

# **ETHICAL STANDARDS AND ISSUES IN ELECTRONIC MEDIA: THE ANALYSIS OF ROLE, FUNCTIONS AND EFFECTIVENESS OF BROADCAST EDITORS ASSOCIATION (BEA)**

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## **ABSTRACT**

Violations of ethical guidelines, breach of public trust and corrupt practices like paid news are the challenges television news channels are facing these days. The questions on the credibility of media are the biggest concern for the medium. Because of this, Government tried to pull-up TV news industry in the name of regulation on many occasions, but the broadcast news industry has always been reluctant to have government control because it feels that it could harm its constitutional right of freedom of speech and expression. However, in response to this, the TV news industry decided to adopt the mechanism of Self-regulation to regulate itself. The Broadcast Editors Association (BEA) is one such body which is responsible to enforce self-regulation mechanism on the news channels. The editors of all the major news channels are the members of this body. It is an independent body responsible to maintain the high standards of the broadcast news community. In this paper, researcher by presenting case studies and the opinion of the experts would analyse the role, functions and effectiveness of BEA in the process of self-regulation and in maintaining the ethical codes of the industry.

**KEYWORDS:** Media Regulation, Self Regulation, Effectiveness Of Broadcast Editors Association, BEA, Media Ethics, Ethical Guidelines.

## **INTRODUCTION**

The idea and demand of regulation of TV content came into limelight during early 1990's with the introduction of private channels in India. Broadcasting was exclusively under the control of government until the advent of cable television in India. The government was not equipped to put a check on transmission and broadcast of TV through satellites. The licensing mechanism for cable operators was missing and a large number

of them were broadcasting programs without any parameter. This emphasised the need for having a law for the regulation of cable networks in India, which led to the enactment of Cable Television Networks (Regulation) Act, 1995. This act, through its programme code, laid down provisions to regulate content to be broadcasted on cable TV.

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In early 2000's with the advent of 24 hour news channels, private players came into the picture. These private news channels were fast in gathering and distribution of news but in the coverage of sensitive matters like women and child related crime and in the cases of terrorist attacks their lack of experience was quite visible. As these cases came into notice, the demand for the regulation of broadcast news also came forward. Ministry of Information and Broadcasting started putting weight on the broadcast news industry to follow the guidelines prescribed by them. But the industry was not ready for this. The Industry felt that this kind of action would not only impede their fundamental right of freedom of speech and expression but also obstruct the flow of free and fair news. Amid this tug of war the concept of self-regulation came into the scene. The electronic news industry decided and agreed to follow the principle of self-regulation to maintain the high standards of the profession. The News Broadcasters Association (NBA) was formed in 2007-08 by various news and current affairs channels and they described it as their collective voice in front of the government. The NBA was the independent body formed by the owners of the news channels to deal with ethical, regulatory, operational, legal and technical issues affecting the private news and current affairs broadcaster. However, after some time, it was felt that because members of the NBA are representatives of owners, they do not have the kind of sensitivity to the issues related to content and freedom of speech and expression. So, it was decided to form another body of the editors of the news channels. As a result, in 2009, the Broadcast Editors Association (BEA) was made to look after issues of press freedom and content regulation.

### **THE BROADCAST EDITORS ASSOCIATION (BEA)**

The Broadcast Editors Association (BEA) is a self-restrained or self-regulatory body of the editors

from prominent TV news channels. It is the body of the editors of the news channels, which takes all day-to-day decisions on the flow of the news and the running of the news channels. All the decisions related to content like which news would go on air and which news would not or what would be the treatment of the news are taken by these editors. Their work is to ensure the fact checking, the unbiased treatment of the news story and to check that there is no violation of the regulatory guidelines. The members of the BEA keeps constant check on the content in accordance with the restrictions given in article 19(2) of the constitution. The BEA came into existence in 2009 as a regulatory body free from market pressure and working purely on ethical issues.

