

**News Broadcasting Standards Authority  
Order No. 105 (2021)**

**Order of NBSA on complaint dated 29.2.2020 filed by Mr. Md Iqbal Ansari against news channels News18 India, News18 Bihar/Jharkhand and CNBC Awaaz**

**Complaint:**

The complainant stated that in 2018 despite the warning issued by NBSA vide Order No 56 (2018) dated 22.3.2018, the broadcaster has continued to air programmes on the same topics, thus spreading hate and provoking enmity amongst the sections of the society specially between Hindus and Muslims by using terms like “Islamic terror”, “Hindu terror” and sensationalizing the issues. The complainant submitted that the entire country observed the very recent unfortunate riots which occurred in Delhi, which he alleged is 1000% due to the TV channels’ programmes like AAR PAR which provoke enmity among people of the country. This resulted in the loss of lives, many were injured in the riots, 123 First Information Reports (FIR) were lodged and 623 people were arrested for riots as per the information till 29.2.2020.

He stated that the reasons for filing the fresh complaint were as follows:

1. The programme AAR PAR titled “Hindu Aatankwad Ke Piche Kiska Hath” aired on News18 India on 20.2.2020 from 7 pm to 8 pm was very disturbing and the provocative, offensive and objectionable words were used by the anchor Mr. Amish Devgan i.e., “is *desh ki jo vichar dhara hai, vichar dhara se mera talluque hai ki is desh ki mitti me jo vichar dhara panapti hai vo hai hindu*”. (means: “the ideology which is this country has, i mean to say that the ideology which thrives from the soil of this country is Hindu”).
2. The broadcaster repeated the same programme with a different name “Ye Desh Hai Hamara” on 23.2.2020 from 12 pm to 1 pm on News18 Bihar Jharkhand. This is again the violation of NBSA guidelines.
3. Very objectionable words “Islamic Aatankwad” were used by the anchor Sumit Jha of News18 Bihar Jharkhand on 25.2.2020 between 6 pm – 6:30 pm in the programme News 18 special.
4. Another hateful, sensational and divisive programme was aired on CNBC AWAAZ on 23.2.2020 between 11:57 pm -12:57 am. [To check timing]
5. Another AAR PAR programme was aired on News18 India namely “CAA ke nam par bahunskhyank ko lalkara gaya” means: “the majority was threatened in the name of CAA”. In this programme very offensive and objectionable terms were exercised in the whole programme.
6. Another objectionable, quarrelsome and hateful programme “nagrikta ki ladai Hitler par aai” was aired by the News18 India on 20.2.2020. The people were abusing each other and quarrelling. Objectionable terms were used and the show was live.

7. Another programme was aired on News18 India “*Delhi ki is isthiti ke liye zimmedar kaun*”? (means: *who is the responsible for this situation of Delhi*)? A lot of inflammatory words were used in this particular programme as well.

The complainant desired that appropriate action be taken against the broadcaster as the matter is also associated with national security. He also desired a hearing in the matter.

### **Response from the Broadcaster:**

The broadcaster through its reply dated 18.3.2020, submitted that it denies each and every averment that has been made in the aforesaid complaint with regard to the programmes aired on the channel/s. The topic of each of the debate programmes was decided on the basis of the statements made or view taken by a prominent personality including by a political and/or bureaucratic personality.

The topic of the debate programme titled “हिन्दू आतंकवाद के पीछे किसका 'हाथ'?” broadcast on the channel News18 India on 20.2.2020 was decided on the basis of the observations made by the former Mumbai Police Commissioner, Mr Rakesh Maria, IPS in his recently launched book wherein he made a disclosure that terrorist Kasab wore a red thread on his right wrist so that people would believe the theory that the perpetrators responsible for 26/11 attacks were '*Hindu Terror*'. Other than this, the programme was also broadcast on the channel News18 Bihar/Jharkhand on 23.2.2020 under the title “यह देश है हमारा”.

The topic of the debate programme titled as “नागरिकता की लड़ाई मुगलों पर आई!” broadcast on the channel News18 India on 22.1.2020 was decided on the basis of a controversial statement made by AIMIM leader Akbaruddin Owaisi. Throughout the programme the channel categorically condemned the statement made by the said leader.

In the programme titled “मस्जिदों में मुस्लिम, महिलाओं की एंट्री कब?” broadcast on News18 India on 13.12.2020– the topic was decided on the basis of a petition filed by a Muslim family before the Hon’ble Supreme Court of India whereby they have sought rights for women to visit Masjid.

