

News Broadcasting Standards Authority
Order No. 101 (2021)

Order of NBSA on complaint dated 16.4.2020 filed by The Campaign Against Hate Speech against News18 Kannada

The complaint dated 16.4.2020 was filed before the Monitoring Committees by “The Campaign Against Hate Speech” regarding statements made by journalists on the channel News 18 Kannada which were alleged to be fake and communally charged targeting specific minorities and creating an environment of hate that is translating into real-life violence for individuals from this minority community. The complaint was forwarded to the NBSA by PIB Fact Check on 17.4.2020.

Complaints dated 16.4.2020 filed before the District and the State Level Monitoring Committees

The complaints were against two programmes aired on News 18 Kannada, respectively titled: **“Do you know how is Delhi’s Nizamuddin Markaz which has spread the Coronavirus to the nation”** dated 1.4.2020; and **“How many have gone to Delhi’s Jamaat congregation from Karnataka?”** dated 1.4.2020. The complaints were filed in respect to the above-mentioned programmes for allegedly targeting and spreading hatred towards a particular community and for violating the Programme and Advertising Codes prescribed under the Cable Television Network Rules, 1994 and the Code of Ethics and Broadcasting Standards.

The complainant submitted that in the programme titled **“Do you know how is Delhi’s Nizamuddin Markaz which has spread the Coronavirus to the nation”** dated 1.4.2020, the news anchor begins with the statement *“Nizamuddin Markaz has spread the Corona to the nation”*. She states, *“even you will be shocked after seeing this video”* and showed a video of Muslims gathered in an area. However, it was left ambiguous as to when the video was recorded but goes on to allege that *“You can see the situation in Nizamuddin Markaz. How people are seated so close by without social distancing. We are always stating that 3 feet distance should be maintained in such situations.”* She said, *“After stating to maintain the social distance, you will know the kind of social distancing that was maintained by seeing this image”*. Despite levelling such a heavy accusation, such as *“You need to notice that entire nation has been infected with Corona due to that one congregation”*, no evidence was provided as to date on which the video was recorded, and in what circumstances, or what source the video recording was based on.

In the second programme titled **“How many have gone to Delhi’s Jamaat congregation from Karnataka?”**, dated 31.04.2020, the news anchor states, *“The question seems to arise, Has Delhi Jamaat somewhere become Wuhan? Because this virus has been spread to the whole world from China’s Wuhan”*. The news was flashed on the channel to state, *“Has Delhi Jamaat become Wuhan of Karnataka? Muslims of the state too infected with Corona”*. Such blanket statements were made without factual references.

The complainant submitted that these statements were factually incorrect as the Tablighi Jamaat program was concluded before the announcement of the official lockdown from 23.3.2020 in Delhi, and the subsequent imposition of a nationwide lockdown. However, due to the abrupt announcement of the lockdown, the attendees from different areas could not return home, and were forced to make alternative arrangements. Without regard for these unambiguous facts, the aforementioned unverified videos and statements unambiguously indicated that the channel is prejudiced against the community and is inciting hate against and attacking them without painting the facts in their entirety. By attempting to portray one community as the sole responsibility-bearer for spreading the disease, the channel engaged in fearmongering, and rousing communal disharmony. These statements were a clear attempt to promote and incite hatred against communities and people on the basis of religion. Further, such statements were in direct violation of the basic principles of journalism, *viz*, to verify facts before presenting a news item.

In this regard, the complainant submitted that the impugned programmes had flagrantly violated Rule - 6 of the Programme Code prescribed under the Cable Television Network Rules, 1994 in the following manner:

Programme 1: The statements that *“Nizamuddin Markaz has spread the Corona to the nation”*, and *“Even you will be shocked after seeing this video”* along with the video of Muslims gathered in large numbers in a hall, attempted to portray a violation of the lockdown and social distancing measures meant to contain COVID-19. The news item further alleged that, *“You can see the situation in Nizamuddin Markaz. How people are seated so close by without the social distancing. We are always stating that 3 feet distance should be maintained in such situations”*; *“after stating to maintain the social distance, you will know the kind of social distancing that was maintained by seeing this image”*, and *“you need to notice that entire nation has been infected with Corona due to that one congregation”*. However, no evidence whatsoever was provided as to the date on which the video was recorded, and in what circumstances, or what source the video recording was based on.

