis. The accounts are prepared on historical cost basis in accordance with generally accepted accounting principles in India, accounting standard specified under Section 133 of Companies Act 2013, read with Rule 7 of Companies (Accounts) Rules 2014, the Companies Act 2013 (to the extent applicable) as a going concern.

### b. Revenue Recognition

Subscription from the members is recognized on accrual basis considering the reasonable certainty for the ultimate collection.

### c. Property Plant Equipment and Depreciation

- i. Property plant equipment are stated at cost inclusive of all related and other incidental expenses less accumulated depreciation.
- ii. Depreciation on Property plant equipment is provided in accordance with Schedule II of the Companies Act, 2013 based on Straight Line Method pro-rata over the remaining useful life of the assets. The useful life of asset taken for the aforesaid depreciation is as under :-

Assets	Useful Life
Computers Hardware	3 Years
Office Equipment	5 Years
Furniture & Fixture	10 & 8 Years

### d. Taxation

The Company is exempt from tax on income under Section 11 & 12 of the Income Tax Act, 1961; hence no provision has been made for the same.

### e. Entrance Fee

Entrance fees are treated as Capital Receipts and hence been shown separately. Forfeited entrance fee is transferred to Capital Reserve in the case of removal or resignation of any Member.

### f. Employee Benefits

Gratuity Liability is provided on actual basis pro-rata to the number of years served based on the principles stated under the Payment of Gratuity Act, 1972.

### g. Provisions, Contingent Liability & Contingent Assets

- i. Provisions involving substantial degree of estimation in measurement are recognized when the present obligation resulting from past events give rise to probability of outflow of resources embodying economic benefits on settlement.
- ii. Contingent liabilities are not recognized and are disclosed in Notes.



- iii. Contingent assets are neither recognized nor disclosed in financial statements.
- iv. Provisions are reviewed at each Balance Sheet date and adjusted to reflect the current best estimates.

**h. Use of Estimates**

The presentation of financial statements in conformity with the generally accepted accounting principles requires estimates and assumptions to be made that affect reportable amount of assets and liabilities on the date of financial statements and the reported amount of revenues and expenses during the reporting period. Difference between the actual results and estimates are recognized in the year in which the results are known / materialized.

## OTHER NOTES TO ACCOUNTS

- 19. In the opinion of the management, the value on realization of current assets, loans and advances in the ordinary course of activities would not be less than the amount at which they are stated in the Balance Sheet and provisions for all known liabilities has been made.
- 20. The Company is a Small & Medium sized Company (SMC) as defined in the general instructions in respect of Accounting Standards specified under Section 133 of the Companies Act, 2013 read with Rule 7 of Companies (Account) Rules 2014 notified under the Companies Act, 2013. Accordingly, the Company has complied with the Accounting Standards applicable to a Small & Medium sized Company.
- 21. Based on the information available with the Company, no balance is due to Micro & Small Enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 as on 31<sup>st</sup> March 2024. Further during the year no interest has been paid, accrued or payable under the terms of the said Act.
- 22. The Company is registered under Section 8 of the Companies Act, 2013 (Section 25 of the erstwhile Companies Act, 1956) and further it has got the registration under Section 12AA of the Income Tax Act, 1961. Accordingly, income is also exempted from Tax u/s 11 & 12 of the said Act. Therefore, the provisions of the Accounting Standard, AS-22 on Accounting for Taxes on Income, are not applicable on the Company.
- 23. Special reserve has been created under Section 11 of the Income Tax Act, 1961, by transferring the unutilized amount in excess of 15% of the total income, for the purpose of building the infrastructure of the Association with a view to achieve the objects stated in the Memorandum of Association.  
However, during the year, Company has incurred expenditure of Rs. 94138 hundred (Previous Year Rs. 121854 hundred /-) from special reserve created under Section 11 of the Income Tax Act, 1961, towards the objectives as stated above.

- 24. The lease rental charge during the period & obligation on long term non-cancelable operating lease payable as per the rental status the respective agreement as follows:

(All amounts in Rs. '00)

Particulars	2023-24	2022-23
Lease payment for the year	14,397	13,088
Lease Obligations Payable		
- within one year	3,683	14,397
- in a period between one year and five years	-	3,683
- in a period after five years	-	-



25. Gratuity provision has been provided pro-rata based on the current salary drawn and number of years of services. Management is of the opinion that this provision will not be materially different from actuarial calculations as provided in Accounting Standard-15.
26. During the year Board of Directors decided to set aside Rs. 25,000 hundred/- of the surplus of the Association as corpus fund for the purpose of long-term Association requirement. Accordingly, disclosure has been made in Note 2 relating to reserves and surplus

## 27. Additional Regulatory Information – Ratios

Particulars	Numerator	Denominator	Current year	Previous year	Variance	Remarks
Current ratio (in times)	Current Assets	Current Liability	520	22	2267%	Due to repayment of Bank Overdraft in Current year
Debt-Equity ratio (in times)	Total Debt	Shareholders Equity	N/A	N/A	N/A	Due to Entity don't have any share capital
Debt service coverage ratio (in times)	Earnings available for debt service	Debt Service	N/A	(0.5)	100%	Due to repayment of Bank Overdraft in Current year
Return on equity ratio (in %)	Net profit after tax	Average total Equity	N/A	N/A	N/A	Due to Entity don't have any share capital
Inventory turnover Ratio	Cost of goods sold	Average Inventory	N/A	N/A	N/A	Due to Entity don't have any inventory of goods
Trade receivables turnover ratio (in times)	Revenue from operation	Average Trade receivable	N/A	N/A	N/A	Due to Entity does not have trade receivables
Trade payables turnover ratio (in times)	Net Credit Purchase	Average Trade payable	N/A	N/A	N/A	Due to Entity does not have trade payables
Net capital turnover ratio (in times)	Net Income	Average Working Capital	0.69	0.35	95%	Due to additional subscription charged Rs. 15 Lakhs each from 10 members (i.e. Rs. 1.50 Crore) for legal expenses
Net profit ratio (in %)	Surplus	Net Income	11	-7	-263%	Due to surplus in Income and Expenditure Statement in Current Year as compared to Previous Year
Return on capital employed (in %)	Earnings Before Interest & Taxes	Capital Employed	8	-3	-422%	Due to additional subscription charged Rs. 15 Lakhs each from 10 members (i.e. Rs. 1.50 Crore) for legal expenses
Return on investment (in %)	Income generated from invested funds	Average invested funds in treasury investments	N/A	N/A	N/A	The entity has no investment

28. Figures of the previous year have been rearranged/ regrouped/reclassified wherever necessary.  
As per our report of even date attached

**For S. S. Kothari Mehta & Co. LLP**  
**Chartered Accountants**

Firm Regn. No. 000756N/ N500441

Sd/-

**Naveen Aggarwal**

Partner

M No.: 094380

Sd/-

**Rajat Sharma**

President

DIN No: 00005373

Sd/-

**M.V. Shreyams Kumar**

Vice President

DIN No: 00877099

Sd/-

**Anuradha Prasad Shukla**

Honorary Treasurer

DIN No: 00010716

Sd/-

**Annie Joseph**

Secretary General

PAN No: ADTPJ0257E

Place : New Delhi

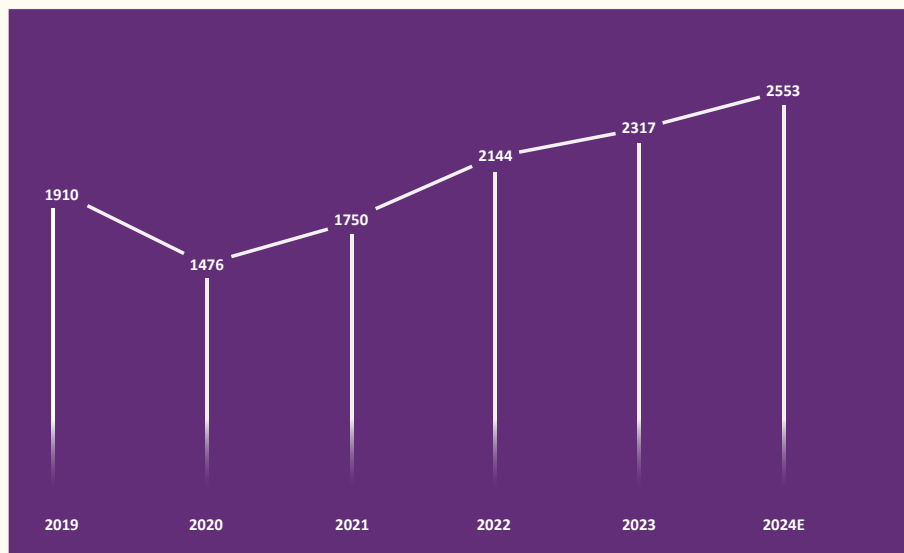
Date : July 9, 2024

# Management Report for the year 2023-2024

## Data in Review

The year 2023 marked a turning point for the Indian Media & Entertainment (M&E) Industry. The industry continued its growth trajectory buoyed by robust digital infrastructure, booming segments of digital media and online gaming, and the availability of economical options for consumers.<sup>1</sup> In the year under review, the industry witnessed an expansion of 8%, reaching a valuation of INR 2.32 trillion, 21% above its pre-pandemic levels in 2019.<sup>2</sup> (Figure 1)

**Figure 1: Growth in the Media & Entertainment Industry**



Based on EY-FICCI Media & Entertainment Report 2023-2024. All figures are gross of taxes (INR in billion) for calendar years.

The slight slowdown in the growth of the industry when compared to 2022 appears to be a result of several factors, including geopolitics, the uncertainty caused by war,<sup>3</sup> decreased consumption and a slowdown in advertising in the first half of CY 2023 due to regulatory changes.<sup>4</sup> However, despite the decline in growth,<sup>5</sup> the industry is pegged to reach INR 2.55 trillion by 2024 and INR 3.08 trillion by 2026 and witness double-digit growth in the coming years.<sup>6</sup>

<sup>1</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 4

<sup>2</sup>FICCI Press Release, 'Indian M&E sector crossed INR 2.3 trillion in 2023, expected to reach INR3.1 trillion by 2026: FICCI-EY report' (FICCI, 5 March 2024) [https://ficci.in/api/press\\_release\\_details/4863](https://ficci.in/api/press_release_details/4863) accessed at 30 May 2024

<sup>3</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 4

<sup>4</sup>Gurbir Singh, 'Poor AD revenue, slow growth crimp entertainment industry' (The New Indian Express, 10 March 2024)

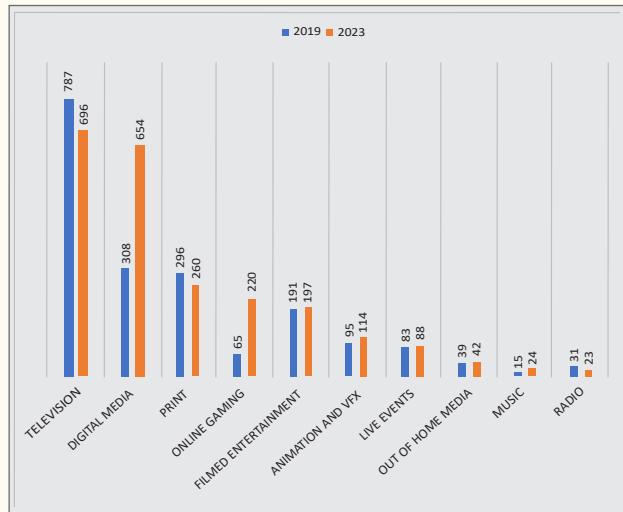
<sup>5</sup>Lata Jha, 'Indian Media and Entertainment Sector to cross Rs. 3 tn by 2026' (Mint, 5 March 2024) < <https://www.livemint.com/news/indian-media-and-entertainment-sector-to-cross-3-tn-by-2026-11709625598118.html> > accessed at 24 May 2024

<sup>6</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 10



Within the industry, each segment appears to be at different stages of 'maturity and consolidation', rendering the pace of growth across the industry not uniform.<sup>7</sup> While the traditional media, which comprises television, print, and radio, has yet to return to the pre-pandemic levels, the new media, comprising online gaming and digital media, continue to be the frontrunners in the M&E industry's growth story. (Figure 2)

**Figure 2: Growth in the Media & Entertainment Industry in 2019 and 2023.**



Based on EY-FICCI Media & Entertainment Report 2024. All figures are gross of taxes (INR in billion) for calendar years<sup>8</sup>.

Indeed, the contribution of the traditional media (comprising television, radio and print) to the total revenues of the M&E industry declined from nearly 58% in 2019 to 42% in 2023. On the other hand, the contribution of new media increased from a mere 20% in 2019 to an astonishing 38% in 2023. Besides new media, out-of-home media, live events, and filmed entertainment contributed 15% of the industry's total growth<sup>9</sup>. While the combined contribution of the Animation & VFX segment continued to be nearly 5% of the total revenues for a third year in a row, the segment's growth dropped from nearly 29% in 2022 to 6% in 2023<sup>10</sup>. As many OTT music players went behind a paywall, the Music segment of the industry also witnessed a slowdown in its growth at 10%, a slight decline from its growth of 19% in 2022. Nonetheless, the segment reached 24 billion, its contribution amounting to nearly 1% of the total revenues in the industry.<sup>11</sup>

In terms of revenues in the industry, advertising revenues grew 7% to reach 1,135 billion. As growth in advertising revenues for traditional media (Television, Print, OOH, Radio, Cinema) flatlined, advertising in new media drove the growth in 2023 (Figure 3), with ad revenues in digital media amounting to 51% of the total ad spends (Figure 4).<sup>12</sup>

<sup>7</sup>FICCI Frames 2024 'Outcome Report', Page 1

<sup>8</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 10

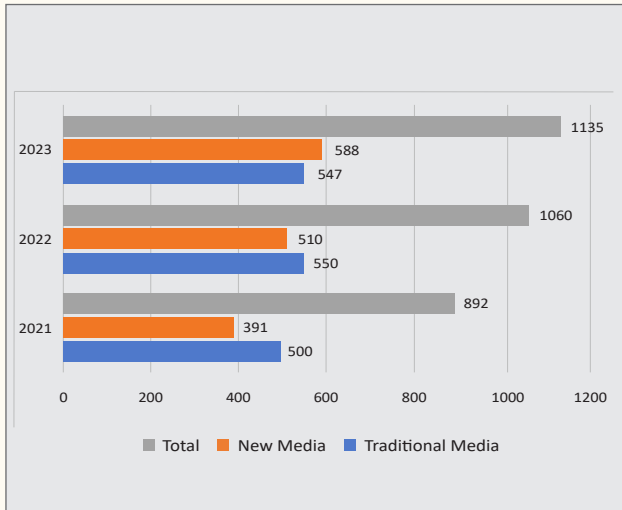
<sup>9</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future'

<sup>10</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 12

<sup>11</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 13

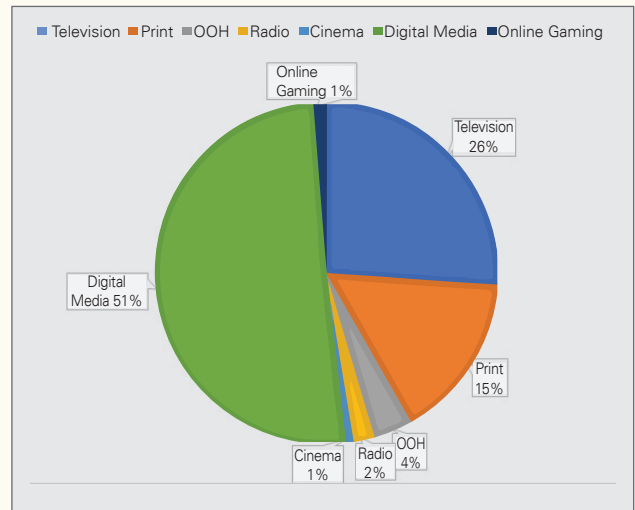
<sup>12</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 14

**Figure 3: Advertising Revenues [Figures in Billion (gross of taxes)]**



Based on FICCI - EY Media & Entertainment Report 2024

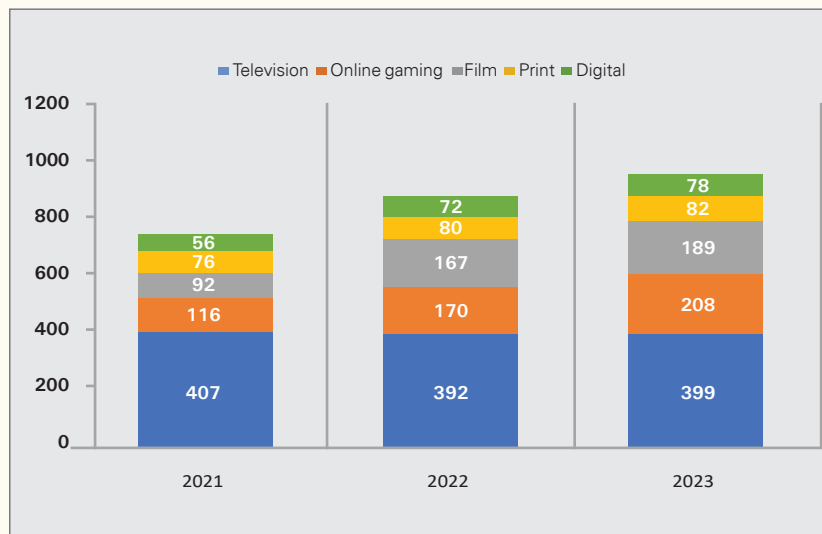
**Figure 4: Ad revenues by Segment 2023**



Based on EY-FICCI Media and Entertainment Report 2024

In 2023, the overall subscription revenues of the industry rose 9% to reach INR 956 billion, an increase of INR 75 billion from 2022.<sup>13</sup> Television and print contributed 50% of the industry's subscription revenues. However, digital media and online gaming contributed to 58% of the growth in the industry's subscription revenues.<sup>14</sup> (Figure 5)

**Figure 5: Subscription Revenues [Figures in Billion (gross of taxes)]**



Based on EY-FICCI Media & Entertainment Report 2024

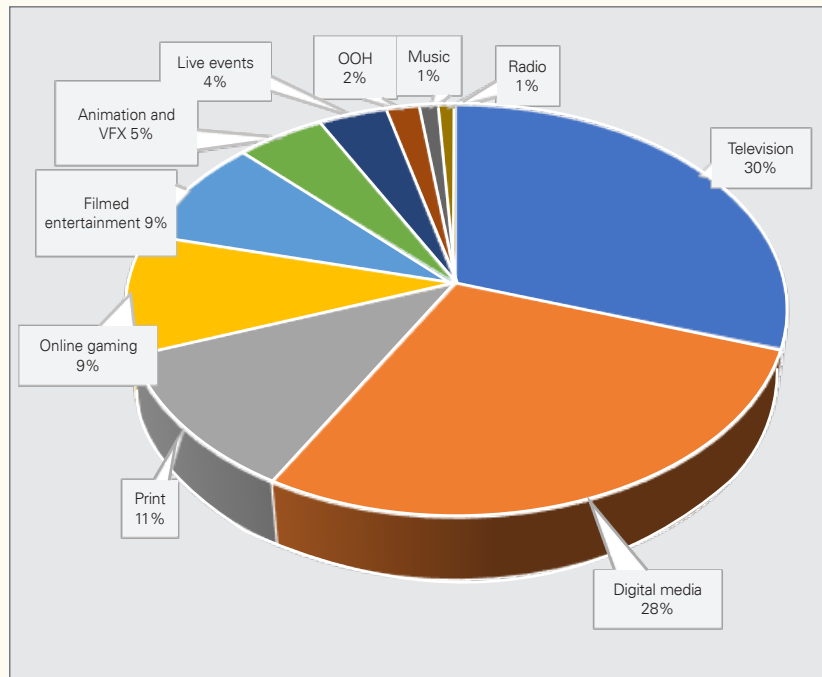
<sup>13</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 15

<sup>14</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 15



With industry experts forecasting digital media to surpass traditional media in 2024, it seems the industry has finally reached its 'inflection point'.<sup>15</sup>

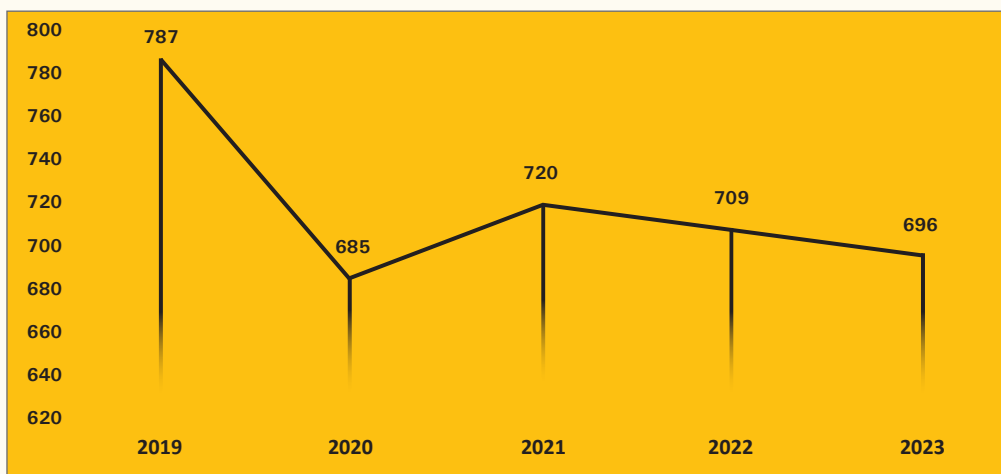
**Figure 6: Segmental Overview of the Media & Entertainment Industry in 2023**



Based on EY-FICCI Media & Entertainment Report 2024

All segments of the M&E, barring television, witnessed growth in the year under review, which witnessed a marginal decline of 2%. Although television retained its position as the largest segment in the industry, it seems to be exhibiting signs of deceleration. [Figure 7] and has not bounced back to its 2019 levels.

**Figure 7: Television Growth 2019-2023 [Figures in INR in Billion (gross of taxes)]**



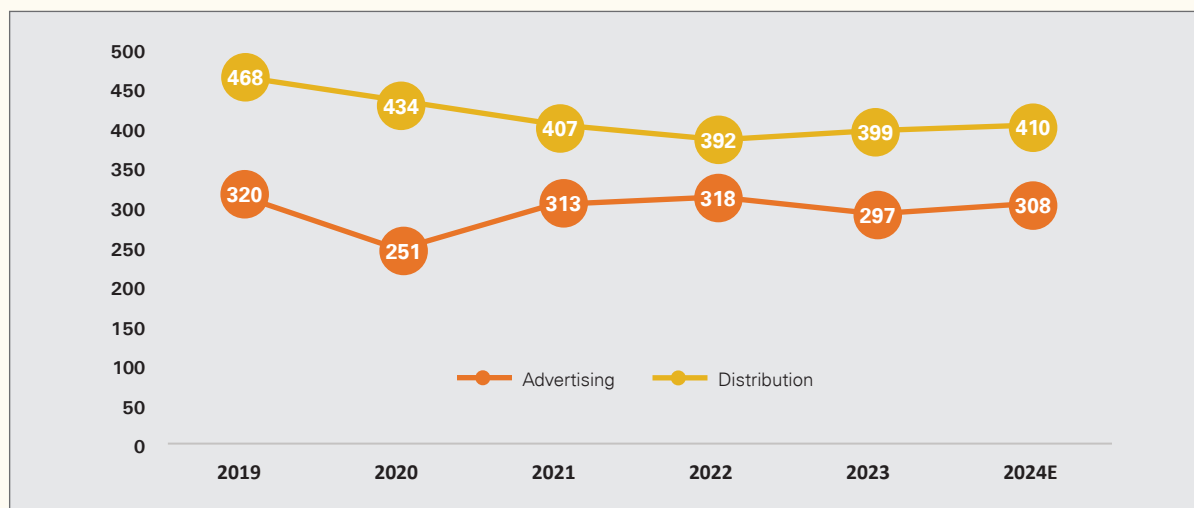
Based on EY-FICCI Media and Entertainment Report 2019- 2024

<sup>15</sup>Naman Ramchandran, 'Indian Media and Entertainment Industry Grows 8% to Reach \$28 Billion, Annual FICCI-EY Report Reveals' (Variety, 5 March 2024) <<https://variety.com/2024/film/asia/india-media-industry-report-2024-1235930333/>> accessed at 24 May 2024

However, the future of television is far from bleak as the number of overall TV viewers continues to grow. According to industry reports, the industry is expected to have a positive outlook in the coming years<sup>16</sup>. Revenues in television are projected to grow at a CAGR of 3.2% and reach INR 765 billion by 2026<sup>17</sup>.

