

**From: News Broadcasting Standards Authority**

<authority@nbanewdelhi.com>

Date: Tue, 19 Nov 2019 at 12:19

Subject: Order of NBSA on Complaint dated 13.3.2019 filed by Mr. Sharad Shah on a programme titled "Congress Bharat Mata Claim" aired by Republic TV on 12.3.2019 at 10 pm

To: S Sundaram <sundaram@republicworld.com>

Cc: Sheena Iype <Sheena.Iype@republicworld.com>, Mohit Dhamne <mohit@republicworld.com>, Girish Parab <Girish.Parab@republicworld.com>, Vikas Khanchandani <vikas@republicworld.com>

Dear Mr Sundaram,

The preparation of the NBSA agenda for the meeting scheduled shortly has begun. You are requested once again to kindly provide the formation sought in the mail below to report compliance to the NBSA.

Please acknowledge receipt of the mail.

Regards,

Annie Joseph

For & on behalf of NBSA

News Broadcasting Standards Authority

Mantec House,

2nd Floor, C-56/5, Sector 62,

Noida - 201 301

Phone: 0120-4129712

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**From: News Broadcasting Standards Authority**

<authority@nbanewdelhi.com>

Date: Wed, 30 Oct 2019 at 13:58

Subject: Order of NBSA on Complaint dated 13.3.2019 filed by Mr. Sharad Shah on a programme titled "Congress Bharat Mata Claim" aired by Republic TV on 12.3.2019 at 10 pm

To: S Sundaram <sundaram@republicworld.com>

Cc: Sheena Iype <Sheena.Iype@republicworld.com>, Girish Parab <Girish.Parab@republicworld.com>, Vikas Khanchandani <vikas@republicworld.com>, Mohit Dhamne <mohit@republicworld.com>

Dear Mr. Sundaram,

Vide Order No. 70 (2019) you were directed by NBSA to air an unconditional apology on 14.10.2019 at 10 pm as per the text given in the said Order and you were requested to submit a CD containing the telecast with particulars of the date and time of the telecast, within one week of telecast, as proof of compliance; and after such CD is submitted by the broadcaster, the matter will be closed.

Further, vide Order No. 71(2019) you were requested to remove the video of the programme, if hosted on the website of Republic TV or any other links, and should be confirmed to NBSA in writing within seven days.

We shall be grateful if you could kindly provide us the above mentioned information to enable us to report the compliance to the NBSA.

Please acknowledge receipt of the mail.

Regards,

Annie Joseph  
For & on behalf of NBSA  
News Broadcasting Standards Authority  
Mantec House,  
2nd Floor, C-56/5, Sector 62,  
Noida - 201 301  
Phone: 0120-4129712  
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**News Broadcasting Standards Authority  
Order No. 71 (2019)**

**Order of NBSA on Complaint dated 13.3.2019 filed by Mr. Sharad Shah on a programme titled “Congress Bharat Mata Claim” aired by Republic TV on 12.3.2019 at 10 pm**

The complainant escalated the complaint to NBSA on 22.3.2019 and 10.4.2019 as the complainant did not receive a reply to his complaint dated 13.3.2019.

**Complaint:**

Complainant stated that in the telecast “*The Debate 2 - #The Congress Bharatmata Claim*” where the anchor with ample support of RSS “ideologues” and BJP Spokesperson pilloried Shri Karim Baig, Muslim participant in the debate, to say “*Bharatmata Ki Jai*” implying that he was not a patriot if he did not say that on the program. Shri Karim Baig was invited to debate the “*Congress Bharatmata claim*” and not to say “*Bharatmata ki Jai*” to prove that he was a patriot as if that was a litmus test of patriotism. The complainant contends that such debates cannot be used for inquisition and that the program clearly violated the following Guidelines Covering Reportage of News Broadcasters Association 9. *Racial & Religious Harmony; 9.1 Racial and religious stereotyping should be avoided and 9.2 Caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony.*

**Response from Broadcaster:**

The Broadcaster in its reply dated 27.3.2019 to the complainant stated that “*Bharatmata ki Jai*” is a patriotic slogan which is chanted in India since time immemorial; and that it means that we are all equal irrespective of caste, creed, religion and language and are children of this country; that this chant was used during the freedom struggle against the British empire and that even today the slogan is used often by the Indian Army. The Broadcaster also stated that each anchor and news presenter have his/her own unique way of presenting news, stories or of hosting debates; and that in all debates there will always be people representing different views and the aim of the debate is to address the issues at hand and have a constructive dialogue.

