

**News Broadcasting & Digital Standards Authority**  
**Order No. 112 (2021)**

**Order of NBDSA (formerly known as NBSA) on the complaint dated 9.8.2020 from Dr Manilal Valliyate, CEO, PETA India against Zee News & Zee Business for airing a programme on 17.7.2020**

Since the complainant was not satisfied with the response of the broadcaster, the complaint was escalated to the second level, which is NBSA vide complaint dated 9.8.2020.

**Complaint dated 23.7.2020 to the channel**

The complaint is against news programme “*Taal Thok Ke: Special Edition*” which was aired by Zee News Channel on 17.7.2020 at 6:00 PM. The complainant stated that through the impugned news programme, the broadcaster had launched a defamatory and malicious campaign against it. The broadcaster had on social media sites, including on Twitter also made deliberately misleading, false and malicious allegations against PETA, including using the malicious and defamatory hashtag “*#Agenda Against Hindus*,” thereby also inciting and calling upon its viewers to use the said defamatory hashtag.

That on 17.7.2020, the broadcaster had aired a news segment titled “*PETA ke nishane par Rakshabandhan*” at 3:00 PM, in which false and defamatory allegations against the complainant were aired alleging that it had fallen prey to an anti-Hindu ‘*sankraman/ infection*’, harbouring an agenda against Hinduism, selectively targeting Hindu festivals, perpetuating a conspiracy against Hindus in the guise of protecting the environment and playing with the sentiments of Hindus, when it is well-known that the goal of the complainant is to promote veganism, and to this end, it attempts to appeal to different audiences (without any targeting, discrimination or communal bias, as alleged) through different means. However, in the impugned programme, it was maliciously alleged that the complainant had repeatedly and selectively been targeting Hindu festivals and Hindu religious activities on the mere excuse of helping animals such as elephants, which allegation was completely baseless, given that PETA is an entirely non-religious organisation with a reputation for cow, bull and elephant protection in all areas where they are held captive, forced to perform and used, including for races and circuses, and crusading for other animal rights. The complainant, therefore, stated that the broadcaster’s repeated assertion that PETA’s campaigns for animal rights have a hidden motive to target Hinduism was completely unfounded, malicious and against basic journalistic integrity. Such allegations were repeatedly flashed prominently during the show in an attempt to sensationalise the programme and promote viewership.

Further, the broadcaster had maliciously misrepresented PETA’s latest campaign to encourage empathy for cows who are tortured and slaughtered for the leather

industry, calling upon individuals to take a pledge to protect cows, the way they protect human sisters, on the occasion of *Rakshabandhan*, by being lifelong leather-free by inexplicably characterising it as being communal and disrespectful to Hindu sentiments. During the impugned programme, it was repeatedly alleged that the campaign suggested that leather was used in the manufacture of *rakhis*, even though no such suggestion had been made by PETA at any stage and the same was also repeatedly clarified by PETA's Campaign Manager in the course of the programme.

The complainant stated that on 17.7.2020, the broadcaster had at 6:00 PM aired another false, defamatory and misleading show titled "*Taal Thok Ke: Special Edition*", purporting to hold a 'panel debate' on the subject. However, from the very outset, it was evident that the show had been conceptualised to defame the complainant and maliciously portray it as "*Anti Hindu*", to vilify the complainant amongst the viewers of the broadcaster and to denigrate its reputation.

At the beginning itself, defamatory tagline "*#Agenda Against Hindus*" was used to sensationalise the issue, and throughout the show, it was repeatedly alleged that the complainant had launched an 'agenda' or a 'conspiracy' against the Hindu religion, when in fact PETA's reputation and long history of achieving rescues and other victories for animal rights speak for itself.

The complainant stated that the programme started with false and defamatory allegation that PETA only advocated environment-friendly or animal friendly policies where they relate to Hindu festivals, when in fact, PETA works to stop all uses of animals for food, clothing, experimentation, entertainment or any other abuses. It was also falsely alleged that the complainant had not issued any appeals or was otherwise silent with respect to animal slaughter or in the context of festivals celebrated by other religions (such as Bakri Id), despite there being numerous blogs on PETA's website which explain its actions to stop animal sacrifice for Bakri Id. The complainant stated that this demonstrated the lack of even basic research and due diligence on the part of the broadcaster before telecasting the abovementioned programmes. The entire thrust and premise of the shows, and the view presented to the viewer throughout the telecasts, was that PETA in its efforts to protect cows, was somehow an 'anti-Hindu' organisation, and in fact, it was also suggested that PETA was part of a larger international conspiracy against India, which assertion is absolutely inexplicable and violative of journalistic ethics.