While advertising revenues declined by 6.5% in the television segment, distribution revenues turned the tide by growing 2% in 2023 despite a reduction in Pay TV homes.[Figure 8]<sup>18</sup> Further, the time spent on television increased by 2% over 2022.<sup>19</sup>

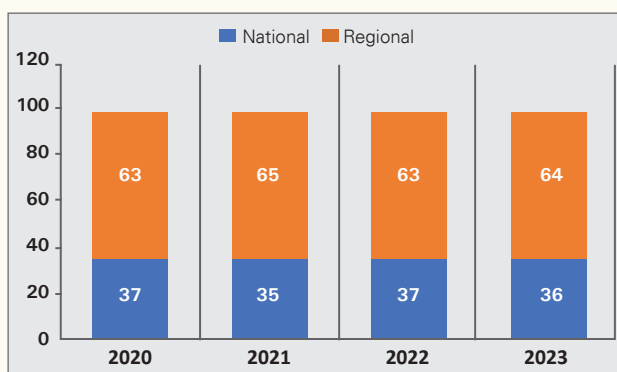
**Figure 8: Revenues in Television Segment [INR billion (gross of taxes)]**



Based on EY-FICCI Media & Entertainment Reports 2023 and 2024

According to the TAM AdEX Report for 2023, while ad volumes increased 22% compared to 2019, the overall average ad volumes per channel witnessed a 4% decline in 2023 compared to 2022<sup>20</sup>. Compared to 2022, the ad volumes of national channels declined in 2023, while ad volumes for regional channels remained flat.<sup>21</sup> [Figure 9]

**Figure 9: Ad Volumes [Figures expressed in Percentage]**



Based on TAM Ad Ex Reports for 2022 and 2023

<sup>16</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 31

<sup>17</sup>ibid

<sup>18</sup>ibid

<sup>19</sup>ibid

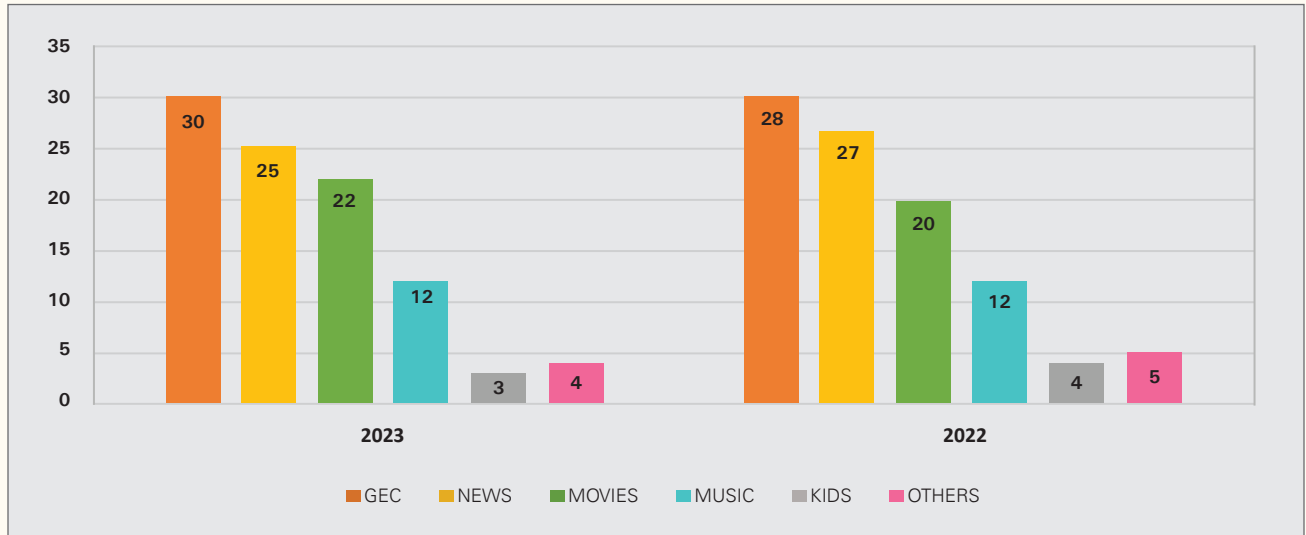
<sup>20</sup>TAM AdEx-2023 Television Advertising Recap

<sup>21</sup>ibid



For the third year in a row, General Entertainment Channels (GEC) continued to be the most popular genre for advertising having nearly 30% share of ad volumes.<sup>22</sup> Nonetheless, GEC and news together contributed 55 % of the total ad volumes. [Figure 10]

**Figure 10: Share of Ad Volumes [Figures expressed in Percentage]**



In terms of viewership, 75% of the viewership came from the entertainment genre, comprising GEC channels and movies, while news accounted for 6% of the total viewership.<sup>23</sup> Compared to 2022, news viewership increased; however, it remained lower than it was in 2020.<sup>24</sup> [Figure 11]

**Figure 11: Language-wise viewership of News [Total AMA (Billions)]**

YEAR	HINDI	ENGLISH	REGIONAL	OTHERS	TOTAL
2020	61	1	52	15	129
2022	30	1	32	9	72
2023	31	1	36	12	80

*EY-FICCI Media & Entertainment Report 2024*

Distribution revenues for the television segment finally came out of their slumber after witnessing a sustained decline in the past three years. While subscription revenues in television may not have surpassed the 2019 levels, television generated INR 399 billion in subscription revenues in 2023, an increase of nearly 7 billion from 2022. (Figure 12) This increase in subscription revenues was witnessed despite a two million decline in Pay TV homes. (Figure 13). The decline in Pay TV homes has been attributed inter alia to cord-cutting, particularly the

<sup>22</sup>ibid

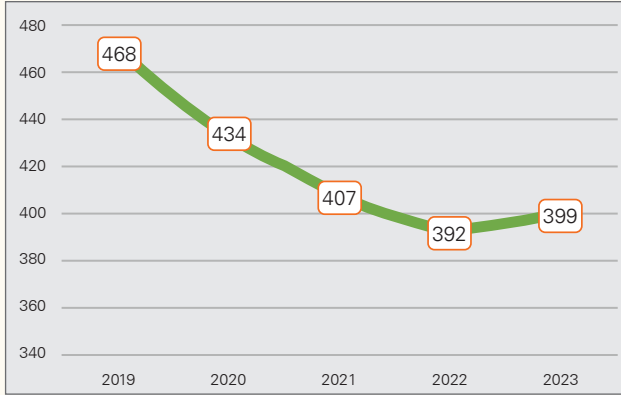
<sup>23</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 45

<sup>24</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 35



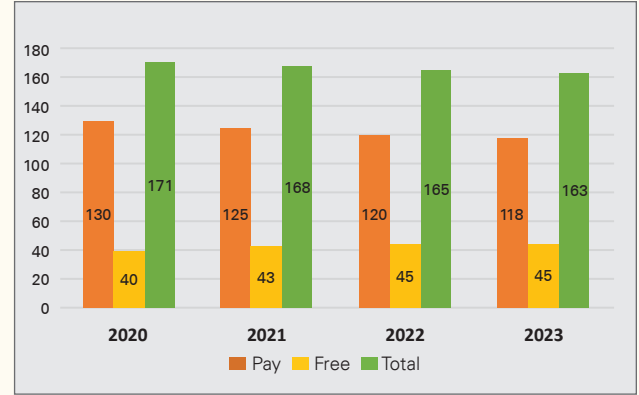
shift to Connected TV (CTV), digital platforms, alternate entertainment options and Free Dish, which continues to have nearly 45 million subscribers.<sup>25</sup>

**Figure 12: Subscription Revenues in Television Segment [Figures in INR Billion (gross of taxes)]**



Based on EY-FICCI Media and Entertainment Report 2023 and 2024

**Figure 13: Television Subscriptions (Figures in Millions).**

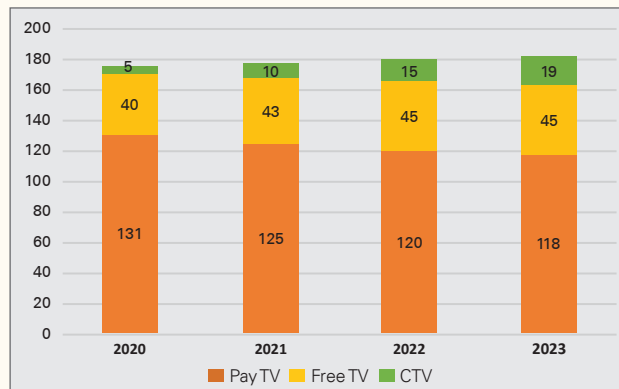


Based on EY-FICCI Media & Entertainment Report 2024

Indeed, there has been a change in the television landscape in India. Improvement in internet access coupled with the availability of diverse content, particularly regional language content, has led to the adoption of CTV not only in urban areas but also captured the attention of rural areas. According to a report, from 2022 to 2023, there has been a 117% growth in the number of unique CTV devices. This indicates that CTVs are becoming the default choice for many consumers and are expected to reach more than 45 million households by the end of 2024.<sup>26</sup>

It is rightly observed in the EY-FICCI Media and Entertainment Report that the television market is segmenting itself into Pay TV, Free TV and CTV, each commanding a sizable share of subscribers.<sup>27</sup> By 2030, television subscriptions are expected to reach 210-240 million, with CTVs emerging as the largest content distributor on large screens.<sup>28</sup> (Figure 14)

**Figure 14: Subscriptions across various TV segments (Figures in Millions)**



Based on EY-FICCI Media & Entertainment Report 2024

<sup>25</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 37

<sup>26</sup>group M report titled "The Changing Landscape of Indian Television A Study On Advancing TV Transformation

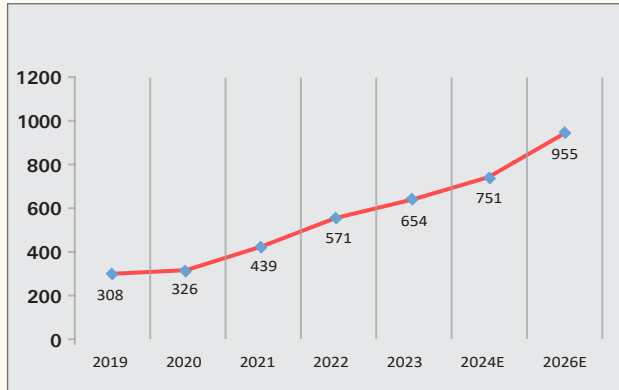
<sup>27</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 40

<sup>28</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 41



The digital media segment continues to be the second-largest segment of the industry and is expected to surpass television in 2024. While the segment generated INR 654 billion, its growth halved to 15% in 2023.<sup>29</sup> Compared to 2022, digital advertising and subscription revenues grew at 15% and 9%, respectively, which is a decline from 30% and 27% in 2022. Nonetheless, the segment is expected to grow at a 13.5% CAGR and reach INR 955 billion by 2026.<sup>30</sup> (Figure 15)

**Figure 15: Growth in Digital Media (Figures in INR Billion)**

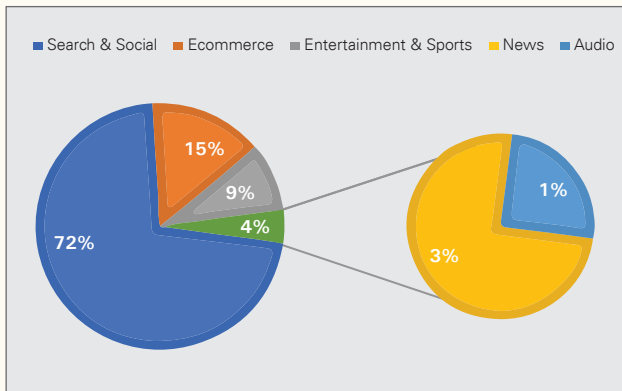


Based on EY-FICCI Media & Entertainment Report

As ad spending on digital advertising increased, revenues from digital advertising reached 576 billion. Search and social media advertising contributed 72% of the revenues. It remained the dominant source of digital ad revenue, followed by e-commerce, which crossed INR 85 billion, while OTT and news garnered 12 % of the digital ad revenues.<sup>31</sup> (Figure 16)

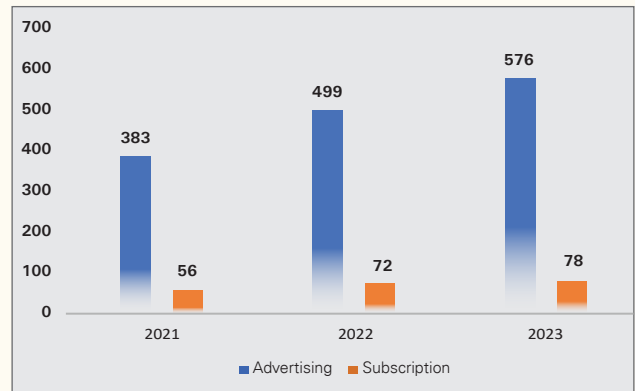
For the second year in a row, news contributed towards 3% of digital ad revenues. However, the shutdown of Insta Articles on Meta and frequent changes in the algorithms employed by big tech platforms resulted in digital publishers struggling to monetize ads.<sup>32</sup> In terms of subscription revenues, digital subscription revenues reached INR 78 billion in 2023. (Figure 17)

**Figure 16: Composition of Digital Ad Revenues (Figures in percentage)**



Based on EY-FICCI Media & Entertainment Report 2024

**Figure 17: Revenues of Digital Media (Figures in INR Billion)**



Based on EY-FICCI Media & Entertainment Report 2021-2024

<sup>29</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 55

<sup>30</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 56

<sup>31</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 67

<sup>32</sup>ibid

While video subscriptions remained the dominant source of subscription revenues, as cricket moved behind a paywall, video subscriptions grew by just 6% to reach INR 72.6 billion. As a result, despite increased paid subscribers, video subscriptions were reduced by two million. According to Industry Reports, in the year under review, "43 million households paid for 97 million video OTT subscriptions".<sup>33</sup> On the other hand, audio subscriptions grew from 5 million to 8 million, generating INR 3 billion<sup>34</sup>, registering more than 50% growth. However, compared to 2022, there was a decline in monthly music streamers, which reduced from 200 million to 185 million in 2023. While 4% of streamers paid for audio subscriptions, conversion of subscribers to paid subscribers appears to be an uphill task given the free alternatives<sup>35</sup>.

As far as news is concerned, from 2022, there was an increase of INR 0.8 billion in subscription revenues, as news subscriptions reached INR 2 billion driven by premium and exclusive content<sup>36</sup>. It is estimated that in 2023, nearly 1.7 million paid news subscriptions were sold across platforms<sup>37</sup>. (Figure 18)

**Figure 18: Subscription Revenues of Digital Media (Figures in INR Billion)**

	2021	2022	2023
Video	53.9	68	73
Audio	1.6	2	3
News	0.9	1	2

*Based on EY-FICCI Media & Entertainment Report 2023 and 2024*

In 2023, as Indians spent an average of 4.8 hours/day on their phones<sup>38</sup>, India became sixth in the world in terms of time spent on phones. It is estimated that in 2023 online news reached nearly 32% of the Indian Population, with approximately 456 million consumers accessing online news in India. Mobile continued to be the preferred platform for accessing news compared to apps<sup>39</sup>.

As news consumption moves towards multi-platform, audiences can now access news without frequently logging into TV. As per the EY – FICCI Media & Entertainment Report for 2024, this shift towards digital news and increasing news consumption on social media platforms requires news channels to rethink their business model, content, monetization and measurement strategies<sup>40</sup>. To adapt to this new reality, news channels may be required to create content specifically catering to the different segments and younger audiences; they may also be required to create content that is available in multiple formats and on multi-media, they may have to introduce differential pricing for premium and mass audience, apart from the above, they may also have to create content covering a wide range of themes to reach wider audiences<sup>41</sup>.

<sup>33</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 69

<sup>34</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 12

<sup>35</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 72

<sup>36</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 56

<sup>37</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 71

<sup>38</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 60

<sup>39</sup>EY-FICCI Media & Entertainment Report titled '#Reinvent India's media & entertainment sector is innovating for the future', Page 64

<sup>40</sup>ibid

<sup>41</sup>ibid



## Meeting with the Hon'ble Prime Minister

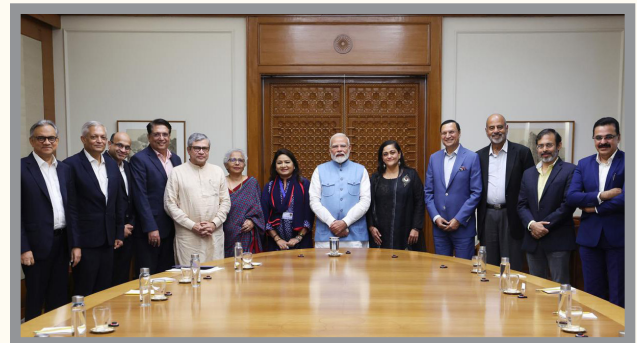
A delegation of the News Broadcasters & Digital Association (NBDA) led by its President, Mr. Rajat Sharma, called on the Hon'ble Prime Minister Mr. Narendra Modi on 27.08.2024.

The delegation informed the Prime Minister regarding the health of the news broadcast industry, constraints, problems, and challenges faced in the era of digital revolution which was severely impacting and affecting the growth of the 'News' genre.

Also present in the meeting was Mr. Ashwini Vaishnaw, Minister for Information & Broadcasting



The other members of the delegation were Ms. Anuradha Prasad Shukla, Chairperson-cum Managing Director, New24 Broadcast India Ltd; Mr. Rahul Joshi, Managing Director TV 18 Broadcast Ltd; Ms. Kalli Purie Bhandal, Vice Chairperson & Managing Director TV Today Network Ltd.; Mr. Dhruva Mukherjee, Director ABP Network Ltd.; Mr. Anil Kumar Malhotra, Advisor Zee Media Corporation Ltd.; Mr. Sanjay Pugalia, Director New Delhi Television Ltd.; Mr. I. Venkat, Director Eenadu Television Pvt. Ltd.; Mr. R. Mahesh Kumar, Managing Director Sun TV Network Ltd.; Mr. Varun Kohli COO, News Broadcasting Business Bennett Coleman & Co Ltd. and Ms. Annie Joseph, Secretary General, NBDA.



# Representations to the Government

In the process of managing its policy environment, the Association draws constantly on the goodwill of the Government. During the year under review, the Association took up issues that concern news broadcasters with the Government from time to time. President NBDA and the Board Members of NBDA met with the Prime Minister and also called on the following officials:

1. Mr. Ashwini Vaishnaw, Minister for Information & Broadcasting.
2. Mr. Anurag Thakur, former Minister for Information and Broadcasting
3. Mr. Sanjay Jaju, Secretary, Ministry of Information & Broadcasting
4. Mr. Apurva Chandra, former Secretary, Ministry of Information and Broadcasting
5. Mr. Sanjeev Shankar, Joint Secretary, Ministry of Information and Broadcasting
6. Mr. Senthil Kumar, Joint Secretary, Ministry of Information & Broadcasting
7. Mr. Vikram Sahai, former Joint Secretary, Ministry of Information and Broadcasting
8. Mr. Gaurav Dwivedi, CEO, Prasar Bharati
9. Dr. P K Jain, Director, IN-SPACE

## Ministry of Information & Broadcasting

### Meeting with Mr. Ashwini Vaishnaw, Minister for Information and Broadcasting

A delegation comprising of 12 Members, including the Board Members, met with Mr. Ashwini Vaishnaw, Hon'ble Minister for Information and Broadcasting on 04.07.2024.



During the meeting, the following issues concerning the news genre were inter alia discussed with the Hon'ble Minister:

- (i) Draft Broadcasting Services (Regulation) Bill, 2023
- (ii) Demand for a fair share of revenue for news publishers/broadcasters
- (iii) Issues concerning DD Free Dish
- (iv) Impact of AI on news publishers/ broadcasters
- (v) Regulatory framework for the Broadcasting & Cable Services and
- (vi) Clause 35 of Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022.





## **Broadcasting Services (Regulation) Bill, 2023**

The Ministry of Information & Broadcasting ['Mol&B'], on 10.11.2023, had released the Draft Broadcasting Services (Regulation) Bill, 2023 ['Draft Bill'] for comments from stakeholders.

The Draft Bill sought to replace the existing Cable Television Networks (Regulation) Act, 1995 and other Policy Guidelines currently governing the broadcasting sector with a consolidated framework to regulate the broadcasting services in the country. Apart from streamlining the regulatory processes, the Draft Bill extends its purview to cover Over-the-Top ('OTT') content and digital news.

### **Comments on Draft Bill**

NBDA submitted its response on 15.1.2024 expressing its concerns and comments on the provisions of the Draft Bill. It stated that the Draft Bill is an opportunity to revisit the extant policy and regulations, which unfortunately have limited the spread and competitiveness of the traditional Broadcasting Industry, i.e. television and radio broadcasting. It suggested that an effective light touch regulation approach should be used to formulate the Draft Bill.

After perusing the provisions of the Draft Bill, NBDA made the following key submissions:-

#### **1. OTT Broadcasting Services and Internet transmissions are fundamentally not Broadcasting Services**

NBDA cautioned against the proposal to include OTT Broadcasting Services and Internet transmissions as part of "Broadcasting Services" in the Draft Bill, as the same overlooks several fundamental distinctions between these services based on the very nature of the applicable technology framework and activity, business practices, regulatory framework, and relationship with consumers. These services are distinct, and the Mol&B should not conflate them with and under the broad nomenclature of "Broadcasting Services". Regulating OTT services akin to traditional broadcasting services would amount to treating dissimilar/unequal services similarly/equally, which would be arbitrary and discriminatory and violate Article 14 of the Constitution.

#### **2. Regulating OTT Services and Internet Transmissions**

NBDA maintained that while it appreciates the need for content regulation, regulating OTT Services and Internet transmissions in the manner proposed under the Draft Bill would stymie the growth of an important medium. Further, since OTT Services are already regulated by and under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ['IT Rules'], it requested Mol&B to desist from regulating OTT Services and Internet transmissions under the Draft Bill.

#### **3. Vague and Ambiguous Terms**

NBDA expressed its concern with the usage of vague or overly broad and ambiguous terminology in the Draft Bill, which carries with it the distinct possibility of misuse and/or arbitrary application by authorities since vagueness itself serves to delegate matters of public policy to regulatory authorities, law enforcement and the Executive and can amount to an unconstitutional fetter on the freedom of speech and expression. In this regard, several provisions in the Draft Bill, including the definition of News and Current Affairs Programmes, were emphasized in the response.

#### **4. Excessive delegation**

The Draft Bill (i) delegates powers essential for implementing the Draft Bill to the Central Government and (ii) does not provide guidance on the factors the Central Government may consider for introducing and implementing a provision on certain types of broadcasters/broadcasting network operators. Excessive delegation can lead to further contradiction and ambiguity, leading to the potential arbitrary use of regulatory authority.

Under the Draft Bill, the Government has been given extensive authority to make rules with approximately 65 illustrative instances and an omnibus clause granting the power to make rules on anything and everything, which shows that there is excessive delegation of powers, including delegation of essential legislative function in favour of the delegated authority.

The Draft Bill, in its present form, lacks sufficient guidelines and safeguards for the delegation of power. Such a blanket delegation of power under the proposed Draft Bill without guidance amounts to excessive delegation and may lead to misuse.

Further, the Draft Bill appears to provide the Central Government with the power to regulate services other than broadcasting services, potentially going beyond the scope of the Draft Bill itself, which is manifestly unreasonable and arbitrary.

In its response, it highlighted several instances of excessive delegation which is impermissible in law, such as under Clause 4(7) concerning forfeiture of financial instruments, Clause 5 read with Clause 19 concerning the power to prescribe Programme and Advertisement Code and other terms and conditions for transmission or re-transmission of broadcasting services, Clause 8 and 9 concerning terms and conditions for the refusal to renew/cancellation of registration and for suspending/revocation of registration.

## 5. Absence of Rules

It emphasized that the Draft Bill excessively relies on rules that would be formulated subsequently. Several critical provisions, including the Programme and Advertisement Code, have been left to be determined by the Executive by way of Rules, which were not circulated, which prevented the stakeholders from ascertaining the exact import of the Bill.

