

News Broadcasting & Digital Standards Authority
Order No. 115 (2021)

Order of NBDSA (formerly known as NBSA) on Complaint dated 1.9.2020 filed by Mr. Matin Mujawar in respect of a programme aired by Zee News on 31.8.2020

Complaint dated 1.09.2020:

The complaint was related to a news programme titled “DNA Live | देखिए DNA, Sudhir Chaudhary के साथ” which was broadcast on Zee News on 31.8.2020.

ZEE न्यूज़ ने उत्तरी युरोप, स्वीडन के माल्मो में कुरान के अपमान से उबार आई हिंसा की खबरों को दिखते हुए "इस्लाम और मुस्लिम समाज पर निशाना था। है. "इस्लाम को मानने वाले" शरणार्थी इतने कट्टर हैं के अगर किसीने अगर उनके धर्म को लेकर सोशल मिडिया पर टिपणी करदी तो वो उस शहर को देश को जला डालते हैं. ऐसे कहते हुए फिर "इस्लाम और मुस्लिम समाज पर निशाना था।"जहा पुरे देश में गणेश चतुर्थी का त्यौहार मनाया जा रहा था . वही ZEE न्यूज़ अपने खबरों में "बहरीन में हुए भगवान् गणेश के विटंबना के वीडियो को दिखाने में मशगूल रहा " ऐसे खबरों से ZEE न्यूज़ ने मुस्लिम समाज के विरोध में विद्रो और देश में आगजनी का माहौल फैलाने की साजिश की है.

हिंसा को बढ़ावा देने वाले ऐसे वीडियो, या साम्प्रदायिक तनाव को बढ़ने वाले खबरे दिखाना खतरे से कम नहीं इस बात की खबर न्यूज़ एंकर सुधीर को होते हुए भी वो ऐसी खबर दिखाने से बिलकुल घबराया नहीं .

" ये महिलाये भगवान् गणेश के मूर्तियों को तोड़ रही हैं" ऐसे आग जलाने वाले भाषा का इस्तेमाल करता रहा. फिर बुरखे को सम्बोधित करते सुधीर कहता रहा के बुरका पहने हुए ये महिलाये हैं. इस तरह न्यूज़ माध्यम का इस्तेमाल करके सुधीर देश में लगातार हिंसक स्थिति निर्माण करने की कोशिश कर रहा था. सुधीर ने आगे कहा के घटना पर लोगों में नाराजगी थी पर आप को ये याद होगा भगवान् गणेश की इन मूर्तियों को तोड़ने के बावजूद भी वहापर ना तो कोई दंगा हुआ ना कई आगजनी हुई. सुधीर ने कहा "आये दिन हिन्दू देवी देवताओं के अपमान की घटनाए आप को सुनने को मिलती हैं" यह कह कर बरगलाया।

स्क्रीन पर एक मुस्लिम महिला की तस्वीर को दिखते हुए सुधीर कहता रहा अभी कुछ दिन पहले प्रयाग राज में एक महिला पकड़े गई जिसने भगवन राम और सीता के बारे में आपत्ति जनक भाषा का प्रयोग करते हुए एक वीडियो जारी किया था. लेकिन उसे लेकर भी हमारे देश में ना हिंसा हुई, ना कोई दंगा हुआ ना कोई खून खराबा हुआ.

फिर बंगलुरु के घटना का हवाले से मुस्लिम समाज के खिलाफ जहर घोलने वाले भाषा का प्रयोग करते हुए कहा "बेंगलुरु में फेस बुक पर किसी ने टिपणी करदी और वहा पर दंगे होगये और वहा की जो मुस्लिम भीड़ है वो सड़को पर उतर आई दो पोलिस स्टेशन, दो ठानों को जला दिया। स्वीडन और नॉर्वे में जो कुछ हुआ वो अक्सर हम अपने देश में देखते रहते है."

