

News Broadcasting & Digital Standards Authority
Order No. 128 (2022)

Order of NBDSA (formerly known as NBSA) on complaint dated 13.6.2021 by Mr. Matin Mujawar against Zee News programme on 10.6.2021

Since the complainant was not satisfied with the response of the broadcaster, the complaint was escalated to second level i.e., NBDSA.

Complaint dated 13.6.2021

विषय : बिहार में मदरसे में हुए ब्लास्ट "मदरसों में बारूदी तालीम" इस शिर्षक से अल्पसंख्यकों प्रति नफरत फैलाना, द्वेष निर्माण करना, देश में हिंसक स्थिति को निर्माण करने का प्रयास करना, इस्लाम धर्म के प्रति द्वेष निर्माण करने वाली भाषा का प्रयोग करना इस तरह धार्मिक, सामाजिक और सांप्रदायिक तनाव को उत्तेजित करके राष्ट्रीय एकात्मता को बाधा पहुंचाने का प्रयास करना आदि के जुर्म में ZEE न्यूज़ के anchor और विश्लेषकों/ पैनलिस्ट पर भारतीय दंड संहिता धारा 153, 153 A, 295A, 298, 500, 505(2), 506, 511, 120 बी, 124अ, 499, और साइबर लॉ इस कानून के तहत कार्रवाई के मांग हेतु नोटिस/आवेदन...

१) ZEE न्यूज़ ने बिहार के बांका में मदरसे में हुए बम ब्लास्ट को लेकर "इस्लाम और मुस्लिम समाज पर निशाना थामा है" जिस तरह से इस फिस्फोट को लेकर ZEE न्यूज़ ने खबरे चालयी है उसे से ZEE न्यूज़ की सनातनी और कट्टर मुस्लिम वरोधी विचार साफ़ होते है.

२) ZEE न्यूज़ ने देश में विद्रोह फैलाकर लोगो में हिंसा फैलाने का प्रयास किया है ये खबरों से साफ़ ज़ाहिर होता है.

३) बिहार के डिस्ट्रिक्ट मजिस्ट्रेट और सुप्रिटेण्डेंट ऑफ़ पुलिस के कहने के मुताबिक मदरसा रजिस्टर नहीं है ना ही उसका आतंकी कनेक्शन है. ना उसमे कोई आपत्ति जनक दस्तऐवज मिले है. इस पुरे विषय की जांच ATS कर रही है.

४) जिस विषय की जांच चालू है, जिसमे अबतक कोई भी निष्कर्ष या ठोस साबुत प्राप्त नहीं हुआ है ऐसे विषय से मुस्लिम समाज के विरोध में द्वेष फैलाने वाली आपत्ति जनक भाषा का इस्तेमाल ZEE न्यूज़ ने किया है, मानहानि करने वाली टिपणी कर के मुस्लिम समुदाय को ZEE न्यूज़ ने देश की नजरो में अपराधी के कटघरे में खड़ा किया है. ZEE न्यूज़ ने इस विषय से मजहबी रंग देकर सीधे सीधे इस्लाम को निशाना बनाया है.

५) ZEE न्यूज़ ने इस्लाम और ३० करोड़ भारतीय मुसलमानो को निशाना बनाने के हेतु से फ्रांस देश का उद्धरण देकर, ऐसा देश जिसके भाषा, संस्कृति और सविधान का भारत से कोई भी संबंध नहीं है, ऐसे देश का उद्धरण देकर न्यूज़ माध्यम का दुरुपयोग करके देश वासियो के मन में नफरत का ज़हर घोल कर, इस्लाम विरोध में चेतावनी देने वाली, भड़काने वाली भाषा का प्रयोग किया है. मुसलमानो के विरोध में बरगलाया है विद्रोह निर्माण करने वाले भाषा का इस्तेमाल किया है.

६) फ्रांस में जो मस्जिदों और मदरसों में दिनी तालीम दी जाती है उस पर (ban) बैन है तो फिर भारत में क्यों नहीं?

मदरसों में क्या बारूदी तालीम दी जाती है. ?

मदरसे में आतंक का प्रैक्टिकल चल रहा था. ?

मदरसों में जेहादी पढाई पढाही जा रही थी ?

मदरसों में आतंकवाद की Phd चल रही थी क्या ?

अगर होगी मस्जिद और मदरसों की जांच तो किसको आंच ?