## 6. Implementation of Programme Code and Advertisement Code on broadcasters

Freedom of speech and expression can only be restricted by law, not rules. Therefore, since the Programme and Advertisement Code would regulate the content, speech, and expression, the same cannot be prescribed by rules to be notified subsequently. It urged that since the Programme Code and Advertisement Code would impact the freedom of speech and expression and the broadcaster's right to carry on business under Articles 19(1)(a) and (g), respectively, any restriction sought to be imposed must be within the four corners of Article 19(2). In this regard, the Courts have noted that the current Programme Code and Advertisement Code under the Cable Television Networks Rules, 1994 are fraught with vague and arbitrary terms such as *"Offends against good taste," "Contains anything suggestive innuendos and half-truths; Contains visuals or words which reflect a snobbish attitude."* and do not provide any guidance on the scope of these terms. Similarly, in the Advertising Code, there are words like *"good taste," "tasteful," "repulsive," "offensive," "not to be excessively loud," "suggestive,"* which leave scope for gross misuse and abuse due to subjective interpretation.

The Draft Bill mandates the application of the Programme and the Advertisement Code on different types of broadcasting services. It does not provide any guidance on the factors that would be taken into consideration by the Central Government while adopting the Programme Code and Advertisement Code. Extending the application of these Codes on content published, broadcast or streamed through all types of mediums without defining the terms used therein or laying down the factors that have been considered while extending the Codes to all mediums, including OTT, raises concerns regarding the impact of these Codes on free speech and the freedom of the press/media.

## 7. The issue of pre-censorship

The Draft Bill's mandate for broadcasters and broadcasting network operators to establish a "Content Evaluation Committee" to certify all programmes broadcast by them is a prime example of regulatory overkill



under the Bill. By its very nature, pre-broadcast certification in linear broadcasting and even more particularly, for news and current affairs content, is not feasible. Further, apart from imposing a huge (and unachievable) compliance burden, the Content Evaluation Committee would become a vehicle for wide-ranging censorship contrary to the fundamental freedoms guaranteed under the constitution, which is already subject to reasonable restrictions. Similarly, adopting a three-tier regulatory mechanism that allows the Executive to bypass the self-regulatory mechanism adopted by the industry is likely to lead to over-regulation.

## **8. Three-Tier Complaint Redressal Mechanism**

The Draft Bill proposes a regulatory structure that is similar to the Three Tier Complaint Redressal Structure under IT Rules and Cable Television Networks (Amendment) Rules 2021 ("CTN Amendment Rules"), which have been challenged before various courts. Considering the fact that various High Courts have passed orders restraining the Government from acting against entities under a Complaint Redressal Structure similar to the one proposed under the Draft Bill and the same being sub-judice before the Supreme Court, NBDA suggested that the Clauses relating to the Three Tier Regulatory Structure should be kept in abeyance.

## **9. Ongoing Consultations.**

The Draft Bill overlooked the existence and pendency of various ongoing consultations, including the Digital India Bill, Convergence of Carriage of Broadcasting and Telecommunication Services, OTT Communication Services and Selective Banning of OTT apps, which are under consideration by the Ministry of Electronics & Information Technology ['MeitY'] and TRAI. Given the ongoing consultations, NBDA advised that the Draft Bill should be kept abeyance until the above consultations are concluded.

## **10. Overlapping regulation under different Statutes**

The Draft Bill extends beyond "broadcasting" into actively seeking to regulate subject matters relating to the 'Internet' which, under the Allocation of Business Rules, 1961, is allocated to the MeitY. This expansion into a domain rightly exercised by a Ministry, such as the MeitY, which has relevant expertise, would complicate the formulation of the proposed Digital India Act and lead to unnecessary duplication of regulation and compliance, adversely impacting the ease of doing business.

Since the content published or streamed by "publishers of news and current affairs content" and "publishers of online curated content" is regulated under Part III of the IT Rules, 2021 by MoI&B, overlapping statutory provisions under the IT Act and the Draft Bill would result in difficulties in its implementation.

## **11. Lack of consultation with Stakeholders**

The Explanatory Memorandum attached to the Draft Bill states that the Bill results from extensive consultations and deliberations by the MoI&B with the stakeholders. It was submitted that, the January 2020 consultation undertaken by the MoI&B only proposed certain amendments to the Cable Television Networks (Regulation) Act 1995 ['CTN Act']. It did not seek to overhaul the entire regulatory framework into a single legal framework as has been sought to be done under the Draft Bill. Further, several provisions, including the inclusion of OTT as broadcasting services, the introduction of the Content Evaluation Committee, the Three Tier Regulatory Structure, the penalties sought to be imposed under the First Schedule etc., were absent in the erstwhile consultation on the Proposed Amendments to the CTN Act. Therefore, the stakeholders had no opportunity to comment on the same.

## **12. Disproportionate and stringent penalties**

Under the First Schedule to the Draft Bill, disproportionate and stringent penalties have been prescribed for violating the Programme and Advertisement Code. The disproportionate penalties, ranging from INR 20 Lacs to INR 50 Crores, must be reduced as these are not industry-friendly and would impede the ease of doing business.



### 13. Feasibility of a single legal framework

NBDA noted that the Mol&B has failed to consider the appropriateness of imposing a single regulatory framework for distinct technologies with different business models. The Mol&B has conducted no prior study or impact analysis to ascertain the feasibility of treating OTT services as broadcasting services and whether the same would potentially result in censorship, overregulation and be detrimental to ease of doing business.

### 14. Transparency

NBDA also urged the Mol&B to upload stakeholder comments and make these publicly available on the Mol&B website so that all stakeholders can understand the various perspectives put forward in relation to the Draft Bill and if required to give additional comments.

Apart from the above submission, Clause-wise, detailed inputs and comments were also provided to the Mol&B.

### Additional Submissions dated 14.06.2024 on the Draft Bill

Post the submission of its comments on 15.01.2024, NBDA was invited to attend a meeting on 29.05.2024 under the Chairpersonship of Secretary, Ministry of Information & Broadcasting to discuss the Draft Bill.

During the meeting, the stakeholders were informed that the Mol&B had prepared a presentation based on the comments received. In the presentation, the concerns raised by the stakeholders were broadly classified into fourteen issues, and the Mol&B's response to address those concerns was included, which were discussed. Thereafter, the issues discussed in the said meeting were received for further stakeholder comments.

In its response dated 14.06.2024, NBDA reiterated its submissions dated 15.01.2024 on the Draft Bill and urged the Mol&B to ensure that the stakeholders are given an opportunity to raise their concerns. Further, NBDA submitted that without reviewing the updated Draft Bill and the modifications/amendments undertaken by the Mol&B, it would not be possible for the stakeholders to offer their comments. Given the above, it requested that the updated Draft Bill be circulated to facilitate a meaningful and effective consultation.

Key submissions made by NBDA are as follows:

Since violation of the Programme and Advertisement Code entails stringent penalties under Clause 35 read with the First Schedule, the same should be prescribed in the Draft Bill itself and not be determined by rules subsequently. Further, while drafting the said Codes, care should be exercised to ensure they are specific, not vague and broadly worded.

The concerns raised regarding the three-tier regulatory structure remain unaddressed. The provision for the Broadcast Advisory Council ('BAC') essentially reintroduces the Inter-Departmental Committee, which is also a subject matter of pending litigation. Notwithstanding the same, since the BAC under Clause 28 would perform adjudicatory functions while hearing complaints regarding violations of the Programme and Advertisement Code, its composition solely dominated by members/nominees of the Executive would render the exercise of its powers contrary to established law. The BAC suffers from excessive interference and should be reconsidered by the Mol&B. Furthermore, with industry-established two-tier self-regulatory mechanisms like the News Broadcasting & Digital Standards Authority already in place, there is no requirement to establish additional bodies, such as the BAC, under the Draft Bill.

"Public interest" is not a reasonable restriction under Article 19(2) for the curtailment of the freedom of speech and expression guaranteed to the media under Article 19(1)(a) of the Constitution and should be deleted.



The quantum of penalties proposed under the Draft Bill are stringent and harsh and need to be reduced. Since offences have no rational connection with turnover, size, or investment, there cannot be a higher penalty for higher investments. To maintain parity between stakeholders, the penalty must be the same, irrespective of size.

Additionally, NBDA brought to the attention of Mol&B, among other things, its concerns regarding the Appellate Authority, Clause 20 concerning News and Current Affairs Programme, the requirement of Self-Classification under Clause 21, Review Panels under Clause 29, which also remain unaddressed.

NBDA also participated in the meeting held on 09.07.2024 under the Chairpersonship of Secretary, Mol&B, wherein it reiterated its submissions and the request for the updated copy of the Draft Bill to be made available to stakeholders.

NBDA, on behalf of its members, actively engaged with the Mol&B on the Draft Bill. To express the concerns of the Members on the Draft Bill, which were specific to the news genre, NBDA met Mr. Ashwini Vaishnav, Hon'ble Minister for Information and Broadcasting and Joint Secretary, Mol&B.

Subsequently, the Mol&B has withdrawn the Broadcasting Services (Regulation) Bill, 2024 for holding further consultation with the stakeholders.

## **Directions on Misleading Advertisements**

The Hon'ble Supreme Court in *Indian Medical Association & Anr. v. Union of India & Ors., Writ Petition (Civil) No. 645/2022* vide Order dated 7.5.2024 had issued directions for misleading advertisements. As per the Order, no advertisements shall be permitted to be run on the relevant channels and/or in the print media/internet without uploading the self-declaration. The advertiser/advertising agency shall upload the self-declaration on the Broadcast Seva Portal for TV/Radio advertisements. Further, a dedicated portal would be created to upload the self-declaration for advertisements issued in press/print media/ internet.

To ensure compliance with the Order of the Hon'ble Supreme Court, the Mol&B issued Advisories dated 3.6.2024 and 5.6.2024, directing broadcasters/publishers to refrain from broadcasting/publishing any advertisement until and unless the advertiser submits a valid self-declaration certificate. The broadcasters/ publishers were further directed *"to ensure that advertisers have submitted the requisite self-declaration certificate before airing their advertisement"*.

Concerned by the requirements of the Advisory, which were clearly at variance with the Order of the Hon'ble Supreme Court, NBDA addressed a communication to the Joint Secretary urging the Advisory issued to be brought in conformity with the Order.

Subsequently, on 3.7.2024, the Mol&B issued another Advisory in supersession of its earlier Advisories, confining the requirement of self-declaration to products and services related to food and health sectors and allowing advertisers/advertising agencies issuing advertisements for the aforementioned products and services to upload an annual self-declaration. It was clarified that it is the responsibility of the advertisers/advertising agencies to ensure that every advertisement issued by it is in conformity with applicable laws, rules, and regulations.

Thereafter, in the meeting held on 19.7.2024 by the Mol&B, stakeholders were requested to give their observations/issues/points for discussion.

NBDA, placed on record the following concerns:-

1. The ambiguity surrounding the products and services related to the food and health sector, which fall within the scope of the advisory, the advertisements of which require a self-declaration certificate.

2. The difficulty in implementing the advisory for programmatic advertisements published on digital platforms.

Apart from the above, it also raised queries about whether a separate self-declaration was required for edits of the master commercial and whether a self-declaration certificate was required for non-FCT advertisements. It also sought the advice of Mol&B on what action the broadcaster/publisher should take if the portal crashes, whether it should refuse the advertisement or allow the advertisement to be aired subject to certain conditions.

NBDA also suggested that the ambit of the advisory should be limited to Ayurvedic products and services. The Advertising Standards Council of India [‘ASCI’] should monitor and deal with any issue concerning advertisements that require self-declaration certificates.

## **Proposal to recarve 100 MHz (3700-3800 MHz) spectrum for re-allocating to 5G IMT services**

Vide letter dated 18.06.2024, NBDA was informed that the Mol&B is in the process of studying if an additional 100 MHz can be recarved from the existing broadcasting spectrum (3700-4200 MHz) for re-allocating it to 5G IMT services and comments from stakeholder were sought to facilitate the Mol&B in ascertaining the feasibility and cost implications of the proposal on the broadcasting industry.

NBDA submitted its response on 2.8.2024 expressing its strong disagreement with the proposal to allocate a part of the C-Band (i.e. 3700-3800 MHz) for IMT services. It stated that the proposal, if implemented, would pose an existential threat to the Cable & Satellite Industry, for the following reasons :

- i. The entire broadcast industry is dependent on C-Band for uplinking and downlinking broadcast signals.
- ii. Emissions by IMT services in the bands adjacent to the Satellite C-Band have a severe impact on the reception of TV channels in the C-Band.
- iii. The proposal would result in interference, which would completely disrupt the broadcasters, as Low Noise Block Converters (LNBCs) would get overdriven by the In-Band signal in the C-Band. Since 5G signals would be terrestrial and stronger than satellite signals, the broadcast signals would be decimated entirely, disrupting the reception of TV signals for MSOs and Cable.
- iv. Further, the interference would require the broadcasters to replace most of the currently installed RF Waveguide filters with new filters that are capable of filtering out 5G terrestrial frequencies up to 3900MHz. Consequently, the broadcasters would be forced to invest a huge amount of money again in RF Waveguide Filters.
- v. The TRAI in 2022 after due consultations, had recommended limiting 5G only till 3670 MHz but with an advisory to install filters. In its recommendations, TRAI was very clear that there would be interference in the Bands above 3700 MHz even with IMT limited to 3670 MHz and that Filters were necessary for error-free reception.
- vi. If the IMT emissions are permitted up to 3800 MHz, an additional 100 MHz, i.e., 3900 MHz, would suffer interference due to OOB. Even with new filters, the overloading of LNBS would be so severe that the C-Band would become unusable.
- vii. Currently, 5G IMT services are allowed to operate up to 3600/3630MHz and a 100MHz band between 3600MHz to 3700MHz is kept as a Guard Band between 5G IMT Signals and Satellite Broadcast Signals. If the IMT Services are allowed to operate upto 3800MHz, there would be a Guard Band of 100MHz from 3800MHz to 3900MHz. In such a scenario, Satellite Broadcasters would lose a total of 200MHz, and would be restricted to operate from 3900MHz to 4200MHz of C-Band Spectrum.
- viii. If the proposal is implemented, the satellites in the band 3700-4200 MHz would be unusable till 3900 MHz, leaving only very limited capacity with escalating costs. This would result in a tremendous loss



for the Satellite Television Broadcasters and Satellite Industry, as many of the Transponders on many of the existing Satellites, including GSAT spacecrafts would become unusable.

- ix. Slicing of the C-Band has been done in the USA by funding and launch of new satellites.
- x. The slicing of C-Band would adversely impact many Free to Air news channels, who may not be able to afford the additional equipment or get space in squeezed frequency. Consequently, it would directly impact not only the broadcasters right of freedom of speech and expression but also impair the viewers' right to receive such information under Article 19(1)(a).
- xi. There are multiple other bands now used heavily for 5G, including in the mm-Wave bands( 30 GHz and above). Even in the C-Band, other bands above 4200 MHz and in the 6GHz range can be used for 5G services such as n79( 4700 MHz). The frequencies presently earmarked for telcos have not found any takers in the last auctions held in June 2024. Hence, there is no rationale for earmarking more frequency bands to telcos by carving from present users.
- xii. It was also suggested that regulatory bodies may alternatively consider allocating more Ku Band Spectrum to 5G IMT operations.

In view of the reasons given herein above, NBDA submitted that the Mol&B should not agree with any proposal to reallocate 100 MHz (3700 – 3800 MHz) from C-Band spectrum for 5G IMT services considering the unacceptable impact on the stakeholders of the broadcast industry and the consumers across the nation. It must ensure the flawless continuity of its operation and the uninterrupted availability of broadcasting services.

## **C-Band Spectrum for Broadcast Services - WRC 2023 on 20th November 2023**

NBDA vide letter dated 9.11.2023 drew the attention of Secretary, Mol&B, to the meeting of the WRC-23 being held in Dubai from 20th November 2023 to decide on spectrum issues.

The Secretary was informed that the WRC is a global meeting held every 4 years (previous WRC was in 2019) and its decisions have a binding effect on all countries. As per the Agenda of the WRC-23, Item 1.2 pertains to the Broadcast Spectrum: *"1.2 to consider identification of the frequency bands 3300-3400 MHz, 3600-3800 MHz, 6425-7025 MHz, 7025-7125 MHz and 10.0-10.5 GHz for International Mobile Telecommunications (IMT), including possible additional allocations to the mobile service on a primary basis, in accordance with Resolution 245 (WRC-19)"*. The representation in the WRC is by the WPC, which leads the delegation of India.

NBDA cautioned the Secretary that in case the WRC-23 approves this agenda and the same is also agreed to be implemented in India, it will pose an existential threat to the entire broadcast and cable industry, which uses the C-Band Spectrum i.e., 3700-4200 MHz to downlink and 5925 to 6425 MHz to uplink. In the letter, the crucial role of the C-Band Spectrum in maintaining broadcast and cable services was highlighted.

NBDA therefore requested Mol&B to intervene and take up the concerns of NBDA with the WPC, with appropriate advice to preserve the C-Band and thereby protect the broadcasters.

## **Accessibility Standards in TV programmes for Persons with Disabilities**

The Joint Secretary (B-I), Mol&B had convened a meeting on 22.9.2023 to discuss the issues related to Accessibility Standards in TV programmes for Persons with Disabilities. On behalf of NBDA, the meeting was attended by NBDA, Times Now, and ABP News. NBDA apprised the Chair that most of the members of NBDA are providing one accessible news bulletin per day. The Chair appreciated the efforts and requested that all news channels should strive to broadcast at least one accessible daily news bulletin with sign language interpretation. The feed of Prasar Bharati/Doordarshan with sign language interpretation may also be made available for the purpose.

## Telecom Regulatory Authority of India

### Regulatory Mechanism for Over-The-Top (OTT) Communication Services, and Selective Banning of OTT Services

The Consultation Paper arose from a Department of Telecommunications (DoT) back reference, wherein TRAI was requested to reconsider its recommendations on the regulatory framework for OTT Communication Services dated 14.09.2020 and suggest a suitable regulatory mechanism for OTTs, including on issues relating to 'selective banning of OTT Services' in the light of Recommendation No. 14 of the 26th Report of the Standing Committee on Communications and Information Technology (2021-2022) dated 01.12.2021.

In its response dated 1.09.2023 to the Consultation Paper, NBDA had expressed its concerns about the premature nature of the consultation and suggested that TRAI should withdraw the consultation for the following reasons:

1. The present consultation process contradicts the 2020 TRAI Recommendations on 'Regulatory Framework for Over-The-Top (OTT) Communication Services', wherein TRAI had recommended that no regulatory intervention was required and market forces should be allowed to respond to the situation.
2. The consultation is untimely, and the responses may lack clarity, given the ongoing legislative and regulatory developments, including the Telecommunication Bill, the Digital India Bill, and TRAI's consultations on the Convergence of Carriage of Broadcasting and Telecommunication Services and on Spectrum, which were under deliberation.
3. It questioned the basis for the issuance of the Consultation Paper, given TRAI's lack of authority to regulate OTT Services under the Telecom Regulatory Authority Act 1997.
4. Further, introducing a licensing framework for OTT Services could hinder innovation and investments in developing newer platforms and applications.
5. It cautioned against subjecting 'OTT Services' and 'OTT Communication' service providers to the same terms and conditions as Telecom Service Providers (TSP) and consequently to licensing obligations, as it would be detrimental to their business and result in increased operational costs, which would ultimately be borne by the consumers.
6. It emphasized the differences between OTT and telecom services, particularly the network architecture, business model, and nature of services, which required OTT to be seen differently. Given the differences, it urged that OTT Services should not be brought within the definition of telecom services or regarded as being substitutable for telecom services and, consequently, should not be subjected to similar rules, licensing and regulatory frameworks.
7. Furthermore, since the proposed Telecommunications Bill and the Digital India Bill were also deliberating on issues relating to the selective banning of OTT Services, TRAI should keep the consultation on the selective banning of OTT Services on hold. Further, the provisions of the Digital Personal Data Protection Act 2023, which would also have a bearing on many aspects raised in the consultation, should also be considered.
8. Any further attempt to ban OTT Services selectively would constitute an unreasonable restriction on the fundamental right of speech and expression, particularly as 'OTT Services' and 'OTT Communication' service providers are already adequately regulated under the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, and by robust self-regulatory mechanisms like NBDSA, which address complaints concerning content.



9. It questioned the decision to expand the scope of the consultation by including questions relating to OTT Services and the 'selective banning of OTT Services', which is a matter of concern and beyond the jurisdiction of TRAI. It warned against expanding the scope of consultation, which would enable the telcos to act as gatekeepers.

NBDA reiterated that TRAI should withdraw the Consultation Paper and wait for all issues relating to the 'Digital Framework' to be settled before undertaking any consultation regarding OTT Services.

Comments submitted by NBDA can be accessed at: [https://www.trai.gov.in/sites/default/files/News\\_Broadcasters\\_04092023.pdf](https://www.trai.gov.in/sites/default/files/News_Broadcasters_04092023.pdf)

The recommendations of TRAI are awaited.

## **Review of Regulatory Framework for Broadcasting and Cable Services**

NBDA in its response dated 9.10.2023 to the above consultation paper dated 8.08.2023 submitted as under:

1. Forbearance should be adopted in the broadcasting sector, permitting market forces to determine various issues, including the pricing of channels.
2. Before commenting on the questions posed for consultation, NBDA drew the attention of TRAI to particular concerns that arose from the Consultation Paper, which are as follows:-
  - (a). An incorrect comparison has been drawn between the bouquets of broadcasters and DPOs.
  - (b). The hypothesis that broadcasters push for unwanted channels is incorrect.
  - (c). The demand for unbundling of broadcaster bouquets is untenable and against the founding pillars of the New Regulatory Framework.
3. In response to the questions posed for consultation, NBDA submitted that:-

### **Tariff Related Issues**

- (a). Without prejudice to its submission regarding forbearance in the broadcasting sector, the DPOs must be free to determine the NCF subject to the pre-condition that they shall be required to carry all the FTA channels by not making any additional imposition levy upon the FTA broadcasters in the form of Carriage Fee, Marketing, Promotional expenses. This principle must be applied with greater strength and force in the case of news channels, which are in the nature of "essential services" and must, therefore, be subject to "must carry" obligation.
- (b). DPOs may offer variable NCF for different States/Cities/Towns/Villages. However, such variable NCF should not be allowed on parameters such as choosing any particular DPO pack, broadcaster packs, or a-la-carte channels. It should be purely based on Region/State/City/Town/Village, and the DPO should file such variable NCFs with the Authority at least 30 days before making such modifications.
- (c). It reiterated that DPOs must be free to determine the NCF charged for multi-TV home connection. However, the same should be subject to the condition that DPOs shall, as part of the NCF, mandatorily carry and offer all the FTA channels to the end customers.
- (d). In the case of multi-TV homes, there is no rationale for Pay TV channels to offer discounts for each additional TV connection.
- (e). There is no need to review the ceiling on discount on the sum of MRP of a-la-carte channels in a bouquet while fixing the MRP of that bouquet by DPOs. While distributors should be allowed to offer discounts, the same should be within the discount that the distributor gets from the broadcaster.



Hence, the fixation of a discount at 15% would be logical, assuming the distributor is granted a discount between 20% - 35% from the broadcaster. Any increase in the discount would not be logical as distributors act as resellers and cannot be expected to sell the services below cost. It may also distort competition and hamper the bouquet offerings by the broadcasters.

