

**News Broadcasting & Digital Standards Authority**

**Order No 170 (2023)**

**Complainant: Mr Utkarsh Mishra**

**Programmes:**

1. ***“Time For Fakery Has Ended / Propaganda Timed To Hurt India? / Nation Wants To Know”***
2. ***“Nobel Committee Exposes ‘Fakery’ Of Zubair And Pratik / ‘Fakes’ Not Favourites? / Newshour Agenda”***
3. ***“Mohammad Zubair & Pratik Sinha Not On Nobel List / Pretext To Taint India's Image? / India Upfront”***

**Channel: Times Now**

**Date of Broadcast: 7.10.2022**

Since the complainant did not receive reply from the channel within the time stipulated under the News Broadcasting & Digital Standards Regulations, the complaint was escalated to the second level of redressal i.e. NBDSA.

**Complaint dated 13.10.2022**

The complaint is filed against broadcasts aired on 7.10.2022 for violating Fundamental principle number 4, which states that *“broadcasters shall in particular ensure that they do not select news for the purpose of either promoting or hindering either side of any controversial public issue. News shall not be selected or designed to promote any particular belief, opinion or desires of any interest group”*, Principles 1 and 2 of Self-Regulation relating to Impartiality and Objectivity in reporting and Ensuring Neutrality.

He stated that the issue debated in these broadcasts was Altnews’ Md Zubair and Pratik Sinha’s mention in a Times magazine article as being one of the *“favourites”*<sup>xx</sup> to be nominated for the Nobel Peace Prize.

It may be noted that one of the criteria for individuals to be considered as nominators on the Nobel Peace website is that the nominators must be *“University professors, professors emeriti and associate professors of history, social sciences, law, philosophy, theology, and religion; university rectors and university directors (or their equivalents); directors of peace research institutes and foreign policy institutes”*.

The names of the Alt News founders were mentioned in Henrik Urdals list, who is the irector of the Peace Research Institute at Oslo, qualifying him to be a nominator.

However, despite airing three broadcasts on the issue, none of the anchors intimated the conditions for the nominators to the viewers. This glaring inaccuracy was the

foundation of the reporting done by the anchors, whereby they misinformed viewers that the nomination by Henrik Udal had the same value as any ordinary citizen's nomination.

Based on this false assumption, the broadcaster aired the most over-the-top speculative conspiracy theory claiming that the news of the nomination was a con job and propaganda that somehow was meant to defame India. The coverage in the impugned broadcast followed the pattern of discrediting and attributing extremist positions to individuals critical of the Modi government.

In the first impugned broadcast, the on-screen title “# Nobel favourite fraud, Propaganda timed to hurt India?” was aired, and the broadcast followed a pattern of the broadcaster unreasonably attributing extremist positions and seeking accountability overwhelmingly from one side.

The anchor declared the news of the nominations as being a “con job” while making no attempt to intimate to the viewers the context behind these nominations. Further, in the broadcast, questions were asked with the assumptions made regarding intent. The anchor repeatedly promoted the notion that the nomination was entirely unfounded or motivated by politics.

The complainant highlighted certain statements which were made during the broadcast in support of its assertion:

Padmaja - 1:09 - 3:02- *But, this whole favourite thing, where did it come from? How did somebody decide that they were favourites? India's hopes were inflated by what was a con job of monumental proportions, and we have to say it in the plainest words possible. It was a con job. We will tell you how this entire fake-job was carried out, it was constructed and then it was amplified. Then let's begin at the beginning. How did people get taken in? On the 4th of October, TIME Online carried a piece titled “Here are the favourites to win the Nobel peace prize 2022”. Fabulous. Among the individuals and institutions listed as favourites, 2 names became the toast of India, they got India's attention. Those names were Mohd. Zubair and Pratik Sinha. There was a flurry of congratulatory messages, everyone viewed it as the win of right over wrong, and more importantly, as a fitting answer to India's fascist government. But here's the thing. The factcheckers didn't appear to fact check any of the adulation and the content of the TIME article itself. Was there any factual basis for Time to claim that Zubair and Sinha were favourites to win the Nobel peace prize?*