इस तरह की खबरे देश को हिंसा के तरफ लेजाने वाली है

७) ZEE न्यूज़ देश में अशांति फैलाने वाली, सामाजिक तथा धार्मिक भवनाओ को चोट पहुंचने वाली, समाजो में द्वेष निर्माण करने वाली, कट्टर और देश को हिंसा के तरफ लेजाने वाले भाषा का प्रयोग किया है और लगातार करता आया है.

८) ZEE न्यूज़ और anchor के खिलाफ इस से पहले कही शिकायते NBDSA के दफ्तर में दर्ज होने के बावजूद भी ZEE न्यूज़ ऐसे खबरों का प्रसार करके बार बार ये साबित करता आया है के ना उसे कानून का खौफ है ना NBDSA के नियमों प्रति कोई सम्मान।

९) बारूदी तालीम, कट्टरता की तालीम, जेहादी पढाई, बम बना रहे थे क्या? जाँच होगी ना इस चीज की ? इस भाषा की विपरीत परिणाम समाचार देखने वाले देश और दुनियाभर के करोड़ों लोगो पर हुआ है. इस तरह की भाषा से सरकारी यंत्रणा और पुलिस प्रशासन पर दबाव निर्माण करने का प्रयास ZEE न्यूज़ मिडिया ने किया है.

१०) कोई भी समाचार माध्यम/एजेंसी मिडिया ट्रायल न चलाये। इस पर मा. उच्चा न्यायलय ने रोख लगाई है और गैर कानूनी बताया है ऐसे होते हुए भी ZEE न्यूज़ कानून और नियमों बार बार कुचलता आया है. ZEE न्यूज़ ने मिडिया ट्रायल चलकर जाँच करने वाली सरकारी यंत्रणा/सिस्टम पर दबाव निर्माण किया है. ZEE न्यूज़ ने मुस्लिम समाज/इस्लाम धर्म को बदनाम करने वाली भाषा का इस्तेमाल करके जाँच प्रणाली के नजरो में अपराधी के कटघरे में खड़ा किया है. ZEE न्यूज़ समेत सभी डायरेक्टर और anchor इस के लिए सामान जिम्मेदार है.

११) ZEE न्यूज़ ने भाजपा, विश्व हिन्दू परिषद्, RSS, और सनातनी विचार के लोगो को बतौर विश्लेषक बुलाकर मुसलमानो तथा इस्लाम धर्म के विरोध में वार्ता करने पर बरगलाया है. इस का प्रमुख सूत्रधार anchor है. १६)

१२) पुरे बिहार के मस्जिदों और मदरसों की जाँच होने चाहिए। ये तो यहाँ ब्लास्ट होगया कितनी जगह बम बन रहे होंगे ऐसा इलज़ाम मुस्लिम श्रद्धास्थानो पर लगाकर anchor ने मुस्लिम समुदाय के मजहबी भावनाओ के चोट पहुचाहि है और इस तरह पैनलिस्ट मुस्लिम समुदाय प्रति बात करने के लिए भड़काया है.

१३) भाजपा जेडीयू ये आपस में बात करले, हरिभूषण ठाकुर आप सेक्युलर बनने की एक्टिंग कर रहे है क्या ? खुल कर कहिये ना मदरसा, हरिभूषण ठाकुर और दूसरे पैनलिस्ट पर दबाव

निर्माण करने का प्रयास anchor ने किया है. सिर्फ मस्जिद और मदरसों की जाँच होनी चाहिए इस बात पर anchor अड़े रहा. इन बातो से ZEE न्यूज़ के विचार धराये सांप्रदायिकता के लिए धोका और देश के लिए खतरा होने का स्पष्ट संकेत देती है.

१४) बॉलन्स करने की कोशीश मत कीजिये. मंदिर मत बोलियेगा। कहा पे मंदिर में कौनसा विस्फोटक कहा मिल गया. कहाँ से तुलना कर रहे है आप मंदिर क्यों बोल रहे हो आप. मदरसे में विस्फोट हुआ है मंदिर कहा से आगया। मंदिर मत बोलियेगा मेरे डेबिट में. मंदिर कहा से आगया? क्यों बोल रहे हो मंदिर? ये गटबंदान बचा रहे हो अपना JDU के दबाव में. सेक्युलर मत बनियेगा। ऐसी चेतावनी हरिभूषण ठाकुर को दी है. इस तरह देश विघातक और समाजो में नफरत पैदा करने वाली और भड़काऊ भाषा ZEE न्यूज़ द्वारा anchor ने इस्तेमाल इस्तेमाल की है जब की हरिभूषण ठाकुर ये कहता रहा के ये विस्फोट की बात नहीं है. ये अपराध और इंसानियत की बात है.

