

**News Broadcasting Standards Authority  
Order No. 94 (2021)**

**Order of NBSA in respect of the complaint dated 19.6.2020 from Mr Utkarsh Mishra against the programmes DNA aired on Zee News throughout April 2020.**

Since the complainant did not receive a response from the broadcaster to his complaint dated 3.6.2020, the complaint was escalated to the second level of redressal, i.e., NBSA on 19.6.2020. The broadcaster responded to the complaint vide letter dated 8.7.2020.

**Reasons for escalating the complaint to the second level of redressal i.e., NBSA**

The complainant vide email dated 25.7.2020 stated that the reply filed by the broadcaster does not adequately address the grievances expressed in the complaint dated 19.6.2020. The complainant stated that despite widespread criticism of their coverage, Zee News network has carried out a sustained campaign throughout the month of April 2020 to communalize the issue of Tablighi Jamaat Covid 19 hotspot and have failed to do an objective coverage of the pandemic/public health emergency, which has contributed to an unscientific understanding of the matter as evidenced by terms popularized since the outbreak such as '*Corona Jihad*' and '*Chinese virus*'.

The complaint is against several successive broadcasts that have given a communal colour to the reporting of Tablighi Jamaat Covid hotspot on the following dates: -

- 1) 30.3.2020 - DNA: DNA Test of biggest negligence over Covid19 in Delhi's Nizamuddin
- 2) 31.3.2020 - DNA: "?" | Analysis | Tablighi Jamaat Coronavirus
- 3) 1.4.2020 - DNA: | Religious Freedom India
- 4) 1.4.2020 - Tablighi Jamaat has al Qaeda connection, maulana exposed
- 5) 3.4.2020 - DNA: Tablighi Jamaat | Corona Jihad | Eyewitness
- 6) 5.4.2020 -DNA Test | Maulana Ali Qadri
- 7) 24.4.2020 - DNA: "Delivery Boy 'Distancing'".

The complainant stated that the complaint was not regarding the content of the broadcast but the manner in which it was presented by the anchor, which included sensationalization of the matter, claims that the pandemic hotspot spread was done on purpose, in a manner as deliberate as the Shaheen Bagh protest against the CAA, amongst other unsolicited opinions on Islam. The complainant alleged that the anchor had used his airtime and privilege as a broadcast reporter to impress upon viewers, actively neglecting to report the multiple gatherings that had occurred at the same time, involving a far larger number of people and ignoring the lapse of security measures by the state authorities that should have quarantined these individuals

when they came to the country in the first place. In no way does this complaint attempt to dispute that the Jamaat organization and leadership is guilty of criminal negligence, the proceedings for which are being carried out against them in court for endangering the life of others. The response of the broadcaster reiterates known facts while neglecting to address the manner of the journalist's reporting that has contributed to an unscientific understanding of the matter.

### **Complaint dated 3.6.2020:**

The complaint was filed on behalf of a group of concerned activists, parents, lawyers, academicians who are working towards making the media accountable to journalistic standards, ethics and principles. Media is well recognized as the fourth pillar of democracy as “*Growth and development of representative democracy are so intertwined with the growth of the press that the press has come to be recognized as an institutional limb of modern democracy*”. With this pronounced responsibility, there is a heightened duty of the media to abide by the letter of the law, especially regarding hate speech, to fulfil this responsibility, the onus is on media houses to distance themselves from the race of sensationalism and TRP.

In light of the above, the complaint was filed against Mr. Sudhir Chaudhary, the journalist and anchor, Zee News, for breaching the recognized ethical canons of journalistic propriety and taste in the programmes aired such as DNA throughout April 2020, at the primetime news hour, for targeting and spreading hatred towards a particular community, punishable under the IPC and for violating the Programme and Advertising Codes prescribed under the Cable Television Network Rules, 1994.