**THE STRUCTURE OF BEA:** The member editors elect among themselves:

- A President,
- Two Vice-Presidents
- A General Secretary; and
- A Treasurer
- Along with that a 15-member executive committee of eminent editors from different channels also helps in taking decisions on the matters of utmost importance. This 15-member committee comprises of the stalwarts of the industry who have the experience of running editorial operations over the years.
- The BEA also time-to-time constitutes sub-committees for the specific purposes.

**THE ROLE AND FUNCTIONS OF THE BEA:** There are many factors which makes Indian Society special and different from others. One such factor is peer pressure. This concept of scrutiny by peers is also the backbone of Broadcast Editors Association. All the member editors of BEA are the part of the industry and the decisions and suggestions given by the BEA are mandatory to follow by each member channel. The peer pressure plays the most important role during

this process because if a decision has been taken then it is taken by the editors themselves and since this decision is undisputed it is obligatory for the members. Since all the editors are keeping an eye on each other, it is difficult for anyone to not follow the same. Mostly, BEA works in a pre-emptive manner. It sometimes gives advisories prior to the event and sometimes it takes immediate decisions based on the result and impact of a particular story. It also presents a credible voice in front of the government on the issues related to the press freedom. Following roles have been performed by the BEA so far in the regulation of the industry:

1. The BEA issues advisories to the members prior to the sensitive events about the coverage plan of a particular event.
2. It keeps an eye on the editorial handling of sensitive issues, specially keeping a check on the copy and visual treatment of a news story.
3. It also advises member editors based on the grievances of the viewers (affected parties) and complaints made by the government. The matters taken up by the courts are also on the priority list.
4. The BEA advises its members to immediately stop the broadcast, if a particular coverage or broadcast is violating the principles of self-regulation and if it is not in consonance with the established do's and don'ts decided by the BEA.
5. If the government is unreasonably taking any decision just to pressurize the media, the BEA condemns its decisions.
6. It also keeps a check on the professional conduct of its own members. If any member violates the rule, BEA takes action against that member after proper investigation.
7. It also conducts investigation to probe the cases of physical violence, assault and mistreatment of media.

Whenever a particular situation arises, the BEA immediately connects its members and takes

unanimous decision to reach a consensus and asks its members to implement that decision.

## **METHODOLOGY**

In this research, the case study method has been adopted to study the role and effectiveness of the Broadcast Editors Association. The opinion of experts has also been collected to understand the impact of BEA on the industry. It is a qualitative study and the effect can be measured in qualitative terms. Six case studies have been taken for the purpose of research. These cases and opinion have been further analyzed to reach to the conclusion.

- The Opinion taken from the experts are primary in nature and are originally collected for the research.
- The Secondary data for this research has been taken from various news websites, reports and articles.

## **CASE STUDIES**

### **CASE STUDY 1: ADVISORY ON THE SPONSORED ACT OF VIOLENCE**

In September 2009, the news channels did not air the inflammatory CDs distributed by some Maharashtra BJP leaders in connection with the communal tension in Sangli and Miraj towns because the newly formed Broadcast Editors Association (BEA) decided and advised it's members not to air any sponsored act of violence or protests.

### **CASE STUDY 2: DECISION ON THE COVERAGE OF THE BIRTH OF AMITABH BACHHAN'S GRAND-DAUGHTER**

In November 2011, in order to secure the right to privacy of actor Amitabh Bachhan, the BEA prepared an advisory and distributed to all the member channels, right before the birth of his granddaughter Aaradhya. The 10 directives given in the advisory were:

- No pre-coverage of the event;
- Story of the birth of the baby to be run only after, and on basis of, the official announcement;
- Story not to be run on breaking news band;
- No camera or OB vans at hospital or any other location related to the story;
- Go for photo-op or press conference if invited;
- Not to carry any MMS or photo of the child;
- No astrology show to be done on this issue;
- No 11.11.11 astro show to be done (show based on date, 11th November 2011);
- Duration of story to be around a minute/90 seconds;
- Unauthorized entry into hospital not permitted.

