

REVISED

ORDER

In the matter of Complaint filed by Ms. Ranjitha Menon against the programme 'Nadanthadu Enna-Kutramum Pinnaniyum' telecast on STAR Vijay Channel on 21 March 2012

Ms. Ranjitha Menon, through her letter dated 06/04/2012, filed a complaint with the Ministry of Information & Broadcasting against the telecast of an alleged objectionable programme titled '*Nadanthadu Enna--Kutramum Pinnaniyum*' on 21/03/2012 by STAR Vijay Channel.

Ms. Menon has also filed a Writ Petition (No. 8619 of 2011) before the Hon'ble High Court of Karnataka against several Respondents, although STAR Vijay Channel is not a party in the matter.

In her writ petition, Ms. Menon reported the telecast of certain clippings depicting her in a compromising position with Swami Nithyananda. The Hon'ble High Court directed that the News Broadcasters Standards Authority (NBSA) should consider Ms. Menon's representation.

Although STAR Vijay is not associated with NBSA, Ms. Menon's aforesaid complaint, dated 06/04/2012, was also mistakenly referred to NBSA. In response, NBSA, vide its letter dated 19/06/2012, informed the Ministry of I&B that STAR Vijay is a general entertainment channel and hence, not its member. Therefore, the complaint against the channel should be sent to the Broadcasting Content Complaints Council (BCCC).

Accordingly, the Ministry of I&B forwarded Ms. Menon's Complaint against STAR Vijay along with a CD of the said telecast to this Council for taking necessary action.

The Complainant appeared in person before the Council on 12/08/2013 and made submissions on her complaint. In defence, the channel's representatives also appeared before the Council.



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At the outset, the Complainant states that the clippings are morphed and not authentic. The Programme is, in fact, based on hearsay and unverified statements. Most of these clippings make references to Ms. Menon by name, her public photos and videos. Without confirming the Complainant's alleged role in the video, the Programme not only used her name liberally but also continued to reinforce it in viewers by using her film photos/videos repeatedly, which were totally unconnected with such clips, and repeatedly referred to her in relation with this offensive video. This conduct of the channel totally disregards the Complainant's reputation, honour and basic rights of existence.

In reply, the channel stated that through this episode, it only wanted to create awareness amongst viewers that they should not fall prey to non-validated reports and videos and wait till the Court examines and determines the validity of such reports and videos before forming any opinion. The channel further stated that it took all reasonable steps to ensure that the episode was not biased or led viewers to think in a manner prejudicial to the Complainant.

The Council has heard the submissions of both Parties. The Council is of the considered opinion that the explanation offered by the channel is untenable and unsatisfactory. Firstly, it is clear that the channel did not exercise any caution whatsoever in telecasting the said episode without confirming the authenticity of the clippings. Further, even if the channel's contention that the said Programme was telecast for creating awareness amongst public is to be believed, where was the need of constantly making references to the Complainant and also repeatedly showing her completely unconnected videos from public life?

Therefore, the channel has clearly undermined the Complainant's basic rights. In the Council's opinion, the channel is guilty of violating the Complainant's privacy and dignity and is consequently liable to apologise to Ms. Menon.

In view of the above, the Council passed an Order on 02/09/2013 that STAR Vijay must run an Apology Scroll, in Tamil and in English, every Two Hours, over a period of Seven Days from 12 Noon on 09/09/2013 to 10 AM on 16/09/2013.

Subsequently on 04/09/2013, the channel filed a Representation with this Council pointing out certain errors in the Order. The channel stated that it is for the Courts to hold whether the said videos are genuine or not. The



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channel sought a review of the Council's Order and requested that it may be directed to run the said Apology Scroll for One Day.

Thereafter, the Council also sought the Complainant's views on the submissions made by the channel. While accepting that the channel's submissions on certain errors in the earlier Order are correct, the Complainant requested that the channel be directed to run an Apology Scroll for Three Days.

Having considered the submissions made by both Parties, the Council is of the opinion that in the present case, the said apology is to a particular individual (the Complainant) and not a general apology to viewers. Therefore, the Council considers it necessary to review and revise its Order of 02/09/2013.

In view of the above, the channel must run the following Apology Scroll in Tamil and in English, one after the other, in large and legible bold fonts at normal speed, every THREE (03) Hours, over a period of TWO (02) Days from 12 Noon on Saturday 14/09/2013 to 9 AM on Monday 16/09/2013:

"In compliance with BCCC's Order passed on 10 September 2013, STAR Vijay apologizes to Ms. Ranjitha Menon for the telecast of its Programme 'Nadanthadu Enna-Kutramum Pinnaniyum' on 21 March 2012. This Programme was found to be in violation of the Self-Regulatory Guidelines of Indian Broadcasting Foundation (IBF)."

(Tamil translation attached)

For & on behalf of
Broadcasting Content Complaints Council

A.P. Shah

Justice (Retd.) A.P. Shah
Chairperson



10 September 2013
New Delhi

STAR Vijay

நடந்தது என்ன குற்றமும் பின்னணியும்

ஒளிபரப்பப்படும் உட்பொருளுக்கான புகார் அவை (Broadcasting Content Complaints Council)¹⁰ செப்டம்பர் 2013-இல் விதித்த ஆணைக்கிணங்க, ஸ்டார் விஜய் தொலைக்காட்சி மார்ச் 21, 2012, அன்று ஒளிபரப்பிய 'நடந்தது என்ன குற்றமும் பின்னணியும்' நிகழ்ச்சிக்காக செல்வி. ரஞ்சிதா மேனன் அவர்களிடம் மன்னிப்புக் கேட்கிறது. இந்த நிகழ்ச்சி இந்திய ஒளிபரப்பு அமைப்பின் சுய ஒழுங்குமுறை வழிமுறைகளை மீறியதாக கண்டறியப்பட்டுள்ளது.