The complainant submitted that the above allegations were also briefly repeated by the broadcaster as part of other programmes such as '*Non-stop News*' and '*Bagheeron ke liye Samachar*' on its news channel, Zee News and '*Desh-Duniya Top 20*' on its channel, Zee Business on the same day. The complainant reiterated that it was shocking and inexplicable that a campaign started by it for the protection of cows, who occupy an important place in Hinduism, had been characterized by the

broadcaster as being anti-Hindu by twisting the facts only to defame and disparage the complainant. There was no attempt to ensure balance, neutrality, impartiality, or objectivity in the conduct of the shows and during the so-called ‘panel discussion’.

The complainant stated that these shows were aired apparently in response to billboards set up by the complainant in several cities appealing to people to take a pledge to protect cows for life, like they protect human sisters, on the occasion of *rakshabandhan*, which was a peaceful appeal in celebration of the spirit of protection of the holiday, and cannot be termed as “*Anti-Hindu*” or as a “*conspiracy against the Hindu religion*” by any stretch of the imagination. The complainant reiterated that the programmes mentioned above proceeded on the incorrect premise that PETA had somehow suggested that leather was being used in the manufacture of *rakhis* or that PETA’s campaign was somehow against the festival of *rakshanbandhan* itself, when the billboards in question, as well as the information related to the campaign available on PETA’s website, made it abundantly clear that this was not the case. The clarifications offered by the complainant’s Campaign Manager in this regard were completely disregarded as the programmes were clearly designed not to conduct an impartial and fair discussion on the purported issue but to malign and disparage PETA.

Further, the complainant stated that even previously malicious allegations of being anti-Hindu were levelled by the broadcaster against the complainant, in response to its tweet sharing a vegan ghee recipe to assist those who would like to celebrate *Janmashtmi* dairy-free regarding which a complaint was also filed before NBSA. The Authority, by way of its Order dated 2.04.2019, deprecated the ‘*Anti-Hindu*’ description of PETA by the broadcaster and pursuant to the order, the broadcaster had also aired an apology.

Furthermore, it stated that the tweet on *Janmashtmi*, which purportedly formed the basis of the previous complaint and for which an apology had been tendered by the broadcaster, was also prominently displayed on the screen during the programme at 3:00 PM and used by the broadcaster to falsely claim that PETA was involved in a larger conspiracy against Hinduism by repeatedly targeting Hindu religious practices. The complainant submitted that though the tweet in question had already been held not to be against Hindu sentiments by the Authority, this tweet was once again portrayed as being anti-Hindu and reflective of the complainant’s alleged “*double-standards*” by the broadcaster.

The complainant stated that it was evident that the broadcaster was again launching a deliberate, sustained campaign for the vilification of the complainant and abusing its position as a prominent media organization, in retaliation for the previous complaint filed by the complainant in defence of its rights. Additionally, the very

fact that the broadcaster had attempted to create a controversy where none existed to 'manufacture' news demonstrated this.

From the tone and tenor of the broadcasts, it is evident that the complainant had conspired to again maliciously project PETA in a deliberately misleading, false, and denigrating light so as to ruin their reputation amongst the general public and cast aspersions on their credibility. The complainant asserted that the actions of the broadcaster have grievously harmed PETA's reputation in the eyes of the general public, including its financial supporters and therefore defamed the complainant.

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

The broadcaster in its reply dated 27.7.2020, stated that the complainant had in its complaint dated 23.07.2020 levelled various false, baseless and motivated allegations against the broadcaster. The broadcaster submitted that it had fairly reported and conducted a panel discussion on the complainant's recent controversial appeal and campaign, whereby PETA had advised the people to go leather free on the festival of *Raksha Bandhan* and protect cows.