The complainant stated that these statements were in violation of the CTN Rules.

Programme 2: The statements that *“The question seems to arise, Has Delhi Jamaat somewhere become Wuhan? Because this virus has been spread to the whole world from China’s Wuhan”*, and *“Has Delhi Jamaat become Wuhan of Karnataka? Muslims of the state too infected with Corona!”*, were broadcast without any indication of evidentiary material or references. By comparing the Tablighi Jamaat in Delhi to Wuhan, despite the event having been concluded before the lockdown, the news item depicted the Jamaat as the epicenter and reason for the spread of Covid-19. Such statements exposed the Muslim community to fear, hatred, and discrimination, and must be considered to be in violation of CTN Rules, 1994. Not only was the channel attacking a particular

religion and community, but they were also spreading half-truths in a manner so as to incite hatred against a particular community.

Such programmes were a clear attempt to disrupt communal harmony and incite hatred towards a particular community and must be considered to be in violation of the CTN Rules in their entirety. The complainant also submitted that the impugned programmes had violated various sections under Indian Penal Code, 1860.

The complainant asserted that the impugned programmes also violated the Fundamental Principles in the Code of Ethics and Broadcasting Standards in the following manner:

Fundamental Principle 1: The broadcaster failed to stand accountable for the actions and seek the truth and report it fairly, and with integrity and independence, as several statements had been broadcast that were not grounded in facts, specifically regarding the dates of the Jamaat, their apparently intentional violation of the lockdown, and the alleged blatant violation of the lockdown and social-distancing measures. The reports, with their videos, were evidently biased and without verification.

Fundamental Principle 2: The broadcaster failed to adhere to the highest standards of public service and integrity by publishing unverified, and one-sided biased information that placed a minority community at the risk of discrimination, exclusion, and violence.

Fundamental Principle 4: The broadcaster failed to ensure that it does not select news for the purpose of hindering any side of a controversial public issue, and shall not select news to promote a belief, opinion, or desire of an interest group. This tenet had been violated as the news programmes had been cherry picked to support the anti-Islamic side of the controversial issue of the Tablighi Jamaat, and to promote the dominant beliefs prevailing against Muslims without any factual records. In placing the sole blame for the spread of the disease on Muslims, News 18 took a definitively biased stance against a minority community.

Fundamental Principle 5: The broadcaster also failed to recognize that the fundamental purpose of dissemination of news in a democracy is to educate and inform, so that the significance of events is borne upon citizens to form their own opinions. By imposing opinions about the Muslims, comparing their religious event to Wuhan, and commenting on the nature of their alleged transgression, the broadcaster provided a prejudiced picture without the complete set of facts.

Fundamental Principle 6: The broadcaster completely failed to ensure a full and fair representation of the news by providing a biased perspective with unverified facts, and half-truths that were intended to misguide and misinform the viewers.

Additionally, the broadcaster also violated all the principles of self-regulation in Section 2, in the following manner:

Principle 1 mandating “impartiality and objectivity in reporting” identifies accuracy as being at the heart of the news television business and that viewers of 24-hour news channels expect speed, but it is the responsibility of TV news channels to keep accuracy, and balance, as precedence over speed. The programmes telecast by the broadcaster are totally contrary to this principle in its intent, content, purpose, tone and tenor. There is no doubt that such programmes must be taken off the air, as statements such as those listed above were aired without any reference to impartiality and were overtly prejudiced against a particular religion. Moreover, they were clearly directed only at the Muslim community, and were not impartial or objective in any manner.

Principle 2 there is no “neutrality” whatsoever in the programmes that were aired as the broadcaster had sensationalized the issue of the Tablighi Jamaat without any sense of restraint, and with evident prejudice against a religion. The programmes were prejudicial, inflammatory, and crossed all boundaries of good taste and sensibility without any concern for the feelings of the religious group.

