

Guilty mileage

How the Indian news media covered the judgments in two high-profile cases

The last few years have seen a number of high-profile cases in Indian courts wherein the rich and mighty have been held guilty and sentenced to prison. The news media, in many cases, has been accused of conducting its own shadow trials. The news media coverage these court cases have derived has been phenomenal. This year saw Delhi courts passing verdicts in the Shivani Bhatnagar murder and BMW hit-and-run cases.

This **Newswatch** study was launched to look at how the media reported the court judgments in the two cases. In the Shivani Bhatnagar murder case, the prime accused was convicted on March 18, 2008, and sentenced a week later. In BMW hit-and-run case, the prime accused was convicted on September 2, 2008 and sentenced after four days. The Shivani case was tracked from March 17 to March 27, 2008. The BMW case was monitored from September 1 to September 10, 2008. After the preliminary data collection of 1636 stories (743 in the Shivani case and 893 in the BMW case), 234 stories (123 for the former and 111 for the latter) were shortlisted for analyses.

The study found that the accused were accorded more media mileage. It was found that the prime accused in the Shivani Bhatnagar murder case, RK Sharma, was quoted in 10 stories and his family/friends in five of the 123 items selected for the study. The victim did not get proportional coverage, being quoted only in two stories — India Today Digital, which talked about Shivani's health, quoting her sisters Shah and Sewanti; and the *Times of India*, which quoted Subhash and Veena Bhatnagar, Shivani's in-laws.

In the BMW hit-and-run case, the figures were somewhat different but lopsided as well. The prime accused, Sanjeev Nanda, was quoted in only one news report and his family/friends in 18. The kin of the victims were quoted in 13 news items. On behalf of Nanda, ones quoted most were grandmother Gayatri Nanda, father Suresh Nanda, sister Sonali Nanda, mother Sumitra Nanda, and friend Manik Kapoor.

The judge, surprisingly, was not quoted in many of the 'breaking news' stories in both cases. The judge's verdict was quoted both attributively and retrospectively in 27

SAME SAME: ACCUSED 1999, CONVICTS 2008

NEW DELHI: Additional Sessions Judge Vinod Kumar on September 5, 2008 awarded five years rigorous imprisonment to businessman Sanjeev Nanda for crushing to death six people, including three policemen, under his BMW in the dark hours of January 10, 1999. Nanda was found guilty under section 304(Part II) of the Indian Penal Code (IPC) while three others were convicted under Section 201(destruction of evidence) of the IPC. Nanda is the son of arms dealer Suresh Nanda and grandson of former naval chief SM Nanda.

NEW DELHI: Additional Sessions Judge Rajendra Kumar Shastri on March 24, 2008 sentenced to life former Indian Police Service (IPS) officer RK Sharma and three others convicted in the 1999 murder of journalist Shivani Bhatnagar. The four were earlier found guilty of murder and hatching a criminal conspiracy under the Indian Penal Code (IPC) for the murder of the *Indian Express* journalist at her east Delhi home on January 23, 1999.

of the 123 stories in the Shivani case, and in 37 of the 111 in the BMW case.

The ratio of the number of stories which quoted the lawyer(s) of the accused and the victim(s) also differed. In the Shivani Bhatnagar murder case, the lawyer(s) of the accused were quoted in 22 news stories, and those of the prosecution in eight. In the BMW hit-and-run case, the lawyer(s) of the accused were quoted in 25 news stories, and those of the prosecution in nine.

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CENTRE OF ATTENTION: It was found that the accused were accorded more media mileage. It was seen that the prime accused in the Shivani Bhatnagar murder case, RK Sharma (centre), was quoted in 10 stories and his family/friends in five of the 123 selected for the study. The victim did not get proportional coverage, being quoted only in two stories Pic courtesy: The Hindu

■ The methodology

This study was launched to look at how the media reported the court judgments in the Shivani Bhatnagar murder and BMW hit-and-run cases. In the first, the prime accused was convicted on March 18, 2008, and sentenced a week later. In the latter, the prime accused was convicted on September 2, 2008 and sentenced four days later.