The broadcaster denied that the impugned broadcast was intended to harass, humiliate or defame the image of the complainant. It submitted that the complainant had recently initiated a controversial campaign by making an appeal to the people to go leather free on this upcoming Hindu festival '*Raksha Bandhan*' and protect the cows. In furtherance of the said campaign, a tweet was posted on 15.7.2020 on its Twitter handle stating that on Hindu festival "*Raksha Bandhan*", we should protect cows and go "*Leather Free*", which was later on deleted by the complainant for the reasons best known to them. In addition to that, the complainant had also installed posters and hoardings in various cities across the country, including Ahmedabad, Bhopal, Chandigarh, Jaipur, Kanpur, Patna, and Pune, whereby, while portraying the picture of a cow, it made a controversial appeal to the people to "*protect cows this Raksha Bandhan and go leather free*". The aforesaid appeal clearly gave the impression that the complainant was urging the people not to use leather made Rakhi's for the upcoming festival, despite knowing the fact that Hindus don't use leather made Rakhi on the auspicious festival on '*Raksha Bandhan*'. Thus, the aforesaid campaign which related the '*use of leather*' with the festival of *Raksha Bandhan*, was highly controversial and had received huge criticism from various citizens and from different sections of the society.

The broadcaster stated that the complainant had earlier also made similar kind of appeals which had hurt the religious sentiments of Hindus, like on the occasion of "*Janmashtami*", the complainant had advised people to use vegan ghee. Similarly, on another Hindu festival, "*Naag Panchmi*, the complainant had expressly stated that people should celebrate a snake-free Naag Panchmi targeting and letting out advisories to religious practice and belief of the Hindu community. However, the

festival of *Baker-Id*, wherein goats are sacrificed and slaughtered as part of the tradition, and religious practice did not receive any reaction from the complainant except a letter written by it to the Government that “*killing and sacrificing of animals should be done in slaughter house and the order of the Hon'ble Supreme Court should be implemented*”. It was further surprising that even though both the festivals, i.e. *Raksha Bandhan* and *Baker-Id*, fall under the same week, the complainant had conveniently and in a malicious manner only targeted festival which has no relation or co-relation with any animal.

In view of the aforesaid campaign launched by the complainant, the broadcaster stated that in the impugned programmes, it had conducted a fair and completely unbiased panel discussion and debate, wherein even Ms. Radhika Suryvanshi, Campaign Coordinator of PETA, was invited to give her comments on behalf of the complainant on the aforesaid campaign and to explain to the viewers the purpose of initiating the said campaign and how the said campaign is connected to ‘*Raksha Bandhan*’.

The broadcaster asserted that the aforesaid campaign and appeal of the complainant smacks of intentional mischief to hurt the religious sentiments of the people belonging to the Hindu religion. The festival of Rakshabandan emulates the highest form of religious harmony, which highlights the sacred relationship between a brother and sister. There are many stories or myths associated with the festival of Raksha Bandhan. This festival denotes religious harmony, and the complainant had with malicious intent related it to cow abuse and the leather industry. The broadcaster submitted that it would like to enlighten the complainant on the fact that leather is nowhere used in the making of Rakhi, and by publishing such poster and tweets, the complainant, which had a global outreach, had insinuated and implied that Rakshabandan was related to cruelty meted out to bovines.

As far as the hashtag, i.e. *#AgendaAgainstHindus* was concerned, it stated that the aforesaid hashtag had not been initiated by the broadcaster; rather, the same had been in the limelight since 2017 and was part of a larger campaign. It submitted that the actions of the complainant had led to this campaign. It also stated that the complainant had used Indian festivals to promote “*cow protectionism*” - a culturally and politically loaded discourse in India. A pledge to go leather-free on Raksha Bandhan made little sense as nothing that is used on Raksha Bandhan had much to do with leather products or cows.

The broadcaster submitted that it has a fundamental right to the Freedom of Speech and Expression guaranteed under Article 19(1)(a) of the Constitution of India. That nowhere in the entire show, it had disseminated any false news or intended to defame or insult the image or reputation of the complainant as alleged. The programmes touched issues which concerned the public at large and also exposed the biases and

hypocrisy of the complainant. Thus, the impugned programmes were broadcast without any preconceived notions or biases against the complainant and were in accordance with the journalistic principles and compliance of the Code of Ethics framed by the News Broadcasting Standards Authority. The programmes were balanced, neutral, objective and correct in all aspects.