The manner in which the programmes were presented was also highly objectionable and hardly a news report. Instead, they were pure conjecture and the tone, tenor and language was crass, prejudiced, and disrespectful. They were aimed at promoting and inciting hatred and making assertions that certain citizens do not have fundamental rights due to their religion.

Moreover, these statements and videos amount to the perpetration of genocide against the Muslim community. The hatred spread by the media has destroyed and damaged the lives of ordinary people. Miscreants taking law onto their hands and forcing the general public not to buy fruits/vegetables from Muslim Street vendors; Resident Welfare Associations boycotting Muslims in their apartments and colonies; stopping Muslims from entering specific areas; preventing volunteers who are providing relief measures to the poor, because they are Muslims. The community subjected to this form of vicious hatred has been transformed from being persons to objects. This dehumanization has resulted in calls for elimination of the community and the same is nothing short of a call for genocide. The call to genocide is a violation of the right to life and personal liberty of an entire community under Article 21 of the Constitution and needs to be dealt with strictly. The calls for social and economic boycott being made are the precursors to genocide. Hate speech which repeatedly dehumanizes an entire community, makes them targets of vigilante violence. In *Pravasi Bhalai Sangathan v. Union of India*, the Supreme Court has unambiguously stated that hate speech is an effort to marginalise individuals based on their membership to a group, that can have a social impact. Moreover, hate

speech lays the groundwork for broad attacks on the vulnerable that can range from discrimination to ostracism, deportation, violence, and even to genocide. Therefore, the aforementioned news programmes tantamount to the perpetration of genocide and must be considered to be in violation of Article 21 of the Constitution.

The media has an additional responsibility in the time of the pandemic and the manner in which the channel has conducted itself, put people at larger risk. The World Health Organisation in its message dated 18.3.2020 has advised that to reduce stigma no particular ethnicity or nationality should be held responsible for Covid-19 since it is a world-wide pandemic and can affect anyone in any part of the world.

In light of the above, the complainant sought appropriate legal action, run an apology for 2 months and suspension of its broadcast for a period of 2 months. The journalists concerned should also be stripped off the press credentials to uphold the credibility and ethics of journalism.

Response from the Broadcaster

The broadcaster in its reply dated 1.5.2020 denied all allegations levelled against it by the complainant. It submitted that these allegations were false, frivolous, and baseless. The broadcaster stated that the news programmes in question were not in violation of the Programme Code prescribed under the Cable Television Network Rules, 1994.

It submitted that both the news programmes were aired on the same day i.e., on 1.4.2020 at 7:00 am and at 4:57 pm respectively. In the 7:00 am news report, it had informed the viewers about the spread of Covid-19 and about the various steps taken by the Government to control and prevent the spread of Covid-19 in Karnataka. In the said news, the broadcaster had also conveyed the message of Shri. Basavaraj Bommai, Minister for Home Affairs, Karnataka, wherein he had requested people who attended the Tablighi Jammah event in New Delhi to come forward voluntarily for Covid-19 tests being conducted by the Government.

In the other news story aired at 4:57 pm, the channel emphasized the importance of social distancing in preventing the spread of Covid-19. Both the news reports were based on facts and the inputs received from various authentic sources. The broadcaster reiterated that there was no intention whatsoever to sensationalize or create disharmony rather the abovementioned news reports were aired with the sole objective of informing the public at large about the rapid spread of Covid-19 in the State of Karnataka and the steps taken by the administration to control its spread.

The broadcaster stated that it was not prejudiced against any religion or community, whatsoever. In fact, News18 Kannada was among the first few channels to hold a panel discussion on maintaining communal harmony in their effort to contain the spread of Covid-19. The broadcaster has never engaged in fear mongering or in

rousing communal/religious disharmony. It did not portray any community in poor light, nor did it promote hatred against the community. Further, no derogatory remarks or hate speeches were made against any community or religion. As a channel the broadcaster had always condemned hate speeches. As a responsible member of the media, it is its constant endeavor to discharge its duties with full responsibility within the legal framework. The only interest is in effectively disseminating correct news to the viewers. The broadcaster has always maintained the highest standards of responsible journalism and shall always comply with the law of the land in this regard.