- (f). Distributors enjoy greater pricing power while distributing channels. They are allowed to offer channels at DRP, which may be lower than the MRP declared by the broadcasters and are entitled to offer genuine discounts. If a distributor is genuinely interested in offering more discounts to the consumer, a 15% discount is a fair discount that the DPOs can offer from their profit margin.
- (g). There should be no ceiling on discounts on MRP on a-la-carte channels. On the contrary, there should be complete freedom of pricing given to pay broadcasters to compete effectively in the market.
- (h). With changes in compression and encoding technologies, it is possible to carry more TV channels on the same spectrum. The WPC and NOCC have also done away with the requirement of minimum bandwidth assignment for TV channels. Hence, the distributors of TV channels must adopt these latest compression technologies and update their systems to carry more TV channels. The distributors should make their platform suitable for carrying all the permitted channels in the country.
- (i). DPOs should be mandated to maintain similar reception quality for all the channels for the same genre. The DPOs should declare the total bandwidth availability and allocation for channels on their website apart from reporting them to TRAI.
- (j). Most news channels are FTA channels, which earn their revenues solely through advertisements. The survival of such channels would be jeopardized if they are not allowed to reach viewers' homes. While the extant TRAI Regulations prescribe "Must Carry" conditions, the situation differs in practice. Despite the regulatory framework, news channels face numerous difficulties in carriage and placement of their channels on the distributor's platforms and in reaching the targeted viewers. News channels have to incur exorbitant costs in the form of carriage and placement fees, which is a well-known fact. Hence, with the development of compression technologies that enable distributors to enhance the capacity of their network, all news channels should be compulsorily made available on the platform of DPOs, and particularly, it should be mandated that all FTA news channels should be made available immediately in the distributor platform's basic tier.
- (k). Distributors already have a guaranteed source of revenue in the form of NCF of Rs. 130/-, which covers their cost of operations and profit margin. Therefore, it should be the duty of the DPOs to upgrade the platform to carry all news channels that have received downlink permission relevant to their region.
- (l). TRAI should make it mandatory for DPOs to include FTA news channels in all packs, including the base pack, to reach the complete subscriber base, considering that advertisement sales are the only source of revenue for FTA channels. DPOs must also run a scroll and intimate to their subscriber through available means about such FTA news channels to ensure access and availability. Further, any regulation that mandates free carriage must also ensure that the same is done in a non-discriminatory manner and without compromising on the provision of bandwidth capacity/reception quality.
- (m). The stipulations concerning Carriage Fees and its capping under Tariff Order 2017 and Interconnection Regulations 2017 only, should apply to the non-addressable distribution platform DD Free Dish. The Quality-of-Service Regulations 2017 should also be made applicable to the non-addressable distribution platform DD Free Dish in its entirety so that the objective of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990 ('Prasar Bharati Act') can be achieved.



- (n). Prasar Bharati is not a body established with any commercial interest or for revenue maximization. Therefore, the abovementioned Regulations /Orders/ QoS should be harmoniously construed in line with the objectives and should be made applicable to Prasar Bharati.

### **Interconnection related issues**

- (o). The continuance of unamended RIO agreements by DPOs creates a situation in the market wherein, effectively, two different RIOs of a broadcaster co-exist simultaneously, which is not desirable. Hence, after the broadcasters publish the RIO, all DPOs shall enter into a new RIO agreement with the broadcasters. The DPOs should not be allowed to continue with the unamended RIO agreement. Whenever any change in RIO is necessitated on account of a change in the regulatory framework, it is expedient that such changed RIO is signed by all the service providers as per the regulatory timelines. While it is reasonable to prescribe the validity of RIOs as one year under the extant provision, no further conditions should be prescribed, as it would result in micro-management of the sector, which should be left open to the market forces.
- (p). No further flexibility should be given to DPOs for listing channels in EPG as the DPOs already have sufficient flexibility in arranging channels in genre-language combination. Any EPG should have a logical numbering that is easy for the viewers to understand.
- (q). MoI&B grants permission to a channel in multiple languages if requested; however, the broadcaster is required to declare the genre and the language while declaring the channels under the RIO. Similarly, MoI&B puts all channels in news and non-news genre categories; however, the broadcaster is required to declare the exact genre and language when reporting the same to TRAI. Hence, the broadcaster should declare a single language. If a channel has more than one language, then the primary language or the first language of the channel declared by the broadcaster should be considered by DPOs for placing the channel at an appropriate place in the EPG.
- (r). In consultation with broadcasters, TRAI may prescribe a fair, reasonable, and non-discriminatory basis for the allocation of EPG and LCN by DPOs. While doing so, the existing broadcasters should be allowed to continue on the same EPG and LCN since it would disturb viewers' experience as they have started recognizing the presence of such channels in such EPG/LCN.
- (s). There is no need to review the capping of the carriage fee, which has been fixed by NTO-2. Until the DPOs are not mandated to upgrade their system for 100% carriage of all the TV channels with downlink permission in the country, the capping on the carriage fees should continue, which would act as a deterrent and prevent DPOs from demanding unusually high carriage fees.
- (t). To increase the penetration of HD channels, which have been adversely affected after NTO, the rate of carriage fees of HD channels and the cap on carriage fees of HD channels should be made equal to SD channels. There is no justification for imposing a higher threshold for HD channels merely due to advancements in compression and encoding technologies.
- (u). The capping of carriage fees is not being implemented in its true letter and spirit because of MSOs being conglomerates of multiple MSOs and LCOs. Each of these MSOs is seeking a review of the cap on carriage fees, and if the provisions are implemented in a manner that unjustly enriches the MSOs, the same is likely to fail.
- (v). TRAI should move towards forbearance for all the stakeholders in the value chain in a planned manner. If forbearance is introduced in only selected fields, it can distort the regulatory framework.



DPOs should be mandated to achieve 100% channel carrying capacity with respect to channels with downlinking permission in a phased manner.

### Quality-of-Service related Issues

- (w). It was reiterated that TRAI should move towards forbearance for all the stakeholders in the value chain in a phased manner. Hence, TRAI can remove the capping on the charges levied by DPOs. However, there should be an effective mechanism to redress grievances and complaints.
- (x). The EPG should only display the MRP declared by the broadcasters, and DPOs should be mandated to give pre-paid bills to their consumers on a monthly basis, as is the case with post-paid billing. It is imperative that the EPG should display the MRP alongside the DRP, in case the DPO has chosen a DRP that is lower or different than the MRP.
- (y). The current periodicity for submitting subscriber channel viewership information to broadcasters should be reviewed to ensure that the viewership data of every subscriber, even those who opt for the channel even for a day, is included in the reports, as this will help in checking any unethical practices and will further strengthen the CAS and SMS systems, it will also pave the way for a minimum subscription duration of one month for the subscriber. The periodicity of the billing system in case of both pre-paid as well as post-paid should be uniform, i.e., 1 calendar month.
- (z). The Mol&B Guidelines for Platform Services can be adopted as it is in QoS Regulations. Further, in line with aforementioned Guidelines, TRAI ought to mandate that all platform service channels are categorized separately under 'platform services' in the EPG. They should be listed together at the end of all satellite TV channels operating pursuant to downlinking permission granted by Mol&B.
- (aa). TRAI should focus on ensuring effective implementation and compliance of the existing QoS before re-evaluating the provisions of the present QoS regulations. The aforesaid provisions are vital for ensuring that the interest of the consumers is protected and the same allows consumer choice and transparency.

### Financial Disincentive

- (bb). The present regulations provide for disincentives in case of non-compliance of audit provisions by DPOs. However, the monitoring and efficacy of these should be reviewed with a view to realize the regulatory objectives. No financial disincentives should be introduced for other areas as this will result in micro-management of the sector wherein the objectives of the Regulations should be to move towards de-regulation.

NBDA also submitted that Pay channels and FTA channels should be allowed to be clubbed in a bouquet. It reiterated that TRAI should move towards forbearance for all the stakeholders in the value chain. It was suggested that commercial subscriber should be brought under the extant regulatory framework and consultation should be held on this matter at the earliest.

Comments submitted by NBDA are available at [https://www.traai.gov.in/sites/default/files/NBDA\\_12102023.pdf](https://www.traai.gov.in/sites/default/files/NBDA_12102023.pdf)

TRAI on 8.7.2024 has notified the Amendments to the Regulatory framework for Broadcasting and Cable Services and released the following:

1. Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Fourth Amendment) Order, 2024 (1 of 2024)



2. Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Sixth Amendment) Regulations, 2024 (4 of 2024)
3. Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) (Fourth Amendment) Regulations 2024 (3 of 2024) and
4. Recommendations to the Ministry of Information and Broadcasting (MoI&B) on 'Listing of channels in Electronic Programme Guide and Upgrading DD Free Dish platform to an Addressable System'.

These amendments, except for a few clauses, shall come into force after 90 days from the date of its publication in the Official Gazette.

## **TRAI Pre-Consultation Paper on Inputs for the Formulation of “National Broadcasting Policy”**

NBDA in its response dated 7.11.2023, NBDA emphasized the need for predictability and certainty in policy formulation. It called for removing regulatory obstacles and procedural bottlenecks and advocated for adopting forbearance in the linear broadcasting industry.

It suggested that the National Broadcasting Policy should aim to make the Indian broadcasting industry a global hub for media and entertainment. To accomplish this vision, the Policy should inter alia focus on (i) facilitating and promoting the growth of the broadcasting industry and embracing the digital technological changes within the industry; (ii) adopting light touch regulation with emphasis on self-regulation; (iii) establishing a level playing field between big tech platforms and traditional broadcasters/ news publishers and ensuring a fair share of revenue to the broadcasters/news publishers; (iv) adopting an open sky policy; and (v) augmenting and encouraging the development of state-of-the-art technology in the broadcasting industry. Apart from the above, it also advocated :

- (a). Granting Infrastructure status to the broadcasting industry.
- (b). Mandatory carriage of news channels.
- (c). Liberalization of existing limits/caps on FDI.
- (d). Creating a time-bound, single-window clearance system that seamlessly integrates approvals across Ministries/Departments.
- (e). Adopting a policy shift from the existing regime of 'Prior Approval' to the more practical 'Prior Intimation' regime.
- (f). Promotion of fair competition and local content.
- (g). Prasar Bharati should upgrade its capacity to carry all the channels for which the MoI&B has granted permission.
- (h). Exempting news broadcasters from the obligation of public service broadcasting under Clause 35 of the Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022.
- (i). Protection of broadcast signal on an end-to-end basis, i.e., right from pre-broadcast and retransmission of content (including live content) and formulate guidelines to address issues relating thereto like curbing cable television and digital/online piracy (through task force or otherwise) and heavily penalizing violations.
- (j). The Policy must recognize that convergence is merely a technological construct. Therefore, it should not converge the Broadcasting, IT and Telecom sectors.
- (k). The MoI&B, the nodal ministry for regulating the broadcasting industry in India, should continue to have oversight over content.

- (l). An ideal grievance redressal mechanism should be the self-regulatory mechanism established by industry stakeholders to address complaints pertaining to content.
- (m). The Policy should promote audience viewership measurement metrics that capture viewership patterns irrespective of the platform, have a diverse, robust, tamper-proof and large sample size, have a transparent methodology and encourage competition in the sector.
- (n). The adoption of a systematic approach to implement Accessibility Standards across the broadcasting industry, with emphasis on “voluntary compliance”. OEMs should be encouraged to make Set-Top-Boxes, Televisions and Remote Controls, which provide easy access to captions, subtitles, and audio descriptions that consumers can readily turn on/off.
- (o). The Policy should consider the development of technologies, such as AI, ML, Web 3.0, AR/VR/MR, and Metaverse and provide for level playing field conditions by adopting a policy of forbearance for all participants and stakeholders irrespective of the medium.
- (p). The broadcasting sector should not be mixed or confused with the telecom sector, especially with regard to licensing norms and spectrum allocation.
- (q). Permit the utilization of terrestrial spectrum by the private sector to provide ‘news broadcasting’.
- (r). The Policy must suitably incorporate provisions protecting journalists’ rights and freedom.
- (s). Establishment of an independent body for the distribution of Government advertisement revenue.

Comments submitted by NBDA are available at [https://www.trai.gov.in/sites/default/files/NBDA\\_08112023.pdf](https://www.trai.gov.in/sites/default/files/NBDA_08112023.pdf)

## Consultation Paper on National Broadcasting Policy

The TRAI on 02.04.2024 subsequently circulated the Consultation Paper on the National Broadcasting Policy (NBP).

NBDA, in its submissions dated 30.04.2024, before answering the questions posed for consultation, drew the attention of the TRAI to specific concerns arising from the issues raised in the Consultation Paper ( CP ) as given herein below:

- To ensure continuity of dialogue and policy coherence, NBDA requested TRAI to consider the submissions made during prior consultations as integral inputs to the current consultation process.
- It emphasized that the NBP should be a carriage/signal-based policy aligned with TRAI’s statutory remit and should not encompass content-related issues unless the same is tied to the carriage of the content on different broadcasting mediums.
- The NBP should cover only the broadcasting sector and not cover aspects that generally apply to the media and entertainment sector. Accordingly, issues about the film and music industry, online gaming, growth of animation, VFX and post-production, which neither comprise the broadcasting sector nor are within TRAI’s remit, should not be regulated under extant broadcasting regulations.
- OTT services, which are already regulated and cannot be classified as broadcasting services, should be kept out of the scope of the NBP.
- The NBP must recognize that convergence is a technical construct. Broadcasting and telecommunication sectors are inherently different services and should not be converged.



- Forbearance should be the bedrock of the NBP to provide a level playing field to all stakeholders, irrespective of the medium, which would encourage fair competition.
- While formulating NBP, care should be taken to ensure that issues like encryption, carriage, and regulations are uniform across platforms, including the Public Service Broadcaster's platform.

In response to the questions posed in the Consultation Paper, NBDA submitted as under :

- **Preamble:** The Preamble of the NBP should underline the role played by the broadcasting & cable sector in generating employment opportunities. It must also underscore the need for the broadcasting industry to keep pace with evolving content delivery models, distribution technologies, and changing consumer preferences. NBP should emphasize sustained technology adoption and create a conducive policy framework. Given the capital and technology-intensive nature of the broadcasting sector, it should also help attract additional investments. Further, by adopting the policy of forbearance, the NBP should unshackle the broadcasting industry, thereby allowing market forces to govern linear broadcasting.
- Additionally, there should be a clear delineation between public and private broadcasters. NBP should promote cooperation without burdening private broadcasters with excessive obligations. NBP should cater solely to the broadcasting sector and avoid convergence in the broadcasting, telecommunication, and IT sectors.
- **Vision:** The NBP should endeavour to make and promote India as a broadcasting and uplinking hub, provide a roadmap to the existing stakeholders for clearly laying down the process for allocating natural resources and make the industry robust, resilient, accessible and affordable.
- **Mission & Broad Objectives:** To achieve the vision set out herein above, the NBP should, among other things (i) facilitate and promote the growth of the broadcasting industry, (ii) grant "Infrastructure Status" to the broadcasting industry, (iii) adopt light touch regulation with emphasis on self-regulation, particularly in grievance redressal, and adopt forbearance in tariff and advertisements, (iv) foster ease of doing business by minimizing the compliance framework, (v) promote 'Make In India' by providing incentives for domestically manufacturing broadcasting equipment and forming an inter-ministerial task force for this purpose, (vi) enable seamless uplinking of global content from India, (vii) promote and adopt sustainable and environmentally friendly practices, (viii) provide content security and protect the intellectual property rights of the stakeholders, (ix) streamline and provide fair allocation of natural resources and (x) promote fair competition amongst broadcasters.
- The market forces and the stakeholders should be able to decide the parameters, targets, and institutional framework for the measurement of contribution towards the economy, revenue generation, employment generation, subscription figures, etc. Further, the "*forbearance model*" must be adopted vis-à-vis pricing and packaging of channels, and a framework for the same should be provided through the NBP to ensure that all broadcasters remain competitive and continue to provide a wide array of options to consumers.
- To empower the broadcasting industry, MoI&B must consider granting one of the long-lasting demands of the broadcasting industry for "*Infrastructure Status*." Granting Infrastructure Status can be helpful for SMEs and start-ups in their operations and allow them to invest more in innovation.
- Domestically manufactured STBs may be incentivized by policy changes in differential duties and levies and by rationalizing taxes to make them more competitive yet affordable for the Indian population, particularly in rural areas. Moreover, private operators must be incentivized to buy domestic broadcast products. The Government should give preferential treatment to domestic products and services with domestically owned IPR while procuring equipment for government agencies.

- Further, global manufacturers must also be incentivized to set up their manufacturing units in India to boost competition. Domestic Research and Development (R&D) should be encouraged by leveraging indigenous R&D capabilities to promote design-led manufacturing in India.
- The NBP should limit its purview to the broadcast regulatory environment. Fostering a quality content generation ecosystem should not be conflated with a broadcasting policy document or vision since broadcasting is only a medium/ format for exploiting content.
- Deregulation is vital in promoting India as an uplinking hub and for promoting ease of doing business. Therefore, to promote India as an uplinking hub, the regulatory framework pertaining to broadcasting must be eased and streamlined. In furtherance of this, the NBP should endeavour to encourage simplification of the processes of inter alia filing applications and requisite documentation for seeking grants of approvals/ permissions, processing of the applications and documentation in a time-bound manner and adopting a light touch model, to the extent possible, for regulating pricing and use of ad inventory to facilitate the initiative of making India a hub for uplinking purposes. Further, incentives such as liberal limits/caps on FDI for uplinking news and current affairs TV channels and uploading/streaming of news and current affairs for uplinking from India should also be considered to promote India as an uplinking hub.
- Prasar Bharati must keep up with technological innovations and leverage different platforms to make its presence felt. It must also continue investing in quality content and delivery to engage with its audiences. This may involve moving away from a merely broadcasting model to an engagement model by understanding the needs of the consumers and competing, to the extent possible and permitted, with the private broadcasters. The public service broadcaster must stay true to its mandated objective of serving the public interest; however, where the public service broadcaster acts akin to a private broadcaster in terms of commercial or business objectives, it must be treated no differently (in terms of regulations/restrictions etc.). One of the concerns of NBDA is that the Public Service Broadcaster, Prasar Bharati's approach of prioritising "revenue maximisation" through a less than transparent auction process relating to DD Free Dish. Considering the opaque practices observed in auction processes, it is critical for TRAI to advocate for transparency and accountability to prevent the creation of artificial scarcity.
- OTT platforms/services should not be included in the NBP as these cannot per se be classified as broadcasting services. NBP cannot seek to regulate OTT platforms as they do not fall within the definition of "licensees" under Section 4 of the Indian Telegraph Act 1885. Consequently, TRAI has no authority to regulate them under the Telecom Regulatory Authority Act 1997. Further, OTT services and service providers are already regulated through the Information Technology Act 2000, and the rules notified thereunder.
- It reiterated that telecom and broadcasting services are two distinct services that perform different functions, and the NBP must recognize that convergence is merely a technological construct that has happened to some extent due to technological development. However, given the very nature of these services, the telecom, information technology and broadcasting sectors or their underlying services cannot be merged. Since these services are not similarly placed, comparing or converging these services through a converged legal framework would not be correct. If a converged policy comes into existence, there is (a) the risk of "false equivalence" being drawn between the sectors and (b) the risk of regulation of certain sectors by people who are not competent, specialized, or focused enough to deal with sector-specific issues.
- The NBP must adopt the policy of forbearance for all the stakeholders irrespective of the medium and allow the market forces to govern the broadcasting industry, particularly the linear broadcasting industry. The focus should be on sectoral development, plurality, QoS, and accelerating adoption of new technologies while establishing a level playing field.



- Issues concerning piracy and content security through copyright protection in the broadcasting sector, though important, cannot be brought within the remit of NBP and have to be dealt with by the specific law legislated for this purpose, i.e., the Copyright Act 1957.
- NBP should endeavour to implement the Digital Terrestrial Transmission (DTT) in phases, providing a precise date for switching off the analogue transmission and migrating to DTT. Different dates may be provided for different regions/states depending on the market, consumer preference, and viewership structure of these areas. This would also allow the stakeholders to understand the consumers' perception towards DTT. Further, as recommended by TRAI in its Recommendations on '*Issues related to Digital Terrestrial Broadcasting in India*', the Transmission Network Model may be adopted for implementing DTT service in India.
- The implementation of DTT must not remain under the exclusive domain of Prasar Bharati. It must involve participation from private players, as this step would substantially contribute to the growth and development of the broadcasting sector. The involvement of private players would boost investment and funding, which would be required to develop and maintain the infrastructure required for the DTT network. Further, private participation would also contribute to improving content creation and broadcast on DTT platforms. Adoption of DTT would allow service providers to expand their geographical reach to access areas with poor cable and satellite penetration. The DTT platforms should be built on robust technology that allows for encryption and tracking viewership patterns to understand the evolving needs of consumers and make suitable adjustments to provide better services.
- As far as spectrum utilization is concerned, both Multi Frequency Networks ('MFN') and Single Frequency Networks ('SFN') are viable options. However, MFN architecture may be deployed for DTT networks since MFNs are simpler to implement.
- Developing transparent and accurate television audience measurement and ratings is the need of the hour. The NBP should encourage independent, reliable, transparent, and robust audience measurement mechanisms that can provide genre-specific data for meaningful evaluation. This can be achieved by anonymizing data, avoiding data smoothing, using the Return Path Data ('RPD') mechanism, providing a transparent outlier policy, and making structural changes at BARC.
- Increasing the sample size to measure viewership details and understand the patterns is the need of the hour. Additional BAR-o-Meters must be deployed, particularly for genres with low viewership, such as news. Moreover, a larger sample size would address the problem of panel tampering. BARC should endeavour to and should be mandated to increase the sample size to at least 1,00,000 BAR-o-Meters to enhance the accuracy of the data. In addition to deploying the additional BAR-o-meters, the RPD mechanism would also prove effective in collecting data from a larger sample size.
- At this stage, TV audience measurement data should not be fused with digital audience measurements. There are multiple issues with the current TV audience measurement systems that need to be rectified and streamlined to understand consumer viewership habits in terms of linear broadcasting.
- The need for multiple rating agencies is justified to foster competition and innovation. It is widely recognized that relying on a single system can lead to stagnation, and BARC's current methodologies—like the use of installed meters—are not fully utilized. Additionally, global precedents from countries like the United States, the United Kingdom, Malaysia, Australia, and the Philippines demonstrate the benefits of having at least two concurrent rating systems.
- Today, technology is omnipresent. This technology can be leveraged to develop new audience measurement mechanisms that are more effective than traditional systems and provide insights at the granular level.



- Any measure that is adopted and/or developed would have to commensurate with the pace of the audience and the technology. This would be imperative in understanding the global trends around content and evolving consumer behaviour, providing real-time insights and impression-based analytics while complying with privacy norms and regulations.
- One way to ensure the above is by utilizing the return path mechanism. Further, in addition to the RPD, other mechanisms can be developed using newer technologies such as artificial intelligence. Predictive audience modelling is one such mechanism that can be used to cross-analyze existing behavioural data with third-party audiences to generate customized audience segments based on such data.
- It reiterated that the TRAI must recognize the self-regulation mechanism established by the industry as an ideal grievance redressal mechanism for redressing any media broadcasting-related complaints. This would conform with the judgment of the Hon'ble Supreme Court in *Destruction of Public and Private Properties v. State of Andhra Pradesh and Ors.*, (2009(5) SCC 212).
- To this effect, the NBDA has also represented to the MoI&B to notify the Codes of Ethics & Broadcasting Standards (Code of Ethics) of the NBDA under Rule 6 of the Cable Television Networks Rules, 1994 ('CTN Rules') to give more teeth to the independent self-regulatory body set up by the NBDA i.e. the News Broadcasting & Digital Standards Authority and place it at par with the Code of Self-Regulation of the Advertising Standards Council of India which have been recognized in the CTN Rules.
- Formal recognition of the self-regulatory grievance redressal mechanism in the NBP would strengthen the existing grievance redressal mechanisms set up by various self-regulatory bodies and make the mechanism more effective.
- It may be noted that the three-tier grievance redressal mechanism established under the CTN Amendment Rules and the IT Rules are sub judice. Therefore, TRAI should not rely on grievance redressal mechanisms under the current regulations or proposed legislation.
- There are already legislations and regulations in place that provide accessibility standards/measures to cater to the special needs of the PwDs. The NBP may recognize these standards and guidelines in principle with special emphasis on "voluntary compliance" to strike a balance between the needs of the PwDs and the needs and duties of the stakeholders in the broadcasting industry. Therefore, there is no need to specifically provide additional accessibility measures through the NBP to empower PwDs to access information and entertainment programmes.
- Further, mandating accessibility measures, particularly for news broadcasters in real-time, may affect the accuracy of subtitles, sign language etc. Moreover, translating news into sign language or providing dubbing and subtitle facilities would require financial investment, thereby increasing the financial and operational burden on broadcasters, particularly small-scale broadcasters, regional broadcasters, and broadcasters on digital media. Accordingly, the NBP should be framed in a manner that provides financial support in the form of incentives, deductions or sources of funding to enable stakeholders to implement the accessibility measures effectively.
- Through the NBP, making the content accessible for PwDs should be voluntary for private broadcasters, with emphasis on the Government allocating resources or providing financial support to increase the accessibility of content.
- In addition to the solutions suggested in the Consultation Paper, such as work-life balance, equal opportunities through recruitment and awareness regarding women rights under the prevailing legislation, the NBP must encourage stakeholders to foster female engagement in the workforce by providing equal opportunities to women in terms of promotions and training.