They observed that the journalist had violated the basic ethics of journalism and was speaking/instigating hate against a minority community. To substantiate the averments, the complainant referred to various statements made by the anchor:

1.Video <https://www.youtube.com/watch?v=VYmqyKQyKFg>

The impugned statements are as follows:

1) "पुरा देश जहा लॉकडाउन कि लक्ष्मण-रेखा का पालन कर रहा है अपने-अपने घरों मे रहकर देश को उस स्टेज में जाने से बचा रहा है जिसमे सामुदायिक संक्रमण होने लगता है और महामारी को रोकना मुश्किल हो जाता है ऐसे में इस तरह के लोग अगर धर्म के नाम पर और धर्म के प्रचार के नाम पर भारत को एक बड़े खतरे की तरफ धकेलने मे लगे है तो ऐसे लोगों पर सवाल उठने ही चाहिए, उठाना ही चाहिए।

After leading into his programme while claiming that Tablighi Jamaat members spread Coronavirus in the name of religion, the following remarks were made:

2) कल आपको याद होगा जब निजामुद्दीन से ये हजारो लोग नियमों की धज्जियां उड़ाते पकड़े गये थे तब एक खास समुदाय और एक खास वर्ग मीडिया से नाराज़ हो गया आपने भी गौर किया होगा आज दिन भर सोशल मीडिया पर हैशटैग मीडिया वायरस ट्रेंड 133 कर रहा था और ये सारे लोग केह रहे है की मीडिया ने वायरस को भी एक धर्म एक खास धर्म से जोड़ दिया है और ये ठीक नहीं है। अब हमारा सवाल ये है, ये वही लोग हैं जो टेलीविजन पर रामायण को दोबारा से दिखाया जाना एक

धार्मिक आधार पर किया गया फैसला है, इस रामायण को भी वो साम्प्रदायिक बता रहे थोतब क्या ये लोग धर्मनिरपेक्षता की मिसाल पेश रहे थे? बिल्कुल नहीं। बल्कि सच तो ये है कि ये लोग खुद हर चीज को धर्म के चश्मे से देखते हैं, ये टीवी सीरियल को भी धर्म के चश्मे से देखते हैं और धर्म की आड़ में कानोनी-नियमों और संविधान कि धज्जियां उड़ाते हैं क्योंकि इनके मन लॉकडाउन में है जिसपर वैचारिक ताला लटका हुआ है।

The complainant alleged that the anchor thus manufactured allegations upon certain individuals who have attempted to push back against the wholly communal reporting of the Tablighi Jamaat. Further on, after admonishing the Delhi police for failing to take prompt action against the Tablighi Jamaat event, he once again attempted to give it a communal and politically provocative spin by comparing it to Shaheen Bagh as follows:

3) या तो ये लापरवाही है या फिर इस धार्मिक कार्यक्रम को रोकने कि दिल्ली पुलिस कि हिम्मत नही हो रही थी और ये बात हम आपको पहले भी कह चुके है हर शहर में एक ऐसा इलाका होता है जहा पुलिस भी जाने से घबराती है, दिल्ली मे वो इलाका निजामुद्दीन है जहाँ पुलिस भी जाने से घबराती है। जहाँ अगर आप दिल्ली में रहते हैं तो आपको समझ आ जायेगा जब आप निजामुद्दीन से होकर गुजरेंगे तो आपको कैसी चीजों का सामना करना पड़ता है। शाहीन बाग मे भी वही स्थिति थी, शाहीन बाग में कितने दिनों तक महीनो तक ना भारत का संविधान लागू हुआ ना भारत का कानून चला ना ही दिल्ली पुलिस की एन्ट्री हुई।

He further suggested that the reasons for the police inaction may not have been a lack of will but fear of Nizamuddin, which he says is being ruled by their own laws and regulations. After invoking the religious composition of the Nizamuddin community, he further claimed that the Tablighi Jamaat conference was similar to the Shaheen Bagh agitation against CAA-NRC-NPR. Due to the provocatively communal allegations that were made in February 2020, concerning Shaheen Bagh during the campaigning for the Delhi assembly elections by Union Government Ministers as well as certain media channels, misrepresenting Shaheen Bagh as a hub of anti-nationals, rapists, ISIS agents, abductors of Kashmiri women, several attacks had taken place which have been held by the Delhi High Court to prima facie attract Section 153 A of the IPC. The anchor's comparison of the protest was a prima facie attempt to create enmity between different religions. Furthermore, by painting the negligent act of the Tablighi Jamaat Administration was done to spread Covid-19, in defiance and dissent of the government's policies was done in a similar manner during the CAA-NRC-NPR protest at Shaheen Bagh, which not only created enmity between religious communities but also created communities on the basis of political preference. He repeatedly sought to paint the spread of the Covid-19 as an entire deliberate occurrence, due to the allegedly unreasonable and powers enjoyed by the concerned community that does not believe in the Constitution, and evidently renders the Police and the Hon'ble Supreme Court powerless to act against them for their own political agenda. He stated that the Nizamuddin community allegedly has its own rules and regulations in dealing with Covid-19 and were not interested in following the guidelines laid down by the State.

