

**News Broadcasting Standards Authority
Order No. 102 (2021)**

Order of NBSA on complaint dated 14.7.2020 of Mr. Vikender Pal against programme titled “Corona Ab Musalman Ban Gya Hai” aired on 21.4.2020 on News Nation

Complaint :

I would like to inform you that “Shoaib Jamai” delivered his hatred song, i.e. “*Corona Ab Musalman Ban Gya Hai*”, with malafide intentions on the national television news channel (News Nation) during the debate on 21st April, 2020 for instigating the Muslim society and other societies in India and he has been in favour of Tablighi Jamaat’s Chief namely Maulana Saad and members of Tablighi Jamaat against whom a number of FIRs have been registered in Delhi and in other States. You are requested to collect all debates of “Shoaib Jamai” from all national television news channels from January till date, wherein he has delivered his own hate statements/arguments only for the purpose of instigating the Muslim society and other societies in India. Again, you are requested to collect his call detail records from the Shaheen Bagh episode till date, his bank accounts, and his other source of income and register the FIR against “Shoaib Jamai” under the appropriate sections for doing such kind of conduct mentioned above (“*Corona Ab Musalman Ban Gya Hai*”) not only against the Government but also against Indian societies for spreading communal violence using such kind of platform.

Reply dated 14.8.2020 from the broadcaster:

The broadcaster submitted that the said show “Khoj Khabar” has been designed, created and telecast to create awareness among the public at large and also to show and air the genuine and true facts related to any news which is evident from the name of the show itself, i.e., " Khoj Khabar ". The issue/topic of the said show was Covid-19, and the gathering by a group of people during lockdown which was in violation of the norms of the government and also the guidelines issued by the concerned ministry and the said gathering was a threat to the general public as the public was asked to maintain social distancing and to keep away from social gatherings due to the ongoing pandemic. The focus of the panel discussion was the said irresponsible act of a group of people, and there was equal participation by members from both the communities.

At the beginning of the show itself, the host had made it amply clear the issue for discussion and also clarified that the said issue/topic was not against any particular community. The show “Khoj Khabar”, as evinced by its very name, seeks to discuss issues that are of concern to the public by bringing together parties having different opinions on the issue so that the public can hear the different opinions and participate in the debate through social media to put forth their own viewpoint. It is the embodiment of a democracy where every opinion deserves to be voiced. Mr. Shoaib Jamai was also there as a panel member in the said show, and the said lines

uttered by him were also immediately questioned and countered by the host of the show. All efforts were made by the anchor to maintain neutrality and to ensure that the content broadcast does not foster communal, religious or cultural divide.

The broadcaster submitted that the actual facts of the show have been gravely misunderstood, and the issue/context of the show have been wrongly interpreted. Further, it believed that the complaint had been filed after watching only a particular portion of the show. The said show was a panel discussion-based live show, and despite maintaining diligence and care, it becomes difficult to prevent the participating guests from airing their individual viewpoints. As soon as the said statement or the lines in question were uttered by one of their guests, they were countered immediately displaying a full plate Graphix of yet another poem (a viral), that talked about the secular character of our country and the harmonious blend of bonhomie, geniality, social affability, and brotherhood. Their counter-argument to the said lines in question talked about the amiable and the traditional age-old warmth which various communities and sections of people in the country have been sharing for ages. As a responsible news channel, it has always been the broadcaster's effort to maintain the highest standards of journalistic ethics and to ensure that nothing goes on air that could create any kind of communal or social discord. In the said show, too, the broadcaster did the same by distancing itself from the aforesaid statement made by Mr. Shoaib Jamai by decrying it and countering it through its visual display as an act or a narrative that went against the established social norms.

Decision dated 10.7.2020

NBSA, at its meeting held on 10.7.2020, considered the complaint and the response of the broadcaster. NBSA was of the prima facie view that the broadcaster had violated the fundamental principles of Impartiality, Objectivity and Neutrality in reporting and the Specific Guidelines Covering Reportage 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 to call the complainant and the broadcaster for a hearing at the next meeting of the NBSA i.e., on 7.9.2020 by video conference.

On the day of hearing, the complainant vide an email dated 7.9.2020 requested for an adjournment of the hearing due to personal reasons, which was granted by NBSA. NBSA, accordingly directed the complainant and broadcaster to appear on 22.9.2020.

The complainant on 22.9.2020, again sought an adjournment of the hearing as he was in Court. The complainant did not appear even for the rescheduled hearing post lunch. NBSA decided that since the complainant had been granted adjournment twice, it would proceed with the hearing based on the written submissions of the complainant. However, NBSA decided that if the complainant desired to submit

written submissions in this regard he may submit the same by 5.10.2020, to which also there was no response from the complainant.

The following persons were present at the hearing on 7.9.2020 and 22.9.2020

Complainant: Mr. Vikender Pal (Not Present at the hearing)

Broadcaster: Mr. Ajay Verma, Senior Executive Editor

Ms. Nupur Giri, Compliance Officer (NBSA)

The broadcaster reiterated the submissions made in its response. It stated that the impugned programme was a live show, and the broadcaster had tried to counter the controversial statement made by the panelist, during the remaining part of the programme. The broadcaster had also tried to create a balance by reciting poetry that referred to the social harmony which exists in the country.

NBSA asked the broadcaster that on viewing the broadcast, it was observed that Mr. Deepak Chourasia, the anchor of the programme, instead of countering the controversial statements being made, praised the panelist and laughed, which gave an impression that he was encouraging the panelist. The broadcaster responded by stating that in a live debate, the anchor has no option but to listen to the panelists. However, in the limited time that it had, the broadcaster did its best to counter the panelist.

NBSA observed that the anchor was very well aware that the panelist Mr. Shoaib Jamai, is a controversial / communal person and if invited to the show, the anchor had an obligation to ensure that the person is informed of his obligations as a panelist in the programme. While expressing his views, the panelist should not make provocative statements. The role of the anchor is to be a neutral person who conducts the debate objectively and does not conduct a one-sided debate by putting leading questions.

NBSA was of the view that it was necessary for the broadcaster to seriously introspect and take a conscious decision of the contents that are aired on the channel and in particular the manner of conducting debates by its anchor Mr. Deepak Chourasia.

DECISION

NBSA went through the complaint, response from the broadcaster and also considered the arguments of the broadcaster and reviewed the footage.

NBSA observed that the media has the freedom to report on any story or subject or to hold debates with various panelists of its choice. However, while holding such debates and inviting persons who are reputed to make provocative statements, the broadcasters must brief such panelists in respect of the Code of Ethics and

Broadcasting Standards and Guidelines, so that the panelist do not make controversial and provocative statements during the debates.

Furthermore, on a viewing of the footage, it becomes very evident that the purpose of the programme was not to have a meaningful debate by bringing together parties having different opinions on the issue so that the public can hear different opinions but was to create a communal divide between communities.

In view of the above, NBSA warns the broadcaster (Channel News Nation) to exercise greater care and caution in future while telecasting such news stories and holding such debates. If the observations of NBSA in its Order are not adhered, to any such violations by the channel would be viewed seriously in future.

NBSA also directed that the video of the said broadcast, 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 complaint 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 statement made by the parties in the proceedings before NBSA while responding to the complaint and putting forth their view points, and any finding or observation by NBSA in regard to the broadcasts, in its proceedings or in this Order, are only in the context of an examination as to whether there are any violations of any broadcasting standards and 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