

**News Broadcasting Standards Authority**  
**Order No. 89 (2021)**

**Order of NBSA on complaint dated 15.4.2020 by Mr. Shahzad S.K. against India TV Channel regarding broadcast on 14.4.2020**

**Complaint:**

The complainant stated that on 14.4.2020, news was broadcast on India TV around 6 pm, claiming that people, had during the lockdown gathered near a mosque next to Bandra Railway Station in Mumbai. The people gathered at Bandra railway station, were migrant workers who wanted to go back to their homes. It was just a coincidence that a large mosque was there near the Bandra Railway Station. However, the channel made this topic communal by spreading hate against a particular community and provoking communalism amongst the viewers. The channel should apologise on TV for broadcasting such irrelevant facts in the news and targeting a community openly without looking for reality reasonably. Shameful that this is happening by a reputed national news channel of the world largest democracy. Such irresponsible acts can't be justified.

**Response dated 20.4.2020 from the broadcaster:**

The broadcaster submitted that the complainant has misinterpreted their news program. The broadcaster stated that it respects all religions alike and had no intention whatsoever of hurting the religious sentiments of any person or community or to communalize any incident whatsoever. It remains committed to maintain an objective, informative and neutral media platform. It served all its viewers, who come from all walks of life, by disseminating information, opinions and ideas which are of current significance. The whole country is dealing with the Covid-19 virus and it's spread in various parts of the country. Attempts are being made by the Government and its agencies to contain the virus and try and save the lives of innocent citizens across the country. One of the key precautions against the spread of this deadly virus is social distancing, and therefore, the government, Central as well as State(s) have imposed strict lockdowns. The broadcaster's debate programme telecast on April 14th 2020, at 1800 hours was based on the incident that happened in Mumbai, when thousands of individuals gathered in large numbers at Bandra Station when some rumors were spread that trains would be plying to take them to their hometowns. The broadcaster's programme highlighted this incident and also reported how this could endanger the lives of people gathered there and lead to failure of all measures adopted by the Government up till now. During the entire programme, its anchor/ team did not even once refer to the word 'mosque' and maintained that the gathering was outside the 'Bandra station'. This fact was repeated several times. Without prejudice, it is also factually correct that there is a Mosque situated at the location where the gathering happened, as also admitted by the complainant. The mosque can also be seen in the visuals of the incident. Therefore, reference to 'Mosque', if any, by any guest or otherwise could only be to

better identify the actual place of the incident and in no way tends to communalize the incident. The broadcaster had no intention to spread hate against any community or provoke communalism. It reported on the incident as it happened.

**Further reply dated 8.5.2020 from the complainant:**

The complainant pointed out the picture on the TV screen of the broadcast on 14th April 2020 at 6.15pm; the headline was "*Masjid ke pass hazaro log pahuche*". It is therefore incorrect to say that the channel never used the word mosque or that the word mosque was used only to describe the exact place of the incident. If so, then why the news channel did not use the word 'Bandra Station' instead of 'Masjid' in the headline, it could also have fulfilled the purpose, perhaps better as Mumbai has only one Bandra station, but the channel did not put that in the headline. The channel is blaming the complainant for looking at the news from a communal angle instead of apologizing openly on the news channel for spreading lies and hate. The broadcaster should analyze the matter properly, and the news channel should apologize openly for such a shameful act.

**Decision of NBSA on 10.7.2020**

NBSA, at its meeting held on 10.7.2020, considered the complaint, response from the broadcaster, further response from the complainant and also viewed the alleged broadcast. NBSA was of the prima facie view that the broadcaster had violated the fundamental principles of Impartiality, Objectivity and Neutrality in reporting, also the Guideline No 9 relating to Racial & Religious Harmony, which states that "*Racial and religious stereotyping should be avoided*" and "*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*" and Fundamental Principle No 4 of the Code of Ethics 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*". NBSA decided to call the complainant and the broadcaster at the next meeting of the NBSA to be held by video conference.

