

**News Broadcasting Standards Authority
Order No. 92 (2021)**

Order of NBSA on complaint dated 10.6.2020 of Mr. Sunil Choudhary against ABP News for airing a news on 27.4.2020

Complaint:

यह कि abp न्यूज़ ने 27 अप्रैल 2020 को खबर में प्रसारित कर ब्रेकिंग न्यूज़ में बताया कि.....

"इस वक्त की सबसे बड़ी खबर ,मदरसे के 53 बच्चे कॅरोना पॉजिटिव" उपरोक्त खबर से स्पष्ट है कि अचानक से मदरसे में 53 बच्चे एक दिन में पॉजिटिव पाए गए ,जिससे प्रदेश में हड़कंप मच गया,जबकि सी एम ओ कानपुर को पता चलने पर तुरंत मीडिया में खण्डन कर कहा कि आज 27 अप्रैल को कोई भी मदरसे का बच्चा पॉजिटिव नहीं पाया गया। जबकि सी. एम. ओ. कानपुर नगर ने ABP न्यूज़ में प्रसारित 27 अप्रैल की खबर में 40 बच्चे बीमार होने की बात कही थी जिस पर जानबूझकर,आपसी सदभाव व शांति व्यवस्था को बिगाड़ने,2 सम्प्रदाय में मनभेद पैदा करने,व दंगा कराने की साजिश के तहत झूठी खबर चला कर मुस्लिम समाज को कॅरोना बीमारी फैलाने का कसूरवार ठहराने का प्रयास किया,हड़कंप मचने पर कानपुर नगर के सी.एम. ओ.(मुख्य चिकित्साधिकारी कानपुर नगर) ने मीडिया में खण्डन भी किया कि आज 27 अप्रैल को कोई भी मदरसे का बच्चा कॅरोना पॉजिटिव नहीं है।

Reply dated 5.8.2020 from the broadcaster

The broadcaster stated that the said news aired on 27.4.2020 pertains to the extension of lockdown beyond 3rd May 2020 and the measures to be taken. In the said clip, the Prime Minister's speech was shown stating that most of the people have the opinion to extend the lockdown along with the interview/statements of various Ministers from Goa, Orissa, Puducherry etc. It was opined that lockdown should be continued. While informing about such opinion of the Government, the broadcaster highlighted that in the Madrassa in Kanpur, children were getting infected due to Coronavirus. It was further stated that people from Nizamuddin Tablighi Jammah came and stayed at Kanpur Madrassa and Mosque, and due to which it had spread widely in Kanpur and 22 areas were declared as hotspots, including the Madrassa. The said news clip had also shown the statement made by Dr. Ashok Shukla, CMO Kanpur, who apprised the broadcaster about the facts of the matter and it was stated by him that around 40 children were found ill in the Madrassa. The broadcaster was only bringing the verified facts and the information as was provided by the CMO and other sources. The other allegations made in paragraphs 5 and 6 of the complaint were matters of record and on which no comments were warranted at this stage.

The broadcaster submitted that said news does not contain any content with respect to the allegations made in the complaint, and it denies the same. It was vehemently denied that the broadcaster was showing any news against any particular religion. As a news channel, it is the broadcaster's duty to report incidents around the world as they occur. It submitted that its news is a full and fair presentation of the subject.

The objective was only to report the factum of an increase in the number of Covid-19 cases due to the said unfortunate incident. The broadcaster's motive was in no manner to give any communal colour or to spread any communal hatred or to give any religious stereotypes as has been alleged. Further, in a number of broadcasts from time to time, it has ensured to spread awareness about Covid-19 that had no religion and it was attacking the human race in an indiscriminate manner irrespective of any race, caste, creed or religion. In addition to the same, the broadcaster was also showing news pertaining to the positive actions taken by Tablighi Jamaat wherein the recovered Tablighi Jamaat patients had agreed to donate blood plasma to help 28 patients suffering from Coronavirus. Thus, its reporting was neutral, unbiased, independent and based upon reliable and credible sources, and to substantiate the same, it had attached the raw byte of the CMO Kanpur. The broadcaster did not in any manner intend to hurt any religious sentiments or to target a particular / any community, and it has respect for all religions.

Decision taken by NBSA on 10.7.2020

NBSA, at the above meeting, considered both the complaints, response from the broadcaster and also viewed the CD of the alleged broadcast. NBSA was of the view that further hearing would be necessary to address the issue as to whether the broadcaster had violated the fundamental principles of Impartiality, Objectivity and Neutrality in reporting, the Specific Guidelines Covering Reportage No 9. relating to Racial & Religious Harmony, and Guidelines No 9 of Broadcast of Potentially Defamatory Content.

NBSA decided that the broadcaster and the complainant be called for a hearing at the next meeting by Video Conference.