१५) अपराधी का कोई धर्म नहीं होता नाही कोई जाती। उसका धर्म अपराध है और उसे उसकी सजा मिलनी चाहिए ऐसे अभिषेक कहता रहा फिर भी anchor पैनलिस्ट अभिशेख पर दबाव डालता रहा के ताल ठोक के कहिये मस्जिद में मदरसों में विस्फोट हुआ है. इस मानसिकता से anchor का हेतु स्पष्ट होता है के ये खबरे देश में हिन्दू मुसलमान दंगे भड़काने तथा साम्प्रदायिक तनाव निर्माण करने के हेतु से ZEE न्यूज़ द्वारा चलाई गयी है. " ZEE न्यूज़ की ज़हरीले विचार राष्ट्रीय एकात्मता के लिए खतरा बन चुके है " ZEE न्यूज़ के इस तरह के खबरों के खिलाफ इस से पहले भी बहोत सारे शिकायते NBDSA के दफ्तर में दर्ज है. इस से पहले देश में हुए सांप्रदायिक तनाव, दिल्ली में CAA , NRC के विरोध प्रदर्शन करते समय हुए दंगे और उन दंगो में हुए निर्दोषों के हत्या के लिए ZEE न्यूज़ द्वारा चलायी गयी इस तरह की भड़काऊ खबरे जिम्मेदार है.

१६) अपराधी का मजहब अपराध है. उसे सजा दिलाने के लिए न्यायपालिका है. ZEE न्यूज़ का कार्य खबरे दिखाना है ना की किसी धर्मविशेष को अपराधी के कटघरे में खड़े करना है. ZEE न्यूज़ ने मुसलमानो पर और मुस्लिम धर्म व्यवस्था पर मदरसों और मस्जिद पर "मदरसों में आतंकवाद की Phd" ऐसे इलज़ाम लगाकर देश के नजरो में उसे निचा दिखया है.

१७) अपराधी कौन है ये कोर्ट तय करेगा वो साबुत की बुनियाद पर फिर वो कश्मीर हो या पुलवामा इस बात की जानकारी ZEE न्यूज़ को है. ऐसे होते हुए भी मुस्लिम समाज को नुकसान पहुचने के मकसद से ZEE न्यूज़ ने इस

समाज को और उसके धर्मव्यवस्था को निशाना बनाकर अल्पसंख्यको की मानहनी (defamation) की है और अपराधी साबित करने की कोशिश की है, जब की अब तक इस का कोई भी फैसला न्यायलय से नहीं हुआ है.

१८) बिहार के सभी माजिस मदरसों की जाँच हो ये सेकुलरिज्म है. इस तरह की विद्रोही भाषा का इस्तेमाल anchor ने किया है.

१९) anchor अभिषेक झा से कहता है के मुझे ऐसा नहीं कहना चाहिये, पर अब तक किसी मंदिर या अन्य धार्मिक स्थल में ये विस्फोट हुआ होता तो अब तक चिक चिक कर हिन्दू आतंकवाद कहा जाता।

२०) ऐसे सनातनी विचार लोकतंत्र के हित में घातक है. इस तरह से anchor विश्लेषकों को मदरसों और मस्जिदों के फ़िरोध में बात करने के लिए भड़काया है. (using such anti references anchor has provoked the panelist to speak communal)

२१) anchor ने फ्रांस में मुसलमानों और उनके धर्मव्यवस्था, मदरसे धार्मिक स्थल के विरोध में बने कानून का उदहारण देकर विहिप के प्रवक्ता विनोद बंसल को मुसलमानों के मदरसे मस्जिद और धर्म व्यवस्था के विरोध में बोलने पर उत्तेजित किया है

फ्रांस में सबकुछ है मदरसों के शिक्षा पर बैन है.

मस्जिदों से धार्मिक स्थल पढाई बैन

मस्जिदों की फंडिंग इमामों के ट्रेनिंग पर नजर कट्टरवाद बढ़ाने वाली मजहबी शिक्षा पर

हम फर्जी सेकुलरिज्म के चक्कर में राष्ट्रीय सुरक्षा पर कोम्प्रोमाईज करते है.

