

**News Broadcasting & Digital Standards Authority**  
**Order No. 140 (2022)**

**Order of NBDSA on complaint dated 19.10.2021 by Mr. Matin Mujawar against Zee News --- programme aired on 14.10.2021**

Since complainant did not receive a reply from the channel within the stipulated time period, the complaint was escalated to the second level i.e. NBDSA.

**Complaint dated 19.10.2021**

ZEE न्यूज़ ने समय १:०१:२५ सेकंड के खबरों का प्रसारण DNA प्रोग्राम द्वारा किया था. इस में समय ३२:२२ से ४०:०८ सेकंड तक anchor ने जर्मनी टर्की यूरोप बांग्लादेश के कॉन्टेक्ट से भारत में रहने वाले मुसलमानो/अल्पसंख्यको प्रति नफरत फैलाने वाली भाषा का इस्तेमाल किया है। anchor ने लोगो को धर्मो और मजहबो में बाटने वाली तथा मुसलमानो के विरोध में कानून हाथ में लेने के लिए उत्तेजित करने वाली भाषा का इस्तेमाल किया है. इसतरहा भारतीय सविधान के प्रति अनादर और आगजनी फजैलाने वाले असंविधानिक भाषा का इस्तेमाल ZEE न्यूज़ ने किया है. इस खबरों को देखने पर ये पता चलता है के किस तरह से ZEE न्यूज़ ने सेकुलरिज्म और लोकतंत्र का अपमान किया है.

ZEE न्यूज़ ने अपनी खबरों में जर्मनी में कोलोन शहर में लाउड स्पीकर पर अजान पढ़ने के लिए मिले पांच मिनट कि अनुमति का संदर्भ इस्तेमाल करके बड़े धूर्तता और चालाकी से भारतीय मुस्लिम और इस्लाम के प्रतिमा को बदनाम किया है. ZEE न्यूज़ द्वारा लगातार बताये जाने वाली ऐसी खबरे एक हिंसक वातावरण बनाने की गहरी साजिश है.

२) ZEE न्यूज़ ने Youtube और facebook पर इन खबर को पोस्ट किया है. ९ मिनट और २७ सेकंड की क्लिप Youtube पर है. ४ मिनट और ५७ सेकंड facebook पर है. इस लिंक के डिटेल्स ऊपर इस नोटिस में जानकारी के लिए बताये गए है.

३) सोशल मिडिया पर इन खबरों से भड़क उठे Youtube और Facebook के दर्शको ने कमेंट बॉक्स में दो धर्मो के प्रति गालिया और हिंसक शब्दों का इस्तेमाल किया है.

४) आज तक Facebook पर इन खबरों को ४५० से ज्यादा दफा शेयर किया गया है. और Youtube पर अनगिनत दफा. ZEE न्यूज़ देश के नागरिको में मुस्लिम समाज प्रति विद्रोह निर्माण करने तथा देश का हिन्दू मुस्लिम बटवारा करने की साजिश कर रहा है ये साबुत के लिए काफी है.

५) भारत का सविधान विविधता में एकता को दर्शाता है. इन खबरों से ZEE न्यूज़ ने जर्मनी के कॉन्टेक्ट (संदर्भ से) से भारतीय लोकतंत्र और विविधता पर हमला किया है. अभिव्यक्ति की स्वतंत्रता पर हमला किया है, धर्म स्वतंत्रता पर हमला किया है. भारत के सविधान पर हमला किया है. जर्मनी के कॉन्टेक्ट से भारतीय मुसलमानो के विरोध में नफरत फैलाने वाला और चेतावनी देने वाला संदेश दिया है.

६) जर्मनी में मस्जिदों को तुर्की से मिले "फंडिंग" (फंडिंग इस शब्द को मुद्दा बनाया है) का संदर्भ देकर भारतीय बहुसंख्यकों में इस्लाम के विरोध में नफरत फैलाने की साजिश की है और कहा है के " मस्जिदों पार लगे लाउडस्पीकर से ज्यादा लोग इस बात से चिंतित है के मस्जिदों में क्या हो रहा है". इस तरह सुधीर ने इस्लाम और मस्जिदों के बारे में एक भ्रम और गलत फैमि को निर्माण किया है.