Decision of NBSA at its meeting held on 10.7.2020

NBSA at its meeting held on 10.7.2020 considered the complaints, the response from the broadcaster and viewed the footage of the broadcasts. NBSA was of the prima facie view that the broadcaster had violated the fundamental principles of Impartiality, Objectivity and Neutrality in reporting and also the Guideline No 9 relating to Racial & Religious Harmony, which states that “*Racial and religious stereotyping should be avoided*” and “*Caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony.*” NBSA decided that the complainant and the broadcaster be called for a hearing at the next meeting of the NBSA.

The following persons were present at the hearing held on 22.9.2020:

Complainant: **Campaign Against Hate Speech represented by**

Ms. Manavi Atri

Ms. Maitreyi Krishnan

Broadcaster: **TV18 Broadcast Ltd. [Channel: News18 Kannada]**

Mr. Ranganatha Marakini, News Editor

Mr. Arnabaditya Dasgupta, AVP Legal

Ms. Dipika R Kaura, Editor member representing TV18 Broadcast Ltd. [News18 Kannada] in NBSA being an interested party, recused herself from the proceedings.

Submissions made during the hearing:

The complainant completely denied the averments made in the reply given by the broadcaster. The blanket remarks of the broadcaster as “*always ensured compliance of all rules and regulations applicable to news channels*” is wrong in fact, given the warnings issued by this very Hon’ble Authority on 30.03.2017, 3.10.2017, 30.10.2018 to News 18 India, News 18 Assam, News 18 Rajasthan respectively for airing content in violation of the Code of Ethics and Guidelines issued by NBSA.

The complainant submitted that the broadcaster has stated that Programme 2 informed the viewers about the spread of Covid-19 in Karnataka and the specific steps taken by the Karnataka Government to control and prevent the spread of the

virus, whereas on careful perusal of the translation of the programme, the news report begins with airing of a graphic that has a shape of dome akin to that of a masjid and men wearing skull caps walking towards the masjid. Continuing with this graphic in the background, the anchor goes on to state *“Did the killer virus arrive from Delhi? Nizamuddin Toxicity”*. The preventive steps taken by Karnataka Government that are claimed to be discussed in the programme, in reality are non-existent. It has been stated that, *“initially, there were 45 people then 54 people and now 300 people who attended the Delhi Jamaat meeting”* and that *“we still need answer for the question which all districts the Delhi’s toxic is being spread from the virus which has already spread among the Muslim community?”* On the premise that many people from Karnataka have attended the event, the only steps stated are that the government and police are working on tracing *“these people”*. To suggest that the transmission of the virus amongst the Muslim community was widespread was the actual focus of the programme, which was furthered by the questions of *“Where did they go? Who are these 300 people etc?”* The so-called steps taken to trace *“these people”* and the statement of the Minister of Home Affairs of Karnataka were made only as passing comments. The maximum time on the program was devoted to asking rhetorical questions of *“where are they”, “which districts do they belong to”*, to portray the attendees of the Delhi Jamaat as absconding criminals. The news report in itself gives different numbers of the attendees from different places throughout the report, pointing to the unverified questionable sources of the numbers in itself. Both the programmes are prejudicial against one minority religion, intentionally portraying them in disparaging light. The complainant referred to the paragraphs of the judgement of the Aurangabad Bench of the Bombay High Court while quashing the FIRs registered against some of the foreign members of the Tablighi Jamaat along with other Indian citizens in *Criminal Writ Petition No. 548 of 2020, in which the Hon’ble Court observed that “there was big propaganda in print media and electronic media against the foreigners who had come to Markaz Delhi and an attempt was made to create a picture that these foreigners were responsible for spreading Covid-19 virus in India”.....*