### **CASE STUDY 3: RECOMMENDATIONS IN GUWAHATI MOLESTATION CASE**

In July 2012, a three-member team of senior editors visited Guwahati to look into the accusations about the role of media persons in the coverage of the molestation case that happened there. The questions were raised on the behavior of media during the incident. However, the telecast of the shocking Guwahati incident of a mob molesting a teenage girl had also helped in nailing some of the culprits, but questions were also being raised about the ethics of coverage:

- Should the cameraman have filmed the entire 20-minute-odd episode or helped the terrified victim?; and
- What if the mob went on to rape, would he have filmed the incident too?

The Broadcast Editors' Association's (BEA) team tried to find out if any journalist had actually played a part in the commissioning of the crime. The BEA's committee visited the place and made its recommendations.

### **CASE STUDY 4: REMOVAL OF THE EDITOR OF ZEE NEWS FROM THE BEA**

In October 2012, The Broadcast Editors Association (BEA) had set up a three-member committee to investigate allegations made by Jindal Steel and Power Ltd (JSPL) against Zee News. The JSPL had lodged an FIR alleging intimidation, defamation and extortion by Zee News management. The BEA panel met representatives of JSPL and reviewed the alleged evidence presented by JSPL. After the complete investigation, the BEA members decided to remove Zee News editor and business head from the post of treasurer and primary membership of the body.

### **CASE STUDY 5: INVESTIGATION OF ATTACKS ON MEDIA DURING THE COVERAGE OF SANT RAMPAL EPISODE IN HISAR**

In November 2014, the 63-year-old Sant Rampal, the self-styled god man was arrested from his ashram in Hisar, Haryana. He was arrested in connection with an old murder case and for deliberately defying court orders on 43 occasions. One day before his arrest, on November 18, clashes erupted at his ashram in Barwala, Hisar, with police lobbing teargas shells and using batons to disperse his supporters, who were preventing his arrest. In the violence, several media personnel were injured, while the cameras of many private electronic news channels were damaged. The police action, which resulted in injuries to the media persons, had faced criticism from several quarters. The Broadcast Editors Association (BEA) had set up a three-member committee to probe allegations of assault on media persons during the stand-off between police and supporters of Rampal. The committee investigated the matter and met the people concerned. It also offered its recommendations on the matter.

## **CASE STUDY 6: CRITICISM OF GOVERNMENT ON MEDIA FREEDOM**

The BEA, in 2015, expressed its dismay over notices issued by Ministry of Information and Broadcasting to three channels-ABP News, Aajtak and NDTV-on the questionable pretext that their coverage related to Yakub Memon's death sentence amounted to contempt of the institution of the President and also the judiciary. In 2016, Broadcast Editors Association expressed deep concern at the government's decision to ban NDTV India for a day. It stated that imposing a ban is a violation of freedom of expression and urged that the decision should be withdrawn immediately.

## **ANALYSIS THE ROLE AND FUNCTIONS OF BEA**

The analysis of these six cases brings before us some important aspects on the issues in electronic media and the role and functions of BEA.

- Media needs to be extremely careful in the coverage of sensitive cases like violence and protests, especially when you are aware that it could be the sponsored act to disturb the social thread of society. The BEA by issuing advanced advisory to its members against airing of provocative content did a commendable work in the maintenance of peace in the area [Ref: Case 1]
- Protection of Privacy is the matter of concern for everybody including media. As per the journalistic codes, until and unless the private information of someone is important for public good, media should restrain itself from publishing or airing it TV or radio. In this case Amitabh Bachhan himself requested the media not to highlight the birth of his grandchild, So, BEA issued an advisory in this regard to all the member channels. Since, it was not a news of utmost public importance, the BEA's role in restricting the coverage for

safeguarding the privacy of a person was quite a positive step towards maintenance of highest standards of Journalism. [Ref: Case 2]

