

**News Broadcasting Standards Authority  
Order No. 62 (2019)**

**Order of NBSA on complaint dated 3.10.2018 from EMMC: Telecast of an audio clip of proscribed organization Jaish-E-Mohammad's Chief Masood Azhar on India Today: 3.6.2018 (16:08:47)**

The above complaint was received from the Deputy Director, Electronic Media Monitoring Centre (EMMC), Ministry of Information & Broadcasting vide letter dated 3.10.2018. The complaint relates to telecast of a news bulletin about an audio clip of Masood Azhar, Chief of the proscribed organization - Jaish-E-Mohammad.

**EMMC Report:**

EMMC report stated that the channel had telecast a news bulletin about an audio clip of Masood Azhar, Chief of the proscribed organization - Jaish-E-Mohammad. In the said propaganda styled audio telecast by the channel, the self-styled leader is heard saying *"Some people must be worried about ceasefire in Kashmir. Have you heard it or not? Did it worry you? Ceasefire has taken place because of the fear of Jaish. I want to tell you that the ceasefire has left open space for Jaish. We vow to increase attacks in these places than ever before.... this time the sound of the violence will resonate in the same way as enemies used to mourn for 8 days...40 days...If your leaders have abandoned you, Jaish-E-Mohammad will avenge your sacrifice. Hizbul Commanders who are in Police custody must not feel alone...Jaish-E-Mohammad will free them with full dignity."* While reporting this news, the channel carried unrestricted audio clip of the speech giving platform for anti-nationals to spread their message of hatred and provocation. Such type of callous reporting may brainwash certain individuals and or encourage them to incite violence. Therefore, channel has violated Programme Code 6[1](e) of the Cable Television Network Rules, 1994.

**Response from Broadcaster:**

Broadcaster stated that the telecast was aired when the Centre had directed the security forces to halt their operations during the holy month of Ramzan. Azhar's statements came out in an audio clip, wherein he was heard addressing a gathering, openly mocking the ceasefire declaration by the Indian government and boasting that the government has left open space for JeM. Azhar is also accused of planning and executing multiple terrorist attacks in India and is wanted for his anti-national activities. During such an auspicious month, when such speeches are circulated by terrorist activities, it is the duty of the media to bring it to the attention of public so as to prompt the Government to ensure that proper security measures are taken and to ensure maintenance of law and order. The purpose of the report was to show that such an audio was a threat not to only to our nation but also put the Indian forces deployed to maintain harmony, peace and order at risk.

The broadcaster clarified that the news report was not intended to be divisive or incite hatred amongst the people of this country.

### **Issue of Notice of Hearing by NBSA**

NBSA, at its meeting held on 17.1.2019, considered the EMMC report, response of the broadcaster and also viewed the broadcast. NBSA was of the view that the broadcaster had violated Guidelines for Telecast of News Affecting Public Order No 3, which states: *“No live reporting should be made that facilitates publicity of any terrorist or militant outfit or its ideology or tends to evoke sympathy for the perpetrators or glamorizes them or their cause or advances the illegal agenda or objectives of the perpetrators”* and had also violated *Clause 7 of Principles of Self-Regulation of the Code of Ethics, which states: ... “News channels will also refrain from allowing broadcast that encourage secessionist groups and interests, or reveal information that endangers lives and national security...”*. NBSA therefore decided that the broadcaster be requested to appear for a hearing at the next meeting of the NBSA.

On being served with notice, Dr. Puneet Jain, Chief Law Officer appeared at the hearing on 25.2.2019 on behalf of TV Today Network Ltd. [Channel: India Today].

Dr. Jain reiterated the explanation submitted in the response of the broadcaster, as to why the speech was carried on the channel. He submitted that when the video was received, after due diligence checks and after consulting the concerned editorial team, the channel decided to air the video with the object of persuading the government to take action to ensure that proper security measures were taken to prevent any untoward incidents and to ensure law and order. The broadcaster submitted that the broadcast was in public interest.

### **Decision/Directions of NBSA:**

NBSA did not find merit in the submissions of the broadcaster. NBSA was of the view that there was no public interest in telecasting the hateful speeches of terrorists; and that in such a situation, the channel should have merely reported about the video, without telecasting the hateful speech. NBSA was of the view that even if such provocative /unverified videos are available in the social media or through any other platform, the news channels have an obligation to ensure that only the news, and not propaganda/divisive agenda of secessionists/terrorists are carried. NBSA was of the clear view that airing Azar propagating his hate filled ideology and agenda, would have an unwanted demoralizing effect on the people and clearly violated Guideline No.3 of “Guidelines for Telecasting of News affecting Public Order” extracted above.

NBSA therefore directs the broadcaster (Channel: India Today) to exercise greater care, caution and discretion in future while formulating news stories relating to propaganda by terrorists/secessionists and warns the broadcaster that any similar

future violations would be viewed seriously and action would be taken against the broadcaster.

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 confirmed to NBSA in writing within 7 days.

NBSA directs the NBA to send: (i) a copy of this Order to the broadcaster and the EMMC; (ii) circulate this Order to all Members, Editors & Legal Heads of NBA; (iii) host this Order on its website and to include it in its next Annual Report; and (iv) release the Order to media.

Sd/-  
**Justice R.V. Raveendran (Retd.)**  
**Chairperson**

**Place: New Delhi**  
**Date: April 2, 2019**