On receipt of the response from the broadcaster, the complainant stated that his objection is only to the anchor insisting on one of the participants chanting a particular slogan and that it was no way to have or conduct a constructive dialogue. The reply does not adequately address his concern.

**Consideration by NBSA at its meeting held on 1.5.2019:**

NBSA considered the complaint, response of the broadcaster and viewed the broadcast. NBSA was of the prima facie view that the anchor browbeating, hectoring and insisting that a panelist in the programme should say or repeat something stated by the anchor violated the principles of the Code of Ethics relating to “Impartiality & Objectivity in reporting” and “Neutrality”. NBSA was also of the view that the anchor insisting that a panelist should say something particular in a programme, challenged/deprived the panelist’s right to freedom of speech and expression guaranteed by the Constitution of India to all citizens.

NBSA therefore, decided to call both parties for a hearing at the next meeting of the NBSA, which was intimated vide letter dated 14.6.2019. NBSA also decided to convey to the broadcaster that in case it desired to submit any further documents in its defence, it may do so within seven days of receipt of the communication.

NBSA noted that the broadcaster responded to the email dated 14.6.2019 and sent another email on the day of the hearing i.e. 10.7.2019 at 11:26 am stating that “*We will not be present for this hearing as we deem this as a scurrilous complaint tendered by a serial complainant on a matter which carries no merit to warrant such intense pseudo-judicial oversight*”. Mr. Sharad Shah (complainant) vide email dated 15.6.2019 expressed his inability to attend the hearing.

Since the parties did not appear, NBSA decided to consider the complaint *ex parte*.

**Consideration/Direction by NBSA at its meeting held on 10.7.2019:**

NBSA again considered the complaint, response of the broadcaster and viewed the broadcast. NBSA did not agree with the observation of the complainant that the telecast violated *the Specific guidelines relating to “Racial & Religious Harmony; 9.1 Racial and religious stereotyping should be avoided and 9.2 Caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony”*. However, the NBSA endorsed its earlier observations made by it at its meeting held on 1.5.2019.

It may be noted that in the meeting held on 1.5.2019, the NBSA had, after considering the complaint and response from the broadcaster, stated as under:

*“Broadcaster in its reply dated 27.3.2019 to the complainant stated that “Bharatmata ki Jai” is a patriotic slogan which is chanted in India since time immemorial; and that it means that we are all equal irrespective of caste, creed, religion and language and are children of this country; that this chant was used during the freedom struggle against the British empire and that even today the slogan is used often by the Indian Army. Broadcaster also stated that each anchor and news presenter has his/her own unique way of presenting news, stories or of hosting*

*debates; and that in all debates there will always be people representing different views and the aim of the debate is to address the issues at hand and have a constructive dialogue.*

*On receipt of the response from the broadcaster, the complainant in his reply dated 27.3.2019 to the broadcaster stated that his objection is only to the anchor insisting on one of the participants to chant a particular slogan and that is his only complaint. That was no way to have a constructive dialogue. The reply does not adequately address his concern.”*

In view of the aforesaid, Notice was sent to both the parties. However, as noted above, the broadcaster has responded vide its e-mail dated 10.07.2019 stating that it will not be present for this hearing. Thus, the broadcaster has not appeared to make any further submission in this behalf. It is for this reason that it has been decided to endorse earlier decision taken in the meeting held on 01.05.2019.

In view of the above, NBSA decided that the broadcaster (Republic TV) be warned to be careful in respect of panel discussions held in future in order that it did not violate the principles of the Code of Ethics relating to “Impartiality & Objectivity in reporting” and “Neutrality”. The broadcaster should be cautious while holding panel discussions, make sure that no panelist is browbeaten and ensure that the panelist is given the freedom to voice his/her views.

NBSA also decided that the video of the said programme, if hosted, on the website of Republic TV or any other links should be removed immediately and this fact should be confirmed to NBSA in writing within seven days.

NBSA decided to close the complaint with the above observations and inform the broadcaster and the complainant accordingly.

**NBSA directs the NBA 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 NBA;
- (c) host this Order on its website and include it in its next Annual Report and
- (d) release the Order to media.

Sd/-  
**Justice A. K Sikri (Retd.)**  
**Chairperson**

**Place: New Delhi**

**Date: Oct. 7, 2019**