हाल ही में दिल्ली और बंगलुरु में ऐसी हिंसा हुई. दिल्ली में हिंसा के पीछे का कारण ये बताया के किसी ने अफवा फैला दी के नागरिकता कानून वो इस्लाम विरोधी है. (स्क्रीन पर चांदबाग दिल्ली फरवरी २०२० के आगजनी और दंगे का वीडियो दिखाए जा रहे थे.) इसी तरह बेंगलुरु में एक सोशल मिडिया पर कमेंट के कारण हिंसा हो गई जब की वो कॉमेंट भी एक अप्पति जनक पोस्ट के कमेंट में किया गया था. (यहाँ पर भी स्क्रीन पर दंगाई)

"किसी भी सभ्य समाज में मजहब के नाम पर ऐसी हिंसा स्वीकार नहीं की जा सकती। दिल्ली हो बंगलुरु हो या स्वीडन हो. दुनिया को ये सोचना होगा के हम ये समस्या का हल चाहते है या फिर सच से आँखे बंदकर हम लोग बैठे रहेंगे। आज स्वीडन को भी अपनी गलती का एहसास होगया होगा।" इस तरह से सुधीर ने ZEE न्यूज़ माध्यम से एक विशेष समुदाय मुस्लिम समाज को टारगेट कर के खुले आम समस्या का कारण बताया है.

सुधीर ने कानून को और देश के सुव्यवस्था को खुले आम चुनौती दी है और हमेशा से देता आया है. सुधीर ने देश के जनता को बरगलाया है. न्यूज़ एंकर सुधीर की भाषा और ऐसे खबरों मुस्लिम समाज के विरोध में जनप्रकोप को उत्तेजित करने वाली है. न्यूज़ एंकर सुधीर ने करोडो लोगों के सामजिक भावनाओ को चोट पहाचाई है.

सुधीर के खिलाफ केरल में FIR दर्ज है. इस के खिलाफ न्यूज़ ब्रॉडकास्टिंग स्टैंडर्ड अथॉरिटी के दफ्तर में भी कही शिकायते दर्ज है. देश में होने वाले हर साम्प्रदायिक हिंसा को इस तरह के खबरे जिम्मेदार है. फिर वो CAA की कभरे हो या NRP की खबरे हो. ऐसा होते हुए भी NBSA कोई भी कार्रवाई नहीं कर रहा. ये एक दुर्भाग्य पूर्ण बात है

zee न्यूज़ आये दिन प्रसार माध्यम का गलत इस्तेमाल करके देश में हिंसक स्थिति निर्माण करने के तैयारी में है. ZEE न्यूज़ किसी पोलिटिकल पार्टी का या कट्टर हिंदुत्ववादी संघटन से प्रेरित है। स्वयं ZEE न्यूज़ की खबरे इस बात का साबुत पेश करती है.

ZEE न्यूज़ की खबरे राष्ट्रीय एकात्मता और अखंडता के हित में घातक और नुकसान पहुंचानेवाली साबित हो रही है. ZEE न्यूज़ देश को हिंसा के तरफ ले जाने की कोशिस की जा रही है.

ZEE न्यूज़ ने सांप्रदायिक झरादों से भारतीय मुस्लिम समाज तथा उनके मौलिक और मानवाधिकारों को लक्षित किया है. मुस्लिम समाज की मानहानि करके उसे निचा दिखाया है.

ZEE न्यूज़ प्रसार माध्यम भड़काऊ खबरों द्वारा राष्ट्रीय एकीकरण के लिए खतरा निर्माण कर रहा है. देश के विरुद्ध युध्द पुकारने के बराबर अपराध किया जा रहा है.

भड़काऊ बयानबाजी के लिए ZEE न्यूज़ प्रसार माध्यम की मान्यता रद्द हो और भारी जुर्माने की भी मांग है।

Response from the Broadcaster:

The broadcaster in its reply dated 2.11.2020, stated that the complainant had in his complaint raised various false, misleading, frivolous, unsubstantiated and motivated allegations against it for conducting true and fair reporting and analysis of the incident of violence that erupted on the streets of Sweden on 29.8.2020 over rumours of burning of a copy of holy Quran by the members of a political party.

At the outset, the broadcaster denied each and every allegations, averments and insinuations levelled in the complaint and stated that the contents of the impugned

programme were never intended to disturb the communal harmony or cause damage or insult to the Muslim Community, as falsely alleged.