The complainant submitted that the programme titled, *“Do you know how the Delhi’s Nizamuddin Markaz has spread the Coronavirus to the nation”* aired on 1.4.2020 was filed with unsubstantiated statements that targeted one minority community. The Code of Ethics and Broadcasting Standards, Advisory on Reporting Covid 19 Crisis dated 1.4.2020, Advisory on Use of Adjectives and Hyperbole dated 8.5.2020 and Specific Guidelines on Covering Reportage in the course of the programme in the following manner:

Section 1 of the Principles of Self-Regulations in the Code of Ethics envisions Impartiality, Objectivity in reporting and ensuring neutrality which has been violated repeatedly in the course of the programme by making the statements *“Under these circumstances, the most anxiety inducing development is the Nizamuddin Markaz that has spread Corona to the whole of India. Nizamuddin Markaz has spread Corona to all of the country. “Forget accuracy or balance”* the anchor was repeatedly blaming the Tablighi Jamaat for

the spread of the virus that caused the pandemic all over India. The anchor stated, *“The entire nation is anxious and miserable as the venom of Nizamuddin has taken over the entire country and this video will show us why. The one congregation that was held on that particular day was responsible for hundreds of people testing positive and becoming patients of Corona.”* There is nothing to show the link between the rising number of positive people and the Markaz’s responsibility. No source, verification of this statement which is repeated throughout the report is cited. To the same tune, the anchor stated, *“This congregation has become the reason why more and more people have become infected across the nation. You are watching the exclusive images of Markaz which spread corona all over.”* The anchor has not only called the spread of the virus as “venom” but also categorized it as “hell” by stating, *“You can see how this has turned into hell for so many people, it is not just Delhi that has been affected but the whole of India has been infected with Corona and Markaz is the reason behind it. The anchor then calls the virus their “prasada” blames them again for the spread of the virus to the entire country. All this, along with the anchor repeatedly stating that “has any person themselves gone to give information “we had gone”” followed by, “till now, nobody has done this” is portrayal of allegations as facts and an act of guilt.*

By airing this nature of unverified derogatory content, the broadcaster has blatantly disregarded the Advisory on Reporting Covid 19 Crisis dated 1.4.2020 issued by NBSA, which states *“The issue that the Hon’ble Supreme Court has touched upon relates to “fake news” whether intended or not, published either by electronic, print or social media which will cause panic in the society. The Hon’ble Court observed that the media should maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated.”* Contrary to this, the anchor has repeated the word “anxiety” several times in context of Nizamuddin Markaz in the two programmes.

The usage of the words, “venom”, “hell”, are direct hyperboles violating the Advisory on Use of Adjectives & Hyperbole, issued on 8.5.2020 that specifically states that *“4. News channels should desist from using “adjectives” which color verified facts/news with personal opinions of journalists, such as by use of the words “tainted”, “killer”, “cheat” etc.”*

The Specific Guidelines Covering Reportage that specifically enshrines Guideline 9 as Racial and Religious Harmony is affected by the means of stereotyping. The broadcaster aired footage claimed to be of the Nizamuddin Markaz which portrays a group of men moving around in skull caps in an enclosed area with the tag of ‘live’ which is in violation of the Advisory of this Authority regarding ‘live’ stamp. The impact on the religious harmony can also be observed from the comments made on the video of this program on YouTube.

The complainant reiterated that the said programme violated the following Fundamental Principles of the Code of Ethics and Broadcasting Standards:

Fundamental Principle 1 in as much as the broadcaster failed to stand accountable for its actions and seek the truth and report it fairly, and with integrity and

independence, as it has published several statements that are not grounded in facts, specifically blaming the spread of coronavirus to whole of India by the Nizamuddin Markaz, their apparent intentional violation of the lockdown, hiding all over India with the virus and blatant disregard to social-distancing measures. The reports, with their videos, are evidently biased and without verification.

Fundamental Principle 2- The broadcaster has failed to adhere to the highest standards of public service and integrity by publishing unverified, and one-sided biased information that places a minority community at the risk of discrimination, exclusion, and violence.