इस पर विनोद बंसल ने अपनी प्रतिक्रिया देते हुए कहा के इस्लामिक जेहादियों ने दलितों पर हमले किये है और पिछले कुछ दिनों से विश्व हिन्दू परिषद् ने एक एक घटना को हाइलाइट की कोशिश की है.

२२) ZEE न्यूज अपने न्यूज माध्यम का गलत इस्तेमाल करके देश में हिन्दू मुस्लिम तनाव बनाकर देश में हिन्दू मुस्लिम हिंसा करवाने की साजिश कर रहा है.

२३) Anchor कहता है के भारत को बर्बाद करने के लिए मदरसे हत्यार बनते जा रहे है मदरसे के हवाला फंडिंग का रिपोर्ट है. इस तरह राष्ट्रीय समाचार वाहिनी का गलत इस्तेमाल करके अल्पसंख्यको पर उनके धर्म व्यवस्था, मस्जिद, मदरसों पर बेतुकी, बहकाने भड़काने वाले शब्दों का इस्तेमाल करके कानून व्यवस्था को चुनौती दी है. (Anchor has challenged the Indian law and Judiciary and the constitution, and the democracy by using abusive, provoking and communal language against Minorities of the country)

२४) ZEE न्यूज आये दिन प्रसार माध्यम का गलत इस्तेमाल करके देश में हिंसक स्थिति निर्माण करने के तैयारी में है.

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

२६) ZEE न्यूज ने सांप्रदायिक इरादों से भारतीय मुस्लिम समाज तथा उनके मौलिक और मानवाधिकारों को लक्षित किया है. मुस्लिम समाज की मानहानि करके उसे निचा दिखाया है.

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

देश में मेल मिलाप से रहने वाले मुस्लिम समुदाय और विभिन्न धर्मों जातियों के लोगों के बिच नफरत फैलाने का जुर्म ZEE न्यूज, anchor और विश्लेषक, भाजपा की नूपुर, विहिप के विनोद बंसल ने किया है जो भारतीय दंड संहिता धारा १५३, १५३ A, २९५A, २९८, ५००, ५०५(२), ५०६, ५११, १२०बी, १२४अ, ४९९, और अन्य सेक्शन के तहत अपराध है. इन चीजों का खुलासा अगर ZEE न्यूज ने ७ दिनों में नहीं किया तो ZEE न्यूज को अपराध मान्य है ये समज कर ZEE न्यूज के खिलाफ NBDSA तथा न्यायलय में मानहानि सहित कानूनी कार्रवाई की मांग करेंगे जिस से निर्माण होने वाले सभी परिणामों के लिए ZEE न्यूज पूर्णता जिम्मेदार रहेगा.

Complaint dated 29.6.2021 filed with NBDSA

The complainant stated that the broadcaster has not responded to the complaint within the stipulated time frame and has therefore shown disrespect to the laws,

rules and regulation of NBDSA. He alleged that in the impugned programme, the broadcaster has used provocative language with a very well hatched criminal and communal conspiracy planned with the deep intention of targeting the minorities of India. The language used while describing a religion and its religious places was very harsh, communally motivated, unfavourable to the law apart from being abusive and provoking the religious sentiments of minority community. The complainant prayed for NBDSA to see the impugned broadcast to understand the depth of provocation.

Response dated 7.7.2021 from broadcaster:

The broadcaster stated that the complainant has levelled various false, misleading and motivated allegations against the contents of the programme '*Taal Thok Ke*' aired on Zee News on 10.6.2021, wherein, it had fairly and objectively conducted a debate/panel discussion on the issue of religious extremism in the wake of an incident which occurred in Banka District of Bihar, wherein a massive blast took place in a Madrasa located near a Mosque, which resulted in the death of an Imam.

The broadcaster denied each and every allegation, averments and insinuations levelled in the complaint, as the same were completely false, frivolous, unfounded and misleading. The broadcaster stated that the present complaint was not maintainable before the NBDSA, inasmuch as, the impugned programme did not violate any of the guidelines and Code of Ethics. That the impugned programme was completely neutral, objective and impartial and as such, the present complaint was nothing but a malicious attempt on the part of the complainant to muzzle the voice of a responsible media from reporting the truthful account of important facts and events and discussion thereon. Further, the broadcaster stated that the complaint was also not in consonance with the News Broadcasting Standards Regulations ('Regulations') and as such, was liable to be dismissed.

The broadcaster stated that the contents of the impugned programme were neither intended to outrage the religious feelings of any particular community or religion nor intended to disturb the communal harmony or incite communal violence, as falsely alleged. Therefore, the allegations levelled in the complaint, to the effect, that, in the impugned programme it had intended to provoke religious tension, was completely false and baseless.