*Over the next half an hour, we will attempt to take the viewers over all the details we have been able to uncover in our correspondences with the Nobel committee as well as some of the people cited as sources in the article published.*

Padmaja- *The answer to that question about whether there's any grounds, is an emphatic no. We decided to investigate ourselves. We wrote to the Norwegian Nobel Institute which gives out the Nobel peace prizes and it categorically denied that there was any shortlist or list that it had put out at all and before that I want to take you straight across to the email we got from the Nobel committee.*

5:30- 7:18-

*Third which is the PRIO director's personal shortlist, let's examine that. Here is the personal shortlist, so Henrik Urdal's 2022 Nobel Peace Prize shortlist. Point number one, he's a private citizen just like you and I. He can have a short list, you could have a short list, you could put yourself on this, I mean you could put any of us on the short list. Anyhow you're a private citizen, you've made a short list but in that short list do you have more Mohd. Zubair and Pratik Sinha? Strangely no, even here in the short list they are not mentioned. Who is mentioned? You have Svetlana ... pardon my pronunciation, you have International Court of Justice, Harsh Mander, Karwan-e-Mohabbat, Agnes Chow, Nathan Lam, HRDAG and CANVAS. Where's Mohd. Zubair, they're not here. Strange but that's what we were told that they are here in the short list. Right here's the mystery. Go back to the previous graphic, go back to that we'll just show you where they actually appear. So you see these five names, name no. 3, Harsh Mander, what happens then that in this short list of a private individual, they have devoted a paragraph each for each of these five names. In the paragraph written for Harsh Mander, the last three lines and that's where where, mentioned in passing for the paragraph written for Harsh Mander, they say "Other worthy candidates for a prize focused on combating religious extremism and intolerance in India are Mohammed Zubair and Pratik Sinha". So if you're talking about the favorites, they would possibly figure at the top of the list? No. They were there in a para of an individual who is in an organization in no way connected to the Nobel and in no way influencing it. Nobody even asked him that, do you think somebody should be given in the Nobel short list. He's just a person who's put it on his website and that really brings us to the big questions.*

7:18- *So on what basis did TIME actually elevate Mohammed Zubair as well as Pratik Sinha to the status of the list of favorites to win the Nobel Peace Prize, that's the basic question that ought to be asked. How could anyone rank among favorites when the nominations are shortlisted and are not made public by the Nobel committee. There's a cap of 50 years. If Zubair and Sinha were only listed as as other worthy candidates, and this is a reference to the PRIO director's list, why did TIME elevate them to the status of favorites. That's a question that ought to be asked. Remember their names do not feature in the Reuters survey nor the odds put out by bookmakers. And finally if there is truth to Zubair and Sinha being favorites, why would the Nobel Institute refer to it as "surmises and sheer speculation" going above and beyond the sort of templated responses that are normally put out by the committee claiming that you do not reveal who the candidates are. Padmaja: Why did they themselves not fact check it? That is the most stunning part. Now imagine the facts are being called "surmises and speculation" by the Nobel Institute no less. Surmises and speculation. What is the whole concept of favorites? Surmises and speculation.*

Padmaja 9:29- 9:32- *Shouldn't the fact checkers have fact checked these surmises and speculation?*

9:58- 12:53- Padmaja: *So if we can see through the surmises and speculation, the Nobel committee can see through it, any thinking individual can see through it, fact checkers should definitely see through it no?*

*But unfortunately Time Magazine couldn't see through it and this article actually comes in a magazine that says "Hindu Lives Matter" is a dangerous slogan. So when they publish an article like this their intention is pretty much clear. Now going by the policies of TIME Magazine, if inciting enmity between various religious groups is the criteria for Nobel Prize I think Owaisi's name should also have been in the list. But it is not there so I was a bit disappointed when I didn't see his name. So this person, Zubair, why would they recommend his name? Did they actually consider that he is actually a crusader for the peace activities in India because he humiliated a woman with his video editing skills or for igniting the Islamist fire that swallowed many Hindus including Kanhaiya Lal and six others? So it's very well understood that there's a global campaign that has started against India..*