Fundamental Principle 4-The broadcaster has failed to ensure that it should not select news for the purpose of hindering any side of a controversial public issue, and shall not select news to promote a belief, opinion, or desire of an interest group. This tenet has been violated as the news programmes have been cherry picked to support the anti-Islamic side of the controversial issue of the Tablighi Jamaat, and promote the dominant beliefs prevailing against Muslims without any factual records. In placing the sole blame for the spread of the disease on Muslims, the channel has taken a definitively biased stance against a minority community.

Fundamental Principle 5-The broadcaster failed to recognize that the fundamental purpose of dissemination of news in a democracy is to educate and inform, so that the significance of events if borne upon citizens will help to form their own opinions.

The complainant stated that Programme 2 titled *“How many from Karnataka attended the Jamaat meeting in Delhi?”* aired on 1.4.2020 is in violations of the Code of Ethics and Advisories. They submitted that the vision of impartiality, objectivity and neutrality in Section 1 of the Principles of Self-Regulations in the Code of Ethics is violated at the very start of the programme when the anchor raises a so-called question *“Did the killer virus arrive from Delhi? Nizamuddin toxicity.”* This is followed by another question, *“Question is raised if Delhi’s Jamaat became the Wuhan of India because the deadly virus spread across the world from Wuhan.”* On the pretext of another question the direct implication that the entire Muslim community is infected is seen as *“We still need to get an answer for the question to which all districts the Delhi’s toxic is being spread from the virus which has already spread among the Muslim community?”* Such rhetorical questions insinuate that the entire Muslim Community are carriers. Such specific link of the Tablighi Jamaat to the Muslim community to blame them for the spread of a virus is in gross violation of the Specific Guidelines Covering Reportage, Guideline 9 relating to Racial and Religious Harmony. The images displayed in the background of anchor are stereotypical and unverified. Furthermore, the unverified numbers of attendees of the Markaz from Karnataka are aired throughout the programme which is in violation of the Advisory issued on 1.4.2020 regarding reporting on Covid-19.

The complainant submitted that irrespective of several advisories and guidelines issued by NBSA to the broadcasters to soberly report news in a fair and balanced manner, by providing adequately verified information in order to help the public form opinion on various issues, the broadcaster has broadcast news in a manner which is completely biased and blaming one particular religious community for the entire pandemic. This is evident from the fact that the broadcaster has been targeting and dehumanizing the Tablighi's for being part of large gatherings and thereby being exposed to the possibility of spread of Coronavirus. However, there have been several more instances of large gatherings in the country, which the broadcaster has not reported on. This clearly showed the reporting of the broadcaster was biased towards one particular community or sub-group within the community.

The complainant submitted that in the first week of April, when the media was busy telecasting news against the Tablighi Jamaat, some of the other large gathering included devotees thronging temples across Bengal to observe Ram Navami. Shortly after the Nizamuddin event, thousands of Hindu devotees reportedly crowded prominent temples in Gujarat. After toppling the Congress government in Madhya Pradesh, BJP's Mr Shivraj Singh Chouhan held a public ceremony to take oath as the Chief Minister on 23.3.2020. All these events were in public knowledge and reported by other mediums whereas the broadcaster chose to willfully not cover the other events to singularly point to the Tablighi Jamaat. The failure of the channel to neutrally, without judgement cover all facts that took place at the time is a gross violation of the Principle 1 of Neutrality.

The complainant stated that another large gathering reported by other channels was on the occasion of International Women's Day (March 8), the Presidential Palace in New Delhi when an award ceremony was organized, inviting a large number of people, including prominent public figures.

It was further submitted that the large proportion of overall positive cases that are linked to the Delhi Tablighi event is misleading, given that authorities did not aggressively trace and test people from other gatherings like it, which is termed as sampling bias, since people from this one cluster had been tested at very high rates, and the overall testing was low, it is hardly surprising that a large proportion of overall positives were attributed to this cluster. While in almost all other cases, only people with symptoms were tested, in the case of the Tablighi event, even people without symptoms were tested. This in itself is a major source of bias. The malice of the government in filing FIR's was also noted by the Aurangabad Bench of the Bombay High Court. This shows that the broadcaster has been completely ignorant of the number of tests being conducted by the authorities and therefore violated its role as a news media to soberly report news in a fair and balanced manner, by providing adequately verified information in order to help the public form opinions on various issues.