Broadcaster stated that it always raised its strong voice against religious extremism and intolerance leading to public disorder and harmony and in the impugned programme, reported and conducted an objective, neutral and fair panel discussion on the issue of religious extremism in light of the aforesaid incident of bomb blast in a Madrasas. In the light of the demand raised by a BJP MLA to investigate all the madrasas in the State, it had raised questions as to why explosives were kept in Madrasas, which is an educational institution. Thus, by way of the impugned programme, it did not hurt the religious sentiments or targeted any religious group as falsely alleged. Their objective was only to highlight the aforesaid instances and

expose those extremist elements, who in the name of religion, were trying to create communal tension in the country.

Broadcaster submitted that in the programme, it had invited the following panelists – Mr. Hari Bhushan Thakur (BJP MLA Bihar), Nupur Sharma (National Spokesperson, BJP), Vinod Bansal (Spokesperson, Vishwa Hindu Parishad), Mukesh Roshan (Spokesperson, RJD), Akhilesh Jha (Spokesperson, JDU) and Maulana Qadri. The aforesaid questions were not at all intended to target a specific religion or community, but to target those few extremist elements who were indulging in illegal and terror related activities. In the programme, it stated that it had also highlighted the incidents where Madrasas were connected to terror related activities in the past.

The broadcaster reiterated that the intent and object of the aforesaid debate was to expose those few handful of extremist elements, who in the name of Islam, were indulging in illegal activities and was never intended to target any particular religion, which was also evident from the fact that the anchor, in response to the statement made by Maulana Quadri during a debate, clearly stated and clarified that Zee News is against terrorism and not against Islam and further stated that Islam is a peaceful religion, which does not permit such kind of criminal activities and extremism. In view of the aforesaid, the broadcaster stated that it was clear that the anchor, hosting the programme, never intended to insult or spread hate against any particular religion, as falsely alleged. Therefore, it was absolutely false to state that it had targeted any minority group or created religious tension. The aforesaid programme was in due compliance of the journalistic norms, applicable code of conduct and the relevant guidelines issued by this Hon'ble Authority. Furthermore, it reiterated that the aforesaid programme was completely impartial, neutral, objective and fair and did not tend to hurt the religious sentiments of any particular religion or group.

The broadcaster stated that it was also pertinent to mention that since the aforesaid programme was a live debate and was not a pre-scripted programme, it had during the aforesaid programme, repeatedly run a disclaimer on the screen, in a the form of a ticker, clearly stating that “*the views expressed by the panelists on the show are their personal views and Zee News has nothing to do with the views/comments made by the panelist and the panelist will personally be liable for the comments made by them during the show.*” The Disclaimer further stated that “*Zee News do not intend to hurt the sentiments of anyone*”. In view of the aforesaid disclaimer, the broadcaster stated that the channel neither endorsed nor can be made liable for the statements/comments made by any of the panelists.

The broadcaster, further vehemently denied that the aforesaid reporting was done with an intent to provoke the communal disharmony or religious tension. It stated that the 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. Further, the broadcaster stated that it had imposed self-restraint while conducting the analysis in the show.

Broadcaster submitted that it had neither breached any of the guidelines of NBDSA nor committed any of the offences, much less the offences under various Sections of Indian Penal Code or Section 19 and 20 of the Cable Television Network Regulation Act, as alleged in the complaint. Therefore, the broadcaster stated that since it had abided by the principles of news reporting, broadcasting and journalistic norms and the complainant had failed to establish any deviations therefrom by it, the complaint ought to be dismissed at the outset.

Rejoinder dated 23.7.2021 from complainant:

The complainant submitted that according to the District Magistrate of Bihar and the Superintendent of Police, the madrasa was neither registered nor did it have a terrorist connection. Further, no objectionable documents had been found in it and ATS was investigating this entire subject. However, with the intention of defaming Muslims, the anchor had again and again raised the issue communally and not only targeted all Masjids of Bihar but also demanded their inspection in connection with terror activities.

He stated that in the impugned broadcast, the broadcaster has targeted Indian Muslims as terrorists and worship places and Madrasas as the training centres. That the broadcaster and the news anchor have raged against Indian Muslims and made the panellist express their views against Islam and Madrasas. The complainant highlighted several provocative statements made during the impugned programme:

- मदरसों में क्या बारूदी तालीम दी जाती है. ?
- मदरसे में आतंक का प्रैक्टिकल चल रहा था. ?
- मदरसों में जेहादी पढाई पढ़ाही जा रही थी ?
- मदरसों में आतंकवाद की Phd चल रही थी क्या ?
- अगर होगी मस्जिद और मदरसों की जांच तो किसको आंच ?

