

S. No. 23 (D)

By Camp Bag

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Media Policy/2013 | 6793 10822

Dated: 7th March, 2014

To


Chief Electoral Officers of all States and UTs

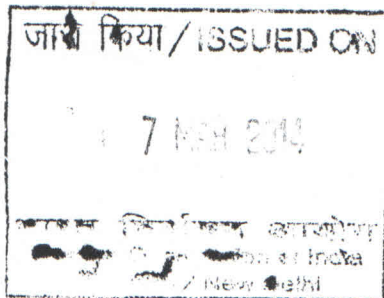
Subject: Guidelines for broadcast media to observe during elections – regarding

Sir/Madam,

I am directed to forward herewith a copy of guidelines for broadcast media to observe during elections issued by News Broadcasting Standards Authority (NBSA) dt. 3rd March, 2014. These guidelines may be actively brought to the notice of all TV/radio/cable channels in the State/districts. These may also be provided to State/district MCMCs for their guidance and information.

Your faithfully,


(Rahul Sharma)
Under Secretary



Guidelines for Election Broadcasts

Availability of accurate, objective and complete information to enable citizens to exercise their franchise based upon a well informed choice, is the basic requirement of free and fair elections. The purpose of the following guidelines is to ensure that broadcast of news and current affairs programmes and all other content on a news channel pertaining to elections and election related matters is fair and balanced, that is being objective, accurate and duly verified:

1. News broadcasters should endeavour to inform the public in an objective manner, about relevant electoral matters, political parties, candidates, campaign issues and voting processes as per rules and regulations laid down under The Representation of People Act 1951 and by the Election Commission of India.
2. News channels shall disclose any political affiliations, either towards a party or candidate. Unless they publicly endorse or support a particular party or candidate, news broadcasters have a duty to be balanced and impartial, especially in their election reporting.
3. News broadcasters must endeavour to avoid all forms of rumor, baseless speculation and disinformation, particularly when these concern specific political parties or candidates. Any candidate/political party, which has been defamed or is a victim of misrepresentation, misinformation or other similar injury by broadcast of information should be afforded prompt correction, and where appropriate granted an opportunity of reply.
4. News broadcasters must resist all political and financial pressures which may affect coverage of elections and election related matters.
5. News broadcasters should maintain a clear distinction between editorial and expert opinion carried on their news channels.
6. News broadcasters that use video feed from political parties should disclose it and appropriately tagged.
7. Special care must be taken to ensure that every element of a news/programmes dealing with elections and election related matters is accurate on all facts relating to events, dates, places and quotes. If by mistake or inadvertence any inaccurate information is broadcast, the broadcaster must correct it as soon as it comes to the broadcaster's notice with the same prominence as was given to the original broadcast.
8. News broadcasters, their journalists and officials must not accept any money, or valuable gifts, or any favour that could influence or appear to influence, create a conflict of interest or damage the credibility of the broadcaster or their personnel.

9. News broadcasters must not broadcast any form of 'hate speech' or other obnoxious content that may lead to incitement of violence or promote public unrest or disorder as election campaigning based on communal or caste factors is prohibited under Election Rules. News broadcasters should strictly avoid reports which tend to promote feelings of enmity or hatred among people, on the ground of religion, race, caste, community, region or language.
10. News broadcasters are required to scrupulously maintain a distinction between news and paid content. All paid content should be clearly marked as "Paid Advertisement" or "Paid Content" ; and paid content must be carried in compliance with the "Norms & Guidelines on Paid News" dated 24.11.2011.
11. Special care must be taken to report opinion polls accurately and fairly, by disclosing to viewers as to who commissioned, conducted and paid for the conduct of the opinion polls and the broadcast. If a news broadcaster carries the results of an opinion poll or other election projection, it must also explain the context, and the scope and limits of such polls with their limitations. Broadcast of opinion polls should be accompanied by information to assist viewers to understand the poll's significance, such as the methodology used, the sample size, the margin of error, the fieldwork dates, and data used. Broadcasters should also disclose how vote shares are converted to seat shares.
12. The broadcasters shall not broadcast any "election matter" i.e. any matter intended or calculated to influence or affect the result of an election, during the 48 hours ending with the hours fixed for the conclusion of poll in violation of Section 126(1)(b) of The Representation of People Act 1951.
13. The Election Commission of India (ECI) will monitor the broadcasts made by news broadcasters from the time elections are announced until the conclusion and announcement of election results. Any violation by member broadcasters reported to the News Broadcasting Standards Authority (NBSA) by the Election Commission will be dealt with by the NBSA under its regulations.
14. Broadcasters should, to the extent possible, carry voter education programmes to effectively inform voters about the voting process, the importance of voting, including how, when and where to vote, to register to vote and the secrecy of the ballot.
15. News broadcasters must not air any final, formal and definite results until such results are formally announced by the Election Commission of India, unless such results are carried with clear disclaimer that they are unofficial or incomplete or partial results or projections which should not be taken as final results.
16. These guidelines will apply to all National, Assembly, Municipal and Local Elections held in India.