- The NBP must be formulated in an environmentally friendly manner and should set some goals, such as making the broadcasting industry carbon neutral for sustainable broadcasting and endeavour to provide clear-cut timelines.
- Further, the NBP should also align with international practices and goals in adopting green broadcasting practices, such as the BBC's Greener Broadcasting initiative, which is aimed at making a positive environmental impact.
- The broadcasting sector, particularly the news broadcasting sector, plays a pivotal role in providing information about and during disasters and emergencies. Further, news about accidents and disasters, which form a substantial part of news, are broadcast 'live or are deferred live'. News channels also report emergency phone numbers and contact details to allow family members to seek information about those affected by such emergencies and disasters. To provide better services and fulfil its role at such crucial times, the NBP should endeavour for mandatory carriage of news channels on the network of the distributors without any additional cost, whether in terms of carriage or otherwise being imposed upon the news broadcasters/news channels.

In addition, NBDA requested the TRAI to consider incorporating the principle of forbearance, particularly with respect to the Rules and Regulations relating to the duration of advertisements that are telecast by the news broadcasters (including live broadcast). It was suggested that the NBP should make provisions that do not stifle the rights and freedom of journalists. The NBP must also consider the threat posed by the malevolent use of new technology to perpetuate deepfakes across the broadcast medium, which can potentially create discord in society.

Comments submitted by NBDA are available at [https://www.traai.gov.in/sites/default/files/NBDA\\_01052024.pdf](https://www.traai.gov.in/sites/default/files/NBDA_01052024.pdf)

The Open House discussions were held on 15.5.2024. TRAI has submitted its recommendations to the Government on 20.6.2024.

A meeting was called by the MoI&B under the Chairpersonship of Secretary, MoI&B on 19.07.2024, to discuss the recommendations of TRAI on the National Broadcasting Policy. The stakeholders have been requested to give their input on the three goals identified by TRAI i.e. Propelling Growth, Promoting Content and Protecting interests. NBDA is in the process of submitting its inputs to the MoI&B.

## Ministry of Home Affairs

### Comments for preparation of a comprehensive manual on media briefings by police personnel

Union Ministry of Home Affairs (MHA) vide letter dated 8.11.2023 drew the attention of NBDA and other stakeholders to Order dated 13.09.2023 of the Hon'ble Supreme Court in '*People's Union for Civil Liberties & Anr. vs State of Maharashtra & Ors. Criminal Appeal No. 1255 of 1999*', wherein the Hon'ble Court had directed the MHA to prepare a comprehensive manual on media briefings by police personnel.

NBDA on 28.11.2023 submitted its comments to the Ministry of Home Affairs. NBDA stated that to establish best practices for conducting media briefings, the following aspects, namely, an individual's right to privacy, the right of an accused to a fair trial, avoidance of interference in the administration of justice, principles of openness and transparency, the right of the public to know and freedom of the press must be reconciled and balanced.

It emphasized that collaboration and fostering positive relationships between the police department or MHA and the media facilitates accurate and timely dissemination of information to the public. Police should



inform the news media about criminal offences to ensure that media reports are factually correct and prevent misinformation. Truthfulness, accuracy and transparency should be the guiding principles in all media briefings by the police authority. Information should be available to all media organizations once released. Steps must be taken to ensure that no police officer discloses selective information based on individual discretion.

There should be complete disclosure of the information available with the police authorities gathered during the investigation except in circumstances that may affect the fair trial of the accused.

A summary of the notable suggestions made by NBDA are given below:

## General Guidelines

- Establishing a Media Briefing Cell (“MBC”) at the district/town level to act as a link between the investigator and the media houses for holding periodic briefings and providing credible information.
- Appointing an Official Spokesperson, the Police Media Relations Officer (“PMRO”), who would be the primary contact for the news media and would be responsible for all the information that flows out of the police department in relation to significant crimes and incidents.
- Developing a dedicated MBC website where all information should be available and continuously updated.
- Media briefings must be conducted by MBC in a timely and speedy manner, preferably within one to two hours of the incident/crime/registration of FIR. Any subsequent material development in the case/matter should also be briefed regularly to avoid any confusion or miscommunication.
- MBC must prepare and distribute press/news-releases/written press statements, especially at conferences, to ensure accuracy of understanding. In sensitive cases, approval should be sought from the concerned senior Police Official or the Police Commissioner.
- All conversations with the news media should be considered on record and capable of being quoted.
- While covering a crime scene, a good vantage point should be provided from where the media can report without interfering with or compromising the investigation.
- News media should be permitted to take photographs/videos of the crime scene and incidents from the designated area/s.
- Information relating to serious crimes affecting people, such as terrorism and civil protest/ unrest, should be cleared by the MBC with a senior Police official or the Police Commissioner before being released to the news media.

## Aspects to be Considered Before Release of Information

- Persons under investigation may not be named but should be identified once they have been named in an FIR. Persons who are under arrest should not be named. If a suspect is subsequently (a) released without charge or (b) bailed, this fact can be released to the media, but the person should remain unidentified. When a person has been charged and kept in custody by the Court, their name, age, occupation, details of the charge, and forthcoming Court appearance may normally be given. However, their address may not ordinarily be given.
- The principal exceptions to the practice are juveniles and women, who must not be named. In cases involving victims of sexual offences, the person charged must not be named if there is any danger that, by



doing so, a victim or survivor may be identified. While holding media briefings in such matters, the media should be informed of the nature of the offence and the investigation being conducted and that disclosing the identity of persons involved in the case is prohibited.

- MBC should not refer to the character of the accused/victim or disseminate information that may amount to pre-judging the guilt or innocence of an accused.
- MBC/police should not leak any sensitive and confidential information, including the contents of charge sheets, confessions, or versions of witnesses, whose evidence could be vital at the stage of trial as it could create a narrative within the public, which could prejudice the rights of the accused.

### **Company Investigation**

- In relation to an investigation into corporate fraud and other similar matters, discretion must be exercised since information relating to such investigation may affect the commercial interests of the public at large and also, such investigation may be compromised by premature release of information, but media publicity may help bring forward further evidence and witnesses or in alerting the public to the malpractice.

### **Pre-Verdict Media Briefings in Criminal Cases**

- While pre-trial and pre-conviction media briefings may be desirable, the overriding principle is that nothing should be done to prejudice the investigation and forthcoming trial.
- Where a face-to-face group briefing is held, the following points are good practice:-
  - i. A record should be kept of all journalists attending the briefing. Journalists should be reminded at the outset of their obligations under the Contempt of Courts Act and any other relevant legislations.
  - ii. The information given by the MBC/police should be recorded and documented.
  - iii. Careful consideration should be given as to how to deal with those areas of the prosecution's case which at a later stage may be ruled inadmissible. Journalists should be warned of the possibility that anything mentioned during pre-trial briefing could be ruled out at a later stage.

### **What should be released**

- The media should be given as full a briefing as possible. However, careful consideration should be given to the release of items with potential evidentiary value. Further, information that would impinge on an individual's right to a fair trial should not be disclosed.

### **Release of Information about Sex Offenders**

- Disclosure of particulars of sex offenders may be desirable as an exception to avoiding disclosure otherwise for reducing the risk posed by an offender. The amount of information disclosed may be limited to necessary information to ensure the safety of the individual(s) at risk. Where the media is used to warn the public about an offender, police should consider doing this through a press conference.

### **Public Accountability, Safety & Basic Principles of Co-operation**

- All media enquiries should receive a response, and whatever possible questions should be answered. Where this is not possible for safety or similar reasons or within the given time constraints, this may be clearly stated in a confidential briefing with Senior Editors or other suitable persons.
- In some instances, the media may be requested to consider delaying publication or broadcast to ensure that publicity does not jeopardize the on-going investigation or existing security arrangements.
- MBC/Police should correct any errors of information that may have occurred during media briefings at the earliest.

## Photographs & Names of Persons

- Releasing a 'wanted' photograph/video footage should happen when the police think that the named suspect may be a danger to the public.
- Police photographs of the accused/convict should be released if it involves either public interest or a serious arrestable offence.

## Identification of Victims or Suspects

- Care should always be taken to ensure that victims or other innocent parties featured in released material are not prejudiced. The identity of victims, witnesses and innocent bystanders should be disguised before release.
- It may be appropriate to disguise the identity of police officers/ employees featured in released material.
- Suspects should be similarly protected where their identification may jeopardize legal proceedings, except when the police seek to identify a suspect through the released material.

## Department of Space

### Seeking inputs on projection of Satcom Capacity

Director, Program Management and Authorization, Indian National Space Promotion and Authorization Centre (IN-SPACe), vide email dated 14.7.2023 informed NBDA that "With the release of ISP 2023 - the guidelines for implementation of the policy shall be rolled out soon. IN-SPACe has been entrusted with the responsibility of according authorizations to Indian Entities for various space activities. As a proactive measure, in order to work out the strategy for regulating and strengthening ecosystem for meeting the SATCOM requirements in the country, IN-SPACe would like to ascertain the projection of satellite capacity demand to meet the requirements of various SATCOM applications in the country". Based on inputs received from 15 broadcasters, the questionnaire was submitted on 16.8.2023.

### Revised Draft Guidelines and Directives for implementation of the Indian Space Policy 2023 in respect of Authorization of Space Activities

Director, Program Management and Authorization, IN-SPACe, vide email dated 21.8.2023 had informed NBDA that Indian Space Policy 2023 (ISP 2023), brought in recently by the Government, envisages authorization by IN-SPACe for the space activities undertaken by the Indian entities (both Government and Non-Government entities) within/outside India. IN-SPACe has been working on the guidelines for implementation of the ISP-2023 in respect of different categories of authorizations that are expected to be issued shortly. IN-SPACe sought suggestions/inputs on the revised version. NBDA submitted its comments on 1.9.2023.

NBDA stated that with the release of the new Space Policy in 2023, a much-needed step has been taken to revise the Space Policy of India, which has been in vogue since its inception in 2000. The erstwhile Space Policy was administered in accordance with Norms, Guidelines and Procedures for implementation of the policy framework for Satellite Communications in India ('Satcom-NGP'), which were also issued in the year 2000 and have been the foundation for the provision of Space-based services in India. The Space Policy 2000 allowed Indian entrepreneurs to make Orbital Filings to the International Telecommunication Union (ITU) under the administration of India and launch and operate satellites over India, which would be considered Indian satellites. These were governed under the Committee for Authorization of Indian Space Systems (CAISS).

NBDA carefully reviewed the Satcom-NGP (2000) and CAISS vis-à-vis the Draft Guidelines and being an association of news broadcasters, its comments were primarily focused on Chapter IV- Authorization for Space-Based Communication Services.



A summary of the key submissions made by NBDA are as follows:

1. While it is probable that due to the new Space Policy, over a period of 4-10 years, new orbital filings may be made, and new satellites may be launched. However, the Policy is not anticipated to have an immediate or short-term impact on the availability of Space Capacity in India, either in the C- Band or in the Ku-Band, which is needed to alleviate current shortages for broadcasters and other users, particularly with the ingress of 5G services in the C-Band.
2. As IN-SPACe and the DoS are well aware, broadcasters rely heavily on foreign satellites in the C-Band to uplink their channels, which constitute about 75% of all C-Band capacity used by Indian broadcasters. In addition, they are also dependent on the use of the Ku-Band by their distribution partners, primarily DTH operators, which account for over 80 million customers.
3. Under the provisions of Satcom-NGP 2000 and the uplinking permission granted to the broadcasters, Indian broadcasters were allowed to contract for satellite capacity directly from foreign satellite operators. In this regard, attention is invited to Article-4: Norms, Guidelines and Procedures Regarding Use of Foreign Satellites of the Satcom-NGP and the Policy Guidelines for Uplinking of Television Channels in India, 2011, under which Indian broadcasters could: -
  - a. Enter into direct agreements with Foreign Satellite operators, which could be short-term or long-term agreements. These agreements could be signed if the foreign satellite had no coordination issue or was not considered a security threat. Funds were transferred to the foreign satellite operator using the permissions given by MoI&B and RBI. Some broadcasters have signed five-year agreements lasting up to 2025 or beyond with foreign satellite operators.
  - b. Choose the foreign satellite based on 'footprint' or other considerations. Broadcasters can select the satellite that best meets their requirement. Today, it is the broadcasters who choose the satellite and its beam, whether regional or global.
  - c. Further, a wide range of C-Band satellites are available from where the broadcasts from India happen, with the most popular ones being Intelsat- 20, Intelsat-36, Intelsat-17, Asiasat-5, Asiasat-7, Thaicom-7, Apstar-7, Measat-3 ST-2, SES-8 and SES-12.
  - d. In addition, satellite uplinks are possible to neighboring country satellites such as Bangabandhu-1, Nepal-1, and Gulf satellites. Some of these may have only 1-2 channels, but Indian broadcasters are given the flexibility to deliver signals globally. All the above satellites have different footprints and coverage areas, as well as types of transponders available.
4. Impact of the Provisions under the new Draft Guidelines:
  - a. Broadcasters lose the right to select the Foreign Satellite Operator  
Under the Draft Guidelines, broadcasters must use only those Foreign satellite operators who apply as an Indian Entity to become an Indian Provider of Foreign Space Capacity. IN-SPACe may select such operators based on geopolitical considerations and international relations as well as their submission to coordination demands of ISRO/DoS. [Chapter IV III (e)].

As foreign satellite operators have significant business out of India, spanning up to 140 countries and long-term interests in their business, they are unlikely to comply with such directives. Therefore, the requirement imposed under the Draft Guidelines narrows the sub-set of satellite operators to only those who apply for and form an Indian Entity and are able to obtain approval for their satellites by crossing the hurdles of planned band capacity, orbital coordination and possible transfer of their filings to India.

- b. Broadcasters must now choose only from those satellites that are approved based on Coordination by their Operators

Most foreign satellites have transponders in the normal C-Band, extended bands, and “plan bands”. Such satellites whose plan bands are not approved would no longer be available to continue the lease, which leases must be terminated forthwith. This would pose a problem for the broadcasters, particularly in view of the proliferation of 5G in the lower C-Band, which will reduce the capacity of all existing satellites by up to 60%.

- c. Sunset clause on all broadcaster contracts to be 31st December 2024

Under the Draft Guidelines, broadcasters have been given the concession to extend their lease agreements for operation with foreign satellite operators until 31st December 2024. However, this would give the satellite operators only about one year by the time the Draft Policy 2023 is released.

Post this date, broadcasters would have no clarity on (i) Which satellite operators will apply for an Indian Entity? (ii) How much time will their applications take owing to considerations of coordination and orbital rights? (iii) What capacity would be available post 31st December 2024? (iv) In what manner broadcasters should plan for distribution agreements in India and overseas based on the vagaries of satellite operators willing to form an Indian entity or otherwise? and (v) What would be the fallback capacity in India in case of difficulties in completing the process by December 2024.

- d. Draft Guidelines are not implementable

The Draft Guidelines are not implementable as the FDI Guidelines have been left unspecified, in the absence of which foreign satellite operators cannot set up Indian entities. Further, taxation on such entities is also unclear in view of the current interpretation of lease of Satellite capacity as a Royalty. Hence, DTAA provisions may not be applicable, and the Indian entities may be liable for tax in India. In view of the foregoing, it is unclear how the Draft Guidelines will impact foreign transponder prices in India.

- e. Indian broadcasting will shift to overseas Teleports

There are a number of channels which uplink from overseas teleports on foreign satellites. The foreign satellites may make capacity available from outside India only to avoid compliance issues in India.

- f. Distribution Sector (DPOs)

The DPOs in India, specifically DTH operators, are issued licenses for 10 years/ 20 years based on their selection of foreign satellites. ISRO approved these foreign satellites based on these being coordinated and not constituting security threats to the country. Some foreign satellites used for DTH include SES-8, Measat-3, ST2 and SES-9. While the licenses have been issued based on the satellite used, the Draft Guidelines set 31st December 2024 as a sunset date, which is just a year and 3 months away.

Each DTH operator has millions of customer dishes looking at the satellite, which constitutes the only source of entertainment and education in rural areas. The question, therefore, is that if the concerned satellite operator cannot complete the onerous process of creating an Indian entity and providing a satisfactory coordination response to DoS, the leases can no longer be renewed beyond 31st December 2024, and the DTH system then must shut down.

The situation of DTH Operators here is similar to those of broadcasters, who can no longer decide on their own but must rather depend on the actions of satellite operators, who may not be able to comply with the formalities in time to have their Indian entities established and give the coordination that DoS needs to enable their systems.



5. Intent in seeking Coordination from Satellite Operators (Chapter IV, Section III)
  - a. This also brings into question the intent of placing an additional burden on the satellite operator to grant coordination to DoS as per their demand. India operates in the area of Satellite Orbital Coordination under the aegis and processes of the ITU. Thus, creating a parallel process under the pressure of not granting access to customers in India unless they yield to the demands of DoS, which they were reluctant to under the ITU process, is a misuse of the power assumed by the entities concerned under the new Space Policy.
  - b. The issue now is that various satellites such as NSS-6/SES-8, SES-8, and Measat-3, some of which have been permitted by DoS to be leased to Indian DTH operators, in some cases for nearly 20 years, can now be prevented access unless they meet additional demands of coordination from DoS.
6. Relation between Customers of Communications/ Broadcast Services and Entities in the Space Sector
  - a. The Policy is silent on the relation and touchpoints between the users of satellite services and the entities in the space sector, viz. NSIL, ISRO, DoS and IN-SPACe. Under the current order of business rules, the operators take permission from ISRO/DoS for foreign capacities by approaching them a few months before the expiry of leases. This is done in parallel with the MoI&B.
  - b. Under the new draft policy, there is no mention of customers, i.e., the users of Space capacity and how and whom they should approach. There is ample mention of the satellite operators who must approach IN-SPACe to get their systems approved and the processes they must comply with.
7. Agency to oversee the needs of the industry
  - a. The users of broadcasting, DTH and telecom services need space capacity, which today is not being met by the Indian Satellites. Under the Draft Guidelines, IN-SPACe has been assigned the role to grant various permissions and approvals. However, there is a lack of agency that will holistically look at the current usage, upcoming requirements and the overall demands of the users and how these can be met.
  - b. Future Indian satellites, which could be launched after ITU coordination, is a distant milestone that could be achievable in 5-10 years. However, in the interim, there is a need for an agency which will ensure that the needs of the industry/ users can be met.
8. Ingress of the C-Band via the allocation of C-Band Spectrum to 5G
  - a. There is an existential threat to the entire broadcasting sector due to the ongoing discussions/ consultations for allocating a part of the C-Band spectrum to 5G services, thus reducing the overall capacity by over 60%. However, this is being planned without funding and launching new satellites whose model is purported to be copied.
  - b. Merely marking the C-band spectrum as dual-use (broadcast and IMT) does not absolve the agencies to judicially allocate the spectrum as per the legacy use and interests of the entire broadcast industry.
  - c. In various consultative processes, including with the TRAI, no inputs have been received from the DoS or IN-SPACe on the impact of part allocation to 5G and how the current satellite bands and transmissions can be preserved, which implies that the Industry has been left to fend for itself. Needless to say, the proposal will hurt the smaller players more than the larger players, who may be able to pay a premium pricing for the balance spectrum left.



The New Space Policy 2023 and its Draft Guidelines may be well intended to carve out certain activities such as building and launching satellites or filing for spectrum to private entities. However, the Policy, in so far as it deals with the satellite capacity users, is regressive. Under the Space Policy 2000, the users could contract directly with foreign satellite operators (with DoS approval), which they would no longer be permitted to do. Instead, they must now contract with Indian entities of the foreign satellite operators, if and when established, which can be a serious bottleneck as the requirements of the broadcast industry are quite dynamic, and there is a need in news, sports and other areas of entertainment to contract foreign satellite capacities for short-term or long-term use on an urgent basis.

NBDA submitted that moving away from the open skies policy in the C-Band to a regulated Indian entity-based contracting is undesirable. The industry will be happy to take the help of any Indian entities that may be established in future. However, closing the door on all other capacities unavailable via these Indian entities is highly regressive and should be relooked into.

Subsequently, NBDA on 02.09.2024 also submitted its additional comments stating that many Indian Broadcasters using foreign satellites have international presence for their TV channels spanning across countries of Europe, Africa, Australia besides complete coverage of Asia. This gives international viewership to the channels with a single satellite. However, such wide footprints are presently not provided by Indian satellites. Hence, switching to Indian satellites will impact the viewership, reach, revenue and markets of these channels.

Presently, ISRO does not inform the exact space capacity along with technical parameters available to the interested applicants. It is only after making the application that the applicant in due course is informed whether the required capacity is available or not. This brings an element of uncertainty in the business operations of the broadcasters. In addition, there is an issue with allocation of non- contiguous frequency.

Foreign satellite operators may not find it viable to open offices in India and repatriate funds to their principals. This move seems to be to force Indian broadcasters and other users of foreign satellites to move to Indian providers irrespective of their business requirements.

While the country's need to preserve foreign exchange and promote local satellite industry is appreciated; however, existing businesses need competitive services from local satellite operators to ensure continuity of business. ISRO would also need to scale up its support and responses to a 24x7 operation that private satellite providers do extremely well.

Subsequently, IN-SPACe on 03.05.2024 has released the "Norms, Guidelines and Procedures for implementation of the Indian Space Policy 2023 in respect of authorization of space activities"

### **Indian National Space Promotion and Authorization Centre (IN-SPACe)**

NBDA was invited for a discussion on 19.7.2024 towards demand projection of SATCOM capacity in India for the next 5 years. The meeting was chaired by Director, IN-SPACe along with representatives from DOS, DOT & MoI&B. Secretary General, NBDA was accompanied by its members representing TV Today, India TV & Times Now. To ascertain the requirements, it was informed that broadcasters are sharing information concerning the Satellites being used and the number of channels directly with IN-SPACe.

It was also informed that the Indian satellites are presently not having wider footprint and the reach of the many Indian Broadcasters whose channels are being broadcast over many other countries will get impacted in case of migration of their uplinking to an Indian satellite from foreign satellites which they are using currently. Hence, NSIL should plan to build and launch satellites having wider footprints to meet the requirement of international reach of Indian broadcasters. In addition, it was suggested that NSIL should develop adequate capacity so that



the requirement of the broadcasters is met, and they are offered contiguous bandwidth instead of bandwidth in small chunks. It was also pointed out that due to the high quality of content in the form of HD channels (and/or 4k channels), the bandwidth requirement is likely to grow in years to come. NBDA also raised its concern regarding the allocation of 100 MHz from C-band to telcos.

## **Department for Promotion of Industry and Internal Trade ('DPIIT'), Ministry of Commerce, and Industry**

### **Stakeholders' consultation to discuss the issues pertaining to Copyright Societies**

NBDA attended a meeting of the stakeholders called by the IPR - Copyrights, Design and CIPAM Section of DPIIT, Ministry of Commerce and Industry on 23.8.2023 in hybrid mode to discuss the following agenda points:

- i. Single window system of Copyright Licensing
- ii. Single equitable remuneration
- iii. Issue of exemption under Section 52 of the Copyright Act, 1957
- iv. Interplay between Section 30 and Section 33 of the Copyright Act, 1957

Due to paucity of time only issues relating to the setting up of the single window system of Copyright Licensing & Single equitable remuneration were discussed.

### **High Profile visit of the Director General, World Intellectual Property Organization**

The Director General ('DG'), World Intellectual Property Organization ('WIPO') visited India from 11-13 October 2023. During his visit, the DG, WIPO met and interacted with industry bodies strongly connected with the IP ecosystem in order to showcase India's growth stories in the IP ecosystem. An industry interaction with DG, WIPO was organized by DPIIT on 12.10.2023. DPIIT extended an invitation to NBDA to attend the said event. NBDA along with representatives from ABP, TV18 and TV Today attended the event.

NBDA spoke on the theme "*Safeguarding IP Assets in the Digital Era*," highlighting the issues relating to Publisher-Platform relationship and raised concerns surrounding AI. NBDA suggested that WIPO must consider bringing up some basic principles which can promote and ensure: (a) Open, safe, trusted, and accountable internet and (b) algorithmic accountability. Social media must also be subject to fair and non-discriminatory content monetization rules for platform generated and user generated content. WIPO must consider formulating a policy which promotes growth of innovation and technology while also protecting the rights of the creators.

Further, while raising the issue of high-risk AI system, NBDA stated that the internet should be prevented from becoming a toxic space. Thus, WIPO must consider formulating a convention which can be internationally accepted and which would act as a lighthouse for other domestic legislations which could be harmonized and synchronized with the WIPO principles.