Padmaja: *Are you saying this was deliberately done by TIME?*

*I would like to think I actually am. I would like to refer to something. They say that saying that Hindu lives matter is a dangerous slogan.*

Padmaja: *Really? Anurag is that what you think also? This was deliberately done? That it's not like it was an oversight? It was deliberately done?*

Anurag: *I have a personal very strong opinion about this and I believe if anybody who's trying to say that TIME as a magazine is sacrosanct from any PR engagement then I personally do not think so. I think they are equally exposed to PR engagement like just like any other magazine or any other media outfit for that matter. Maybe on a lighter note, we are all mistaken they're talking more about "no ball" prize rather than a Nobel Prize because that's what the content suggests. Because we know these two gentlemen, being from India and we know what content they bring to the table. I don't want to be very personal about this to them but what I know for the fact is there are far more important individuals who can be discussed in the public domain as favorites before coming to these two gentlemen. But all due respect. I mean if any Indian wins a Nobel Prize or be even we talk about a speculation, of being nominated, of being front runners, I'll be very happy and I would love to see Indian candidates. Like I said earlier as well that's a separate debate to be had at another time about their credibility that they bring to the table as to whether or not are they deserving of the Nobel Peace Prize.*

13:01- 13:36- *If they are not involved, why would they as professional fact checkers so dedicated to their profession, why would they not fact check TIME? Why would they give bytes to the media saying this kind of recognition is important to us? There are messages being sent to them from their colleagues, their sympathisers, their friends. So therefore, they are acknowledging this particular distinction that is being given to them. They are taking the alleged nomination at face value as well*

*but they are professional skeptics. Why would they not do their job is a question that even you should ask.*

14:48- 15:01- Padmaja: *It is not about the eligibility of a person or not. I am no judge of it and neither is TIME. So we didn't judge who are the favourites. How did they judge it? What was their source?*

The complainant stated that the second impugned broadcast also was misleading viewers by imputing that the PRIO Director's Nobel shortlist had the same significance as any random person's by repeatedly stating that it was a "personal" shortlist. The complainant highlighted certain statements made by the anchor during the impugned broadcast, which are as follows:

Padmaja- 2:59 to 3:20- *A personal shortlist by the director of the peace Research Institute of Oslo, a personal shortlist like you could have a personal shortlist. Like any of the viewers could have. Maybe Muhammad Zubair himself could have a personal shortlist. That's how Henrik Urdal had a personal shortlist. Remember this.*

4:12-5:10: *What we have learned is that the TIME writer took names from PRIO director's list and projected them as favorites. so it was a personal list. they were somehow made into favorites to win the Nobel Prize. How? No one knows. Names in the personal list were projected as favorites for no explained reason. Zubair and Sinha were named as favorites. So the PRIO list actually has no influence at all on the Nobel committee. One would think that there is a public consultation, then somebody submits, then the Nobel considers these lists and they pick up names from any of the lists. Nothing. It's just a list that is on a website. Nobel has actually gone and dismissed these names, these shortlists, these favorites as nothing more than surmise and speculation. So basically a speculation was amplified as some kind of shortlist. The question though is why?*

Padmaja- 15:46- 16:35-. *Question is when in an interview you are saying that we have just been nominated by an organization who has never spoken to us, we don't know, it is a puzzle, and my partner says to me, "Should we fact check?" You said "No, let's ride the wave because good feelings are coming, good feelings are happening. Why didn't you fact check? It's as simple as that. It could have been for all you know a terror organization who has just put up your name from somewhere and it is being quoted everywhere. Why won't you fact check it? Why won't you do it? Since you say the BJP's behind it, all the more reason you go out and you fact check "oh my God this vicious I.T cell must be after me." Why didn't you fact check?*

Further, he stated that during the programme, the following on-screen titles were aired: "Will Fact Checkers come clean" and "Nobel Committee exposes 'fakery'". The broadcast followed a pattern of seeking accountability overwhelmingly from one interest group, i.e., critics of the Modi government.