4) पुलिस के मुताबिक उन्होंने कई बार आयोजकों से कहा मगर वो माने नहीं। अब आप सोचिये ये ऐसी स्थिति है जहा दिल्ली पुलिस सिर्फ निवेदन कर रही हैं आयोजको से हाथ जोड़कर, वो पुलिस जिसके हाथ में लाठी भी है, वो पुलिस जिसके हाथ में बंदूक भी है गन भी है और वो बल का प्रयोग करते दिखती भी है लेकिन यहां पर दिल्ली पुलिस कोई बल प्रयोग नहीं कर पायी। अब सवाल ये है, क्यों? लापरवाही की वजह से या डर की वजह से? क्योंकि ये इलाका ही ऐसा है जहाँ पुलिस भी एक बार जाने में हजार बार सोचेगी। पूरे देश में इस समय नवरात्रि बनाई जा रही है फिर भी देश के लगभग सारे मंदिर बंद हैं, गुरुद्वारे बंद हैं, चर्च बंद है ज्यादातर मस्जिदों में भी इसका पालन हो रहा है लेकिन निजामुद्दीन जैसी घटना बताती है सब इसका पालन नहीं कर रहे... जाहिर है कुछ लोग देश के संविधान, देश के कानून और पुलिस के आदेशों के मुताबिक नहीं चलना चाहते और वो खुल कर ये बात को कहते हैं और खुल कर ये बात को दर्शाते भी हैं। कुछ दिनों पहले तक शाहीन बाग में भी यही हो रहा था कोई उनका कुछ बिगाड़ नहीं पाया वहां भी विरोध प्रदर्शन कर रहे लोग कानून, पुलिस और संविधान की सुनने को तैयार नहीं थे और इस देश में कोई ऐसी ताकत नहीं थी जो इनका बाल भी बाँका कर सके, यानी हर बार कुछ लोग अपने स्वार्थ के लिये अपने राजनीतिक एजेंडा के लिये सारे नियमों और अपीलों को तारख पर रख देते हैं और देश इनकी गलतियों का नतीजा भुगतता है। ऐसे लोगों के लॉकडाउन को लेकर अपने नियम होते हैं और अपने वैचारिक तले इनके होते हैं। इसलिए ऐसे लोगों की पहचान करना बहुत जरूरी है। देश की सरकार ने पूरे देश में लॉकडाउन कर दिया है लेकिन ये लोग जो हैं ये सरकार के लॉकडाउन को नहीं मानते ये अपने लॉक डाउन को मानते हैं इनके अपने ताले हैं और वो ताला ना ही पुलिस से खुलता है और ना ही संविधान से खुलता है वो ताला ऐसा है जिसकी चाभी इस देश के सुप्रीम कोर्ट के पास भी नहीं है।

The complainant stated that the anchor also made false claims that other places of religious worship in the country had also been closed at the time of the Tablighi Jamaat incident. Several religious gatherings had taken place at the same time, and scientists have stated that the incident cannot be held responsible for the continued spread of the virus in the country.

On 30<sup>th</sup> March 2020, he ran the following segment, in which he made a grave allegation that Muslims living in the country were spreading the virus amongst the Indian populace.

