

India: Lift the Blackout of NDTV India

(Bangkok/Kathmandu, 4 November 2016) – The Asian Forum for Human Rights and Development (FORUM-ASIA) is deeply concerned over the Government of India’s decision to black out NDTV India, a leading Hindi language news channel, for a day. With an unprecedented decision, the inter-ministerial committee of the Union Ministry of Information Broadcasting (IB Ministry) ordered to take the channel off the air with effect from 00:01 hours on 9 November to 00:01 hours on 10 November 2016.¹

The decision was taken by the IB Ministry following the coverage of the Pathankot terror attack by NDTV’s news telecast between 12:25 and 12:31 hours on 4 January 2016, while counter operations by the security forces were still on at the Pathankot airbase. The committee felt that "such crucial information" could have been misused by the terrorist handlers. Moreover, they felt that it had the potential to "cause massive harm not only to the national security, but also to the lives of civilians and defence personnel."²

It is alleged that the reporter on the ground, while replying to questions posed by the anchor, gave out “strategically-sensitive information” like information on the ammunition stockpiled in the airbase, fighter-planes, rocket-launchers, helicopters, fuel-tanks, and other information like details of schools and residential areas located at the airbase which could have been used by the terrorists or their handlers to harm defence personnel and civilians.

The inter-ministerial committee gave the order under the Cable TV Network Rules 1994, which prevents live coverage of anti-terrorist operations by security forces. According to the rules, the media coverage has to be limited to the briefing given by the designated officials until the anti-terrorist operations are over.³

In its reply to the IB ministry’s showcause notice issued on 29 January 2016, NDTV put forth that much of the information was already made public through other leading publications. However, the committee dismissed the channel’s stand calling it a “subjective interpretation”, and asserted that unlike newspapers, TV has “a far wider and instantaneous impact”.

¹ <http://thewire.in/77748/government-orders-ndtv-india-go-off-air-day-pathankot-reportage/>

² <http://indianexpress.com/article/india/india-news-india/govt-may-ask-ndtv-india-to-go-off-air-for-a-day-over-pathankot-coverage-3735423/>

³ <http://indianexpress.com/article/india/india-news-india/1-day-ban-on-ndtv-india-proposed-for-its-pathankot-coverage/>

The committee also noted that the violation could have resulted in a black-out of the channel for 30-days. However, since this is first such case after the introduction of the penalty in June 2015, the blackout has been reduced to 24 hours.⁴

In response of the black-out, the NDTV issued a statement – “The order of the MIB has been received. It is shocking that NDTV has been singled out in this manner. Every channel and newspaper had similar coverage. In fact NDTV's coverage was particularly balanced. After the dark days of the emergency when the press was fettered, it is extraordinary that NDTV is being proceeded against in this manner. NDTV is examining all options in this matter.”⁵

The Editor’s Guild of India compared the black-out of NDTV India to the media and press censorship during the Emergency (1975-77). The Editor’s Guild in a statement “strongly condemned the unprecedented decision” of the inter-ministerial committee and demanded that the order be immediately withdrawn.⁶

FORUM-ASIA urges the Government of India to immediately lift the one day black-out of NDTV India, which violates the freedom of the media. This order is in direct violation of the right to freedom of expression as guaranteed by the Constitution of India, and the International Covenant on Civil and Political Rights (ICCPR), to which India is a state party.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratization.

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⁴ ibid

⁵ <http://www.ndtv.com/communication/ndtv-statement-on-order-against-our-hindi-channel-ndtv-india-1621155>

⁶ <http://www.ndtv.com/communication/harsh-censorship-like-in-emergency-editors-guild-on-action-against-ndtv-1621267>