- Ethical challenges are the part of media's day to day life. Guwahati molestation case also presented a challenging situation not only in front of the video journalist and reporter, who was covering the incident but also in front of the media bodies responsible for the maintenance of ethical standards in media including the BEA. At the time of any such incident should media incite people and carry on with the coverage or it should try and stop people from doing anything wrong? Since, it was a deep ethical issue BEA decided to send its fact-finding team to investigate the role of media in the coverage of the molestation case. It also gave its recommendations. However, despite of BEA's effort, this question is still unanswered that what should be the actual role of media during these kinds of incidents. [Ref: Case 3]
- Internal scrutiny should be the most important function of any organisation responsible for regulation. In this case BEA did a great job by taking action against its own office-bearer/ member for his involvement in the corruption case and his questionable conduct [Ref: Case 4]
- It is the duty of media to cover any such incident which is disturbing for the society and which affects the peace and harmony among people. The stand-off between the Haryana Police and the supporters of Sant Rampal was one such incident. The police attack on media during the coverage was not at all justified. Pulling up authorities, heavy criticism of the attack and sending its own fact-finding team were the good steps taken by the BEA but still nothing solid has been done or recommended so far, for the protection of journalists during the coverage of these type of cases [Ref: Case 5]
- To present unified and credible voice against government for its unnecessary actions

against the press is the most important role for any media regulatory body in safeguarding media freedom. The BEA has played this role effectively so far [Ref: Case 6]

### **EXPERTS ON EFFECTIVENESS OF BEA**

The BEA has been very effective in presenting its voice on the issues of press freedom. It has also been instrumental in sensitizing the industry towards ethical issues but the question is, has it been effective in enforcing the mechanism of self-regulation on the broadcast news industry? The views of some prominent experts have been gathered to understand the status of its effectiveness. Their views have been mentioned below.

#### **VIEWS OF QAMAR WAHEED NAQVI, SENIOR PRINT AND BROADCAST JOURNALIST, FORMER NEWS DIRECTOR- AAJTAK, FORMER EDITORIAL DIRECTOR-INDIA TV, FORMER MEMBER-NBA AND BEA**

Look, it is important to understand the limitations of BEA. BEA is a body that has been created by editors. The BEA's scope is that they fight for the protection of editorial interests; they are alert for editorial quality. But since there is no proper funding for BEA, they cannot do anything proactively. The editors pay money from their salaries to run the body, so with these limitations, whatever action BEA can take, it takes. If you expect that BEA has to do some extra-ordinary work then how BEA would do it?

#### **OPINION OF RAJDEEP SARDESAI, CONSULTING EDITOR, INDIA TODAY GROUP AND FORMER EDITOR-IN-CHIEF CNN-IBN AND IBN7**

I think the Broadcast editors association is well intentioned but it is one thing of being well intentioned and it is the other being to translate your intentions into reality. BEA should tell the editors to have some kind of guidelines with each other. The biggest problem is today's competitive environment in which television operates, which

means that editors will say one thing in public and do something else in private. BEA is expected to set the norms for the editors. Occasionally it wakes up and make some strong statements. So, as a pressure group it can play a role but as a group to set ethical guidelines for the medium itself, I don't think it has worked. I wish that they were meeting at least once a month, discussing issues concerning television that need not always result in advisories but at least will set some direction to the media industry.

#### **VIEWS OF SUPRIYA PRASAD, MANAGING EDITOR-AAJTAK AND PRESIDENT-BEA**

When BEA was formed, I was one of the initial members; BEA was made so that there is an understanding between editors. It was found that there is no control on the content and anyone is showing anything they want, that is when BEA was formed. A new outlook of communication was created where people would talk to each other and decide which news or story should be shown and which should not be shown, this was the biggest benefit, but in the past few days it has become a little ineffective. Now the ideology of people on a story is different from one another, hence it is difficult to keep all the editors united, but BEA is still making an effort. BEA can just issue advisories and nothing else, now whether the editors follow the advice or not is up to them.