In the third broadcast, false claims were promoted again by the anchor regarding the legitimacy of nominations.

Padmaja 10:17- *This is problematic on many levels first of all Henry kudal is the head of a think tank there are billions of them across the world he is a private individual who has a think tank and as he told us he has put out his personal shortlist on a website he in no way influences the Nobel committee Nobel committee never asked him about who should be in the shortlist or the nominee or the winner, so here is an individual among billions of others across the world who has put out and uh individual opinion of who should be in the shot list nonetheless here is the shortlist here are the five names you've got*

The debate was based on similar conjectures, speculative accusations and attribution of extremist positions. Further, during the broadcast, the following on-screen tickers “Ignoble” Propaganda Stunt Flops “ and “Pretext To Besmirch India’s Name?, # Nobel Favourite Fraud” were aired.

**Reply dated 29.11.2022 from the broadcaster:**

The broadcaster denied all allegations/contentions/averments made in the subject complaint. It stated that no part of the written submissions may be treated as an admission of any such allegation/averment/contention.

In the complaint, frivolous allegations regarding the non-compliance of the Guidelines had been raised. The complaint was filed to prevent the broadcaster from raising relevant issues through its debates. The complainant has blindly questioned the conduct of reputed anchors and journalists on the respondent channel without reviewing the context and the entirety of the topic being debated and the media’s right to raise difficult questions on relevant and current events in the country.

The programmes impugned in the complaint did not violate any Code of Ethics and Broadcasting Standards (Code of Ethics) and/or Guidelines in any manner whatsoever, as alleged or otherwise. The debates in question must be viewed in the context of the questions raised.

In the complaint, selected comments made by the anchor(s) have been highlighted to level the allegations of bias; the complainant appears to be targeting the anchor(s) in their capacity as journalists. The complaint focuses only on one side of the spectrum and does not appreciate that counter argument is equally relevant, important and critical for viewers to form their opinions, specifically when popular beliefs and criticisms are challenged. Viewers have a right to know an alternative argument to such popular beliefs on significant matters. Raising pertinent, strong, pointed questions cannot be brushed aside with the allegation that they ‘peddle a narrative’.

The impugned programmes by no stretch of the imagination, amount to any violation of the Code of Ethics and/or Guidelines as alleged or otherwise. The complainant has deliberately targeted the anchors as being selective towards a particular community, party, or religion on frivolous grounds. A perusal of the debate programmes would show that neither any favouritism was done for any political party nor was any political party attacked. The debates did not propagate or attack any particular religion or communal attitudes.

The broadcaster reiterated that a bare perusal of the video footage of the debate/ programme would make it amply clear that there was no violation of Fundamental Principle No. 4 and Principle 2 of Self-Regulation under the Code of Ethics or of the Specific Guidelines for Reporting Court Proceedings as alleged or otherwise or at all.

The debates were conducted in an open and objective manner and did not cause any incitement of communal bias or influence or mislead the viewers in any manner whatsoever.

The impugned programmes, by no stretch of the imagination, could be deemed to have been made on selective and biased coverage or have outraged religious feelings of any class or community, statement creating or promoting enmity or promoting enmity, hatred or ill-will between classes. Further, the programmes did not propagate any particular political or religious ideology or were against any political belief. Media freedom is an essential pillar of a free democracy, and the plurality of views and opinions, however strong and direct they may be, must be allowed to protect this sanctity.

It is a settled law that the media and press should not be unnecessarily restricted in their speech as the same may amount to curtailment of expression of the ideas and free discussion in public based on which a democratic country functions. In this regard, the broadcaster stated that the Hon'ble Supreme Court has held that the freedom of speech and expression includes freedom of propagation of ideas and that freedom is ensured by the freedom of circulation, without which the publication would be of little value. The Hon'ble Supreme Court also held that the liberty of the press is an essential part of the right to freedom of speech and expression. This liberty consists of allowing no previous restraint upon publication.