The tracking of news items was done through Google News. The Shivani Bhatnagar murder case was tracked from March 17 to March 27, 2008. The BMW hit-and-run case was monitored from September 1 to September 10, 2008. After the preliminary data collection of 1636 stories (743 in the Shivani Bhatnagar murder case and 893 in the BMW hit-and-run case), 239 stories (126 for the former and 113 for the latter) were shortlisted for qualitative analyses. Duplicates (mainly because of news agency creeds) were left out, and so were stories with a word count of less than 100. Three items in the former and two in case of the latter were editorials/opinions. The effective number of stories finally selected for analyses were 123 and 111 respectively. After the collection of the data, the stories were segregated for subsequent analyses. The stories selected for the research project were coded on basis of 17 parameters in both cases. Each of these entries were cross-checked by two other persons to avoid errors of omission and commission.

In Shivani case, all the news items were of Indian origin but scenario was not seen in the BMW case. There were news items from CNN, Deutsche Presse-Agentur (DPA), the *Guardian*, BBC, Associated Press and Agence France-Presse (AFP). In

the BMW case, most of the news items were seen to be from daily *Times of India* and news agency Indo-Asian News Service (IANS), which together contributed to 28 per cent of the news items. In the Shivani case, most of the stories were from the *Times of India* again and news agency Press Trust of India (PTI), which together accounted for 38 per cent of the news items.

The reports were analysed on basis of categorisation done by parameters ranging from accused's statements to those of victims' families. Another aspect was segregation of news items on basis of 'breaking news' and follow-ups. The 'breaking news' in this case is not the same as that in a live medium like television, radio or the Internet. In the **Newswatch** studies, 'breaking news' is the first story of an incident – here, the first set of reporting of both the conviction announcements as well as passing of the sentences. News agency stories were selected if originals were available on their websites. Otherwise, the longest reproduction of the agency's story in any publication was selected. The credit, however, went to the agency and not to the publication, which carried the story. When news outlets used wire services and credited them as "agencies", the outlet concerned was credited.

Stories of newspapers were tracked primarily through their websites. The epaper version of a paper, if available, was also checked. The Web renditions were checked both for reasons of convenience, as well as the empirical evidence that there is rarely any difference between the version printed in the paper and the one published online. Websites of television news channels had to be tracked more for the lack of wherewithal to track live news bulletins.

■ Headlines and treatment

The first element of a news story that creates an impression on the reader is the headline. The **Newswatch** studies classify headlines broadly into two categories – 'declarative' and 'label'. The 'label' ones are flat headlines where the obvious fact has been stated.

'Declarative' headlines are ones which may be just as obvious as well, but are either implications of the content of the story however low-toned and implicit, or have been lifted from the mouths of people quoted in it. These headlines may be explicit judgments on part of the reporter / publication too.

Out of 111 stories, 32 were marked as 'breaking news' stories in the BMW hit-and-run case. In the Shivani Bhatnagar murder case,

Around 12 per cent of the 'breaking news' stories (6/51) in the Shivani Bhatnagar murder case had 'declarative' headlines. An overwhelming 88 per cent (45/51) opted for flatter 'label' headlines. In the BMW hit-and-run case, the gap narrowed down a little bit. About 72 per cent (23/32) of the 'breaking news' stories had 'declarative' headlines; the rest (9/32) were 'label' ones.