Place : New Delhi
Dated : March 3, 2014



NORMS & GUIDELINES ON PAID NEWS

Members/ Associate Members of the News Broadcasters Association(NBA) do not indulge in the malpractice of "paid-news". However, since "paid news" is a critical "ethics" issue, it is in the highest interest of the public and of our democracy, and equally in the best interest of maintaining the credibility of the news broadcast industry, that strict norms and guidelines be laid down to pre-empt and prevent this malaise.

In this regard, the following norms and guidelines have been framed which all Members/Associate Members of NBA are required to adhere to strictly:

1. Definitions:

For purposes of these norms and guidelines,

- 1.1 "Entity" shall mean and include a person (whether natural or legal), company, partnership firm, sole proprietorship concern, society, trust, political party, association of persons and any other organisation of like nature;
 - 1.2 "Immediate Relatives" shall mean and include immediate relations of Persons-in-Charge i.e. spouse, parents, siblings, children, dependents and significant others;
 - 1.3 "Paid News" shall mean and include news (whether political news, business news, sports news, entertainment news or news relating to any other field) reported or omitted to be reported (whether by way of news bulletins, current affairs programmes, special programmes or any other programmes by whatever name called), in consideration of, or as *quid pro quo* for, any financial or non-financial benefit or reward whatsoever;
 - 1.4 "Persons-in-Charge" shall mean and include members of the Board of Directors, persons holding positions of monitoring and control over the editorial, publication and/or management functions of a news broadcasting organization, including without limitation executive directors, chief executive officers, editors and producers, of the news broadcasting organization (and its singular shall be construed accordingly);
2. No news broadcasting organization shall broadcast or be associated in any manner with the broadcast of Paid News.
 3. Every news broadcasting organization and every Person-in-Charge shall disclose to the public on the web-site/s of the news broadcasting organization any shareholding, investment, other equity participation or financial interests or conflict of interest of any nature whatsoever (including specifically any "private treatise"), in or with, any Entity. Disclosure shall also be made by every Person-in-Charge of such shareholding, investment, other equity participation or financial interests or conflict of

interest of any nature whatsoever (including specifically any "private treatise") of Immediate Relatives in respect of any Entity.

4. A news broadcasting organization and/or Person-in-Charge of the news broadcasting organization shall not accept any financial or non-financial interest, benefit or reward of any nature whatsoever, whether in or as cash, loan, gift, discount, hospitality or entertainment etc. from or on behalf of, any Entity, for or in consideration of, reportage of any news of, or relating to, such Entity.
5. Every news broadcasting organization shall disclose on their website the names of their nominee/s or representative/s on the Board of Directors, Managing Committee or Governing Body etc. of any Entity.
6. Every news broadcasting organization shall disclose conspicuously in an appropriate manner during broadcast of a program, on their television channel/s and on their website/s, including during a news, current affairs, sports, entertainment or promotional broadcast as to whether the content of such broadcast has been paid for by or on behalf of the Entity that is subject matter of such broadcast in any manner whatsoever ; and whether such broadcast is an "advertorial" or other media marketing initiative.
7. Considering the singular importance of the electoral process in a democracy, a news broadcasting organization shall not accept any financial or non-financial consideration, benefit or reward (including sponsorship) from any Entity, for or in relation to any news (including opinion polls or other similar programs) relating predominantly to elections or to any candidate or political party in relation to any elections:

Provided that a news broadcasting organization may broadcast any special reportage or program, of or relating to, any candidate or political party in relation to any elections, which special reportage or program may be sponsored or otherwise paid-for, so long as it is prominently and clearly disclosed during such special reportage or program that it is so sponsored or paid-for.
8. All news, reportage or other programs relating predominantly to elections shall be monitored and supervised by a person holding the senior-most executive editorial post (by whatever designation called), who shall be responsible for any misreporting or other violation of these norms and guidelines.
9. The above norms and guidelines shall apply equally to all journalists, reporters and stringers, working for or associated with, a news broadcasting organization except that such journalists, reporters and stringers shall furnish such information in writing in respect of any shareholding, investment, other equity participation or financial interests or conflict of interest of any nature whatsoever, which exists with regard to any subject matter on which he/she/they is/are reporting to the person holding the senior-most executive editorial post at the channel. It shall be the prerogative of such



editor to permit a journalist, reporter or stringer to continue working on such subject matter or to get him/her to recuse from reporting on such subject matter.

10. It is clarified that any violation of these norms shall be subject to the procedure and consequences provided under the News Broadcasting Standards (Disputes Redressal) Regulations, including all provisions of Regulation 7.1 of the said Regulations.

Provided however that the limit of fine that may be imposed under Regulation 7.1 of the Regulations for any breach or violation of these norms and guidelines shall not be restricted to Rs.1 lac and in case of any such breach or violation, the News Broadcasting Standards Authority shall be entitled to impose upon a news broadcasting organization, fine of upto ten-times the financial or non-financial consideration, benefit or reward (including sponsorship) received for the broadcast of Paid News.



November 24, 2011