The complainant alleged that broadcaster had disrespected the law. That the news itself appeared to be the broadcaster's communally hatched agenda and a criminal conspiracy to create disharmony in the state. That the broadcaster had intentionally tried to defame Minorities, intended to cause danger and harm to the life and democratic rights of minorities as well as disturb the communal harmony of the state.

Further, he stated that it appears that the broadcaster was frequently targeting minority by airing such provocative news. That the broadcaster was trying to create

communal unrest in the country. Hatching communal conspiracy has become part of the work to motivate the masses.

The complainant stated that he has lodged a number of complaints against the broadcaster and the anchor with NBDSA, alleging use of racist language to spread rumours to put the state into disharmony. The complainant prayed for NBDSA to order the broadcaster to produce all documentary evidence stating the terror connection with the blast and stating that madrasa and the worship places are involved in such terrorist activities.

The complainant stated that while broadcaster considers itself to be the nation's foremost media company however, despite knowing the legal consequences the broadcaster had continued airing series of provocative news disrespecting law and order. That the effect of broadcasting such communally flavored news by the media houses across India has caused hate against minorities, communalism, destruction of property, incidents of rioting, vandalism, and arson during the protests across the country.

Furthermore, he submitted that the reply dated 7.07.2021 of the broadcaster was nothing but an attempt to escape from the clutches of law.

Decision of NBDSA at its meeting held on 8.1.2022

NBDSA considered the complaint, response from the broadcaster, the complaint filed with the NBDSA, rejoinder filed by the complainant and viewed the footage of the broadcast. NBDSA was of the view that a hearing was necessary to determine whether the broadcaster had violated the Code of Ethics & Broadcasting Standards and the Specific Guideline Covering Reportage relating to Racial & Religious Harmony. NBDSA, therefore, decided to call the complainant and the broadcaster for a hearing at the next meeting of NBDSA.

On being served with notices the following person were present at the hearing on 4.2.2022:

Complainant: Mr. Matin Rafiuddin Mujawar
Mr. Ashish Kachave, Advocate

Broadcaster: Ms. Ritwika Nanda, Advocate
Mr. Piyush Choudhary, Senior Manager - Legal
Ms. Annie, Assistant Manager Legal

Submissions of the Complainant:

The complainant submitted that it is clear from the title of the impugned programme "*Taal Thok Ke LIVE मदरसों में 'बारूदी' तालीम? | TTK Live | Madrasa Education | Bihar Blast*

| *Debate*” itself that the broadcaster has targeted a specific religion. At 1:05 seconds of the programme, the broadcaster cited the example of France to state that “*France ne asal secularism asal dharm nirpekshita ka shaandar udharan dete huye Islamic kattarta, Islamic attackand aur dharmic kattarwad pe purviram lagane ke liye waha ki sansad se kanoon pass karwaye jiske teht waha ki Police ko adbhikaar hoga jiske teht woh France ki masjid ko, madarso ko jab chahiye band kar sakte hai, waha pe niyam hai ki Masjido ki funding or Imam ki training par nazar hogi aur madraso ki shiksha par France main ban hai, app sochege ki main apko yeh baat kyu bata rha hoon Taal Thok ke main samajhiye kabhar isliye batayi jaa rhi hai kyunki Bharat main bhi Masjido Madraso ki jaach phir se shuru huyi, Madraso main dhamaka bada dhamaka. Madraso main bomb last hua hai*”. Further, at 2:39, the anchor stated that the “*Police ko shak hai ki Madrase main bomb banana ke doran ye blast hua*”. The anchor then at 3:34, proceeded to raise several questions during the broadcast,” मदरसों में क्या बारूदी तालीम दी जाती है. ?”; “मदरसे में आतंक का प्रैक्टिकल चल रहा था. ?”; “मदरसों में जेहादी पढाई पढाही जा रही थी ?”; “मदरसों में आतंकवाद की Phd चल रही थी क्या ?”; “अगर होगी मस्जिद और मदरसों की जांच तो किसको आंच ?”.