In the programme titled “दंगाई जुबान, कहाँ गया ओवैसी का संविधान?” broadcast on News18 on 21.2.2020, the topic was decided on the basis of a controversial statement made by AIMIM leader, Waris Pathan. It was a widely reported statement/remark made by the leader post which an FIR was registered against him for outraging, inciting and spreading hatred amongst the communities.

The broadcaster denied that the anchor had used the term “इस्लामी आतंकवाद” during the news bulletins broadcast between 6.00 to 6:30 PM on 25.2.2020 on the Channel News18 Bihar /Jharkhand.

The broadcaster with regard to another hateful, sensational and divisive programme was aired on CNBC AWAAZ on 23.2.2020 between 11:57 pm -12:57 am, has informed vide email dated 1.07.2020 that the time provided by the complainant for the CNBC Awaaz show is incorrect. Hence, they have not submitted any response.

The broadcaster further stated that as a matter of practice, in each of the programmes, the spokesperson/representatives from various parties/walks of life are invited to present their views on the debate and the same is duly moderated by the anchor of the programme, in compliance with all journalistic practices. Additionally, the broadcaster reiterated that being a responsible member of the media, it constantly endeavoured to discharge its duties with full responsibility within the legal/constitutional framework. That it is only interested in effectively disseminating correct news to its viewers and has always maintained the highest standards of responsible journalism and the channel shall continue to do so in compliance with the law of the land in this regard.

#### **Further reply from the complainant to the broadcaster**

The complainant vide reply dated 19.3.2020, stated that he was not satisfied with the reply of the broadcaster which he believed to be false and therefore unacceptable. Therefore, he requested for a hearing in the matter to put forth his complaint before NBSA.

#### **Decision of NBSA on 10.7.2020**

NBSA considered the complaint, the response from the broadcaster and also viewed the footage of the broadcasts. NBSA noted that the reasoning given by the broadcaster was that *“the topic of each of the debate programmes was decided on the basis of the statement made or view taken by a prominent personality including by a political and/or bureaucratic personality”*.

NBSA also noted that topics chosen by the broadcaster in their various programmes were against the Fundamental Principles of the Code of Ethics and Broadcasting Standards and also, were in violation of the Specific Guidelines Covering Reportage dated 15.9.2020 Regulation 9. Racial & Religious Harmony.

NBSA was of the prima facie view that such sensational and provocative broadcasts could spread hate and provoke enmity amongst the sections of the communities and the broadcasts were sensational.

NBSA decided that both the broadcaster and the complainant be called for a hearing at the next meeting of the NBSA.

On being served with notices, the following persons were present at the hearing held on 26.11.2020:

Complainant: Mr Iqbal Ansari

Broadcaster: TV18 Broadcast Ltd. [Channels: News18 India, News18 Bihar/Jharkhand, CNBC Awaaz]

1. Mr. Avanish Ojha - Associate Executive Producer
2. Mr. Arnabaditya Dasgupta – Assistant Principal Counsel
3. Mr. Apurv Narula – Senior Counsel

Ms. Dipika R Kaura, Editor member representing TV18 Broadcast Ltd. [News18 India, News18 Bihar/Jharkhand, CNBC Awaaz] in NBSA being an interested party, recused herself from the proceedings.

### **Submissions of the Complainant**

Complainant stated that the channel, through the “AAR PAR” programmes appears to implement a special agenda to divide the country on religious lines i.e., Hindu / Muslim which would endanger the harmony and brotherhood among citizens of the country. Such programmes only create tension and spread animosity between the two communities. He stated that the programmes had the effect of spreading misleading rumours among people who are absolutely unaware of what transpired and that it was not proper to debate on issues related to a particular religion, that too those which evoke strong reactions/emotions. He submitted that the channel deliberately invited some hardliners and persons with extreme orthodox views to the debates and provoked them to heap insults on the religion of others. He also submitted that the language used by some hardliners during discussions on the channels were deliberately intended to hurt the sentiments of a particular religious community and give shape to a concrete agenda. He stated that the channel was working with a particular agenda which could become a major challenge for the country’s security, unity, integrity and social harmony.