The DG was also informed of the legislative developments which were underway in India including the proposed Digital India Act, which would address concerns emanating from AI, ML, Block Chain, Cyber Security, Robotics, Web 3.0, AR, VR, and MR.

## **Prasar Bharati**

### **Interaction with CEO, Prasar Bharati on PB- SHABD**

On 26.4.2024, NBDA was invited to attend an interactive session regarding Prasar Bharati's new initiative PB-SHABD (Prasar Bharati-Shared Audio-Visuals for Broadcast and Dissemination), a news sharing service that provides daily news feeds in video, audio text, photo and other formats to media organizations. The meeting was attended by NBDA along with representatives from Times Now, ETV, TVTN, Editorji and Asianxt Digital. CEO, PB informed that PB-SHABD, was launched on 13.3.2024 and would be available in all major Indian



languages and across 50 categories. Presently the feed is available in 22 languages. PB-SHABD would be available for free for a period of 1 year from the date of its launch i.e. 13.3.2024. Thereafter, the broadcasters have had separate meetings with the technical team of Prasar Bharati.

## Indian Institute of Mass Communication

NBDA received a request from the Professor, Journalism, IIMC for feedback and suggestions on the draft syllabus for the MA in Media and Communication Governance (MA-MCG) to enhance the quality and relevance of their academic programmes.

In response, NBDA stated that the draft syllabus is comprehensive and detailed. Its objective of promoting research and policy formulation in the domain of media, which has been accurately identified as a niche genre, is commendable. The course would lead to the emergence of media professionals who would be adept at addressing industry-specific needs. The syllabus adequately covers all relevant topics and is aligned with the intended learning outcomes. However, it would be beneficial if a reference is also made to the Code of Ethics & Broadcasting Standards which were formulated in 2008 and the Specific Guidelines formulated subsequently, which together lay down the broad Code of Conduct to be followed by all Members of NBDA while broadcasting and/or publishing news and current affairs. Further, in the list of Indian organizations annexed in the syllabus, it may be helpful to add the details of News Broadcasters & Digital Association (NBDA), along with the URL of NBDA's website.

IIMC informed NBDA, that they had carefully reviewed the suggestions, which would be suitably incorporated into the final syllabus.

## FIR against Asianet Journalist

NBDA vide letter dated 26.6.2023 had written to the Chief Minister of Kerala inviting his attention to an FIR in crime No. 1745/2023 registered in Ernakulam Central Police Station on 9.6.2023 against the Chief Reporter of Asianet News, a Member channel of NBDA for offences punishable under Sections 120-B, 465, 469, 500 of the Indian Penal Code and Section 120(0) of the Kerala Police Act.

NBDA received a reply dated 21.9.2023 from Assistant Commissioner of Police C-Branch, Kochi City, Investigating Officer stating that "*as per the investigation conducted so far, no evidence is obtained to proceed against Asianet News Reporter (Accused-5) in this case. Hence a report was submitted before the Hon'ble Chief Judicial Magistrate Court, Ernakulam on 05.09.2023 for obtaining sanction to conduct the investigation against Accused 1 to 4 after dropping Accused-5 from the Accused List*".

## Press Releases

**27.8.2024:** A delegation of the News Broadcasters & Digital Association (NBDA) led by its President, Mr. Rajat Sharma, called on Prime Minister Mr. Narendra Modi on 27.08.2024. The delegation informed the Prime Minister regarding the health of the news broadcast industry, constraints, problems, and challenges faced in the era of digital revolution which was severely impacting and affecting the growth of the 'News' genre. Also present in the meeting was Mr Ashwini Vaishnaw, Minister for Information & Broadcasting.

**9.7.2024:** The Board of NBDA unanimously elected Rajat Sharma, Chairman of India TV as the President of NBDA.

**28.6.2024:** NBDA circulated the amended News Broadcasting & Digital Standards Regulations.

**24.6.2024:** NBDA was surprised to note that the carriage of signals of Sakshi TV, a member of NBDA and three other news broadcasters were blocked, by the Cable TV Operators Association of Andhra Pradesh. NBDA sought the intervention of the Government of Andhra Pradesh to urge the cable operators to review its stand and avoid a situation of confrontation which is neither in the interest of the stakeholders nor in public interest.



**21.2.2024:** NBDA strongly condemned the incident involving the physical manhandling of iTV Correspondent, by political party workers during the Nyay Jodo Yatra in Rae Bareilly. Such incidents involving physical harm to journalists are not only unacceptable but are also a direct attack on the media's freedom of speech and expression. It urged the administration to take immediate action against the erring individuals.

**8.2.2024:** NBDA expressed strong reservations and concerns regarding the Draft Broadcasting Services (Regulation) Bill, 2023 which was circulated in November 2023 by the MoI&B.

**18.9.2024:** NBDA announced the names of the Office bearers and other members of the Board for the year 2023-2024.

**14.9.2024:** NBDA urged the I.N.D.I.A. Media Committee to withdraw its decision of boycotting certain journalists and anchors.

## Corporate Matters

### Office Bearers of NBDA

In terms of Article 26 of the Articles of Association, the following Directors were elected Office Bearers of the Association for the year 2023-2024:

President	Mr. Rajat Sharma (Independent News Service Pvt. Ltd.)
Vice President	Mr. M.V. Shreyams Kumar (Mathrubhumi Printing & Publishing Co. Ltd.)
Honorary Treasurer	Ms. Anuradha Prasad Shukla (News24 Broadcast India Ltd.)

### Membership

During the year under report, the following entities have become Associate Members of NBDA:

Bloomberg Television Production Services India Private Ltd (Bloomberg TV)  
Collective Newsroom Prvt Ltd  
BBC World Service India Prvt Ltd

The details of Members/Associate Members of the Association are annexed as **Annexure-1**.

## News Broadcasting & Digital Standards Authority (NBDSA)

### 1. Amendments to the News Broadcasting & Digital Standards Regulations

With the inclusion of digital news publishers in the membership of NBDA, the News Broadcasting & Digital Standards Regulations were amended. The amendments duly approved by the Chairperson NBDSA have been circulated to all Members, Editors and Legal Heads.

### 2. Appointments in NBDSA

During the year under report, the NBDA Board requested the Chairperson, Justice (Retd.) A.K.Sikri to continue as the Chairperson of NBDSA for a period of two years w.e.f. 25.5.2024. The Board also appointed Ms. Vrinda Sarup, former Secretary to the Govt of India, as an Independent Member of NBDSA, for a period of three years w.e.f. 10.1.2024. Mr. Rajeev Devaraj, Executive Editor, Mathrubhumi News, Mr. M. Gunasekaran, Editor in Chief, Sun News and Ms. Vaishali Sood, Senior Managing Editor, NDTV Convergence have been appointed as members in the Editors category for a period of two years w.e.f. 10.10.2023 and 24.5.2024 respectively.

## Legal Matters - Supreme Court

S. No	Title	Details
1.	People's Union for Civil Liberties and Anr. v The State of Maharashtra & Ors. [Criminal Appeal No. 1255 of 1999]	The appeal arises from an Order passed by the Hon'ble Bombay High Court in Criminal Writ Petition No. 1146 of 1997 in relation to alleged fake encounter killings. The matter came up on 13.09.2023, on which date the Hon'ble Supreme Court directed the Union Ministry of Home Affairs to prepare a comprehensive manual on media briefings by police personnel.
2.	Dr. Surat Singh v Union of India and Ors. [W.P. (C) No. 316 of 2008]	A writ petition had been filed under Article 32 of the Constitution for ensuring effective enforcement of fundamental rights of citizens (in this case Dr. Rajesh Talwar) in relation to police handling and media coverage of the Aarushi murder case. NBA had filed an intervention in the matter. The matter is to be heard with People's Union for Civil Liberties and Anr. v The State of Maharashtra & Ors. [Criminal Appeal No. 1255 of 1999].
3.	Act Now for Harmony and Democracy (ANHAD) and Anr. v Union of India and Ors. [T.C. (C) No. 27 of 2011]	The case arises from a Writ Petition filed before the Hon'ble Delhi High Court seeking a judicial inquiry into the encounter killings at Batla House, New Delhi and for laying down guidelines for the police and the media regarding the publication of information obtained/claimed to be obtained during investigation. The Supreme Court vide Order dated 25.02.2011 allowed NBA's application seeking transfer of Writ Petition (Civil) No. 7368 of 2008 titled "Act Now for Harmony & Democracy (ANHAD) & Anr. Vs Union of India & Ors" which was pending before the Delhi High Court to the Supreme Court, since the said petition involved similar issues. The matter is to be heard with People's Union for Civil Liberties and Anr. v The State of Maharashtra & Ors. [Criminal Appeal No. 1255 of 1999].
4.	Firoz Iqbal Khan v Union of India (NBA) [W.P.(C) No. 956 of 2020].	A PIL was filed seeking the issuance of directions to the Central Government and Ministry of Information and Broadcasting to issue necessary guidelines/instructions to restrain the media, both print and electronic, social media networks as well as Sudarshan News from broadcasting or reporting any news relating to religion which creates any communal disharmony. The matter last came up substantively on 29.11.2023. While the matter was subsequently listed for disposal on several dates the matter has not come up as yet.
5.	Union of India & Anr. v NBA & Ors. [SLP (C) No. 11566 of 2021]	Union of India (UOI) had filed an SLP impugning the Interim Order dated 9.7.2021 passed by the Hon'ble Kerala High Court in <i>News Broadcasters Association Vs. Ministry of Electronics &amp; Information Technology W.P. (C) No. 13675/2021</i> . In the SLP, UOI had inter alia prayed for an interim relief that the Hon'ble Court pass an order granting stay of effect and operation of the impugned Interim Order dated 09.07.2021 passed by the Hon'ble Kerala High Court in respect of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 [IT Rules 2021]. The matter along with the Transfer Petition ' <i>Union of India &amp; Anr. v Sayanti Sengupta &amp; Ors. TP (C) No. 1248- 1252 of 2021</i> ' were listed on 22.03.2024, on which date, the Hon'ble Supreme Court directed for all petitions challenging the IT Rules 2021 to be transferred to the Hon'ble Delhi High Court. Further, the SLPs seeking modification of the various Interim Orders by High Courts were disposed of with liberty to the Union of India to make the necessary prayers before the Hon'ble Delhi High Court. Consequently, the matter stands disposed of. All petitions



S. No	Title	Details
		including NBDA's petition challenging IT Rules have been transferred to the Hon'ble Delhi High Court. However, it may be pertinent to note that the Interim Order dated 09.07.2021 granted by the Hon'ble Kerala High Court in favor of NBDA and its Members continues.
6.	Union of India & Anr. v Sayanti Sengupta & Ors. [TP (C) No. 1248- 1252 of 2021]	UOI had filed a Transfer Petition seeking transfer <i>inter alia</i> , of <i>News Broadcasters Association and Ors Vs. UOI and Ors. W.P. (C) No. 13675/2021</i> . NBA had filed a caveat in the matter. Vide Order dated 22.03.2024, the Hon'ble Supreme Court directed for all petitions challenging the IT Rules 2021 to be transferred to the Hon'ble Delhi High Court. Consequently, the matter stands disposed of.
7.	Union of India v News Broadcasters Association [SLP (C) No. 13661 of 2021]	Union of India had filed an SLP against the Order of the Kerala High Court dated 16.07.2021 in the matter of " <i>News Broadcasters Association &amp; Ors Vs Union of India Through Ministry of Information and Broadcasting</i> " [WP(C) 14239 of 2021]. In the SLP, UOI inter alia prayed for an interim relief that the Hon'ble Court pass an order granting stay of effect and operation of the impugned Interim Order dated 16.07.2021 passed by the Hon'ble Kerala High Court in relation to the Cable Television Networks Amendment Rules, 2021 [CTN Amendment Rules]. The matter came up on 23.07.2024, on which date the Hon'ble Supreme Court transferred the writ petitions challenging the CTN Amendment Rules to the Hon'ble Delhi High Court and observed that the Hon'ble Delhi High Court would accordingly consider as to whether or not the aforesaid interim orders should be confirmed or vacated. Consequently, the matter stands disposed of. All petitions including NBDA's petition challenging CTN Amendment Rules have been transferred to the Hon'ble Delhi High Court. However, the Interim Order dated 16.7.2021 granted by the Hon'ble Kerala High Court continues.
8.	Jamait-Ulama-I Hind & Anr. v Union of India & Anr. [W.P. (C) No. 787 of 2020]	The Petitioners had filed a PIL seeking directions to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print, electronic media and social media. Vide order dated 27.05.2020, NBDA was impleaded as Respondent No.4 in the matter to represent electronic media. Subsequently, the Writ Petition was amended to include a challenge to the CTN Amendment Rules and NBDSA was impleaded as Respondent No.5 in the matter. The matter was heard along with <i>Union of India v News Broadcasters Association [SLP (C) 13661 of 2021]</i> . When the matter came up on 23.07.2024, the learned counsel for the petitioner submitted that in view of the order passed by the Hon'ble Supreme Court in the companion transfer petitions and special leave petitions, they would withdraw the writ petition which would be subsequently filed before the Delhi High Court of Delhi. In view of the above submission, the Hon'ble Supreme Court dismissed the writ petition as withdrawn.
9.	National Alliance of Journalists & Ors. v Union of India & Ors. [W.P. (C)No. 928 of 2020]	The writ petition relates to retrenchment of employees in the print media and digital media organizations. NBA has been made a Respondent in the matter. On 17.05.2024, after hearing the Parties, the Hon'ble Supreme Court held that it was not inclined to entertain the Writ Petitions, which was accordingly dismissed.

S. No	Title	Details
10.	News Broadcasters Association v Union of India & Ors. [SLP (C) No.017959 of 2023]	A Special Leave Petition was filed against the Judgment dated 18-01-2021 in PIL (ST) No.92252 of 2020 and Criminal PIL (ST) No.1774 of 2020, challenging inter alia certain observations made by the Hon'ble Bombay High Court on self-regulation. The matter came up for hearing on 18.09.2023, on which date the Hon'ble Court granted an opportunity to the petitioner (NBA) and to the sixteenth respondent (NBF) to place their schemes of self-regulation before the Court. NBDA has filed its Rejoinder and the Amended News Broadcasting & Digital Standards Regulations in the matter on 16.10.2023. Subsequently, an affidavit with the complete amendments was filed on 8.7.2024.
11.	Hema Rajaraman v Union of India [W.P.(C) No. 509 of 2023]	A writ petition has been filed inter alia praying that the Hon'ble Court issue an appropriate writ, order or direction directing NBDSA and all news & media entities and agencies to desist from reporting on the criminal proceedings involving Criminal Case No. 2081/2023 registered before Patiala House Court, New Delhi and arising from FIR No. 06/2023 dated 04.01.2023. NBDA has been made Respondent in the matter. The matter was listed on several dates however it has not substantively come up for hearing.

## Legal Matters - High Courts

### A. Allahabad High Court – Lucknow Bench

S. No	Title	Details
1.	Dr. Nutan Thakur v Union of India WRIC No. 9976 of 2013 (M/B)	Aggrieved by the impugned order dated 16.10.2013, passed by the NBSA, Dr. Nutan Thakur filed the said writ petition. The matter has not come up for hearing.

### B. Bombay High Court

S. No	Title	Details
1.	Lahu Chandu Chavan v State of Maharashtra & Ors. W.P. (CRL.) No. 1119 of 2021	After hearing the submissions of the Petitioner on 4.3.2021, the Bombay High Court directed media organizations to scrupulously follow the guidelines issued in Nilesch Navlakha Vs. Union of India (2021 SCC Online Bom 56) and further to refrain from publishing or giving any unnecessary publicity to the incident of the death of the daughter X of the Petitioner and her alleged illicit relationship with Y. The matter has not come up for hearing thereafter.
2.	IA(L) No. 17704 of 2023 News Broadcasters & Digital Association and 2 Ors. In the matter between Editors Guild of India v State of Maharashtra & Ors. [W.P.(L) No. 14955 of 2023]	NBDA had filed an Intervention Application in the matter of Editors Guild of India vs Union of India WP (L) 14955 of 2023 challenging Rule 3(II)(A) and (C) of the Information Technology (Intermediary Guidelines and Digital Ethics Code) Amendment Rules, 2023 [Amendment Rules 2023], which establishes a 'Fact Check Unit' to identify 'fake', 'false' or 'misleading' content in respect of the 'business of the Central Government'. A split verdict was delivered by the Hon'ble Bombay High Court on 31.01.2024. In view of the split verdict, the Chief Justice of the Hon'ble Bombay High Court referred the matters to a Third Judge. The arguments in the matter have been concluded and the Hon'ble Court has reserved its judgment. It may be noted that the Hon'ble Supreme Court vide Order dated 21.03.2024 has stayed the notification of the Fact Check Unit by Ministry of Electronics & Information Technology.

### C. Calcutta High Court

S. No	Title	Details
1.	Sri. Charles Nandi v Union of India & Ors. [WPA No. 5705 of 2020 with CAN 3633 of 2020]	The petition has been filed by an employee praying for the Respondent authorities to frame a scheme for providing financial assistance to all media personnel in the State of West Bengal facing financial crisis during the pandemic. State Govt. of West Bengal, INS, NBA, Bennett Coleman, ABP, Aajkaal and Trade Union Organizations of the print media have been made Respondents in the matter. The matter has not come up.

### D. Delhi High Court

S. No	Title	Details
1.	M/s. News Broadcasters Association and Ors. v Telecom Regulatory Authority of India [W.P.(C) No. 7989 of 2013] News Broadcasters Association & Ors. v Union of India [W.P. (C) No. 4307 of 2021]	A writ petition has been filed by the NBDA and its other members for quashing and setting aside the Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013 issued by the Telecom Regulatory Authority of India vide Notification dated 22.03.2013. Subsequently, another Writ Petition was filed by NBA challenging Rule 7(11) of the Cable Television Network Rules, 1994 on the ground that it violates Article 19(1)(a) read with Article 19(2) of the Constitution. Notice was issued on the writ petition in April 2021. The matter is now posted for the sur-rejoinder of Union of India and for the rejoinders of the Petitioner. The Interim Orders granted in favour of the Petitioners in the year 2013 in W.P. 7989/2013 continue.
2.	Sadhan Haldar v The State of NCT of Delhi and Ors. [W.P.(CRL)No. 1560 of 2017]	On 22.1.2019 a detailed order was passed by the Hon'ble Court issuing directions to various agencies involved in the recovery and restoration of missing children in Delhi. NBA has entered its appearance and no directions have been passed in respect of NBA.
3.	Disha Ravi v NCT of Delhi & Ors. [W.P. (C) 2297 of 2021]	A writ petition was filed seeking inter alia the issuance of a writ of mandamus and/or writ of like nature directing NBDSA to take appropriate action against News18, Times Now and India Today and other private news broadcasting channels under its Guidelines for reporting on Disha Ravi in a manner that is violative of fair trial rights and right to privacy. The matter is listed for 21.10.2024.
4.	Shehla Rashid Shora v NBDA & Ors. [W.P. (C) No. 13361 of 2022]	The Writ Petition arises from the Order No. 129(2022) dt.31.03.2022 passed by the NBDSA in respect of a complaint filed by the Petitioner against Zee News. In the Writ, the Petitioner has prayed <i>inter alia</i> , for the issuance of an appropriate writ, order or direction directing the NBDSA to suitably modify its Order and pass directions to the Respondents to air, an apology to the Petitioner at 11 p.m. on any non-holiday weekday on the same Zee news channel, uttered slowly and clearly by the same news anchor in Hindi, The matter is posted for 11.11.2024.
5.	Vijay Nair v Central Bureau of Investigation & Anr. [W.P. (C) No. 15617 of 2022]	The Petitioner, an accused in the Delhi Liquor Excise Policy Scam has filed a Writ Petition inter alia seeking the issuance of a writ of mandamus thereby directing the Respondents to ensure that no leakages of court proceedings are made so as to prejudice the fundamental right of the Petitioner to have a free and fair trial. NBDSA along with TV Today Network Limited (India Today), Times Group (Times Now) and Essel



S. No	Title	Details
		Group (Zee News) have been made Respondents in the matter. NBDA was also subsequently impleaded as Respondent in the matter. The matter is now listed for 24.09.2024.
6.	CRL MA (No). 5041 of 2023 in Asif Iqbal Tanha (Through Pairokar) v State of NCT of Delhi & Ors. [WP (CRL.) 1292 of 2020]	A writ petition was filed before the Hon'ble Delhi High Court by Asif Iqbal Tanha, an accused in the Delhi riots against publication and broadcast by various news outlets, of highly sensitive / confidential information in connection with ongoing criminal investigations into inter alia Case FIR No. 59/2020. The Petitioner inter alia, prayed for the Hon'ble Court to (i) Direct Respondent Nos.3, 4, 5 & 6 and various other media agencies to take down the sensitive/confidential information leaked to them by the officials of Respondent No.2; (ii) Direct an inquiry into misconduct of official or officials of Respondent No.2 responsible for leaking information to Respondent Nos.3-6 and other such media agencies; and (iii) Issue guidelines on media reporting of ongoing criminal investigations. In view of the prayers made in the petition and the averments contained therein, an intervention application was filed on behalf of NBDA in the matter. The matter is now listed for 03.09.2024.
7.	Azmat Ali Khan v Union of India [W.P.(C)No 6332 of 2023]	In the Writ Petition, the Petitioner has inter alia, prayed that the Hon'ble Court issue a Writ of Mandamus or any other appropriate Writ/Order/ Direction to the Respondents to take action as per law to take down/restrain the publication of articles/videos, circulation of fake news and internal details of the FIR 295/2023 dt. 19.04.2023 registered under Sections 323, 376, 506 and 509 of the Indian Penal Code pending the investigation. On 22.05.2023, NBDSA filed an application for deletion under Order 1 Rule 10(2) CPC on the grounds that no specific averments had been made against it and none of the answering respondents were members of NBDA. The matter is now posted for 11.09.2024.
8.	R.V. v Navbharat Times and Ors. [CS (OS) No. 115 OF 2024]	The Plaintiff in the above-mentioned case filed a suit for declaration, defamation, permanent and mandatory injunction, and consequential damages along with an application seeking ex-parte ad-interim temporary injunctions before the Hon'ble Delhi High Court. Vide Order dated 20.02.2024, the Hon'ble Court deleted NBDSA from the array of parties.
9.	Sanser Pal Singh v Union of India & Ors. [W.P.(C)8216 OF 2024]	The Writ Petition arose from news reports concerning the alleged assault of Aam Aadmi Party Rajya Sabha MP and former chairman for Delhi Commission for Women. The matter came up on 31.05.2024, on which date the Petitioner withdrew the Petition along with the pending applications.
10.	News Broadcasters Association and Ors. v Ministry of Electronics and Information Technology and Anr. W.P.(C) 6390/2024	The Hon'ble Supreme Court vide Order dated 22.03.2024 had transferred all Writ Petitions challenging the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) 2021, including News Broadcasters Association Vs. Ministry of Electronics & Information Technology W.P. (C) No. 13675/2021 filed before the Hon'ble Kerala High Court to the Hon'ble Delhi High Court. Subsequently, the matter along with other related matters were listed before the Hon'ble Delhi High Court on 14.08.2024. After considering the submissions of the Petitioners, the Hon'ble Court observed that it would be appropriate to appoint one Coordinator for the petitioners and one for the respondents, so that the matters can be segregated issue wise. The Hon'ble Court also directed the parties to complete the pleadings within four weeks.



S. No	Title	Details
		Furthermore, since the Hon'ble Supreme Court had also transferred matters challenging the vires of Cable Television Network Amendment Rules, 2021 to the Hon'ble Delhi Court, the Hon'ble Court directed the Registry to list the said batch of Cable Television Network Amendment Rules, 2021 along with the present batch, which would be shown as separate and independent matters. The matters are now listed for hearing on 14.10.2024.

### E. Karnataka High Court

S. No	Title	Details
1.	Peoples Movement Against Sexual Assault (PMASA) v Department Of Women and Child Department, State of Karnataka & Ors. [W.P. No.6301 of 2017]	A writ petition has been filed which seeks for the Hon'ble Court to issue a Writ of Mandamus inter alia to Respondent No. 11, NBSA, (i) to strictly enforce the laws and self-regulatory norms formulated to preserve the confidentiality of the identity of the victims of sexual assault; (ii) to strictly enforce the laws and self-regulatory norms formulated for sensitive and non-sensational reportage of incidents of sexual assault; (iii) to formulate effective and accessible grievance redressal mechanisms against objectionable or offensive content in local languages. The matter last came up for hearing on 8.7.2022.