The 'declarative' headlines in the BMW case ranged from 'Nanda family had feared the worst, 5-year term a big relief' (*Indian Express* — September 6, 2008) to 'Man jailed for 5 years over 'BMW killings'' (CNN — September 6, 2008). In the Shivani case, these varied from 'R K Sharma shows signs of relief after sentence' (Press Trust of India — March 26, 2008) to 'Life gets tough, Sharma to be moved to new jail' (CNN-IBN — March 24, 2008). The 'label' headlines in the BMW case ranged from 'BMW case: Five years jail for Sanjeev Nanda' (*Economic Times* — September 5, 2008) to 'Sanjeev Nanda, 3 others held guilty in BMW case' (*Hindustan Times* — September 2, 2008). In the Shivani case, these varied from 'Sharma, three others get life terms for Shivani murder' (*Hindu* — March 25, 2008) to 'RK Sharma convicted in Shivani murder case' (Sahara Samay — March 18, 2008).

In news items which were follow-ups, less than half (32/72) in the Shivani case had 'declarative' headlines, but shot up to almost two-thirds (55/79) in the BMW case.

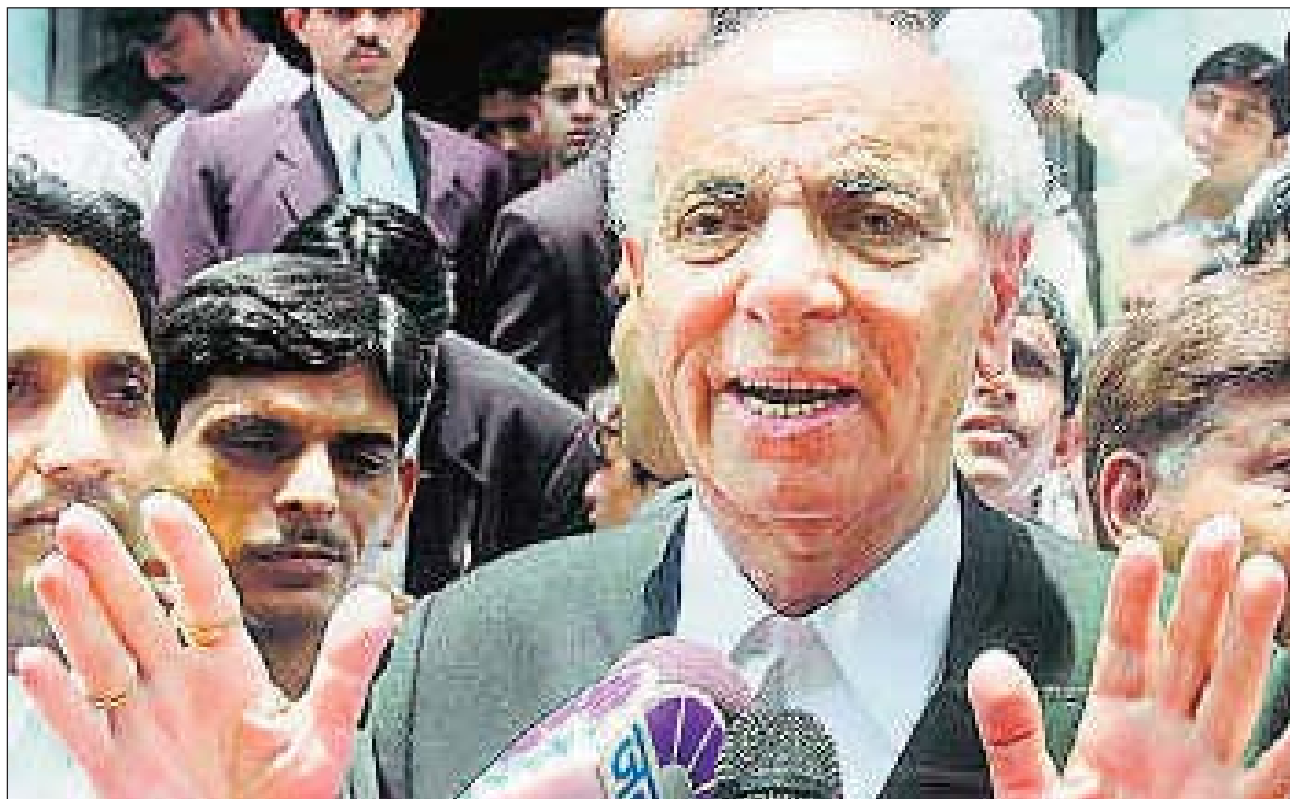
The tone and tenor of a story also create an impact on the reader's mind. These also have an ability to sway it either way. The yardstick for treatment was stringent — any news item that might otherwise be taken as straight was marked as a 'story with colour' either if it was seen to be laced with adjectives or if the reporter/writer was even remotely judgmental.