5) "कुल मिला कर ये घटना दिल्ली सरकार, दिल्ली पुलिस और कर्फ्यू और लॉकडाउन को लागू करने वाले प्रशासन पर एक बहुत बड़ा सवाल उठाती है, यानी हमारे देश में वायरस से बचना तो आसान है, वायरस को तो आप रोक भी लेंगे, लेकिन वायरस की तरफ जो लोग खुद जानबूझकर भाग रहे हैं उन लोगों को आप कैसे रोकेंगे? और ऐसे लोगों की संख्या हमारे देश में करोड़ों-करोड़ों में है जो खुद वायरस की तरफ भाग रहे हैं और हमारे सामने चुनौती दो है हमारे सामने चुनौती एक तो ये है की इस वायरस को भारत में घुसने से दाखिल होने से कैसे रोके और दूसरी चुनौती ये है की हमारे ही देश के जो करोड़ों लोग इस वायरस की तरफ भाग रहे हैं उन्हें कैसे रोके। यानी एक चुनौती लोगों को रोकने कि है और दूसरी चुनौती वायरस को रोकने कि है और यही भारत जैसे देश में स्थितियों को बहुत मुश्किल बना देती है।"

On 1<sup>st</sup> April 2020, he ran a segment titled "DNA: 'धाडमयक आजादी' के सबसे बड़े दुरुपयोग का इवश्लेषण", where he alleged that the Tablighi Jamaat are trying to detonate a time bomb of Corona. He associated it with terrorism once more by saying that if they had a gun, maybe they would kill 10-20 people, but with Corona, they can kill thousands.

6) "आज जब देश में कोरोना संक्रमण के सबसे ज्यादा मामले आये हैं तब तब्लीगी जमात के लोगों की इस तरह की सोच है कि ये लोग खुद को ना सिर्फ छुपा रहे हैं बल्कि जीन लोगों को पकड़ भी लीया गया है वो ये पूरी कोशिश कर रहे हैं कि वो वायरस को ज्यादा से ज्यादा लोगों तक फैलायें। रोक नहीं रहे फैलाना चाहते हैं। इसलिए हम इन्हें "टाईम बॉम्ब" कह रहे हैं क्योंकि ये ऐसे टाईम बॉम्ब हैं जो देश के हर कोने में जाकर फटना चाहते हैं। अगर इनके हाथ में बंदूक होती या सच मुच का बॉम्ब होता तो शायद 10-20 लोगों को मार पाते लेकिन जो काम ये कर रहे हैं इससे एक-एक आदमी हजारों लोगों की जान ले सकता है। पूरे देश में पुलिस को अभियान चलाना पड़ा कि किस तरह से इन लोगों की पहचान की जाये, जहाँ-जहाँ ये लोग छुपे हुए हैं कैसे इनको निकाला जाए। इन्हें खोज कर बाहर निकलना बहुत जरूरी है। निजामुद्दीन मरकज़ से लौट कर ये लोग अपने-अपने इलाकों में ये लोग मस्जिदों में जाकर छुप गए, इन्हें मस्जिदों से बाहर निकाला गया। प्रयागराज, हाथरस, अंबाला, आगरा और जम्मू जैसी अलग-अलग जगह से हमारे पास तस्वीरें आयी हैं जिनमें जमात के लोगों को मस्जिदों से बाहर निकालकर उन्हें अस्पतालों और क्वॉरंटीन सेंटर्स में ले जाया गया। लेकिन सबसे बड़ी बात यही है कि कई जगह पर ये लोग पुलिस की कार्यवाही में भी बाधा डालने, कई जगहों पर पुलिस पर पथराव हुए फायरिंग की घटनाएँ भी सामने आईं। सोचिये पुलिस जा रही है और पुलिस पर अंदर से फायरिंग हो रही है। बिहार के मधुबनी में ऐसा ही हुआ जब एक मस्जिद में पुलिस जमात के लोगों पर छापा मारने के लिये गयी तो उनपर पथराव होने लगा। अब आप खुद सोचिये आप ऐसे लोगों को देश का दोस्त बतायेंगे या देश का दुश्मन मानेंगे? आपको याद होगा कि हम आपको हमेशा ये कहते हैं कि हर शहर में ऐसा इलाका होता है जहाँ देश का कानून नहीं चलता, जहाँ पुलिस भी जाने से डरती है, पुलिस भी कार्यवाही करने से हजार बार सोचती है ये वही इलाका है। यहाँ पर देश का कानून नहीं चलता यहाँ पर पुलिस भी कुछ नहीं कर सकती और अगर पुलिस भी जाती है तो पुलिस पर पथराव होता है, पुलिस के काम में बाधा डाली जाती है और फिर ये सारे लोग कहते हैं कि हम इस देश में असुरक्षित हैं, हमें असुरक्षा की भावना है।

