

**News Broadcasting Standards Authority
Order No. 93 (2021)**

Order of NBSA on Complaint dated 15.4.2020 from Mr. Muhamma Dhasim Tanderjawala against ABP News

Complaint:

On 14th April 2020 at 10:00 AM in the morning, the Prime Minister of India had announced the extension of lockdown till 3rd May 2020. On the same day, many people gathered at Mumbai Bandra Railway Station. As per the news of ABP News Channel, the lady reporter was asking some illogical questions to the ground reporter such as, - *“all those people get together because of instigating by the masjid?”*. – *“Is Jamma Masjid responsible for this?”*. *“Did Muslim leaders inspired people by giving a speech?”*. *“Did they send Whats.App message or call to bring them together at Bandra Station?”*. In response to the lady reporter of ABP news while briefing gave an opinion that, *“it is impossible to believe that without any planning such amount of people can get together”*. This is not all, the lady reporter questioned again that – *“after police cleared the area, are they gathered in the mosque?”*.

Response dated 11.5.2020 from the broadcaster:

The broadcaster denied that it had shown any news against any particular community/religion, and the said news does not contain any content with respect to the allegations made in the complaint. The broadcaster denied all the allegations as baseless and misconceived. The news referred to in the complaint is with respect to an incident which occurred in Bandra Railway Station, and the visuals shown were of a live incident which was at an evolving and unfolding stage to find the truth of the exact reason which led to the assembly of the crowd at Bandra Station in the lockdown situation. The objective of asking questions and cross-examining was only to arrive at the exact reason and the truth behind the assembly of such a crowd in the midst of various theories and reasons being given in various other mediums. There was no intent to hurt any religious sentiments or to target anyone, and it was only there to find the true and correct position.

Decision dated 10.7.2020

NBSA, at its meeting held on 10.7.2020, considered the complaint, response from the broadcaster 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 Specific Guideline Covering Reportage Guideline No 9 relating to Racial & Religious Harmony, and Fundamental Principles No 4 of the Code of Ethics. NBSA decided to call the complainant and the broadcaster for a hearing at the next meeting on 7.9.2020 to be held by video conference.

The following persons were present at the hearing on 7.9.2020:

Complainant: Mr. Muhamma Dhasim Tanderjawal

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

The complainant submitted that upon seeing the news with the headlines that were running on the channel, it gave an impression that the Jama Masjid and the Muslim leaders were responsible for the gathering outside Bandra Railway station. He submitted that very often, a viewer is not viewing the entire news broadcast and may view only the headlines. Such headlines to an average viewer would be seen as directly targeting a particular community with unfounded and unverified allegations. He submitted that this kind of news reporting and investigative journalism must be stopped. If political parties are trying to communalize, it is the duty of the media to counter it and bring before the viewers the correct facts so that it has a positive impact on the society.

The broadcaster denied the allegations and submitted that the complainant is only referring to a portion of the broadcast, and the news had to be seen fully and in the entire context. The news was not communal, but it was referring to the assembly of persons who were migrant labourers who had gathered outside the Bandra Railway station. It was an objective report with due impartiality, and the regulations were complied with. He stated that upon a viewing of the broadcast, it would be observed that the version of the local leaders were also taken. The broadcaster stated that it was a BJP leader, who raised the question, and the discussions were between two leaders who were in the news show. It was countered by ground reports by the reporter, and questions were being put by the anchor to understand the evolving situation. The broadcast was not communal. The objective was only to give a correct picture of what led to the gathering.

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 noted that the programme had violated the Fundamental Principles of Impartiality, Objectivity and Neutrality in reporting; 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 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*”.

NBSA concluded that the channel asked questions which were unwarranted; the reporting was done in a manner that stereotyped a community and should have been avoided.

NBSA agreed with the complainant that such provocative, unverified headlines can be deceptive to a viewer, can lead to disharmony amongst communities, can lead to communal unrest and should be avoided.

For the above violations, NBSA decided that the broadcaster be issued a warning and also directed that such headlines should not be telecast in news programmes in the future.

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 complaints 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