More than half of the 'breaking news' stories in both the Shivani case (30/51) the BMW case (23/32) were straightjacket news items. The rest added some colour to varying extent — from mild adjectives to elaborate descriptions of what the accused in the two cases were wearing. In the follow-ups too in both the Shivani case (40/72) and the BMW case (33/33) were 'stories with colour'.



SUAVE AND GUILTY: The prime accused in the BMW hit-and-run case, Sanjeev Nanda.
Pic courtesy: The Tribune / Mukesh Aggarwal

51 out of 123 fell in this category. The 'breaking news' in this case is not the same as that in a live medium like television, radio or the Internet. In the **Newswatch** studies, 'breaking news' is the first story of an incident – here, the first set of reporting of both the conviction announcements as well as passing of the sentences.



■ Quote unquote

It was found that the prime accused in the Shivani Bhatnagar murder case, RK Srivastava, was quoted in 10 stories and his family/friends in five of the 123 selected for the study. The victim did not get proportional coverage, being quoted only in two stories — India Today Digital, which talked about Shivani's health, quoting her sisters Shah and Sewanti; and the *Times of India*, which quoted Subhash and Veena Bhatnagar, Shivani's in-laws.

The accused was quoted by Indo-Asian News Service (IANS), the *Hindu*, the *Times of India* (TOI), the *Indian Express*, and Press Trust of India (PTI).

In the BMW hit-and-run case the figures were somewhat different. The prime accused, Sanjeev Nanda, was quoted in only one news report and his family/friends in 18. The kin of the victims were quoted in 13 news items. Among those who quoted the victims most were NDTV, CNN-IBN, Indo-Asian News Service (IANS), and the *Indian Express*. On behalf of Nanda, ones quoted most were grandmother Gayatri Nanda, father Suresh Nanda, sister Sonali Nanda, mother Sumitra Nanda, and friend Manik Kapoor.

The judge was not quoted in many of the 'breaking news' stories in both cases. The judge's verdict was quoted both

attributively and retrospectively in 27 of the 123 stories in the Shivani case, and in 37 of the 111 in the BMW case.

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IN THE LURCH: The widow of a constable run over by Nanda's speeding vehicle speaking to CNN-IBN.

Vivid descriptions

Not only did news organisations give more mileage to the prime accused in either case in terms of voices/quotes, many stories accorded substantial word counts to describing them physically. There were even stories describing the hardships that they would now have to undertake while in prison. Similar descriptions of the kin of the victims could not be found.



Photo: CNN-IBN

Table 1: A sampling of descriptors used for the prime accused in the two high-profile cases