अब आपको आज ये समझ आया होगा कि कोरोना वायरस के समय में ये धर्म के नाम पर लड़ने का समय बिल्कुल नहीं था। ये वो समय था जब पूरे देश को एक हो जाना चाहिए था। कोरोना वायरस अमीर गरीब का भेद नहीं करता, जाती का भेद नहीं करता, धर्म का भेद नहीं करता।"

On 1<sup>st</sup> April 2020, Zee News ran another unverified report titled "Tablighi Jamaat has Al Qaeda connection, Maulana exposed".

The anchor claimed that Tablighi Jamaat has a link with Al-Qaida and proceeded to make unverified allegation regarding the groups alleged involvement in terror activities worldwide, making further implications that the Covid-19 incident could be a terror plot enabled by the Jamaat and its functionaries.

On 3<sup>rd</sup> April 2020, the anchor continued with his pattern of communal reporting on the same show. In the programme, he addressed the pushback against his above said claims whereby several voices spoke out against the presumptuous and communally opinionated spin being given to the reporting over Tablighi Jamaat and stated that the said spin was justified as it was being done to address the individuals who were not standing with the country in the fight against Covid and thus were traitors to the nation. The statements made by the anchor during the impugned programme are as follows:

7) और इस पूरे मामले को इन्होंने धर्म से जोड़ दिया है इसलिए ये ऐसी विचारधारा के लोगों के लिए ये एक ऐसा समय है जब ये पूरे देश के सामने एक्सपोज हो गये हैं पूरी दुनिया के सामने ये एक्सपोज हो गये हैं। आज भी बहुत सारे लोग अपने आप को धर्मनिरपेक्ष बताने के लिये, अपने आप को सेक्युलर बताने के लिए इन लोगों का साथ दे रहे हैं, वो केह रहे हैं सिर्फ इनके हराम

की वजह से इनकी विचारधारा की वजह से आप इन्हे निशाना मत बनाईये। लेकिन ये लोग वाकई में देशद्रोही है जो व्यक्ति इस समय कोरोनावायरस की लड़ाई में देश का साथ नहीं दे रहा वो देशद्रोही नहीं होगा तो और क्या होगा? ये भारत की सहनशीलता है की ऐसे लोगों को बर्दाश्त किये जा रहा है, धर्मनिरपेक्षता के नाम पर, लोकतंत्र के नाम पर, फ्रीडम ऑफ स्पीच के नाम पर। इन लोगों की जान अब भी बचाई जा रही है ये लोग भाग्यशाली है की ये लोग भारत में रहते हैं, दुनिया के दुसरे देशों में ऐसे लोगों को बरदास्त नहीं किया जाता हैं।

On 5<sup>th</sup> April 2020, the anchor ran another segment on DNA titled “कोरोना को ‘धमय का चोला’ पहनाने वाली जमात का DNA Test”. While discussing Coronavirus, the anchor once again launched into a tirade against one Maulana Ali Quadri for his alleged support of corrupt and sold out Maulvis who make improper statements.