७) जर्मनी और यूरोप देश के कॉन्टेक्ट से सुधीर ने सेक्युलरिज्म पर टिप्पणी की है. सेकुलरिज्म को अंधी दौड़ (blind race) कहा है और सेकुलरिज्म का आदर करने वाले भारतियों को बरगलाते हुए ये कहा है के एक दिन सेकुलरिज्म बहोत महंगा पड़ेगा।

८) ZEE न्यूज़ ने आगे यूरोप में महिलाओं के छेड़छाड़ के विषय को मुसलमानों से जोड़ कर कहा के जो मुस्लिम शरणार्थी मेहमान बनकर आये उन्होंने महिलाओं के साथ दुर्व्यवहार किया इस तरह यूरोप और जर्मनी के कॉन्टेक्ट से भारतीय मुसलमानों के प्रति बरगलाया है. मुसलमानों प्रति नफरत और गुस्सा उत्तेजित किया है.

९) ZEE न्यूज़ ने बंगलादेश में समाजकंटको दवरा दुर्गा पूजा के वक्त हुए अनुचित प्रकार को इस्लाम से जोड़ कर इस्लामिक कट्टरपन्त कह कर मुसलमानों के प्रति नफरत फैलाने की साजिश की है और भड़काऊ भाषा का इस्तेमाल किया है. स्क्रीन पर हिंसा और तोड़फोड़ करने वाली तस्वीरें ZEE न्यूज़ ने दिखाई 'हिन्दू अल्पसंख्यकों को खूब निशाना बनाया काफी तोड़फोड़ की, बांग्लादेश में इस समय हालत ये है के वहां पर हिन्दुओं को चुन चुन कर मारा जा रहा है और दुर्गा पूजा के पंडालों की भी तोड़फोड़ की जा रही है.' इस तरह मुसलमानों के प्रति नफरत और गुस्सा उत्तेजित करने वाली भाषा इस्तेमाल की है. \*ZEE न्यूज़ की खबरे राष्ट्रीय एकात्मता और अखंडता के हित में घातक और नुकसान पहुंचानेवाली साबित हो रही है.

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

\*इन चीजों का खुलासा अगर ZEE न्यूज़ ने ७ दिनों में नहीं किया तो ZEE न्यूज़ को अपराध मान्य है ये समझ कर ZEE न्यूज़ के खिलाफ NBSA तथा न्यायलय में मानहानि सहित कानूनी कार्रवाई की मांग करेंगे जिस से निर्माण होने वाले सभी परिणामों के लिए ZEE न्यूज़ पूर्णता जिम्मेदार रहेगा.

### **Complaint dated 29.10.2021 filed with NBDSA**

The complainant stated that the reason for escalating the complaint to the second level was because the broadcaster had in the context of Germany, Turkey and Bangladesh tarnished the image of Islam in the impugned programme. The news is communally framed. The contents clearly sounds like a pre-planned agenda targeting minorities of the state. The broadcaster has intentionally intended to cause danger and harm to the life and democratic rights of minorities as well as to disturb the communal harmony of the state. That the broadcaster is frequently targeting minority by such provoking news and is trying to create communal unrest in the country. This is needed to be stopped with penalty and strict legal action and cancellation of the license to broadcast of news. It violates the principles relating to Racial & Religious Harmony

### **Reply dated 8.11.2021 from broadcaster**

The broadcaster stated that in the programme titled *Daily News and Analysis* ('DNA') aired on Zee News on 14.10.2021, they had fairly and objectively reported and conducted analysis of the controversial decision taken by the Authorities in German City of Cologne permitting mosques to broadcast Friday prayers over Loudspeaker for 5 minutes between noon and 3 p.m.