Furthermore, it stated that apart from the broadcaster's right to disseminate to the public at large, the citizens of India also have the right to know about the current affairs of the country, and the right to know is also another aspect of free speech and democracy. Freedom of speech and expression includes the right to hold opinions without interference and to seek, receive and impart information and ideas

to any media, regardless of frontiers. The Hon'ble Supreme Court has observed that when freedom of expression is put to use by the mass media, it requires additional dimension and becomes freedom of information. It has been held that the constitutional guarantee of freedom of speech is not so much for the benefit of the press as it is for the benefit of the public. The freedom of speech includes within its compass the right of all citizens to read and be informed. The impugned programmes were one such criticism and a fair one.

The framers of our Constitution recognized the importance of safeguarding the right under Article 19(1)(a) since the free flow of opinion and ideas is essential for the collective life of the citizenry.

That it is also settled law that the press is entitled to make fair comments on issues that impact the public at large, which is a right guaranteed under Article 19(1)(a) of the Constitution of India, the broadcaster placed its reliance on various judgments of the Hon'ble Supreme Court including on *Arnab Ranjan Goswami v Union of India*-MANU/ SC/ 0448/ 2020, *Shreya Singhal v Union of India* and on *Chief Election Commissioner of India v. M.R. Vijayabhaskar and Others* 2021 SCC OnLine SC 364, *Romesh Thappar v. State of Madras* [1950 SCR 594 : AIR 1950 SC 124 : (1950) 51 Cri LJ 1514] , SCR at p. 602, *Sakal Papers (P) Ltd. v. Union of India* [(1962) 3 SCR 842 : AIR 1962 SC 305] , concurring judgment of Beg. J. said, in *Bennett Coleman & Co. v. Union of India* [(1972) 2 SCC 788 : (1973) 2 SCR 757] , *S. Khusboo's Judgment*, and on *Patricia Mukhim v. State of Meghalaya & Ors.* 2021 SCC OnLine SC 258.

The debate programme should be viewed as a whole and not on the basis of breaking and dissecting a sentence or a stanza to show any adverse effect without contextually understanding why that statement, sentence or stanza came about. A comment, a sentence, stanza, or the programme as a whole may be independent, bold, and even exaggerated. Mere exaggeration, however gross may be, would not make a comment unfair, if not founded by malafide, in this regard, the broadcaster referred to the decision in *Mitha Rustomjee Murzban Vs. Nusserwanji Nowroji Engineer*, MANU/MH/0015/1941.

The choice of a news debate is entirely editorial discretion. The topics chosen here were the recent incidents in the nation. There was no cherry picking or interest groups being served by such debates. Such allegations are motivated and the complainant has cherry picked statements made in the debate to push an agenda. The broadcaster did not impose its opinions in the debate. Raising pertinent questions is the media's right to report on issues that are of public interest. Several opinions are made available in a debate like this. To call it an opinionated programme was, therefore, incorrect and baseless.



The channel's intent has never been to defame any particular individual or to sensationalize any issue but to depict the correct picture before the public. The press is entitled to make fair comments and opinions on issues that impact the public, which is a right guaranteed under Article 19(1)(a) of the Constitution of India. This is an integral part of the right of free speech and expression and must not be whittled away.

In a live news debate, the panellists invariably raise connected issues and multiple views and opinions are put forth and dissected, which is essential for a free debate on the chosen topic.

In the broadcasts held on 07.10.2022, the anchors merely showed the facts surrounding the post made by the Times Magazine, wherein it was claimed that Mohd. Zubair and Prateek Sinha were among the favourites for the Noble Prize awards. The anchor went on to say that there was no basis for the said mention of the favourites based on the email sent by the Norwegian Nobel Committee and Reuters Survey.

The information relied upon was in the public domain and based on documents and facts. The discussion and debate on the burning issue constituted fair reporting in good faith and was in consonance with the journalistic principles and for public scrutiny.

The anchors did not make any statements which would create any controversy. The anchors have always limited themselves to journalistic principles and acted in good faith. They merely conducted an unbiased, free debate on the burning issues of the country.