8) "ये मौलाना अली क़ादरी जो इतने बहादुर बन रहे थे कुछ घंटों पहले तक जब मीडिया के लोग इन तक पहुंचे इन्हे ऐसा लगा की इनकी धमकी के बाद मीडिया के लोग डर जायेंगे लेकिन हम लोग इन तक पहुंचें आज हमने इनका पक्ष भी जानने की कोशिश की और उसके बाद ये माफी मांगने लगे इन्होंने कहा, की मेरा वो मतलब नहीं था मेरा ये मतलब नहीं था। ये वही शरख्स है जो ये कह रहे थे कि मीडिया में कुछ बिके हुए मौलवी हमारे स्टुडियोस में आकर बैठ जाते हैं जो ठीक से जवाब देना नहीं जानते हैं और फिर हम वन साइड्ड शो चलाते हैं और इन मौलानाओ की बात नहीं सुनते और ये जो मौलाना हमारे स्टुडियोस में आते मीडिया में जो आते हैं इनका कहना है वो मुसलमानों के सही प्रतिनिधि नुमाईंदे नहीं है। इसलिये आज हम इन सब लोगों से ये कहना चाहते हैं की आप आपका सारा समाज आप मिल जाए, आप पहले ये तय कीजिए की वो कौन सी ऐसी संस्था है जिसे आप मानते हैं की ये आपका सही प्रतिनिधित्व करती है। आप एक संस्थाओं की लिस्ट बनाईये एक, दो, तीन, चार, पांच जो आपको लगता है जो वाकई आपके समाज का प्रतिनिधित्व करते हैं, जो सच्चे प्रतिनिधि हैं उन संस्थाओं का नाम आप मीडिया को बताईये, आप उन प्रवक्ताओं की एक लिस्ट बनाईये जिन्हे आपको लगता है की ये सही बात देश के लोगों तक पहुंचाएंगे और फिर हम उन लोगों को यहाँ पर बुलाएंगे। लेकिन क्या आपके अंदर इतनी एकता है की आप एक लिस्ट ऐसी बना सके? ऐसे मौलवियों की एक लिस्ट बना सके जो आप समझते हैं की आपका पक्ष ठीक तरीके से मीडिया में जाकर रख सकते हैं? बात यहाँ तक नहीं है, बात ये है की आपके मन में खोट है, बात ये है की आपके मन में नफरत है, बात असली ये है की आप अभिव्यक्ति की आजादी अपने लिये तो चाहते हैं लेकिन दूसरों के लिये नहीं चाहते, मीडिया के लिए नहीं चाहते।"

He then accused them of not believing in the Constitution, Supreme Court and Legislation as well as seeking preferential treatment.

9) "असली बात ये है कि आपको इस देश के संविधान पर, संसद पर, सुप्रीम कोर्ट किसी पर यकीन नहीं ये सब आपको तब अच्छे लगते हैं जब ये आपके पक्ष में फैसला सुनाये, जब ये आपके तारीफ़ क़सीदें कसें पढ़ें, ये आपको तब अच्छे लगते हैं। आपको वो पत्रकार अच्छे लगते हैं जो आपकी तारीफ़ करे, आपको वो चैनल वो अख़बार अच्छे लगते हैं जो आपकी मन-घरंत बातों को छापने और जो आपके देश को टुकड़े-टुकड़े करने की जो मंशा है उसका साथ दें। हमारे जैसे लोग आपको कभी अच्छे नहीं लगेंगे। ये सारे लोग वो हैं जो देश में असहनशीलता की बात करते हैं, धर्मनिरपेक्ष होने की बात करते हैं, सम्प्रदायीयिता की बात करते हैं और हमेशा अल्पसंख्यक कार्ड खेलते हैं। ये देश में 70 साल हो गए इन लोगों को तुस्टीकरण की आदत पड़ चुकी है, इन्हे स्पेशल स्टेटस की आदत पड़ चुकी है ऐसे लोग देश में आए सबसे बड़े संकट के बीच भी हर बार धर्म का नाम लेकर जहर फैलते हैं। ये वो लोग हैं जिन्हे संसद पर विश्वास नहीं सुप्रीम कोर्ट पर भरोसा नहीं और मीडिया पर भी विश्वास नहीं।"

Despite the fact that the Tablighi Jamaat incident has been covered by every news portal in every possible angle, he accused them of favoring certain media houses that were partial to them in general.