The broadcaster stated that the allegations levelled in the complaint were completely baseless and motivated and the contents of the impugned programme was never intended to outrage the religious feelings of any particular community or religion or to disturb the communal harmony or incite communal violence, as falsely alleged. The allegations levelled in the complaint, to the effect, that, in the impugned programme they had intended to provoke religious tension, were completely false and baseless.

The broadcaster submitted that they have fairly and objectively reported the controversial decision taken by the Authorities in German City of Cologne permitting mosques to broadcast Friday prayers over loudspeaker for 5 minutes between noon and 3 p.m. and have reported that the local people of the Germany are condemning the aforesaid decision allowing Mosques to use Loudspeakers while offering Friday Prayers. In the programme, they have also reported the version of Cologne Mayor, who stated that the aforesaid decision shows the City is one of religious freedom and diversity.

The broadcaster submitted that in view of the aforesaid decision they conducted a detailed, objective and fair analysis of the decision and why the people of Germany believe that the aforesaid places are being used to promote religious extremism on the behest of the Turkish Government. As a responsible media house, they condemned the act of religious extremism and politics based on religious appeasement and polarization. As such, in the programme, they have analyzed the decision and stated that India is not the only country where political parties indulged in politics of religious appeasement and polarization. In the programme, they have reported that about 900 Mosques in Germany are being operated and run by Turkish Institute, namely, *Turkish Islamic Union for Religious Affairs* and based on verified sources, it was further reported that about 14-15 percent of total Muslim Population in the country are working in the said Mosques. Further, they have also reported the allegations that these Mosques were being used to spread religious extremism and in the year 2007, one of the Imam of these Mosques was accused of spying for Turkish Government and spreading hate against the Christian Community. They have fairly reported another incident where at the time of new year's celebrations, some people, who were later found to be Muslim Refugees, misbehaved with local German women.

To highlight the instance of religious extremism, they have also reported the incidents of violence that happened in Dhaka, Bangladesh, where, on the rumors of burning Quran, people attacked Hindu minorities and also attacked on Durga Puja Pandals, which was strongly condemned by the Indian Government.

In the aforesaid programme, they have raised the most important issue of growing religious extremism and how the political parties are not acting against it for their political gains and advantages, which would result in breach of internal security. The aforesaid reportage was completely based on verified facts and was in larger public interest.

In the programme they have nowhere made an attempt to target or spread hate against any particular religion. The programme contains a fair and objective report on important and larger public issue of growing religious extremism and politics based on it. Therefore, it is absolutely false to state that in the aforesaid show, they have targeted any minority group or created religious tension. The programme was completely impartial, neutral, objective and fair and did not tend to hurt the religious sentiments of any particular religion or group.

Broadcaster denied that the aforesaid reporting was done with an intent to provoke communal disharmony or religious tension. It is 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 the different religion. They have imposed self-restraint while conducting the analysis in the show.

The broadcaster submitted that it had not breached any of the guidelines of NBDSA as alleged in the complaint. The broadcaster reiterated that it has strictly adhered to the laid down principles of neutrality, impartiality and fairness in the telecast of the aforesaid news report. That it has abided by the principles of news reporting, broadcasting and journalistic norms and the complainant has failed to establish any deviations by the broadcaster. Thus, the complaint ought to be dismissed at the outset.

**Rejoinder dated 15.11.2021 from the complainant:**

The complainant requested NBDSA to personally look in the subject news to know and understand the level of thick-skinned intentions of the broadcaster who has very smartly and in a well planned manner targeted Islam, Muslims and Minorities of the country and is busy in doing so through the series of news with the long term harsh motives and communal intentions.

The effects of broadcasting of 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.

The intention of the complainant is nothing but through NBSDA trying to secure the national integration and maintain peace across the country.

The reply dated 8.11.2021 submitted by 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 and viewed the broadcast. NBDSA decided that the broadcaster and the complainant be called for a hearing.