In the first broadcast impugned in the complaint, the anchor discussed the correctness of the post made by the Times Magazine that Mohd. Zubair and Prateek Sinha were among the favourites for the Nobel Prize awards.

In continuation to the topic, the second broadcast reflected further light on the topic surrounding Pratik Sinha and Muhammad Zubair's nomination to the Nobel awards. The anchor mentioned that their names weren't even on the Director's list of favourites, and they're only mentioned in the PRIO webpage article's body. By retweeting and sharing immediately after acknowledging the Times report, the fact-checker duo created immediate hype around their names. All the sources mentioned in the Times report mentioning that the duo is amongst the favourites the Nobel Awards were cross-checked based on factual information available in public domain. The anchor at no point of time made some selected comments. Discussions on

several aspects were made, without assigning any personal opinion. The anchor also sought views from various panellists.

In the third broadcast as well the issue was discussed by the anchor. The coverage was not at all biased in nature. The anchor specifically mentioned that it would have been fitting tribute if the Nobel Peace Prize would have been awarded to India's peace keepers. There are several others who are deserving. The anchor mentioned that Times Magazine reporter Sanya Manzoor had stated Mohd. Zubair and Prateek Sinha are favourites and nominated for the Nobel Awards. Since they did not win, the anchor mentioned that we are sorry to break, but they were not favourites. Discussion was thereafter made on the various facts on it. It was thus an objective report based on factual information and documents collected. No individual was targeted, or biased coverage was made as alleged by the complainant.

Considering the aforesaid, it was pertinent to state that a news channel is well within its right to present the news event and current affairs of extreme public and national importance in the (i) manner that it deems appropriate, without violating the restrictions contained under Article 19(2) of the Constitution of India, (ii) discuss the same leading to a fruitful discussion amongst the participants, and (iii) present unpopular views for the public to review the same.

In light of various submissions made, both factual and legal and various judgments referred to, the broadcaster most respectfully submitted that the Respondent had, in the exercise of its Fundamental Right envisaged under Art 19(1)(a), telecasted the impugned debate programmes. There was no violation of any Code of Ethics or any other rules and regulations in the impugned broadcasts. Therefore, the complaint is not legally sustainable and, hence, needs to be rejected outrightly.

### **Decision of NBDSA at its meeting held on 28.1.2023**

NBDSA, at its meeting held on 28.1.2023, considered the complaint, response of the broadcaster and after viewing the footage of the broadcasts, decided to call both parties for a hearing at the next meeting.

On being served with Notices, the following persons were present at the hearing on 16.06.2023:

#### **1. Complainant:**

Mr. Utkarsh Mishra  
Ms. Suroor Mander

#### **2. Broadcaster**

Mr. Kunal Tandon, Advocate

Ms. Niti Jain, Advocate

Ms. Kirtima Maroovar, Compliance Officer, NBDSA

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

The complainant submitted that the impugned broadcasts were regarding an article published in Time Magazine wherein it was claimed that Mohd. Zubair and Pratik Sinha, the founders of Alt News, were among the favourites for the Nobel Peace Prize awards. The founder of Alt News had, in fact, not been nominated for the Nobel Peace Prize; instead, they were mentioned in the short list of the Director of PRIO for making significant contributions to debunking misinformation aimed at vilifying Muslims in India.

In the first broadcast, the broadcaster aired a fake narrative by repeatedly claiming that anyone can nominate anyone for the Nobel Peace Prize. The complainant submitted that the aforesaid claim of the channel was wrong and that the website of the Nobel Peace Prize has specified a specific criterion for making nominations. The broadcaster's vocabulary passed commentary on the intent behind this news. Without any basis, the broadcaster called this news propaganda designed to defame the country and aired extremely speculative conspiracy theories.

The complainant submitted that in the three broadcasts aired on this news, the broadcaster failed to inform the viewers regarding the conditions of nominations. The broadcaster claimed that news of the nomination was a con job and propaganda meant to defame the country. The complainant questioned on what basis the nominations for a Nobel Peace Prize could be construed to taint India's image. The complainant reiterated that in the broadcast, the broadcaster's focus was on the claim that Mohd Zubair and Pratik Sinha were favourites, which was not only unfounded but was a con job and a pretext to taint India's image.