### F. Kerala High Court

S. No	Title	Details
1.	K. Biju v Union of India and Others. [W.P.(C) No. 21336 of 2013]	A Writ Petition has been filed seeking that the Hon'ble Court issue a Writ of Mandamus, directing Respondent Nos 1 and 2 i.e. Union of India and the State of Kerala respectively to take effective steps to prevent violation of the Programme Code of the Cable Television Networks Act, 1995 and Cable Television Networks Rules, 1994 by private news channels and to frame stringent statutory provisions for effectively preventing violation of the above Codes.
2.	News Broadcasters Association and Ors. v Union of India & Ors. [W.P. (C) No. 13675 of 2021]	A Writ Petition was filed by NBA challenging the Information Technology (Intermediary Guidelines & Digital Media Ethics Code) Rules, 2021 [IT Rules, 2021] on the grounds that the IT Rules,2021 give the Government Authorities excessive powers to unreasonably and impermissibly restrict the freedom of speech and expression of the Media and are therefore <i>ultra vires</i> Article 19(1)(a), apart from being violative of Article 14 and Article 19(1)(g) of the Constitution. On 9.07.2021, the Hon'ble Court passed an Interim Order in favour of NBA and its members directing the Respondents to refrain from taking any coercive action against the Members of NBA for not implementing/ complying with "Part III Code of Ethics and Procedure and Safeguards in Relation to Digital Media of the IT Rules 2021" pending disposal of the writ petition. Union of India filled an SLP titled ' <i>Union of India &amp; Anr. v NBA &amp; Ors. SLP (C) No. 11566 of 2021</i> ' challenging the Interim Order. Vide Order dated 22.03.2023, the Hon'ble Supreme Court directed for all petitions including NBDA's petition challenging the IT Rules 2021 to be transferred to the Hon'ble Delhi High Court. However, it is pertinent to note that the Interim Order dated 09.07.2021 granted in favour of NBA and its members continues.

S. No	Title	Details
3.	News Broadcasters Association and Ors. v Ministry of Information and Broadcasting [W.P. (C) No. 14239 of 2021]	A Writ Petition was filed by NBA challenging the Cable Television Networks (Regulation) Act, 1995, [Cable TV Act], the Cable Television Networks Rules, 1994 [Cable TV Rules] and the Cable Television Networks (Amendment) Rules, 2021 [Amendment Rules, 2021] on the grounds that the Cable TV Act, Cable TV Rules and the Amendment Rules, 2021 are violative of the fundamental rights guaranteed under Part III of the Constitution of India including Article 14, Article 19(1)(a) and 19(1)(g). After hearing the Petitioners, the Hon'ble High Court passed an Interim Order on 16.7.2021 directing the Ministry of Information and Broadcasting to refrain from taking coercive action against NBA and its members for not complying with the Amendment Rules, 2021 pending disposal of the writ petition. Union of India had filed an SLP titled <i>News Broadcasters Association &amp; Ors Vs Union of India Through Ministry of Information and Broadcasting" [WP(C) 14239 of 2021]</i> challenging the Interim Order granted in favour of NBA. Vide order dated 23.07.2024, the Hon'ble Supreme Court transferred the writ petitions challenging the CTN Amendment Rules to the Hon'ble Delhi High Court. Therefore, all petitions including NBDA's petition challenging CTN Amendment Rules have been transferred to the Hon'ble Delhi High Court. However, the Interim Order dated 16.7.2021 granted by the Hon'ble Kerala High Court continues.
4.	News Broadcasters & Digital Association and Ors. v Union of India [WP (C) 27623 of 2023]	A writ petition has been filed challenging Clause 35, 4(4), 7(4), 11(4), 8(1)(c), 11(3)(e), 11(3)(i), 10(1)(vii), 9(2), 12(2), 24, 25, 26 and 36 of the Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022 and the Advisory dated 30.1.2023 as being ultra vires Article 19(1)(a), 19(1)(g) and 14 of the Constitution. The matter was subsequently listed on 16.10.2023, on which date the Hon'ble Judge passed an Interim Order directing for status quo to be maintained. The matter came up on several dates on which dates the Interim Order dated 16.10.2023 was extended.

### G. Madhya Pradesh High Court - Indore Bench

S. No	Title	Details
1.	Nyaaayi Through its Founder & Editor & Anr. v Arnab Goswami & Ors [W.P. (P.I.L.) 14379 of 2020]	The case has been filed for taking action against Republic TV for violating the Cable Television Networks (Regulation) Act, 1995 and Cable Television Networks Rules, 1994. An amendment application was moved by the Petitioner, because of which NBA and NBSA have been made Respondents in the matter.

### H. Madras High Court - Madurai Bench

S. NO	Title	Details
1.	WMP (MD) No. 2365 of 2020 titled News Broadcasters Association In Mohammed Razvi v Telecom Regulatory Authority of India (TRAI) & Ors. [W.P. (MD) NO. 4357 of 2019]	The Madurai Bench of the Madras High Court issued notices to the TRAI and the Secretary of the Ministry of Communication and on a plea seeking a ban on advertisements by private channels violating the TRAI's advertisement rules. NBA has moved an application before the Madurai Bench of the Madras High Court seeking Impleadment/intervention in the matter to bring to the Court's notice the fact that a matter with similar questions of law is pending before the Delhi High Court. The matter has not come up for hearing.

2.	J. Kirubha Priyadarshini v Union of India & Ors [ W.P. (MD) No. 21429 of 2021]	In the writ petition, the Petitioner inter alia prayed, that the Hon'ble Court direct the Respondents to scrupulously execute the provisions of the POCSO Act, 2012 the Juvenile Justice Act,2015, the Press Council Act, 1978, India Penal Code, 1860 and the Information Technology Act,2000 apart from adhering to the directions of the Hon'ble Supreme Court.
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## I. Punjab and Haryana High Court

S. No	Title	Details
1.	Manish Goel v Securities & Exchange Board of India & Ors. [CWP PIL No. 1 of 2023]	A PIL was filed seeking inter alia, the issuance of a writ of mandamus/ certiorari, or any other appropriate writ (i) to the Respondents with a direction for compliance to the provisions of SEBI Research Analyst Regulations, 2014; (ii) to the Respondents No. 2 to 4 that they should allow only SEBI Registered Research Analyst on their platforms/channels for providing opinion/tips on listed stocks and (iii) impose exemplary cost on Respondents No 2 to 4 for not complying with SEBI Research Analyst Regulations, 2014 and on Respondent No.1 for not enforcing Regulations, 2014 on TV Channels and social media intermediaries and on analysts giving stock tips/opinion on TV Channels and social media intermediaries. The matter was listed for 13.08.2024, however due to paucity of time it was not taken up and is now posted for 19.11.2024.

## Competition Commission of India

S. No	Title	Details
1	News Broadcasters & Digital Association v Alphabet Inc. & Ors.	NBDA had in September 2022, filed an Information with the CCI under Section 19 of the Competition Act, 2002 alleging that Google and its subsidiary/affiliate companies have abused their dominant position under Section 4 of the Competition Act, 2002. CCI vide its order dated 6.10.2022, clubbed the matter with the ongoing investigations in similar complaints filed by DNPA and INS. CCI also directed the Director General to investigate the present matter and submit a consolidated investigation report in all matters.

## Trade Marks Authority

S. No	Title	Details
1	Registration of NBDA with Trade Marks Authority	The Trade Marks Authority vide its Registration Certificate No. 3403530 dated 16.02.2024 and Registration Certificate No. 3408968 dated 19.02.2024 has registered NBDA's Trade Mark Application for its Logo in Class 35 and Class 41 respectively. In respect of TM Application bearing No. 5800208 for registration of the NBDA Logo in Class 45, an objection was raised and the Application was listed for hearing on 28.8.2024 before Ld. Registrar of Trade Marks. Vide Order dated 28.08.2024, the application has been accepted by the Registrar and would be now advertised in the Trade Marks Journal.

## News Broadcasting & Digital Standards Authority

The actions taken by the News Broadcasting & Digital Standards Authority during the year under report have been shown separately in the Annual report.

**By Order of the Board of Directors of  
News Broadcasters & Digital Association**



**Rajat Sharma**

President

[DIN No.:00005373]

Place: New Delhi  
Date : July 9, 2024



# Annexure - 1

## Members of News Broadcasters & Digital Association

S. No.	Name of the Member	Channel(s)
1.	ABP Network Pvt. Ltd.	ABP News, ABP Majha, ABP Anando, ABP Asmita
2.	Asianet News Network Pvt. Ltd.	Asianet News, Asianet Suvarna News
3.	BBC Global News India Pvt. Ltd.	BBC World
4.	Bennett, Coleman & Co. Ltd.	Times Now, ET Now, Mirror Now, Times Now World, Times Now Navbharat HD, ET Now Swadesh, Times Now Navbharat
5.	Eenadu Television Pvt. Ltd.	ETV-Andhra Pradesh, ETV-Telangana
6.	Independent News Services Pvt. Ltd.	India TV
7.	Mathrubhumi Printing & Publishing Co. Ltd.	Mathrubhumi News
8.	MMTV Ltd.	Manorama News Central
9.	New Delhi Television Ltd.	NDTV24x7, NDTV India
10.	New Generation Media Corporation Pvt. Ltd.	Puthiya Thalaimurai
11.	New24 Broadcast India Ltd.	News24 Think First, News 24 Madhya Pradesh – Chhattisgarh
12.	SUNTV Network Ltd.	Sun News
13.	TV Today Network Ltd.	Aajtak, India Today, Good News Today, Aajtak HD
14.	TV18 Broadcast Ltd.	CNN NEWS18, News18 India, CNBC Bazaar, CNBC TV18, CNBC Awaaz, News18 Assam/North East, News18 Tamil Nadu, News18 Kerala, News18 Uttar Pradesh/Uttarakhand, News18 Rajasthan, News18 Madhya Pradesh/Chhattisgarh, News18 Bihar/ Jharkhand, News18 Jammu/Kashmir/Ladakh/ Himachal, News18 Bangla, News18 Kannada, News 18 Punjab/Haryana, News18 Gujarati, News18 Odia
15.	Writemen Media Pvt. Ltd.	Public TV
16.	Zee Media Corporation Ltd.	Zee News, Zee Business, Zee 24 Taas, Zee Hindustan, Zee Delhi NCR Haryana, Zee Madhya Pradesh Chattisgarh, Zee Punjab Haryana Himachal, Zee Rajasthan, WION, Zee Salaam, Zee 24 Kalak, Zee Uttar Pradesh Uttarakhand, Zee Bihar Jharkhand, Zee Kannada News, Zee Telugu News

## Associate Members

### A. Broadcasters

17	Asnani Builders & Developers Ltd.	Anaadi TV
18	IBN Lokmat News Pvt. Ltd.	News18 Lokmat
19	Indira Television Ltd.	Sakshi
20	Malayalam Communications Ltd.	Kairali News
21	Total Telefilms Pvt. Ltd.	Total TV, Total Haryana
22	Bloomberg Television Production Services India Private Ltd	Bloomberg Television Asia Pacific Feed
23	BBC World Service India Prvt Ltd	
24	Collective Newsroom Pvt Ltd	

### B. Digital

25	Asianxt Digital Technologies Prvt Ltd	Asianet News:	<a href="https://www.asianetnews.com/">https://www.asianetnews.com/</a>
		Asianet Suvarna	News: <a href="https://kannada.asianetnews.com/">https://kannada.asianetnews.com/</a>
		Asianet News Marathi:	<a href="https://marathi.asianetnews.com/">https://marathi.asianetnews.com/</a>
		Asianet News Hindi:	<a href="https://hindi.asianetnews.com/">https://hindi.asianetnews.com/</a>
		Asianet News Bangla:	<a href="https://bangla.asianetnews.com/">https://bangla.asianetnews.com/</a>
		Asianet News Tamil:	<a href="https://tamil.asianetnews.com/">https://tamil.asianetnews.com/</a>
		Asianet News Telugu:	<a href="https://telugu.asianetnews.com/">https://telugu.asianetnews.com/</a>
		Asianet News English:	<a href="https://newsable.asianetnews.com/">https://newsable.asianetnews.com/</a>
		MyNation (English):	<a href="https://www.mynation.com/">https://www.mynation.com/</a>
		MyNation Hindi:	<a href="https://hindi.mynation.com/">https://hindi.mynation.com/</a>
26.	Indiadotcom Digital Pvt. Ltd.	India.com [English]	<a href="https://www.india.com/">https://www.india.com/</a>
		India.com [Hindi]	<a href="https://www.india.com/hindi-news/">https://www.india.com/hindi-news/</a>
		Zee News [English]	<a href="https://zeenews.india.com/">https://zeenews.india.com/</a>
		Zee News [Hindi]	<a href="https://zeenews.india.com/hindi">https://zeenews.india.com/hindi</a>
		Zee Business [English]	<a href="https://www.zeebiz.com/">https://www.zeebiz.com/</a>

Indiadotcom Digital Pvt. Ltd.	Zee Business [Hindi]	<a href="https://www.zeebiz.com/hindi/">https://www.zeebiz.com/hindi/</a>
	Zee Bharat	<a href="https://zeenews.india.com/hindi/zee-hindustan/live-tv">https://zeenews.india.com/hindi/zee-hindustan/live-tv</a>
	Salaam Tv	<a href="https://zeenews.india.com/hindi/zeesalaam">https://zeenews.india.com/hindi/zeesalaam</a>
	Zee Punjab Haryana Himachal	<a href="https://zeenews.india.com/hindi/zeephh">https://zeenews.india.com/hindi/zeephh</a>
	Zee Madhya Pradesh Chhattisgarh	<a href="https://zeenews.india.com/hindi/india/madhya-pradesh-chhattisgarh">https://zeenews.india.com/hindi/india/madhya-pradesh-chhattisgarh</a>
	Zee Rajasthan	<a href="https://zeenews.india.com/hindi/india/rajasthan">https://zeenews.india.com/hindi/india/rajasthan</a>
	Zee Odisha	<a href="https://zeenews.india.com/hindi/zeeodisha">https://zeenews.india.com/hindi/zeeodisha</a>
	Zee Delhi NCR Haryana	<a href="https://zeenews.india.com/hindi/india/delhi-ncr-haryana">https://zeenews.india.com/hindi/india/delhi-ncr-haryana</a>
	Zee Bihar Jharkhand	<a href="https://zeenews.india.com/hindi/india/bihar-jharkhand">https://zeenews.india.com/hindi/india/bihar-jharkhand</a>
	Zee Uttar Pradesh Uttarakhand	<a href="https://zeenews.india.com/hindi/india/up-uttarakhand">https://zeenews.india.com/hindi/india/up-uttarakhand</a>
	Zee 24 Taas	<a href="http://zee24taas.in">zee24taas.in</a>
	Zee 24 Ghanta	<a href="http://zee24ghanta.com">zee24ghanta.com</a>
	Zee 24 Kalak	<a href="http://zee24kalak.in">zee24kalak.in</a>
	Zee Tamil News	<a href="https://zeenews.india.com/tamil/">https://zeenews.india.com/tamil/</a>
	Zee Telugu News	<a href="https://zeenews.india.com/telugu/">https://zeenews.india.com/telugu/</a>
	Zee Kannada News	<a href="https://zeenews.india.com/kannada/">https://zeenews.india.com/kannada/</a>
	Zee Malayalam News	<a href="https://zeenews.india.com/malayalam/">https://zeenews.india.com/malayalam/</a>
	Kesar TV	<a href="https://www.kesartv.com/">https://www.kesartv.com/</a>
	WION	<a href="https://www.wionews.com/">https://www.wionews.com/</a>
	Bollywood Life (English)	<a href="https://www.bollywoodlife.com/">https://www.bollywoodlife.com/</a>
	Bollywood Life (Hindi)	<a href="https://www.bollywoodlife.com/hi/">https://www.bollywoodlife.com/hi/</a>
	Techlusive (English)	<a href="https://www.techlusive.in/">https://www.techlusive.in/</a>
	Techlusive (Hindi)	<a href="https://www.techlusive.in/hi/">https://www.techlusive.in/hi/</a>



	Indiadotcom Digital Pvt. Ltd.	TheHealthsite (English)	<a href="https://www.thehealthsite.com/">https://www.thehealthsite.com/</a>
		TheHealthsite (Hindi)	<a href="https://www.thehealthsite.com/hindi/">https://www.thehealthsite.com/hindi/</a>
		Cricketcountry (English)	<a href="https://www.cricketcountry.com/">https://www.cricketcountry.com/</a>
		Cricketcountry (Hindi)	<a href="https://www.cricketcountry.com/hi/">https://www.cricketcountry.com/hi/</a>
		Screenbox	<a href="https://screenbox.in/">https://screenbox.in/</a>
		Mylord (English)	<a href="https://www.my-lord.in/">https://www.my-lord.in/</a>
		Mylord (Hindi)	<a href="https://www.my-lord.in/hindi/">https://www.my-lord.in/hindi/</a>
		Wion Drive	<a href="https://www.wiondrive.com/">https://www.wiondrive.com/</a>
		Petuz.india.com (English/Hindi)	<a href="https://petuz.india.com">https://petuz.india.com</a>
		Travel.india.com (English/Hindi)	<a href="https://travel.india.com">https://travel.india.com</a>
27	NDTV Convergence Ltd.		<a href="https://ndtv.in/">https://ndtv.in/</a> <a href="https://www.ndtv.com/">https://www.ndtv.com/</a>
28	Quintillion Business Media Ltd.		
29	Editorji Technologies Pvt. Ltd.	Editorji	<a href="https://www.editorji.com/">https://www.editorji.com/</a>



# News Broadcasting & Digital Standards Authority

During the year under report, NBDSA met under the Chairmanship of Justice, A. K. Sikri, former Judge of the Supreme Court of India. NBDSA had eight meetings during the year under report, which were convened virtually. NBDSA in these meetings considered, reviewed and decided 181 complaints (115<sup>th</sup> -122<sup>nd</sup> meetings), which included complaints directly received by the broadcasters and settled at the first level and complaints received at the second level i.e. NBDSA. The Election Commission of India (ECI) also has been sending complaints/petitions of Members to the NBDSA for its consideration. All complaints received by NBDSA were assessed and dispensed in accordance with the News Broadcasting & Digital Standards Regulations for violation of the Code of Conduct.

## Given below are the edited text of the Decisions / Orders passed by NBDSA

The full text of the decisions are available on the website of NBDA and can be viewed on <http://www.nbdanewdelhi.com/decisions>

S. No	Channel	Details of Complaint	Decision
1.	ABP News	The complainant's grievance was regarding the use of the term "Dalit" before his name in an article hosted on the broadcaster's website.	NBDSA decided that since no response was received from the complainant and the broadcaster had taken corrective action by updating the article, it was presumed that the complainant was satisfied with the action taken by the broadcaster. Therefore, no further action was required in the complaint. Accordingly, NBDSA decided to close the complaint.
2.	Times Now	The complaint was in respect of a broadcast titled "Assembly's Motion to Punish BBC   Free Speech Hypocrisy Exposed   Will Lutyens BBC Bhakts Speak Up?". It was alleged that the anchor was actively trying to promote the resolution passed by the Gujarat Government and had failed to report the key developments informing public opinion on the government's assault on free speech.	NBDSA noted that since the complainant had failed to show that he had acted diligently and/or that the delay in filing the complaint had been caused for reasons not of the complainant's making and/or for other sufficient cause, NBDSA cannot condone the delay of 16 days on the part of the complainant in escalating the complaint to the Authority. NBDSA rejected the application seeking condonation of delay and decided to dismiss the above complaint on the ground that it was filed beyond the period of limitation permitted under the Regulations.
3.	India TV	The complaint relates to a debate titled "Haqiqat Kya Hai  IT Raid On BBC   PM Modi   Delhi!". It was alleged that in the impugned programme, the Hindenburg Report and the BBC documentary were repeatedly promoted as being motivated by anti-Modi and anti-Indian sentiment.	On a perusal of the impugned broadcast, NBDSA observed that the views of several persons were put forth in the broadcast. Therefore, NBDSA found no violation of the Code of Ethics and Broadcasting Standards in the impugned broadcast. NBDSA decided to close the complaint

S. No	Channel	Details of Complaint	Decision
4.	India TV	The complainant stated that the programme titled "George Soros on PM Modi: मोदी सेको विदेशी गैंग EXPOSE हो गया   S Jaishankar   Gautam Adani  New York" violated Fundamental Principle Number 4 and Principle Numbers 1 and 2 of Self-Regulation relating to Impartiality and Objectivity in reporting and ensuring Neutrality respectively.	NBDSA found no violation of the Code of Ethics and Broadcasting Standards in the impugned broadcast. NBDSA decided to close the complaint.
5.	Times Now Navbharat	The complaint was in respect of a broadcast titled "News Ki Pathshala" aired on 22.03.2023 for violating the Fundamental Principle Number 4, Principle Numbers 1 and 2 of Self-Regulation relating to Impartiality and Objectivity in reporting and ensuring Neutrality respectively.	NBDSA found no violation of the Code of Ethics and Broadcasting Standards in the impugned broadcast. However, NBDSA emphasized that in programmes such as "News Ki Pathshala," the anchor should keep in mind that facts should be clearly distinguishable from, and not be mixed-up with, opinion, analysis and comment. NBDSA decided to close the complaint with the aforesaid observations.
6.	Aaj Tak	The complaint related to a confusing and incorrect broadcast concerning the circulation ban on 2000- rupee banknotes. The complainant alleged that in the impugned broadcast, the broadcaster attempted to capture the attention of its audience by broadcasting a misleading and confusing news concerning the withdrawal of the 2000-rupee banknotes.	On a perusal of the footage, it was found that the impugned broadcast merely informed the viewers that while Reserve Bank of India had withdrawn Rs.2,000/- banknotes from circulation, the broadcast did not insinuate that 'Notebandi' meant that the same could not be treated as legal tender. In view of the above, NBDSA did not find that there were any mistakes, significant or otherwise, in the impugned broadcast which needed to be acknowledged and corrected. Therefore, NBDSA found no violation of the Code of Ethics & Broadcasting Standards in the impugned broadcast. NBDSA decided to close the complaint.
7.	Asianet News	The complaint concerned the program "News Hour" which was a news debate on "the opposition meet in Patna". In the impugned programme, it was alleged that the anchor made some remarks which were against the fundamental principles, Section 1 and principles of Self-Regulation, Section 2. The anchor made a comment suggesting since the general elections were nearing, there was a chance that incidents like "Pulwama terror attack" would happen again.	NBDSA did not find any violation of the Code of Ethics & Broadcasting Standards and the Guidelines in the impugned programme. NBDSA, therefore, decided to close the complaint.

S. No	Channel	Details of Complaint	Decision
8.	News18 Bangla	The complaint related to a programme titled "JU Student Death : মুখোমুখি Swapnadeep এর বোবো ও Sourav এর মো, কী বলখলন তোরো?   Bangla News Translation: JU Student Death: Face to face Swapnadeep's father and Sourav's mother, what did they say?   Bangla News." It was alleged that in the impugned programme, the broadcaster had pitted the father of a deceased student of Jadavpur University against the mother of a former student who had been arrested for allegedly bullying the deceased.	NBDSA noted that both the parents (deceased and accused) had approached the broadcaster to present their version of the incident. NBDSA was of the view that ragging in educational institutions and the consequences thereof is a matter of concern. Therefore, it is important to highlight such incidents and the reporting of the incident certainly was in public interest. NBDSA did not find any violation of the Code of Ethics & Broadcasting Standards and Guidelines in the impugned programme. NBDSA therefore decided to close the complaint.
9.	Aaj Tak	In the impugned broadcast, the anchor discussed the question of the disenfranchisement of minorities in India. He used a singular incident of the welcome given to the 2008 blasts terror accused Abdul Nasar Madni at his home, to claim that the issue of the disenfranchisement of minorities is false.	NBDSA observed that since the complainant had failed to show that he had acted diligently and/or that the delay in filing the complaint had been caused for reasons not of the complainant's making and/or for other sufficient cause, NBDSA could not condone the delay of 15 days on the part of the complainant in escalating the complaint to the Authority.  NBDSA accordingly rejected the application seeking condonation of delay and decided to dismiss the above complaint on the ground that it was filed beyond the period of limitation permitted under the Regulations.
10.	Times Now	This complaint was against the failure of the broadcaster to report a critical fact of the following incident:- On 31st July, on the Jaipur-Mumbai Central Superfast Express, Constable Chetan Singh, 33, shot dead his senior, Assistant Sub-Inspector (ASI) Tikaram Meena (57), before methodologically shooting 3 Muslim passengers sitting further ahead. In a video, shot by fellow passengers, Singh, standing next to a body, is purportedly heard saying: "... Pakistan se operate hue ye, aur media yehi coverage dikha rahi hai, unko sab pata chal raha hai ye kya kar rahe hain... Agar vote dena hai, agar Hindustan mein rehna hai to mai kehta hoon Modi aur Yogi, ye do hain."	NBDSA observed that since the complainant had failed to show that he had acted diligently and/or that the delay in filing the complaint had been caused for reasons not of the complainant's making and/or for other sufficient cause, NBDSA could not condone the delay of 20 days on the part of the complainant in escalating the complaint to the Authority.  NBDSA accordingly rejected the application seeking condonation of delay and decided to dismiss the above complaint on the ground that it was filed beyond the period of limitation permitted under the Regulations.