On being served with notices the following persons were present at the hearing on 9.3.2022:

**Complainant:**

Mr. Matin Mujawar

Mr. Ashish Kachave, Advocate

**Broadcaster:**

Ms. Ritwika Nanda, Advocate

Ms. Annie, Assistant Manager - Legal

Mr. Anurag Singh – Editorial Representative, ZMCL

### **Submissions of the Complainant:**

खबरों का समय १:०१:२५ सेकंड है जिस में से ३२:२२ से ४०:०८ सेकंड तक सुधीर चौधरी ने जर्मनी टर्की, यूरोप, बांग्लादेश के कांटेक्ट से इस्लाम को टारगेट किया है. विदेशी मुद्दों से अल्पसंख्यकों प्रति समाज में नफरत फैलाने वाली, बरगलाने वाली भाषा का इस्तेमाल किया है. जर्मनी में कोलोन शहर के मेयर द्वारा शहर के ३५ मस्जिदों में अज्ञान पड़ने के लिए मिले अनुमति का हवाला देते हुए सुधीर कह रहा है के : “भारत सहित पश्चिमी देशों में भी मुस्लिम तुष्टिकरण के नाम पर राजनीति की बहोत सारि दुकाने चलती है. पश्चिमी देश कहते थे के इस्लामिक कट्टरपंक्त एक बड़ी कल्पना से ज्यादा कुछ नहीं है. पश्चिमी देश इस बात से चिंतित है के क्या जर्मनी धीरे धीरे एक मुस्लिम राष्ट्र बनजायेगा। कोलोन शहर में उन्नीसवीं (१९)शताब्दी तक मुस्लिम आबादी बिलकुल नहीं थी लेकिन शरणार्थी के प्रति जर्मनी के हमदर्दी ने इस शहर के विरासत को अब खतरे में दाल दिया है और आज वह के लोग है जो ये कह रहे है के हो सकता है के जर्मनी धीरे धीरे एक मुस्लिम राष्ट्र बनने के राह पर चल पड़ा हो. मस्जिदों पर लगे लाऊड स्पीकर से ज्यादा लोग इस बात से चिंतित है के मस्जिदों में क्या हो रहा है” (इस वक्त नमाज पड़ते हुए लोगो को स्क्रीन पर दिखाया जा रहा था)

इस तरह जर्मनी के हवाले से अज्ञान पड़ने को मिले अनुमति से इस्लामिक कट्टरपंक्त कह कर मुसलिम समाज को संबोधित किया है जर्मनी के कांटेक्ट से सुधीर ने भारत के लोकतंत्र के साथ साथ, एकता पर निशाना साधा है अभिव्यक्ति स्वतंत्रता, धर्म स्वतंत्रता के साथ सविधान और उसके मूलतत्त्वों का अपमान किया है इस तरह भारतीय मुसलमानो के विरोध में नफरत फैलानेवाला संदेश दिया है.

ZEE न्यूज़ ने बांग्लादेश में समाजकंटको द्वारे दुर्गा पूजा के वक्त हुए दंगे और आगजनी जैसे अनुचित प्रकार को इस्लाम से जोड़ कर इस्लामिक कट्टरपंक्त कहे कर मुसलमानो के प्रति नफरत फैलाने की साजिश की है और भड़काऊ भाषा का इस्तेमाल किया है. स्क्रीन पर तोड़ फोड़ करने वाली तस्वीरें ZEE न्यूज़ ने दिखाई

हिन्दू अल्पसंख्यकों को खूब निशाना बनाया काफी तोड़ फोड़ की. बंगलादेश में इसमय हालत यु है के वहाँ पर हिन्दुओं को चुन चुन कर मारा जा रहा है और दुर्गा पूजा के पंडाल की भी तोड़फोड़ की जा रही. इस तरह मुसलमानो प्रति नफरत और गुस्सा उत्तेजि करने वाली भाषा इस्तेमाल की है. (TIME 37:15 to 39:04)

खबरों के नाम न्यूज़ माध्यम का गलत इस्तेमाल करके भड़काऊ भाषण का प्रयोग किया गया है और ये कार्य ZEE न्यूज़ द्वारा लगातार हो रहा है.