Thereafter, the complainant submitted that the panel discussion started on madrasa’s and their alleged terrorist connection during which at 10:30 seconds, one of the panellist Mr. Haribhushan Thakur stated that there should be investigation of all educational institution where traces of bomb are being found, however, the anchor interrupted the panellist and requested him not to refer to other educational institutions as the bomb was found in the madrasa and not an educational institution. Further, when the panellist stated that all religious institutions where suspicious activity were being carried out should be investigated, the anchor asked the panellists to refrain from mentioning Temples. He stated “बैलन्स करने की कोशीश मत कीजिये. मंदिर मत बोलियेगा। कहा पे मंदिर में कौनसा विस्फोटक कहा मिल गया. कहाँ से तुलना कर रहे है आप मंदिर क्यों बोल रहे हो आप. मदरसे में विस्फोट हुआ है मंदिर कहा से आगया। मंदिर मत बोलियेगा मेरे डेबिट में. मंदिर कहा से आगया? क्यों बोल रहे हो मंदिर? ये गटबंदान बचा रहे हो अपना JDU के दबाव में. सेक्युलर मत बनियेगा।” At 25: 38, the anchor insisted that “*Madarso main barudi talim di jaati hai*” when one panellist informed the anchor that in madrasa, religious instructions are imparted. Further, at when 26:10, when a panellist stated that terrorism has no religion, another panellist responded by insisting that terrorism is associated with a particular religion and was not stopped by the anchor from making such comments. Rather the anchor stated, “*kisi aur jagah wisfotak mile hote toh uska dharm nhi hota uska dharm hota*”. The complainant submitted that no religion teaches terrorism and therefore the association of terrorism with a particular religion in the broadcast was condemnable.

The complainant relied on several news articles to submit that there was no terrorist connection as alleged in the broadcast between the blast and the madrasa rather, the blast was a result of a dispute between two neighbouring villages. However, in the impugned programme a communal angle was attempted to be given to the explosion by the broadcaster. Further, in the impugned programme, the anchor cited certain figures as facts stating that only 20% of madrasa’s in the country were registered without disclosing their source for the same.

Submissions of the Broadcaster

The broadcaster submitted that the complaint was in respect to the programme 'Taal Thok ke' aired on channel Zee News at 5:00 PM on 10.06.2021. The impugned broadcast emanated from an incident in Banka District of Bihar, wherein a massive blast took place in a Madrasa located near a Mosque, which resulted in the death of an Imam.

The broadcaster relied on several news articles to state that there was a trunk in the madrasa in which there was an explosive that went off, resulting in the destruction of the madrasa and injuring four individuals apart from the death of the Imam in the incident. The broadcaster, therefore, submitted that its broadcast was not a conjecture but based on facts as there was a madrasa in which a bomb blast had occurred as a result of explosives kept therein. Further, it was interesting to note that after the blast, the injured people had fled the scenes, the men had fled the village and the women in the village refused to cooperate in the investigation.

The broadcaster relied on a statement made Shia Waqf Board and several news reports to state that unfortunately, madrasas have been linked to breeding radical training, that unfortunately at various instances in the past, the Madrasas which is an educational institution which is supposed to and does cater to the youth have been linked with terrorism.

In respect of the impugned programme, the broadcaster stated that the programme was a panel discussion, consisting of a well-represented panel who were invited to put forth their views and opinions on the incident that has occurred in a Madrasa located in Banka district of Bihar. At 14:40- 16:08, the anchor and the panellist Nupur Sharma cited several widely reported incidents in the country over the past 3-4 years, which illustrate alleged terrorist link to madrasas. Therefore, a reference was given at the beginning of the programme, that in France, the Police can shut down Madrasas. In this background, the anchor discussed in the programme whether this was also possible in India and whether there should be an investigation of certain Madrasas.

The broadcaster stated that the panellists who were representatives of political parties were present in the programme and gave their diverse views. While some panellists favoured an investigation into all Madrasas, others objected that these were isolated incidents and only when we have credible information against specific Madrasas they should be investigated. The broadcaster denied that the anchor had attempted to give a religious tenor to the programme. It stated that at 34:12 - 34:30, when one of the panellists alleged that the anchor was promoting an anti Muslim propaganda. The anchor interrupted the panellist, Maulana Ali Qadri to say, "*Anti-terrorism ko anti muslim kyu keh rabe aap? Aap muslim ko terrorist keh rabe kya aap? Ek min*

Qadri Sabab main anti-terror debate kar raha hu. Aap usko anti-muslim keh rabe. Meri debate me musalmano ko terrorist mat kahiega aaj ke baad.” The broadcaster submitted that such statements were dispersed throughout the programme. In fact, at 42:19 - 42:39, the anchor again interrupted a panellist to state that *“Islam Shaanti ka dharm hai. Meri debate mein Islam ko badnaam mat kariyega”* *“Naman... Islam Shaanti ka dharm h. Taal thok ke bolta hu”*.