It was submitted that the Hon'ble Madras High Court, in *Md Kameenal Islam vs. State of Madras CRL OP(MD)Nos.5769, 6018 & 6103 of 2020*, while granting bail to certain members of the Jamaat, also paved a way for them to travel to their respective countries. That the said judgment, warned against clubbing all the Tablighi Jamaatis together as a monolithic whole, something the respondent broadcaster had been relentlessly doing. The complainant also referred to *Yashwant Sinha v. Central Bureau of Investigation, AIR 2019 SC 1802, (Para. 15)*, that while the Press has certain freedoms under Article 19(1)(a), these are subject to the dissemination of unbiased information to the citizenry, the restrictions contained in Article 19(2), and the laws duly promulgated by the Parliament. The Supreme Court has also recognized the constitutional implications of hate speech in *Pravasi Bhalai Sangathan v Union of India, AIR 2014 SC1591*, the Supreme Court has recognised hate speech as ‘an effort to marginalise individuals based on their membership in a group’.

The broadcaster in its submissions stated that the broadcast was only to highlight the issues to inform the public and did not sensationalise and neither was it prejudiced against any community. It submitted that it had no intention whatsoever to sensationalize or create disharmony and there was no hate speech as stated. Instead, the news reports were aired with the sole objective of informing the public at large about the rapid spread of the Covid-19 in the State of Karnataka and the steps taken by the administration to control its spread.

The broadcaster stated that it was not prejudiced against any religion or community, whatsoever. In fact, News18 Kannada was among the first few channels to hold a panel discussion on maintaining communal harmony in its effort to contain the spread of Covid-19. The allegations levelled by the complainant are false and completely baseless. It had never engaged in fear mongering or in rousing communal/religious disharmony. It did not portray any community in poor light nor did it promote hatred against the community. No derogatory remarks or hate speeches were made against any community or religion.

DECISION

NBSA went through the complaint, response from the broadcaster, translated text of the broadcast and also considered the arguments of both the complainant and the broadcaster and reviewed the footage.

NBSA noted that whenever any subject is discussed/telecast by the media, the broadcaster has to bear in mind that the contours of the broadcast should be within the principles laid down in the “Code of Ethics and Broadcasting Standards, Principles of Self Regulations” and “Specific Guidelines Covering Reportage” relating Impartiality, objectivity, neutrality and Fairness; verification of the facts broadcast also the Guideline No 9 relating to Racial & Religious Harmony.

NBSA noted that it is critical in the broadcasts complained of, to ensure that there is no communal colour given to any community in a programme as it would corrode

the secular fabric of the nation, cause irreparable harm to a community, and also stigmatize the community. The damage done is difficult to remedy. The focus of news programmes must be to report objectively with the fundamental purpose being to inform the viewers. No programme should prejudge any issue.

NBSA while assessing the broadcasts was of the view that the language used by the anchors in both the programmes were unacceptable. Some of these are given herein below:

“You need to notice that entire nation has been infected with Corona due to that one congregation”.
“The question seems to arise, has Delhi Jamaat somewhere become Wuhan? Because this virus has been spread to the whole world from China’s Wuhan”

“Has Delhi Jamaat become Wuhan of Karnataka? Muslims of the state too infected with Corona”.
“Nizamuddin Markaz has spread the Corona to the nation”.

“You need to notice that entire nation has been infected with Corona due to that one congregation”.
“Did the killer virus arrive from Delhi? Nizamuddin Toxicity.”

“We still need answer for the question which all districts the Delhi’s toxic is being spread from the virus which has already spread among the Muslim community?”

“The entire nation is anxious and miserable as the venom of Nizamuddin has taken over the entire country and this video will show us why. The one congregation that was held on that particular day was responsible for hundreds of people testing positive and becoming patients of corona.”