NBDSA asked the complainant to explain what Guidelines or principles under the Code of Ethics & Broadcasting Standards and/or NBDSA Guidelines had been violated by the broadcaster in the impugned broadcasts. The complainant submitted that the impugned broadcasts were bad journalism as false claims were made during the broadcasts, and in the broadcasts, the broadcaster promoted the opinions of a specific interest group. The broadcaster's position with respect to the news was quite evident through the impugned broadcasts, in the first broadcast, the anchor explicitly called the news of the nomination a "*con job*" and in the third broadcast, the anchor questioned the nomination by asking "*on what basis did the Time List Alt News Co-Founders Mohd. Zubair and Pratik Sinha as among the 'favourites' to win the Nobel Peace Prize?*". In the broadcasts, specific statements were made by panellists who claimed that Zubair was part of a group trying to defame the country. The line of questioning in the broadcasts appeared to be inspired by a certain Interest Group. During the

third broadcast, tickers such as “*dismantle ‘ecosystem’ of fakery*” were aired, and Zubair was alleged to be part of this ecosystem.

Further, in the broadcast, a large number of socio-political debates, such as CAA, Article 370, etc., were referred to as an attempt to defame the country, and questions such as whether Zubair was also part of an ecosystem to defame the country were raised. The complainant questioned on what basis the broadcaster concluded that Mohd. Zubair, by promoting his nomination in a Magazine, was attempting to taint the image of the country. He submitted that even in the past, the anchor had made scathing remarks regarding Alt News while reporting on the Delhi riots. Furthermore, in the third impugned broadcast, one panellist claimed that Zubair was part of a coalition defaming the country.

### **Submission of the Broadcaster**

The broadcaster submitted that in the first impugned broadcast, the anchor had in great detail referred to certain emails wherein it was revealed during the fact check with the Norwegian Nobel Institute, which gives out the Nobel Peace Prize, that the Norwegian Nobel committee does not itself announce the name of nominees. The emails exchanged with the Norwegian Nobel Institute were also broadcast on air, and the snippets of the email were also aired during the other broadcasts. From the emails, it was clear that Mohd. Zubair and Pratik Sinha were not nominated, and the news published in Times Magazine was fake.

In respect of the allegation raised that the broadcaster had aired fake news, it submitted that at minute 3:11 in the first impugned broadcast, the email received from the Norwegian Nobel Institute was aired.

It submitted that as far as the complainant’s second allegation that the impugned broadcast promoted the opinion, beliefs and interest of a specific interest group was concerned, it had diverse panellists in all the three impugned broadcasts, who were all allowed to express their point of view. Further, it stated that the impugned broadcasts were completely based on the fact check.

In rejoinder, the complainant submitted that while the broadcaster may have only intended to fact-check the news of the nomination, however, in the broadcasts, an error committed by a magazine, which has been fact-checked by the broadcaster, was conflated with an alleged con job being committed by two members of the community. Further, by the third debate, the broadcaster had also conflated the same with an anti-India sentiment being run by those Members.

In response, the broadcaster submitted that the two individuals were creating a fake narration world that, they were also being nominated for the Nobel Peace Prize.

## **Decision**

NBDSA considered the complaint, response of the broadcaster and also gave due consideration to the arguments of the complainant and the broadcaster and reviewed the footage of the broadcasts.

NBDSA observed that the impugned broadcasts were related to an alleged fake news story published by Time Magazine wherein the Magazine had published that Mohd. Zubair and Pratik Sinha, founders of Alt News, were amongst the favourites for the Nobel Peace Prize.

In the broadcasts, panel discussions were conducted, and an opportunity was given to all the panellists who expressed various views on the subject. In view of the fact that various versions were given, NBDSA found no violation of the Code of Ethics & Broadcasting Standards and/or Guidelines in the broadcasts.

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 : 02.11.2023**