#### **OPINION OF SANJAY PUGALIA, PRESIDENT AND EDITORIAL DIRECTOR, QUINTILLION MEDIA PVT LTD., FORMER EDITOR-IN-CHIEF- CNBC AWAAZ**

BEA was a good effort, it should have been made effective and it should have been received as well. I think that in the past few days this body has not been very effective. It is important that the day to day competition and business should not be mixed up with the profession of journalism and BEA should be a very vocal, open, frank and open for informal conversation platform. I am not seeing that happening. If BEA is trying to take shape of an institution then

editors should wear their journalistic hat and have open discussions to make journalism strong, healthy and effective. If this works in a vibrant, self-critique mode then that will be very good.

#### **VIEWS OF RAHUL KANWAL, MANAGING EDITOR (INPUT), INDIA TODAY GROUP**

BEA cannot be a regulatory body because there are a lot of editors who compete with each other on day to day basis. There is a lot of competition, there is a lot of distrust and because of this it is very difficult for BEA to agree on anything. Whenever any decision is to be taken, they are all fighting with each other, criticizing each other, so how can they suddenly come together and start taking decisions unanimously. It's not possible.

#### **ANALYSING THE VIEWS OF EXPERTS**

The analysis of the opinion of experts leads us to the following points.

- The BEA works under certain limitations. It is fighting for the protection of editorial standards but since it does not have any funding back-up, it can only take limited actions.
- It is effective as a pressure group as it condemns the incidents against journalists and put pressure on the government on the issues related to press freedom but it cannot ensure the compliance of editorial guidelines in the industry.
- It is difficult for BEA to keep all the editors united. Every editor has different opinion and none of the decisions taken by the BEA is binding on the members.
- The BEA must take the shape of a neutral platform where all the issues related to journalism shall be discussed freely. The editors should act like a journalist in these discussions rather than like a competitor.
- Due to heavy competition and distrust among the editors it is difficult for the BEA to reach on unanimous decisions.

#### **SUGGESTIONS/ RECOMMENDATIONS**

The above analysis shows that the experts are not very much impressed with the functioning of BEA based on peer review. Most of the experts have been the part of the set-up and have first-hand experience of dealing with day to day situations in editorial matters. It is true that BEA has taken some very good steps in the past but it has not been very effective recently. The increasing competition and distrust among the member editors is the main reason behind its ineffectiveness. To bring a change in the situation it is important for the members to act like a true journalist and ensure the compliance of the advisories/ guidelines prescribed by the BEA.

The study finally leads to the following suggestions/ recommendations to be made to the Broadcast Editors Association, to the editors and to other self-regulatory bodies.

- The BEA has taken some very good steps like issuing advisories on sensitive matters, sometimes even prior to the event but it should be mandatory for every editor to follow these guidelines. If even a single editor disobeyed these guidelines, the very principle of self-regulation would get defeated. The recommendations given by BEA must also be taken seriously.
- There should be a proper funding system for BEA. Currently, the editors are paying from their own pocket to run this association but how long it would go? Until and unless it would have financial stability or back-up it would not be able to work effectively.
- The BEA must be given some kind of punitive powers. If a member editor is constantly defying the orders/advisories of BEA, harsh action must be taken against him/her by BEA.
- Neutral experts should also be included in the set-up. These experts could be the former editors who would have sufficient knowledge of day to day affairs of electronic media. Subject experts from civil society may

also be included. It would reduce the one upmanship pattern among editors.

- Internal assessment or scrutiny must be at the highest level at BEA. The editors having record of professional misconduct should not be included in the BEA set-up.
- Special training sessions based on ethical standards must be conducted for member editors. These editors may further sensitize his/her newsroom about those issues. It would increase the awareness on best practices among journalists.

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