That it had in the impugned programme 'DNA' aired on 31.8.2020, conducted a fair analysis of the incident and condemned people, who in the name of religion, indulged in the act of violence and protests and caused disruption to the law and order situation. It had fairly reported that Sweden, which is amongst the most peaceful country, witnessed violence by Muslim Refugees after information of members of a far-right Danish party Stram Kurs burning of copy of the Quran was spread. Based on verified facts, it had reported that the Muslim immigrants from Syria and Iran, who were granted asylum in Sweden and other European countries few years ago, were involved in the act of violence and that after the immigration of Muslim refugees, Sweden had witnessed an increase in crimes like rape, dacoity, murders etc., due to which the Government was constrained to impose several restrictions. Further in the programme, a fair comparison was also made between the law and order situation in Sweden and other European countries, who had granted asylum to Muslim refugees and Poland, which did not allow Muslim refugees to enter its country.

The broadcaster stated that it had while raising genuine concerns in the programme, specifically condemned the growing religious intolerance which led to such violence and disruption of public order. Further, it had also reported that all the countries in the world need to think to solve this problem, inasmuch as, no society would accept the violence over the name of religion.

That as far as viral footages of women in burqa destroying the idols of Lord Ganesha and of a lady being arrested by the UP police in Prayagraj for using derogatory languages against Lord Ram were concerned, they were shown with the bona fide intent to give a message that despite the aforesaid incidents which might have hurt the sentiments of a particular religion, there was no violence or protest.

The broadcaster stated that violence over religious issues has been growing all over the world, which is not only disturbing the social fabric but also leading to communal disharmony and therefore, in the impugned show, it had fairly analysed the reasons behind such violence and protests, including those which happened in Sweden and condemned people with extremist mindset who were involved in such incidents and who took law into their hands. Further, the broadcaster stated that it was its constitutional duty to report and analyse such incidents of violence and condemn the people involved in it.

In view of the aforesaid, the broadcaster vehemently denied that the aforesaid reporting was done with an intent to provoke the communal disharmony or religious tension. It stated that its reporting in the impugned broadcasts was completely uncolored from any motive, prejudice or notions and was based completely on verified, accurate and established facts and did not tend to promote disharmony or enmity between different religions. That it had exercised self-restraint while

conducting the analysis in the impugned programme and the programme in no manner promoted disharmony or enmity between the different religion. The programme strictly adhered to the principles of neutrality, impartiality and fairness.

Complaint dated 20.9.2020 to NBSA:

Since the complainant was not satisfied with the response of the channel, he escalated the complaint to second level. The complainant stated that the impugned news programme was clearly a pre-planned agenda to target one religion and thereby cause danger and harm to the life and democratic rights of minorities as well as disturb the communal harmony of the state. The broadcaster frequently targeted minority by airing such provocative news and was attempting to create communal unrest in the country, which needed to be stopped by imposing a penalty and taking strict legal action and also cancelling the license of the broadcaster.

Decision of NDBSA on 18.2.2021

NBSA considered the complaint, response from the broadcaster and also viewed the footage 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:

Mr. Matin Rafiuddin Mujawar
Mr. Ashish Kachave, Advocate

Broadcaster:

Ms. Ritwika Nanda, Advocate
Mr. Piyush Choudhary
Ms. Annie

Submissions of the Complainant

The complainant submitted that the broadcaster had while reporting on the violence that erupted in Northern Europe targeted Islam and the Muslim community in particular. During the broadcast which lasted for 1 hour, not only was a certain religion criticised but provocative statements were also presented to target a specific religion. In the impugned programme, the anchor had while reporting on the riots in Sweden over burning of a copy of Holy Quran, also attempted to draw comparison with the riots that took place in Bangalore and Delhi and targeted the Muslim community in India.

During the broadcast, the video of a woman desecrating idols of Lord Ganesha in Bahrain was shown and the Anchor reported that while people were visibly upset by the incident, no riots or violence erupted in the country. The anchor also reported

about a woman who was arrested in Prayagraj for her offensive video which contained profane and abusive words about Hindu deities Lord Rama and Sita and contented that in India there were no riots or violence despite the incident.