**Complaint to NBSA:**

The complainant while escalating the complaint to the second level (NBSA) vide letter dated 9.8.2020, reiterated its allegations mentioned in the original complaint and stated that the broadcaster cannot, under the guise of asserting its right to freedom of speech as claimed in its response, defame and falsely vilify any person. The broadcaster is not entitled to abdicate the responsibilities imposed on a broadcaster under the Code of Ethics and Broadcasting Standards, inter alia relating to the Guidelines on Broadcast of Potentially Defamatory Content, Guidelines relating to Impartiality, Objectivity, Neutrality and Fairness, Fundamental Standards B and C and the Principles of Self Regulation under the Code of Ethics and Broadcasting Standards.

**Decision of NBSA on 18.2.2021**

NBSA considered the complaint, response from the broadcaster, the complaint filed with NBSA and also viewed the footage/CD of the broadcast. NBSA decided to call the broadcaster and the complainant for a hearing at the next meeting of NBSA.

On being served with notices, the following were present at the hearing today:

**Complainant:** Ms. Pritha Srikumar, Advocate  
Ms. Swati Sumbly,

**Broadcaster:** Ms. Ritwika Nanda, Advocate  
Ms. Annie, Assistant Manager, Legal

**Submissions of the Parties:**

The complainant submitted that the impugned broadcasts by the Respondents on 17.07.2020 indicated a concerted effort to sensationalise a routine campaign billboard by deliberately giving it a communal colour. The two programmes broadcast at 3 PM and 6 PM on Zee News deliberately made false, misleading and malicious allegations against PETA and the broadcaster had apart from these two programmes, also carried reports in various news segments, repeating these false allegations, thus devoting substantial time in a whole day's coverage to this issue.

It asserted that the broadcaster chose to create a controversy by deliberately placing a communal interpretation upon a bona fide campaign appealing against the use of leather products and seeking protection of cows, by falsely suggesting that PETA had alleged that leather was used in the manufacture of Rakhi. The complainant clarified that no such allegation was ever made by PETA. Further, this was not the

first time that the broadcaster had sought to target PETA by sensationalising its routine campaigns with a communal spin. The broadcaster had previously also attempted to communalize PETA's campaign on Janmashtami for which NBSA had vide Order dated 1.4.2019 directed the broadcaster to air an apology. That repetition of this conduct and the fact that multiple programmes/clips were devoted to PETA's billboards demonstrated broadcaster's pattern of deliberately and maliciously targeting PETA.

The complainant submitted that the broadcaster did not allow users to draw their own conclusion about the campaign. The introduction given by the anchors and rhetorical, biased questions framed for the 'debate' were designed to make it appear as though PETA was working against Hindus under the garb of helping animals, and that it was selectively targeting Hindu festivals and religious activities. Throughout the impugned programmes, defamatory and disturbing captions were flashed on the screen to allege that PETA was launching such campaigns with an Anti-Hindu agenda. Additionally, PETA was also accused of staying silent during the festivals celebrated by Muslims, and of being active only during Hindu festivals like Rakshabandhan. This was done despite the fact that PETA's representative on these programmes repeatedly stressed on the fact that PETA is a non-religious organisation with a strong reputation of crusading for animal rights throughout the year, without reference to any religion.

In the impugned programmes, no attempt was made to provide balance or context. Further, there was no mention of PETA's campaigns against the slaughter of animals during Bakr-id or the use of eggs in cakes during Christmas, Easter etc., all of which were publicly available and even brought to the attention of the broadcaster in the previous proceedings between the parties.

The broadcaster submitted that despite the fact that both Raksha Bandhan and Bakr-id fall in the same week, the complainant selectively targeted only Raksha Bandhan by connecting it with '*Protection of Cows*' and '*Leather*' and launched no such appeal or campaign to protect '*Goats*' on the festival of '*Bakr-id*'.

It submitted that the complainant had recently initiated a controversial campaign by making an appeal to go leather free on the upcoming Hindu festival of '*Raksha Bandhan*' and protect the cows. In furtherance of the said campaign, it had also put billboards across various cities in the country including Ahmedabad, Bhopal, Chandigarh, Jaipur, Kanpur, Patna, and Pune, displaying an image of cow along with Rakhi with the appeal, "*This Rakshabandhan, Please Protect Me: Go Leather – Free*". The twitter handle of PETA India had also posted a tweet on 15.07.2020 raising a similar appeal, which was later deleted.