इस तरह की खबरे देश को हिंसा के तरफ लेजाने वाली है. ZEE न्यूज़ द्वारा इस्तेमाल की गयी भाषा पत्रकारिता के आचरण और सिद्धांतो के विरुद्ध है नस्ली एवं धार्मिक सद्भाव तथा केबल टेलीविजन नेटवर्क (विनियमन) अधिनियम 1995 की धारा 19 और 20 और टेलीविजन चैनलों नीति निर्देशों के खंड 8 का खंडन करने वाली है.

### **Submission of the Broadcaster:**

The broadcaster submitted that the complainant had in the complaint only alleged violation in respect of the Cable Television Networks Regulation Act, 1995 and the Uplinking Guidelines, 2011 and not alleged violation of NBDSA's Guidelines and/or Code of Ethics & Broadcasting Standards.

It submitted that in the impugned broadcast, it had objectively reported and conducted analysis of the controversial decision taken by the Authorities in German City of Cologne permitting mosques to broadcast Friday prayers over Loudspeaker for 5 minutes between noon and 3 p.m. That it was unable to understand where in the impugned broadcast it had conducted a comparison with Indian Muslims as was being alleged by the complainant. The entire broadcast was on Germany *vis- a- vis* Turkey, the influence of Turkey in Germany and on the incident that transpired in Bangladesh.

Further, the broadcaster submitted that it was unable to understand how the complainant's religious sentiments were hurt by the impugned broadcast.

The broadcaster submitted that it was its editorial discretion to conduct a programme on any issue. In the programme, it had reported on the law passed in the City of Cologne, Germany which permitted mosques to broadcast Friday prayers over loudspeaker for 5 minutes between noon and 3 p.m. The aforesaid decision of allowing loudspeaker in Mosques in Cologne City of Germany was being protested by certain segment of people who believed that this law should not have been passed. It had also reported how mosques in Cologne which were being run by Turkish Institute, namely, Turkish Islamic Union for Religious Affairs were being used to promote religious extremism on the behest of Turkish Government. That in the impugned broadcast it had not generalized the issue as alleged.

In rebuttal, the complainant submitted that in Cologne, thirty-five mosques were given permission to broadcast *Azhan* on Friday. In the programme, a narrative was being created that people in Germany were wary of the Muslim immigrants and the possible changes in the demographic of the country. Further, in the programme, an incident that transpired during Durga Puja in Bangladesh was shown, wherein members of the Muslim community attacked the minority Hindu population. That these two incidents were shown to provoke others.

### **Decision**

NBDSA went through 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.

After considering the submissions of the complainant and the broadcaster, NBDSA observed that the broadcasters have the freedom to report on any topic of its choice. However, such reporting has to be in compliance with the well-established standards laid down under the Code of Ethics and Broadcasting Standards, Guidelines and Advisories issued by it.

On viewing the footage, NBDSA observed that while the broadcast largely telecast factual news, however the tilt given to the analysis on the facts gave the broadcast a communal color. The language used during the analysis and the images shown of a particular community tended to give a perception that the community referred to in the broadcast were extremist, radical and an increase in the population of the community could result in the change of the culture of a country. The tenor of the broadcast essentially targeted a particular community and tended to raise fear amongst other communities and religions in respect of the people of the said community. The broadcast also stereotyped the community.

NBDSA noted that there was nothing incorrect with regard to the topic/facts presented by the anchor in the programme, however the analysis posed a problem as it violated the Code of Ethics and Broadcasting Standards and the Specific Guidelines Covering

Reportage, Clause 9 relating to Racial and Religious Harmony, for the reasons stated above.

NBDSA therefore decided to caution the broadcaster to be careful in future while broadcasting on sensitive topics particularly relating to religion and communities. 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 of receipt of the Order.

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 : 13.06.2022**