The complainant submitted that at a time when the country was celebrating Ganesh Chaturthi, the broadcaster deliberately aired such videos to disturb the communal harmony and promote social unrest and enmity between different religions in the country. The complainant specifically highlighted several provocative statements that were made by the Anchor during the programme which targeted a specific religion, as follows:

“इन देशो को नॉर्डिक देश कहा जाता है इनकी अपनी आबादी बहोत काम है. जब बड़ी संख्या में मुस्लिम आबादी इस्लाम को मानने वाली आबादी वहा पहुंची तो उनका सामजिक तानाबाना बिगड़ गया, ऐसे बिगड़ गया जैसे अभी हम ने आप को दिखाया, इन देशो में पहले अपराध ना के बराबर होते थे. कोई अपराध नहीं होता था अब वह रेप हो रहे है लूटमार हो रही है, हत्याएं हो रही है, स्वीडन जैसे देशो ने पहली बार इस तरह के दंगे देखे है, "क्यों के अब वहा इस्लाम को मानने वाले शरणार्थी आगये है और वो " शरणार्थी इतने कट्टर है के अगर जरासाभी किसीने अगर उनके धर्म को लेकर सोशल मिडिया पर टिपणी करदी तो वो उस शहर को देश को जला डालते है”.

" ये महिलाये भगवान् गणेश के मूर्तियों को तोड़ रही है" बुरका पहने हुए ये महिलाये है. भगवन गणेश की मूर्तिया वहा रखी है, दुकान में उसे ये तोड़ रही है. उस घटना पर लोगों में नाराजगी थी लेकिन आप को ये याद होगा भगवान् गणेश की इन मूर्तियों को तोड़ने के बावजूद भी वहापर ना तो कोई दंगा हुआ ना कई आगजनी हुई. "आये दिन हिन्दू देवी देवताओं के अपमान की घटनाएं आप को सुनने को मिलती है तस्वीरें भी देखने को मिलती है

“अभी कुछ दिन पहले प्रयाग राज में एक महिला पकडे गई जिसने भगवन राम और सीता के बारे में आपत्ति जनक भाषा का प्रयोग करते हुए एक वीडियो जारी किया था. लेकिन उसे लेकर भी हमारे देश में ना हिंसा हुई, ना कोई दंगा हुआ ना कोई खून खराबा हुआ. लेकिन "बेंगलुरु में फेस बुक पर किसी ने टिपणी करदी और वहा पर दंगे होगये और वहा की जो मुस्लिम भीड़ है वो सड़को पर उत्तर आई दो पोलिस स्टेशन, दो ठानों को जला दिया। स्वीडन और नॉर्वे में जो कुछ हुआ वो अक्सर हम अपने देश में देखते रहते है."

“हाल ही में दिल्ली और बंगलुरु में ऐसी हिंसा हुई. दिल्ली में हिंसा के पीछे का कारण ये बताया के किसी ने अफवा फैला दी के नागरिकता कानून वो इस्लाम विरोधी है.”

“इसी तरह बेंगलुरु में एक सोशल मिडिया पर कमेंट के कारण हिंसा हो गई जब की वो कॉमेंट भी एक अप्पत्ति जनक पोस्ट के कमेंट में किया गया था. किसी भी सभ्य समाज में मजहब के नाम पर ऐसी हिंसा स्वीकार नहीं की जा सकती। दिल्ली हो बंगलुरु हो या स्वीडन हो. दुनिया को ये सोचना होगा के हम ये समस्या का हल चाहते है या फिर सच से आँखे बंदकर हम लोग बैठे रहेंगे। आज स्वीडन को भी अपनी गलती का एहसास होगया होगा।"

Submissions of the Broadcaster

The broadcaster submitted that admittedly, the impugned programme was telecast for a total duration for 1 hour however, it stated that the relevant telecast to which the complaint related was only for a duration of 6 minutes which started from time stamp 1:04:00 to 1:10:00 and not 1 hour as contended.

That it was a fact that riots had occurred in Sweden and certain members of Islam were involved in the riots which were widely reported by world wide media including by the broadcaster. The broadcaster relied on certain internet sources including government website to assert that crime had increased in Sweden which was earlier a peace loving country and the increase was directly attributable to migration. The broadcaster stated that it was in this background that the impugned programme was telecast on 31.8.2020.