S. No	Channel	Details of Complaint	Decision
		<p>However, the Officials said they were checking the authenticity of the video.</p> <p>In its broadcasts on the aforesaid incident, the statements made by constable Chetan Singh after the shooting have not been reported by the broadcaster at any point of time. This omission of a crucial fact that informs the viewers beliefs regarding the motives of the crime, which prima facie seem clearly motivated by Islamophobic intent, amounted to a violation of the right to information of the viewer.</p>	
11.	Zee Kannada News	<p>The complainant stated that on 05.09.2023, Zee Kannada had broadcast a false and malicious news claiming that I, as a Minister in the Government of Karnataka, stated that farmers were committing suicide to receive compensation of Rs. 5,00,000 from the government. The news broadcast was nothing but false, malicious, and created as such statement was never made by me.</p>	<p>NBDSA held that since the complaint was filed beyond the period of seven days from the date of the first broadcast/publication as prescribed under Regulation 8.1.6, the complaint was barred by limitation and cannot be considered on merits. In view of the above, NBDSA held that it has no alternative but to dismiss the complaint as being barred by limitation under Regulation 8.1.6. NBDSA accordingly decided to close the complaint.</p>
12.	NDTV Convergence	<p>The complaint concerned an article titled निगम आयुक्त का फोन हैक करके DM को दी धमकी, 3 महीने बाद पूर्व पार्षद और उसका बेटा गिरफ्तार. It was alleged that the article prematurely declares a phone hacking incident as a fact, despite the matter being sub judice. It also suggests motives without presenting concrete evidence, which is speculative and could be considered defamatory.</p>	<p>NBDSA considered the application dated 10.02.2024 filed by the complainant seeking condonation of delay at the first level of redressal i.e., at the time of filing the complaint with the broadcaster under Regulation 8.1.6 of the News Broadcasting &amp; Digital Standards Regulations (Regulations). NBDSA decided to reiterate to the complainant that under Proviso 1 &amp; 2 to Regulation 8.1.6 of the Regulations, no power is vested with it to condone the delay in filing of a complaint with the broadcaster, which is beyond the period of 7 days from the date of broadcast. Further, since the complainant had filed the application seeking condonation of delay under Proviso 1 to Regulation 8.2, NBDSA decided to clarify that Proviso 1 to Regulation 8.2, can be exercised by the Authority only to condone the delay at the second level of redressal i.e., at the time of escalating the complaint to NBDSA and not at the first level of redressal. In view of the above, since the delay of 67 days was at the</p>

S. No	Channel	Details of Complaint	Decision
			first level of redressal, NBDSA held that it has no alternative but to dismiss the complaint as being barred by limitation under Regulation 8.1.6. NBDSA decided to close the complaint with the aforesaid observations .
13.	India Today	<p>The complaint concerned an interview conducted by India Today News Director with the Home Minister of India.</p> <p>It was alleged that in the interview, the Home Minister made repeated false claims about the value of electoral bonds received by the Bharatiya Janata Party, which the anchor chose not to correct.</p> <p>Further, the broadcaster amplified the falsehood spread by the Home Minister by uploading the video recording of the interview on various digital platforms without adding a <i>disclaimer</i> about the false and misleading data.</p>	<p>NBDSA noted that there was a delay of one day in filing the complaint with the broadcaster.</p> <p>NBDSA also noted that under the Regulations no power has been conferred on the Authority to condone the delay at the first level of redressal.</p> <p>In view of the above, NBDSA held that it has no alternative but to dismiss the above complaint on the ground that it was filed beyond the period of limitation permitted under the Regulations.</p>
14.	India Today	<p>The complainant stated that Mr. Rajdeep Sardesai hosts a program Prime Time at 9PM every day from Monday to Friday on India Today T.V. Channel. In his program he also conducts a political debate and face off. His wife has been elected as Rajya Sabha member on TMC ticket, it will be very difficult for him to be unbiased in his questioning and anchoring of the program. My suggestion is that Mr. Rajdeep Sardesai should disclose before every program or during the start of the program that his wife is a TMC Rajya Sabha MP, then it is up to viewers to understand the quality of the program and his anchoring. If he does not disclose this then we should not allow him to anchor in any political debate on his prime-time show.</p>	<p>Upon perusing the complaint, NBDSA found no merit in the complaint. Therefore, NBDSA decided to close the complaint.</p>

## Orders Passed by NBDSA

The full text of the Orders are available on the website of NBDA at <https://www.nbdanewdelhi.com/decisions/orders>

S. No	Channel	Details of Complaint	Order
1.	AajTak	<p>The complaints were regarding a Black &amp; White programme on the participation of young Muslim men in the Garba festival in Gujarat. In the programme, a narrative was created that Muslim men were trying to enter the Garba festivals by falsifying their identity. Throughout the programme, the anchor insinuated that this was being done for some illegal purposes and questioned, “<i>yeh muslim yuva akhir garba pandalo mei jana kyu chahte hai aur kya iske peeche love jihad ka maksad ho sakta hai?</i>”.</p> <p>The programme had themes of communal divide throughout its narrative, which the channel did not try to mask in any manner, with the anchor manipulating facts and actively participating in the communal diatribe.</p> <p>During the broadcast, the following questions: ये मुस्लिम युवा गरबा पंडालों में जाना क्यों चाहते है?, हिन्दुओ के धार्मिक अनुष्ठान में शामिल होना मुस्लिमों का संविधानिक अधिकार? शाहीन बाग में ID कार्ड देखना सही तो गरबा पंडालों में गलत कैसे were raised.</p> <p>By airing the impugned programme, the broadcaster had violated Fundamental Principles 1, 3, 4 and 6 and the principles of self-regulation relating to Impartiality and Objectivity in Reporting and Ensuring Neutrality under the Code of Ethics &amp; Broadcasting Standards and the Specific Guideline Covering Reportage relating to Racial &amp; Religious Harmony and Law &amp; Order, Crime &amp; Violence.</p>	<p><b>Order No. 168 (2023) dt. 2.11.2023</b></p> <p>NBDSA found violation of the Code of Ethics &amp; Broadcasting Standards in the impugned broadcast.</p>
2.	Times Now Navbharat	<p>The complaints were regarding a broadcast titled “Sawal Public Ka गरबा बहाना हिंदू बेटियाँ निशाना; Love Jihad News”, which was a news report about a Muslim man being physically assaulted by Bajrang Dal members at a Garba.</p> <p>In the impugned broadcast the following tickers “बहुरूपी भाईजान गरबे में क्या काम”; “गरबे का मैदान क्यों आए भाईजान” and “गरबा का बहाना हिंदू बेटियाँ निशाना” were broadcast and the anchor kept questioning why people from the Muslim community participated in the Garba festivals.</p> <p>The anchor appeared to be targeting the entire Muslim community for an ‘alleged’ folly committed by a few individuals. During the programme, the anchor stated, “<i>why Muslim people don’t attend Ganpati celebrations, Janmashtami, and why do they only love Garba? Come to Ganesh celebrations also</i>”; “<i>they don’t come to say Ganpati Bappa Morya. But they surely come to dance at Garba between bahu-betiyan</i>”; “<i>why do you want to</i></p>	<p><b>Order No.169(2023) dt. 2.11.2023</b></p> <p>NBDSA found a violation of the Guidelines to prevent communal colour in reporting crime, riots, rumours and such related incidents and the Specific Guidelines Covering Reportage relating to Racial and Religious Harmony in the impugned broadcast.</p>



S. No	Channel	Details of Complaint	Order
		<p><i>celebrate Garba together but not come for Durga Puja, Janmashtami, Or Ganesh utsav?"</i> and then stated that since <i>"Islam bans singing and dancing then why do they want to come for Garba?"</i>. The anchor also falsely claimed that a Muslim panellist on the show did not feel any pain about the videos of Hindu women being made and asked why the panellist did not participate in Holi celebrations.</p> <p>By airing the impugned broadcast, the broadcaster had violated the Code of Ethics &amp; Broadcasting Standards relating to Accuracy, Impartiality, Neutrality, Objectivity, and Glorification of Crime, apart from the Specific Guidelines Covering Reportage relating to Racial and Religious Harmony.</p>	
3.	Times Now	<p>The complaint was in respect of three broadcasts titled <i>"Time For Fakery Has Ended   Propaganda Timed To Hurt India?   Nation Wants To Know"</i>, <i>"Nobel Committee Exposes 'Fakery' Of Zubair And Pratik   'Fakes' Not Favourites?   Newshour Agenda"</i> and <i>"Mohammad Zubair &amp; Pratik Sinha Not On Nobel List   Pretext To Taint India's Image?   India Upfront"</i> which were aired on 7.10.2022. In the broadcasts, a debate was conducted based on a Times magazine article which mentioned Altnews' Md Zubair and Pratik Sinha as being one of the "favourites" to be nominated for the Nobel Peace Prize.</p> <p>The names of the Alt News founders were mentioned in Henrik Urdals list, who is the Director of the Peace Research Institute at Oslo, qualifying him to be a nominator. However, despite airing three broadcasts on the issue, none of the anchors intimated the conditions for the nominators to the viewers. This glaring inaccuracy was the foundation of the reporting done by the anchors, whereby they misinformed viewers that the nomination by Henrik Udal had the same value as any ordinary citizen's nomination.</p> <p>Based on this false assumption, the broadcaster aired the most over-the-top speculative conspiracy theory claiming that the news of the nomination was a con job and propaganda that somehow was meant to defame India. The coverage in the impugned broadcast followed the pattern of discrediting and attributing extremist positions to individuals critical of the Modi government.</p>	<p><b>Order No. 170(2023) dt. 2.11.2023</b></p> <p>NBDSA found no violation of the Code of Ethics &amp; Broadcasting Standards and/or Guidelines in the broadcasts.</p>
4.	Times Now	<p>The complaint was regarding two broadcasts titled <i>Delhi HC Rejects Umar Khalid's Bail Plea   Khalid Still 'Islamophobia' Victim?"</i> and <i>"Khalid Still 'Islamophobia' Victim?   Umar Khalid's Bail Plea Rejected   Delhi Riot Case Updates"</i> aired on 18.10.2022.</p> <p>In the impugned broadcasts, the bail order was more or less promoted as a confirmation of guilt, despite the fact that Umar Khalid was being tried under the UAPA, which has a massive acquittal rate, and where it is virtually impossible to get bail as the basic tent of criminal law of</p>	<p><b>Order No. 171(2023) dt. 2.11.2023</b></p> <p>NBDSA did not appreciate the manner in which some of the tickers were aired during the impugned programmes and advised the broadcaster not to telecast tickers in this manner in future.</p>

S. No	Channel	Details of Complaint	Order
		<p>innocent until proven guilty is inverted to put the burden of proof on the accused, to prove their innocence.</p> <p>Despite the fact that these charges have been made by the Delhi Police, against whom serious accusations have been levelled of taking sides in the mob during the Delhi riots, the broadcasters failed to intimate to its viewers the important developments that would affix accountability upon the Delhi Police and the BJP.</p> <p>The coverage followed a pattern of only reporting court developments that promoted the opinion of one interest group, which in this case was the Delhi Police and the BJP.</p>	
5.	News18 Kerala	<p>The complaint concerned news reporting on the ongoing Vizhinjam agitation. In the impugned broadcast, the complainant's name was mentioned, and it was falsely alleged that the leader of the Vizhinjam agitation had received an amount of Rs.11 crores as foreign funds through his wife, i.e., the complainant's account. The amount was alleged to have been received through the account of an NGO, 'Sakhi' Women's Resource Centre, of which the complainant is the Secretary. Further, in the broadcast, the complainant's phone and WhatsApp number was aired, which amounted to an intrusion of her privacy.</p>	<p><b>Order No. 172(2023) dt. 2.11.2023</b></p> <p>NBDSA found a violation of the Code of Ethics &amp; Broadcasting Standards and Guidelines on Broadcast of Potentially Defamatory Content.</p>
6.	Times Now Navbharat	<p>The complaint was regarding a broadcast titled "Rashtravad   2024 में Ram Mandir का उद्घाटन... अभी 'हथौड़े' की बात क्यों?" which was aired on 30.12.2022. In the impugned show, a communal statement was brazenly picked up and made as a point of debate, which was further exacerbated by calling speakers with radical views and allowing them to hurl abuses and physically assault each other. Any responsible channel would have debarred such speakers from its platform and stopped the show then and there. Yet, the anchor continued with the show while making some extremely problematic statements claiming that "by 2047 there will be an Islamic nation" and "Plan to capture the country by increasing population". All this while a picture of a skull-cap-clad crowd was displayed.</p>	<p><b>Order No.173(2023) dt. 2.11.2023</b></p> <p>NBDSA found a violation of the Specific Guidelines for Anchors Conducting Programmes, including Debates in the impugned broadcast.</p>
7.	Times Now Navbharat	<p>The complaint was in respect of a show titled "देवभूमि Uttarakhand में 'जमीन जिहाद' पर बुलडोजर एक्शन की बारी!" aired on 02.01.2023. The impugned show was based on a decision of the Uttarakhand High Court, wherein the Court had allowed the use of force to evict 4,000 families living on what the railways claimed was its land.</p> <p>Based on the Court Order, the channel presented a report and declared that something called "Zameen Jihad" was taking place in Devbhoomi, Uttarakhand.</p>	<p><b>Order No.174(2023) dt. 2.11.2023</b></p> <p>NBDSA found a violation of the Code of Ethics &amp; Broadcasting Standards and the Specific Guidelines covering Reportage on Racial and Religious Harmony in the impugned broadcast.</p>

S. No	Channel	Details of Complaint	Order
		<p>From the beginning of the show, the anchor presented the issue of eviction of the Muslim community with a communal agenda. While the anchor had spoken about the decision of the Uttarakhand High Court, the anchor did not present the legal aspect of the judgment. Rather he used terms such as "zameen jihad" and "bulldozer action of the Dhami government" to spread stigma, even hatred, against the Muslim community, which amounted to creating an 'anti-Muslim narrative'.</p> <p>Therefore, the show amounted to a violation of Section – 1 Fundamental Principle Nos. 1, 3, 4 and 6, the Principles of Self-Regulation relating to Impartiality and Objectivity in reporting and Ensuring Neutrality under the Code of Ethics &amp; Broadcasting Standards and the Specific Guideline covering Reportage relating to Law &amp; Order, Crime &amp; Violence and Racial and Religious Harmony.</p>	
8.	Aaj Tak	<p>The complaint was in respect of a broadcast titled “Black and White with Sudhir Chaudhary LIVE: Uttarakhand Illegal Mazaar in Uttarakhand” aired on 06.04.2023.</p> <p>The complainant stated that any journalist following the principles laid down by the Code of Ethics &amp; Broadcasting Standards &amp; Guidelines would have just presented the news about a government report which had claimed that illegal mazaars were found in Uttarakhand and presented what has been found or alleged, however, the anchor indulged in name-calling, used terms like “Mazaar Jihad” and asked people to report mazaars and ask police to verify them, whether they were real.</p> <p>If the channel intended to report on the government report and show a ground report, the same would have been only fact-based and the show would not have resorted to any name-calling of a specific and marginalized section of the population.</p> <p>Through the content of the show, the channel had acted in complete violation of the Code of Ethics &amp; Broadcasting Standards and few other guidelines pertaining to maintenance of religious harmony.</p>	<p><b>Order No.175(2023) dt. 2.11.2023</b></p> <p>NBDSA finds that the broadcaster should have avoided using the term “Mazaar Jihad” as it has given a totally different dimension to the otherwise valid issue raised by the broadcaster.</p>
9.	News18 India	<p>The complainant stated that the four shows broadcast on the channel in the last one week concerning the Shraddha Walkar murder case violated the Code of Ethics &amp; Broadcasting Standards and Guidelines relating to Neutrality, Accuracy, Fairness, Religious Harmony, Sensationalisation of Crime, Negative Stereotyping and Good Taste. In the Shraddha Walker murder case, Shraddha and her partner, Aftab Poonawala, were in a consensual interfaith relationship. Aftab did not hide his religious identity. Yet, the channel used this case to flame communal fires by connecting it to the Islamophobic</p>	<p><b>Order No.176(2024) dt. 28.2.2024</b></p> <p>NBDSA found a violation of the Code of Ethics, the Specific Guidelines covering Reportage relating to Racial and Religious Harmony and Specific Guidelines for Anchors conducting Programmes including Debates in the impugned broadcasts.</p>

S. No	Channel	Details of Complaint	Order
		<p>conspiracy theory of "love jihad", which is promoted by the right-wing political ecosystem and its allies to fulfil its vested interests.</p> <p>The channel selectively chose cases where victims were Hindu women and perpetrators were Muslim men and failed to mention the instances of violence committed by men of other faiths against women.</p>	
10.	Aaj Tak	<p>The complaint was regarding a broadcast, which contained a reportage and analysis of the incidents of communal violence involving stone pelting, loot and arson that took place around the festival of Ram Navami.</p> <p>In the programme, the anchor failed to mention that a mosque was burnt down in Nalanda, Bihar, that Muslim shops and houses around the mosque were also burnt down and that the cops did not arrive for several hours while the burning was taking place, and when they did arrive, they misbehaved with Muslim women and looted the houses. The anchor kept blaming Muslims for the violence.</p> <p>During the broadcast, several false claims were made by the anchor who stated that <i>"there are only Muslim areas in India where you are not allowed to enter", "there have been no cases where people from other religions were prevented from entering these areas and this happened only in Muslim areas", "that this was a plan to break India into lakhs of pieces" and "that there were no Muslims in the Indian subcontinent before 1206"</i>.</p> <p>He subsequently used the term LOC and brought up Pakistan and China to compare these borders with Muslim areas and said that if anyone crosses these borders, the Muslims burn down houses and shops and are ready with petrol bombs and rocks.</p>	<p><b>Order No.177(2024) dt. 28.2.2024</b></p> <p>NBDSA found a violation of the Code of Ethics, the Specific Guidelines covering Reportage relating to Racial and Religious Harmony and Specific Guidelines for Anchors conducting Programmes including Debates in the impugned broadcast.</p>
11.	Times Now Navbharat	<p>The complaint was in respect of a programme titled "Love तो बहाना है... Hindu बेटियां निशाना है"</p> <p>During the broadcast, tickers and headlines containing generalized statements and allegations, which were aimed at demonizing and spreading hatred against the Muslim community were cited as the <i>"Truth of the Country"</i>. The anchor incorrectly cited Shradha Walker as an example of "love jihad". Further, several unverified and baseless claims such as <i>"Hyderabad mein 2000 ladkiya gayab, love jihad ka shak", "VHP Ke muatbik 2009-2022 mein 400 case" and "Desh mein Love Jihad ka Sach: Sirf 2023 mein Love jihad ke 153 case"</i> were aired. The anchor screamed and shut down panellists who were trying to raise a more significant issue concerning the safety of women in India. Without any facts, the anchor and several panellists claimed that this was an organized criminal conspiracy against Hindu women.</p>	<p><b>Order No.178(2024) dt.28.2.2024</b></p> <p>NBDSA found a violation of the Code of Ethics, the Specific Guidelines covering Reportage relating to Racial and Religious Harmony and Specific Guidelines for Anchors conducting Programmes including Debates in the impugned broadcast.</p>

S. No	Channel	Details of Complaint	Order
12.	Zee News	The complaint concerned fake news which claimed that ChatGPT is against the Hindu religion, which allegation was unfounded, baseless and made without any merit.	<b>Order No.179(2024)</b> <b>dt.28.2.2024</b>  NBDSA found no violation of the Code of Ethics & Broadcasting Standards and Guidelines in the impugned broadcast.
13.	Aaj Tak	The complainant stated that on 24.03.2023, the channel telecasted a show called Black and White, where a video was depicted while explaining the response of the Congress party to the recent conviction of Mr. Rahul Gandhi for the offence of defamation.  In the impugned video, the anchor deliberately and maliciously compared Mr. Rahul Gandhi with someone accused and caught for the offence of robbery. The video also gave the impression that Mr. Gandhi was quoting Nirav Modi and others as a justification for evading the process of the law, which is false to the knowledge of the anchor.	<b>Order No.180(2024)</b> <b>dt.28.2.2024</b>  NBDSA found no violation of the Code of Ethics & Broadcasting Standards, Guidelines issued by it. However, NBDSA noted that the fictional video aired during the broadcast including the story of the robber depicted in the broadcast and the imputation it carried with it concerning Mr. Rahul Gandhi's conviction, was not in good taste and should have been avoided.
14.	Aaj Tak	The complaint was filed against the impugned broadcast for violating the principles of neutrality and objectivity while reporting and analyzing statements made by Barack Obama on the disenfranchisement of minorities in India. The anchor, in his opening statement, without quoting the complete statement, compared Barack Obama's statement with the ideology of Khalistan supporters, pro-Pakistan people in India, separatists and other extremists. He also mentioned that secularism is an elitist concept and that the ideas of secularism, human rights, tolerance and religious freedom are western principles and have been imported to India by Britishers.	<b>Order No.181(2024)</b> <b>dt.28.2.2024</b>  NBDSA found a violation of the Code of Ethics & Broadcasting Standards and the Specific Guidelines for Anchors conducting Programmes including Debates in the impugned broadcast.
15.	India Today	The complaint was filed against a programme titled "Nudity sparks outrage at USA pride parades – How India's LGBTQ+ lead Responsibly", which was full of factual inaccuracies, and intended to spread fear and demonise LGBTQ+ people.	<b>Order No.182(2024)</b> <b>dt.28.2.2024</b>  NBDSA found a violation of Code of Ethics & Broadcasting Standards in the impugned broadcast. Further, since it had received several complaints concerning reporting on the LGBTQIA+ community, NBDSA decided to issue Specific Guidelines for Reportage on Issues concerning the LGBTQIA+ Community.

## Attendance Slip

**News Broadcasters & Digital Association**  
**Regd. Off: FF-42, Omaxe Square,**  
**Commercial Center, Jasola,**  
**New Delhi-110025**

Name and Address of the Member Entity: \_\_\_\_\_

Name of the Authorised Representative of Member Entity: \_\_\_\_\_

I hereby record my presence at the 17<sup>th</sup> Annual General Meeting of the News Broadcasters & Digital Association held on Friday, the 20<sup>th</sup> September, 2024 at 12 noon at Multipurpose Hall, Kamladevi Complex, India International Centre, 40 Max Mueller Marg, New Delhi – 110033

Signature of Member/ Authorised Representative

(To be signed at the time of handling over this slip)

(Please fill Attendance Slip and hand it over at the entrance of the Meeting)







# News Broadcasting & Digital Standards Authority



**Justice A. K. Sikri**  
[Former Judge of Supreme Court of India]  
**Chairperson**

## Independent Members



**Nasim Zaidi**



**Navtej Sarna**



**Mohan Kumar**



**Vrinda Sarup**

## Editor Members



**Vishal Pant**



**Rajeev Devaraj**



**M. Gunasekaran**



**Vaishali Sood**





**News Broadcasters & Digital Association**

**Registered Office:**

FF-42, Omaxe Square, Commercial Centre,  
Jasola, New Delhi – 110 025

**Corporate Office:**

Mantec House, 2nd Floor, C- 56/5 Sector 62,  
Noida – 201 301, Tele/Fax: 0120-4129712

Email: [nbda@nbdanewdelhi.com](mailto:nbda@nbdanewdelhi.com)

Website: [www.nbdanewdelhi.com](http://www.nbdanewdelhi.com)