In this background, the broadcaster submitted that it had aired the impugned programme at 3:00 PM on 17.7.2020, which was a panel discussion of about 12 minutes between Radharaman Das, Representative of ISKCON, Swami Dipankar and Ms. Radhika Suryavanshi, Campaign Co-Ordinator of PETA regarding the message of the campaign. In the impugned telecast, questions seeking reasons for connecting and correlating the Hindu festival with cow slaughter were asked and the Campaign Co-Ordinator of the complainant who was present throughout the panel discussion was given an opportunity to explain the meaning of the campaign and herself stated that there was 'no lena dena' of leather with Raksha Bandhan. When the anchor enquired from the Campaign Coordinator as to why they only linked campaigns of animal slaughter to Hindu festivals when there were various other festivals celebrated by different communities in which there was a likelihood of higher degree of animal slaughter no response was received from her.

The broadcaster submitted that the complainant's only grievance regarding the impugned programmes is the linkage of the campaign with religion. In this regard, it submitted that a segment of the society had an adverse reaction to the controversial campaign since Rakhi's are not made of leather and there is no connection between the two and for which correlation the broadcaster stated that PETA had to also post an apology on its website. Therefore, the broadcaster stated that it was vindicated as far as this allegation was concerned.

In respect to complainant's objection regarding the hashtag "*AgendaAgainstHindus*", the broadcaster submitted that the aforesaid hashtag was not created by it but was running on Twitter for ages and was telecast by it for about 10 seconds in the impugned telecast II. In this regard, the broadcaster submitted that by airing the impugned hashtag it had not violated Order dated 2.4.2019 of NBSA as the findings of the Authority were only in relation to the particular broadcast on Janmashtami. In the present case, it stated that the #AgendaAgainstHindus pertained only to the agenda of the specific campaign which evident as the campaign was directly linked to a Hindu festival.

The complainant rebutted that the campaign embraced the spirit of protection which was also reiterated by the campaign coordinator present in the impugned programme who clarified that there was no use of leather in the manufacture of Rakhi's. However, the broadcaster deliberately attempted to communalize the campaign by reporting the use of leather in Rakhi as a matter of fact. Furthermore, it clarified that the apology posted on its website, explicitly stated that some groups had attempted to stir controversy and communalise the campaign by claiming that PETA was opposed to Rakhi as it was made from leather when in fact no such claim was made by it. Further, as far as the broadcaster's submission that the campaign coordinator was present in the programme to express PETA's position was concerned, the complainant submitted that in the main programme, "*Taal Thok Ke*", the broadcaster



did not give the campaign coordinator any real opportunity to rebut the questions posed before closing the programme. During the programme, it was also asserted by the broadcaster that PETA received funding from foreign sources.

The broadcaster in response stated that unlike the billboard and the campaign on Rakshabandhan no direct insinuation to any religion/festival was made by the complainant organization's in its campaign on Bakri Id and it appears that the complainant repeatedly ran such campaigns for traction and publicity. Additionally, it submitted that in absence of any definition for defamation under NBSA Guidelines or Standards reliance must be placed to Section 499 of the Indian Penal Code or under tort law. In respect to allegation regarding funding, the broadcaster stated that the said allegation was raised by another panellist on the show and not by it.

### **Decision**

NBDSA looked into the complaint, response from the broadcaster, and also gave due consideration to the arguments of both the complainant and the broadcaster and reviewed the footage.

NBDSA noted that undoubtedly the image and the message being "*This Rakshabandhan, Please Protect Me: Go Leather – Free?*" on the billboards put up by the complainant across cities was confusing and gave a wrong impression to the general public. However, the broadcaster did unnecessarily sensationalize the image and the said message without taking into consideration the objectives of PETA. Furthermore, the broadcaster went overboard in the impugned programme by claiming that PETA was an Anti-Hindu organization. NBDSA observed that considering the objectives of PETA, the broadcaster had sensationalized the campaign and the impugned broadcasts lacked Impartiality, Objectivity, Neutrality and Fairness. In view of the above, NBDSA decided to direct the broadcaster to exercise caution while airing such programmes in future.

In view of the above, NBDSA, therefore, 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 NBDSA in writing within 7 days.

NBDSA decided to close the complaint and inform the complainant and the broadcaster accordingly.

NBDSA directs NBDA 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 NBDA;
- (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 NBDSA while responding to the complaint and putting forth their view points, and any finding or observation by NBDSA 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 NBDSA in regard to any civil/criminal liability.

**Sd/-**

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

**Place: New Delhi**

**Date : 13.11.2021**