The broadcaster submitted that a common theme in all the complaints filed against it was that in its programme it was discouraging and targeting extremism in Islam and not the community as a whole. It submitted that it had aired other videos in the Indian context during the programme to show that even in India there have been incidents where certain group of people from certain community have resorted to rioting. That even the complainant has admitted that in Bangalore riots were started over simple social media posts during which buildings were burned and people were massacred.

In contrast, the broadcaster submitted that in the impugned programme, it had also aired a video of a woman desecrating idols of Lord Ganesha in Bahrain and of a lady in Uttar Pradesh who had abused Lord Ram and Sita and against whom FIRs had been registered, to establish that despite the aforesaid incidents which might have hurt the sentiments of a particular religion, extremist groups did not respond to the incidents by resorting to violence or protest.

It stated that the question asked by the Anchor at the end of the programme was till how long the world going to bear these extremist forces. The broadcaster reiterated that in the programme only extremist forces and not a community as a whole was being condemned. However, it stated that since the extremist forces use religion to justify their actions a limited reference was made to religion. Further, it submitted that if reporting of such nature was construed as being provocative or inciting then no media channel would be able to report on incidents of this nature which restriction is not permissible.

The broadcaster submitted that the impugned programme was Daily News Analysis and the remarks made by the Anchor were part of his analysis. The Anchor had referred to the incidents in Bahrain and Prayagraj to show the tolerance in the country and not with the intention of rousing/inciting communalism. It reiterated that in the impugned programme, it had emphasized that only certain section of the community/religion and not the community as a whole was indulging in such acts.

NBDSA questioned the broadcaster regarding the credibility of its source and the context behind the story of the woman desecrating idols of Lord Ganesha in Bahrain and its argument claiming that migrants were responsible for the rise in crime in Sweden and whether these instances were broadcast during the impugned programme. The broadcaster submitted that it was not in position to disclose its sources. It stated that as per reports, Bahrain Ministry of Interior in its

communications had stated that a woman has been summoned for intentionally damaging a shop in Juffair, Bahrain and for breaking religious idols, therefore authenticity of the video cannot be doubted. In respect to the sources cited during arguments, the broadcaster submitted that they were not aired during the impugned programme.

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 the manner in which the programme was conducted was certainly polarizing and violated the principles of Objectivity and Impartiality enshrined in the Code of Ethics & Broadcasting Standards.

NBDSA clarified that if the incidents mentioned during the broadcast were merely reported as news or if the broadcaster had woven a story by connecting these incidents to oppose extremism without emphasizing on any religion, no objection could have been raised. However, in the present complaint the impression one gets after viewing the whole programme is that the broadcast was targeting a particular religion and/or community as a whole and not merely extremism. Further during the programme, following provocative statements were made by the Anchor which had the tendency to rouse or incite violence.

ये महिलाये भगवान् गणेश के मूर्तियों को तोड़ रही है" बुरका पहने हुए ये महिलाये है. भगवन गणेश की मुर्तिया वहा रखी है, दुकान में उसे ये तोड़ रही है. उस घटना पर लोगों में नाराजगी थी लेकिन आप को ये याद होगा भगवान् गणेश की इन मूर्तियों को तोड़ने के बावजूद भी वहापर ना तो कोई दंगा हुआ ना कई आगजनी हुई. "आये दिन हिन्दू देवी देवताओं के अपमान की घटनाए आप को सुनने को मिलती है तस्वीरें भी देखने को मिलती है

“अभी कुछ दिन पहले प्रयाग राज में एक महिला पकडे गई जिसने भगवन राम और सीता के बारे में आपत्ति जनक भाषा का प्रयोग करते हुए एक वीडियो जारी किया था. लेकिन उसे लेकर भी हमारे देश में ना हिंसा हुई, ना कोई दंगा हुआ ना कोई खून खराबा हुआ.”

NBDSA notices that the above programme violates the Specific Guidelines Covering Reportage dated 10.2.2009 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*” and Guidelines on Broadcast of Potentially Defamatory Content dated 13.12.2012 which states “*A news anchor/journalist/presenter should not make any derogatory, derisive or judgemental statements as part of reporting or commentating*” . Accordingly, NBDSA expresses its strong “disapproval” to the said programme and cautions the broadcaster not to repeat the aforementioned violations 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 with the above observations 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