“You can see how this is has turned into hell for so many people, it is not just Delhi that has been affected but the whole of India has been infected with corona and Markaz is the reason behind it.”
The anchor calls the virus their “Prasada” blames them again for the spread of the virus to the entire country.

NBSA noted that the manner in which the programmes were presented was highly objectionable. The news report was based on pure conjecture. The tone, tenor and language was crass, prejudiced and disrespectful. The programmes were prejudicial, inflammatory, and crossed all boundaries of good taste and sensibility without any concern for the feelings of a religious group. It was aimed at promoting and inciting hatred between communities.

NBSA was also of the view that the language and words used like “venom”, “hell”, “prasada”, “Nizamuddin toxicity” etc. in the broadcast were certainly derogatory and out of context. NBSA took strong exception to use of the word “these people” to refer to the Tablighi’s. The programmes stereotyped a community. The community was being targeted and the programmes had a tendency to incite communal feelings, disharmony, discord and the reference could lead to hate and outrage against the entire community. The broadcasts certainly violated the Code of Ethics and Broadcasting Standards, the Principles of Self-Regulation relating to impartiality, objectivity, ensuring neutrality and lacked verification of facts and also the Guideline

No 9 relating to Racial & Religious Harmony, which states that “*Racial and religious stereotyping should be avoided*” and “*Caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony.*” The language and words should have been avoided as these were broadcast to sensationalize the issues of the news story.

NBSA after deliberations decided to impose the following sanctions upon the broadcaster:

The broadcaster shall, prior to the 9 PM news on **June 23, 2021**, air the following text(static) on full screen in large font size with a clearly audible voice-over (in slow speed) apologize for the said telecasts on their channel News18 Kannada by stating the following:

[TEXT TO BE TRANSLATED IN KANNADA]

“News 18 Kannada apologizes that in the two programmes aired on the channel titled “Do you know how is Delhi’s Nizamuddin Markaz which has spread the Coronavirus to the nation” dated 1.4.2020; and the second, “How many have gone to Delhi’s Jamaat congregation from Karnataka?” dated 1.4.2020, we have violated the Code of Ethics and Broadcasting Standards requiring broadcasters to maintain impartiality, objectivity in reporting and ensuring neutrality. The broadcasts also violated the Specific Guideline Covering reportage relating to Racial & Religious Harmony. We clarify that it was not our intention to portray any community in poor light or to promote hatred against any community. There was no intention on our part to sensationalize the issue and we shall abide by the Code of Ethics and Broadcasting Standards and Guidelines issued by NBSA in our endeavor to improve broadcasting standards.”

NBSA also imposes a fine of Rs.1,00,000/-(Rupees One lakh only) on the broadcaster payable to News Broadcasters Association (NBA) within 7 (seven) days of receipt of this Order for violation of the Broadcasting Standards and Regulations.

NBSA also directs that the video of the said broadcasts, if still available on the website of the channel, or YouTube, or any other links, should be removed immediately and the same should be confirmed to NBSA in writing within 7 days.

NBSA decided to close the complaints with the above observations and inform the complainant and the broadcaster accordingly.

NBSA directs the NBA to send:

- (a) A copy of this Order to the complainant and the broadcaster;
- (b) Circulate this Order to all Members, Editors & Legal Heads of NBA;
- (c) Host this Order on its website and include it in its next Annual Report and
- (d) Release the Order to media.

It is clarified that any statements made by the parties in the proceedings before the NBSA while responding to the complaint and putting forth their view points, and any finding or observations by NBSA in regard to the broadcasts, in its proceeding or in this Order, are only in the context of examination as to whether there are any violations of any broadcasting standard or guidelines. They are not intended to be ‘admissions’ by the broadcaster, nor intended to be ‘findings’ by NBSA in regard to any civil/criminal liability.

Sd/-

**Justice A. K Sikri (Retd.)
Chairperson**

**Place: New Delhi
Date: June 16, 2021**