The following persons were present at the hearing on 7.9.2020:

Complainant: Mr. Sunil Choudhary
Broadcaster: Mr. Raj Kumar Varier, VP- Legal & Regulatory Affairs
Ms. Disha Sachdeva, Sr. Executive – Legal

The complainant submitted that ABP News was giving incorrect information regarding the children who had fallen ill in the Madrasa. The CMO had only mentioned that a few children had fallen ill. He stated that the channel was repeatedly giving information about Hindu/ Muslims to divide the community on religious lines. He stated that the CMO of Kanpur, through social media and other news portals, had stated that the news was incorrect. There are no fresh cases of corona positive children in the Madrasas. Probably, the number of cases that were mentioned on the news channel could be of both old and new cases. He referred to the Order passed by the Allahabad High Court, which related to social media posts, and the Advisory dated 9.11.2020 issued by the MOI&B regarding adherence to the Programme Code under the CTN Act in the wake of the judgement of the Hon'ble Supreme Court of India, on the Ayodhya title dispute. He further referred to the

judgement passed by the Aurangabad Bench of the High Court at Bombay wherein the court had observed that there was big propaganda in print media and electronic media that those who had come to Markaz Delhi were responsible for spreading the Covid-19 virus in India. He submitted that the manner in which media reports lead to unrest in the society and between communities. He reiterated that the CMO did not give any figures of the children who were found to be corona positive but only mentioned that a few children were found to be positive.

The broadcaster submitted that the issues and concerns of the complainant were only confined to the actual number of corona cases being reported as 53 by the channel, which was found to be different and contradictory to what was finally being claimed. The other allegations of news being twisted or targeting any particular community or religion were not pressed upon by the complainant though a reference was invited to a recent Bombay High Court Order on the Tablighi Jamaat issue.

The broadcaster brought on record a clip/byte of Superintendent of Police, Kanpur, wherein he was claiming 47 kids of Madrassa being found positive. He specifically and categorically refers to 3 Madrassas, one being at Thana Naubasta, wherein 9 cases of children of corona positive were found. Similarly, 32 children were found corona positive in Thana Basaynagar and in Thana Sinkri, where 6 positive cases were found. Thus, in total, there were about 47 number of cases of children as per the statement of Superintendent of Police, Kanpur and who were contact traced and were quarantined in hospital and further process of contact tracing was under process.

The broadcaster also referred to links of other news reports wherein different numbers had been shown by different platforms, including linear and digital. It was thus clear that different versions were coming from different authorities. However, the broadcaster had presented both the video versions as also the oral hearsay information received from CMO by its reporter. It was a different matter that subsequently the CMO had retracted the said numbers as allegedly stated by the complainant. The broadcaster made its best effort to telecast the numbers received from the most trusted authority of CMO as also the statement of the Superintendent of Police, Kanpur. It is also evident from the above that the children of the Madrassa being found Corona positive had been the stated position of the designated authorities of the Government.

Complainant submitted that यह कि प्रार्थी की शिकायत /आपत्ति मदरसे के कॅरोना मरीजो की संख्या कम या ज्यादा को लेकर नही है ,शिकायत यह है कि सी.एम.ओ.कानपुर नगर के खण्डन बयान के अनुसार 27 अप्रैल2020 दिन सोमवार को मदरसे का कोई भी बच्चा कॅरोना पॉजिटिव नही आया है,जबकि अन्य समाचार पत्रों/चैनल में पिछले 2 महीनों में मदरसों के कॅरोना पॉजिटिव कुल बच्चो की संख्या को बताकर खबर बनाई गई है जिस पर मुझे कोई आपत्ति नही है।आपत्ति सिर्फ ABP न्यूज़ पर है कि उसने 27 अप्रैल को एक दिन में मदरसे के 53 बच्चे अचानक कॅरोना पॉजिटिव की खबर को प्रसारित कर मुस्लिम समाज/जमातियों को कटघरे में खड़ा

कर कोरोना फैलाने का आरोपी बना दिया। जिस पर तत्काल सी एम ओ ने खण्डन करते हुए बयान दिया कि आज (27 अप्रैल) को मदरसे से कोई भी बच्चा पॉजिटिव नहीं पाया गया है। हाल ही में बॉम्बे हाइकोर्ट ने भी जमातियों के खिलाफ हुई FIR को खारिज करते हुए मीडिया पर भी गलत खबर प्रसारित कर जमातियों को आरोपी बनाए जाने कि खबरों पर आपत्ति जताई है।

Decision

NBSA went through the complaint, response from the broadcaster, and also considered the arguments of both the complainant and the broadcaster and reviewed the footage.

In view of the fact that the broadcaster had brought on record a clip/byte of Superintendent of Police, Kanpur wherein he had claimed that 47 kids of Madrassa were found positive, and the telecast of the programme was based on the statement, NBSA found that there was no violation of the Code of Ethics and Broadcasting Standards, Guidelines and decided to close the complaint 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**

New Delhi
Date June 16, 2021