In view of the aforesaid, the broadcaster submitted that it was clear that the anchor, never intended to insult or spread hate against any particular religion, as falsely alleged. That the statements made by the anchor demonstrated that he was not attacking the Muslim community but that he was only conducting a debate on anti-terrorism. That stemming from the facts of the case, any kind of explosives being kept in madrasa could not be justified. That such incidents have occurred in the past and that the only question was whether an investigation with respect to these issues in connection with the madrasa should be carried out or not. The anchor at various places very objectively stated that the objective of the programme was anti-terrorism and not anti-Islam.

In response, the complainant submitted that in the impugned programme, the anchor had made statements against Islam and had repeated that all Masjid's should be investigated on grounds of suspicion of terrorist activity. When the investigation into the blast was currently underway and the District Magistrate himself clarified that there was no terrorist connection with the blast in the madrasa, the broadcaster had by airing the impugned programme directly attacked a minority community.

The broadcaster in response relied on several newspaper reports to state that there was an investigation into the blast from a terror angle. NBDSA however stated that the impression one gets after viewing the programme is that there is a terror angle into the bomb blast and that terrorism is breeding through Madrasas. The broadcaster in response stated that terrorism is anything that spreads terror. In the present case, it will not be able to justify the presence of mass-scale explosives in a Madrasa, which is a matter of concern. Further, there were ATS and NIA present on the scene. It was also relevant to note that the impugned broadcast was aired on 10.6.2021 and the news reports relied on the complainant were published on 11.06.2021.

Decision

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

At the outset, NBDSA observed that the broadcaster must while conducting any debate keep in mind the Code of Ethics and Broadcasting Standards, the Guidelines

laid down by NBDSA and the views expressed by the Hon'ble Bombay High Court in *Nilesh Navalakha & Anr. vs. Union of India & Ors (2021) SCC Online BOM 56*.

While conducting a debate, an anchor has to be impartial and neutral in order that both versions of the story get communicated to the viewers during the debate. In accordance with the Bombay High Court judgment, the role of an anchor is to apply his/her mind and avoid the programme from drifting beyond the permissible limits including muting the speaker who flies off the tangent.

NBDSA finds that the incident of bomb blast in a Madrasa was of serious nature and there could be no objection if a programme/debate was aired on this incident. The explanation of the broadcaster, during the hearing, that storing of explosives in a Madrasa was alarming, maybe correct. However, the question is as to whether this singular incident could justify generalizing of the issue by involving all Madrasas.

After viewing the debate, NBDSA noted that the title of the debate was "मदरसों में बारूदी तालीम" and the contents thereof were judgmental and seem to give an impression to the viewers that all Madrasas are involved in similar practices.

Furthermore, even the anchor while conducting the debate had made the following statements: "मदरसों में क्या बारूदी तालीम दी जाती है. ? मदरसे में आतंक का प्रैक्टिकल चल रहा था. ? मदरसों में जेहादी पढाई पढाही जा रही थी ? मदरसों में आतंकवाद की Phd चल रही थी क्या ? अगर होगी मस्जिद और मदरसों की जांच तो किसको आंच ?; "पुरे बिहार के मस्जिदों और मदरसों की जांच होने चाहिए। ये तो यहाँ ब्लास्ट होगया कितनी जगह बम बन रहे होंगे"; "हरिभूषण ठाकुर आप सेक्युलर बनने की एक्टिंग कर रहे है क्या ? खुल कर कहिये ना मदरसा", which NBDSA took serious objection to. The language used in the impugned programme reflects that the anchor was pushing an agenda.

In view of the above, NBDSA decided that the broadcaster and the anchor had violated the Code of Ethics particularly the Principles relating to Objectivity and Neutrality as well as the Specific Guidelines to prevent Communal Colour in reporting Crime, Riots, Rumours and such related Incidents and the Specific Guidelines Covering Reportage, Clause 9 relating to Racial and Religious Harmony.

Accordingly, NBDSA expressed its strong "disapproval" in respect of the said programme and also decided to impose a fine of Rs. 50,000 on the broadcaster.

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 : 31.03.2022