**Hearing held on 7.9.2020**

The following persons were present at the hearing:

**Complainant:** Mr. Shahzad S.K.

**Broadcaster:** Mr Rohan Swarup, Advocate  
Ms Ritika Talwar, Legal Consultant

The complainant submitted that he is not satisfied with the reply of the broadcaster that the word mosque was not used in the broadcast. He stated that the headline "*Masjid ke pass hazaro log pahuche*" was mentioned in the broadcast. The news ran for several hours with the said headline. Such a headline was targeting a particular

community to communalize and to spread hatred. He submitted that the broadcaster should have only mentioned that a large number of people had assembled at Bandra Station as it was just a coincidence that a Mosque is situated near the station.

The broadcaster submitted that more serious than the complaint was the communal mindset which is now found in many people. The use of the words Church, Mosque, Temple etc., is taboo as it would lead to a complaint being filed and has a chilling effect. It stated that the report was because a large number of persons had assembled near Bandra railway station, which was shut, and the Masjid happened to be on the side of the station. The headline has to be seen in context and holistically, and in no way can it be assumed that the intent was to communalize the issue. The reference had nothing to do with the people or the Masjid. It is a fact that both the station and the Masjid were closed. The police, however, took the help of the Maulana to use the public address system to make announcements to inform the assembled persons that it was a rumor that trains were not going to run during lockdown and the persons assembled should go back to their homes. In fact, the broadcaster also submitted that the Maulana also came out and informed the people that they should go back, and it was a rumor and trains will not be running due to the lockdown. The headline was neither derogatory nor was it targeting a community, nor was it communal. The broadcaster also informed NBSA that on the same day, it ran a programme with Ministers from all over India to understand what led to the assembling of persons.

The complainant submitted that both Bandra Station and the Mosque were closed due to the lockdown. Since the persons had assembled to board the train, the headline could have been that a large number of persons had assembled outside Bandra station, and there was no need to make the reference of the mosque. Secondly, he stated that in the broadcast, the words “*Bhid Chaley*” was used, which was targeting a community. He stated that for an average viewer, the impression is that a particular community is not cooperating with the Police and the Central/ State Government.

### **Decision of NBSA**

NBSA thoroughly looked into the complaint, response from the broadcaster, and also gave due consideration to the arguments of both the complainant and the broadcaster and reviewed the footage.

NBSA observed that the media has the freedom to report on any story or subject, however, such reporting must be done with accuracy, impartiality and neutrality, keeping in mind that certain subject/ topics and news stories being reported on are sensitive in nature. Therefore, while reporting or telecasting any programme, it is expected that the broadcaster will strictly adhere to the Code of Ethics and Broadcasting Standards and Guidelines. Furthermore, whenever anything is telecast by the broadcasters, the taglines shown in the programme must not be shown out-

of-context or be derogatory or offensive and must relate to what is being stated in the programme telecast.

In view of the above, NBSA observed that the headline used in the programme could have been avoided. The broadcaster could have reported that a large number of persons had assembled at Bandra station and not mentioned the Masjid. NBSA tends to agree with the observations of the complainant that for an average viewer, the impression is that a particular community had assembled near the mosque, and they were intentionally breaking Covid protocols. In this behalf, the broadcaster should have kept in mind the Fundamental Principles of Impartiality, Objectivity and Neutrality, the Specific Guideline Covering Reportage - Guideline No. 9 relating to Racial & Religious Harmony which states that “*Racial and religious stereotyping should be avoided*” and “*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*” and the Fundamental Principles No. 4 of the Code of Ethics 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*” and adhered to the same.

NBSA decided that a warning be issued to the broadcaster to be careful and sensitive when broadcasting matters which may have an impact on the social and secular fabric of the country.

NBSA also 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 NBSA in writing within 7 days.

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

It is clarified that any statement made by the parties in the proceedings before NBSA while responding to the complaint and putting forth their view points, and any finding or observation by NBSA 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 NBSA in regard to any civil/criminal liability.

**Sd/-**

**Justice A. K Sikri (Retd.)  
Chairperson**

**Place: New Delhi**

**Date: June 16, 2021**