According to the complainant, the seven programmes with provocative titles were aired merely based on the statements/observations by some persons; and that the broadcasts were under a specific agenda to hurt the religious sentiments of the people belonging to a particular religion and generate hatred and animosity between the Hindus and the Muslims. He stated that the anchor begins a programme with provocative headline which stated “*is desh ki jo vichar dhara hai, vichar dhara se mera talluque hai ki is desh ki mitti me jo vichar dhara panapti hai vo hai hindu*”. Such opening remarks by the anchor sets the debate in a direction which will only lead to provocative views which targets the community and spread hatred instead of brotherhood amongst communities. Use of words “*Islamic Aatankwad*” in a programme is highly provocative and targeting a community. He said that this

country is governed by the Constitution and not by the provocative statements made by politicians and such provocative statements should not be a matter of debate on national TV channels. He said that the country is confronted with so many issues due to the Coronavirus pandemic which issues need to be debated but none find mention on TV channels.

The broadcaster denied the allegations and contentions of the complainant and stated that it was never their intent to hurt the sentiments of any community or create any divide between communities. The broadcaster reiterated the contentions put forth in its response that it had no intention of endangering the security or harmony of the country; that the object of airing such programmes was to keep the viewers informed about issues affecting the public at large; that in its response, it had clarified the rationale and object behind airing each of the aforesaid programmes; that it was quite evident that the issues debated in the aforesaid programmes were already under public deliberations, much before the channel decided to have debates on those issue(s); and that the channel ensured that views and opinions of all relevant stakeholders/people from various walks of life were given an opportunity to express their respective views through the programmes. The broadcaster has also pointed out that the complainant has only given the titles of the programmes, though the programmes have to be seen in its entirety.

**Decision:**

NBSA, on considering the complaint, response of the broadcaster, submissions made by the parties and after viewing the video links at the hearing was of the view that the anchor stating at the beginning of the programme *“desh ki jo vichar dhara hai, vichar dhara se mera talluque hai ki is desh ki mitti me jo vichar dhara panapti hai vo hai hindu”*, sets in motion the agenda for the debate and the direction the debate would take. The anchors behaviour is very intimidating, his style of anchoring is brow beating. It is very clear that the anchor has an agenda which is divisive and the nature of the debates in question may have the effect of creating/accentuating a division between communities. The programmes sensationalized the issues and were likely to provoke enmity amongst communities. Further, NBSA Guidelines require channels to avoid tagging the name of any religion to ‘terror’, as terror has no religion.

NBSA was of the view that the common thread in all the programmes was the tendency to provoke and create tension and religious disharmony between two communities and such telecasts should be condemned. NBSA noted that despite the channel in the past being asked to air an apology and has been issued a warning, the channel has not taken corrective measures to tone down the negative nature of the broadcasts.

NBSA noted that the topics chosen by the broadcaster in its various programmes were against the Fundamental Principles of the Code of Ethics and Broadcasting Standards, which are as follows:

- 4) *Broadcasters shall, in particular, ensure that they do not select news for the purpose of either promoting or hindering either side of any controversial public issue. News shall not be selected or designed to promote any particular belief, opinion or desires of any interest group.*
- 5) *The fundamental purpose of dissemination of news in a democracy is to educate and inform the people of the happenings in the country, so that the people of the country understand significant events and form their own conclusions.*
- 6) *Broadcasters shall ensure a full and fair presentation of news as the same is the fundamental responsibility of each news channel. Realizing the importance of presenting all points of view in a democracy, the broadcasters should, therefore, take responsibility in ensuring that controversial subjects are fairly presented, with time being allotted fairly to each point of view. Besides, the selection of items of news shall also be governed by public interest and importance based on the significance of these items of news in a democracy.*

And also, were in violation of the Specific Guidelines Covering Reportage dated 15.9.2020 Regulation 9. Racial & Religious Harmony, which states as follows:

9.1 *Racial and religious stereotyping should be avoided.*

9.2 *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.*

And Guidelines on Broadcast of Potentially Defamatory Content No 10. which states that *“In the choice of panels for discussions, the channels must ensure that their programmes do not become a platform for spreading acrimony”*.

In view of the above violations, NBSA decided to issue a warning to the broadcaster and advised the broadcaster to avoid such broadcasts and debates in future. Though the broadcaster has the right to report on any subject of its choice, but it must adhere to the Fundamental Principles as enumerated in the Code of Ethics and Broadcasting Standards and the various Guidelines and Advisories issued by NBSA.

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

NBSA also decided that an Advisory be issued regarding the manner in which debates are conducted by Anchors. The Anchors while conducting debates need to be objective, neutral and impartial particularly in respect of the words and language used by them.

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

NBSA directs 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 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**