

News Broadcasting & Digital Standards Authority

Order No 153 (2022)

Complainant: Mr. Indrajeet Ghorpade

Broadcaster: News18 India

Date of Broadcast: 22.4.2022

Since the complainant did not receive any reply from the broadcaster within the time period stipulated under the News Broadcasting Standards Regulations, the complainant escalated the complaint to the second level i.e., NBDSA.

Complaint dated 25.4.2022

The complaint is in respect of a show titled, "जहाँगीरपुरी वाला बदला, महादेव पर हमला" aired on News18 India on 22.4.2022. The complainant stated that the anchor promoted falsehood throughout the show by stating that the demolition of a temple in Rajasthan's Alwar was an act of revenge in response to the demolition drive in Delhi's Jahangirpuri.

The narrative created and promoted by the broadcaster was false, as several news agencies had reported that the temple in Alwar was demolished days before the drive in Jahangirpuri. Moreover, it was the BJP-led governments that had carried out both the drives, so there was no question of revenge by any community or party or government.

The complainant stated that similar to several Islamophobic shows hosted by the anchor, this show too continued to target the Muslim community and the Indian National Congress via the above falsehood. Further, the impugned show continues to be available on the broadcaster's official digital mediums. Despite the errors being extensively highlighted by the public, the broadcaster has failed to take corrective measures and has failed to air any clarification or apology. The complainant alleged that the broadcaster has total disregard for NBDSA's rules, regulations, guidelines and does not follow the Code of Ethics and Broadcasting Standards. Furthermore, the broadcaster also does not respond to grievances as per the regulations.

The complainant requested the broadcaster to acknowledge its error and other violations and take corrective action to undo the damage caused. By airing the impugned broadcast, the complainant stated that he believed that the broadcaster has violated NBDSA's guidelines on Accuracy, Impartiality, Neutrality and Fairness, Objectivity, Law and Order, Crime and Violence, Religious Harmony, Defamation and Corrigendum.

Reply dated 10.5.2022

The broadcaster stated that several FIRs have been registered with respect to the programme aired on News18 India on 22.4.2022 and its anchor. The matter is being investigated by Rajasthan Police and is also sub judice before Jaipur and Jodhpur Bench of the Hon'ble Rajasthan High Court.

FIRs bearing No 200/2022 & No 372/2022 were challenged before the Hon'ble High Court of Rajasthan, Jaipur Bench in Criminal Miscellaneous (Petition) No. 4062/4063 of 2022 & the FIR No. 147/2022 was challenged before the Jodhpur Bench of Hon'ble High Court of Rajasthan in Criminal Misc (Pet.) No. 2516/2022.

Decision of NBDSA on 31.5.2022

NBDSA considered the complaint and the response dated 10.5.2022 received from the broadcaster. 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 Guidelines issued by NBDSA. NBDSA, therefore, decided to call the complainant and the broadcaster for a hearing at the next meeting.

Decision of NBDSA taken on 15.6.2022

NBDSA noted that upon receiving the notice for hearing, the complainant requested for an adjournment, which was granted by NBDSA.

Hearing on 30.9.2022

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

Complainant:

Mr. Indrajeet Ghorpade

Broadcaster:

Mr. Anshul Agarwal, Counsel

Mr. Praveen Shrivastava, Associate Executive Producer – Editorial

Submissions of the Complainant

The complainant submitted that in the impugned programme, fake/unverified news was aired by the broadcaster claiming that a temple in Rajasthan's Alwar was demolished as an act of revenge in response to the demolition drive in Delhi's Jahangirpuri. The impugned news had been fact checked by several agencies and the broadcaster had to seek relief from the Court for airing the impugned fake news.

Submissions of the Broadcaster

The broadcaster submitted that the impugned programme was broadcast based on information available in the public domain. Several FIRs have been registered in respect of the programme and its anchor and that the matter is currently being

investigated by Rajasthan Police and is also sub judice before Jaipur and Jodhpur bench of the Hon'ble Rajasthan High Court.

Decision

NBDSA went through the complaint, response from the broadcaster and also gave due consideration to the arguments of the complainant and the broadcaster.

NBDSA noted that the subject matter of the complaint pending before it was on the same issue as the FIR Nos. 147/2022, 200/2022 and 372/2022 registered in Rajasthan and the matters pending before the Jodhpur and Jaipur benches of the Hon'ble Rajasthan High Court.

In view of the above, NBDSA noted that under Regulations 7.2 read with Regulation 8.4.3 of the News Broadcasting Standards Regulations, it is not permissible or appropriate to take up matters in respect of which any proceeding is pending in a Court of law or other Tribunal or Statutory Authority. Therefore, NBDSA decided to defer the decision in the complaint until the matter is decided by the Court.

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 the Order to the complainant and the broadcaster;
- (b) Circulate the Order to all Members, Editors & Legal Heads of NBDA;
- (c) Host the 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 : 21.10.2022