Shivani Bhatnagar murder case

- Dressed in a pink T-shirt, Sharma was escorted to the courtroom 15 minutes late than the stipulated time of 2 PM. (Press Trust of India; March 26,2008)
- Dressed up in a pink T-shirt and brown trousers, Sharma flashed a smile soon after the verdict - as if he was expecting a harsher punishment. (Indo-Asian News Service; March 25,2008)
- A pensive-looking R K Sharma wearing a pink T-shirt was brought to the court room around 2.15 pm. And within minutes, the judge handed down the punishments to him and the other three convicts.(Press Trust of India; March 24,2008)
- Fifty-four-year-old R K Sharma, a 1976-batch Haryana cadre IPS officer, wearing a pink T-shirt and blue jeans, looked pensive as he entered the packed Karkardooma court but soon there were signs of relief as the judge declined the prosecution plea to award him death sentence and imposed life term.(Press Trust of India; March 24,2008)
- The civilian clothes will give way to a white kurta pyjama, the leisure of deciding when to begin his day will be replaced by a strict routine.(CNN-IBN; March 24, 2008)
- He has stopped playing badminton, which he is fond of, and has been eating little in his Tihar Jail cell ever since his conviction for murder March 18.(Indo-Asian News Service; March 23,2008)
- The suspended Indian Police Service (IPS) officer also found it difficult to stand in the court, apparently because of his backache, and sat on a chair that was provided to him. At one time, he used a spray to kill his back pain.(News post India.com; March 20,2008)
- On Tuesday morning, Sharma was seen reading newspapers, taking a walk in the morning, practising yoga and performing religious rites, before being escorted to Karkardooma court. (Times of India; March 19,2008)
- Dressed casually in a pink T-shirt and trousers, the officer had a stoical expression throughout, betraying just a hint of emotion when his sister hugged him as he was being led away to the prison van.(Telegraph; March 19,2008)
- Dressed in a pink T-shirt and brown trousers, the suspended Inspector General of Police R.K Sharma remained impassive as the Additional Sessions Judge Rajender Kumar Shastri pronounced judgement in a packed court room today and held Sharma, along with three others, guilty in the Shivani Bhatnagar murder case. (Tribune; March 19,2008)
- Dressed in a pink t-shirt, Sharma looked tense but unfazed. (Indo-Asian News Service; March 18,2008)

BMW hit-and-run case

- Grandson of former navy chief SM Nanda and son of arms dealer Suresh Nanda, Sanjeev remained calm and conducted himself very well on Friday evening after the sentencing, jail sources said. He had dinner — dal, vegetables, chapatis and rice. Besides following the prison routine like getting up at six in the morning and starting work from 8 am, he will also have to give up his formals and wear the prison uniform — white kurta-pyjama. (Times of India; September 6, 2008)
- Sanjeev - who was sporting a simple brown striped kurta instead of his usual formal-look full shirt and trousers - himself appeared quite calm as he heard the punishment being pronounced. (Indo-Asian News Service; September 5, 2008)
- A rather tired looking Sanjeev, dressed in a brown kurta-pyjama, maintained his composure during the pronouncement of the sentence. He was seen smiling while talking to his lawyers. In fact, the family looked a little relaxed after the sentence. (Times of India; September 6, 2008)
- Wearing a striped grey shirt and formal trousers, he kept wiping his brow as his friends and family members sat a few steps away. (Indo-Asian News Service; September 4, 2008)
- Dressed in a striped shirt and formal pants and sporting a tilak on his forehead, 30-year-old Nanda anxiously waited as the ASJ Vinod Kumar, pronounced the verdict at 12.30 pm.(Times of India; September 3, 2008)
- Nanda was wearing a grey striped shirt and dark trousers, and sported a vermilion mark on his forehead. He was seen clenching the idol when the judge started pronouncing the verdict. (Hindustan Times; September 3, 2008)
- The 30-year-old bought a water bottle from the jail canteen and ate a humble meal of dal , vegetables, chapatis and rice served to other inmates. (Indo-Asian News Service; September 3, 2008)
- Wearing a striped grey shirt and formal trousers, Nanda kept wiping his brow every now and then, even as his friends and family members sat a few steps away, worry writ large over their faces. (Indo-Asian News Service; September 3, 2008)
- During the day's proceedings he appeared emotionless, perhaps, the blessings he took from gods, during a brief stop at a temple at Tughlak Road here before coming to the court, helped him. The vermilion on his forehead, as he stood in the court for the judge to take his seat and deliver the verdict, bore testimony to his quest for good luck and blessings on the verdict day. (Press Trust of India; September 2, 2008)
- Nanda, sporting vermilion on his forehead, entered the courtroom around 12.15 pm along with his grandmother, Gayatri Nanda, father and sister Sonali to attend the crucial proceedings on the verdict day. (Press Trust of India; September 2, 2008)

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