10) सिर्फ कुछ बचे कुचे डिजाइनर पत्रकार इनके पास है अब जो इनके मन की बात कहते है, ये सिर्फ मीडिया के उस हिस्से पर विश्वास करते है जिस हिस्से मे यही डिजाइनर पत्रकार है, टुकड़े-टुकड़े गैंग के सदस्य है और ऐसे लोग है जो देश को तोड़ने, देश को हराने की बात करते है। मीडिया का जो हिस्सा देश की बात करता है, समान अधिकारों की बात करते हैं, जो ऐसे लोगो को एक्सपोज करता है वो इन्हे बर्दाश्त नहीं।

He also made an explicitly communal comparison by falsely claiming that all mandirs, churches and gurudwaras were shut despite the fact that several Hindu religious congregations had taken place in the same week with a far larger number of people. He claimed that the reason the Tablighi incident took place was because these people believe not in the law of the land but in fatwas. This narrative is devolved further into a politically polarising charge by claiming that the people who did this are terrorists and support Yakub Menon and Afzal Guru and are a part of the imaginary Tukde Tukde gang.

11) ऐसा इसलिए क्योंकि इन्हे तुस्तीकरण की आदत है, इन्हे हर बार हर मुद्दे पर विशेष अधिकार चाहिए, इन्हे कोरोनावायरस के खिलाफ इस संकट कि घड़ी में भी विशेष अधिकार चाहिए पुरा देश बंद रहेगा, मंदिर बंद रहेंगे, गुरुद्वारे बंद रहेंगे, चर्च बंद रहेंगे लेकिन ये नहीं मानेंगे इनको ये विशेष अधिकार चाहिए। पूरा देश अपने-अपने घरों में लॉकडाउन है लेकिन ये सड़कों पर घूमेंगे, पूरा देश ये कोशिश कर रहा है की कोरोनावायरस के खिलाफ हम ये युद्ध जीते लेकिन ये हमे जीतने नहीं देंगे। इनके लिए देश के कानून से बड़ा इनका 'फतवा' है ये तभी मानेंगे जब फतवा आयेंगे, कानून से इनको कोई मतलब नहीं, ये फतवे से चलते है देश के कानून से नहीं। ऐसे लोग ही देश में एक खास वर्ग के अंदर नफरत की वो सोच भरते है जिस सोच की वजह से इंदौर जैसी घटनाएं होती है, आपको इन्दौर की घटना तो याद होगी, जहाँ एक खास इलाके में जहा कोरोना संक्रमण की जाँच के लिये गई स्वास्थ्य विभाग की टीम पर पत्थरों से हमला किया गया, महिला डॉक्टर किसी तरह से वहाँ अपनी जान बचा कर भागी थी और देश के और भी कई हिस्सों से ऐसी ही खबरें आयी। ये वो लोग है जिन्हे आतंकवादी अफजल गुरू पसंद है, आतंकवादी याक़ूब मेमन पसंद है, ये लोग आतंकवादी को फासी से बचाने के लिये आधी रात को सुप्रीम कोर्ट खुलवा लेते है, जब अफजल गुरू और याक़ूब मेमन को फांसी दी गई तब भी इन्होंने यही कहाँ था की उन आतंकवादियों को उनके धर्म की वजह से ये सजा दी गई है। ये लोग धारा 370 कश्मीर से हटाने के भी विरोधी है क्योंकि ये लोग चाहते है कश्मीर भारत से कट जाये, भारत के टुकड़े-टुकड़े करने का सपना देखने वाले इन लोगो को कोरोनावायरस में एक बोहोत शानदार सुनेहरा मौका दिखायी दे रहा है। आपने देखा होगा हर कदम पर इनकी हार हुई, हर कदम पर देश एक रहा टुकड़ेटुकड़े नहीं हुए, कश्मीर में भी यही हुआ और धीरे-धीरे इन लोगो की उम्मीद टूटने लगी थी, अब कोरोनावायरस में ये लोग नयी उम्मीद देख रहे है, अब ये लोग उसमें एक सुनेहरा अवसर ढूँढ रहे है और एक बार फिर भारत के प्रति इनकी नफरत सबके सामने आ रही है, इनकी जुबान पर आ रही है, आज ऐसे लोगो से हम केहना चाहते है कि कोरोनावायरस देश के इतिहास का बहुत बड़ा टर्निंग पॉइंट साबित होगा जब देश की राजनीति में, देश के पूरे सिस्टम में जो स्पेशल स्टेटस कुछ लोगो को मिला हुआ था वो तुस्तीकरण की राजनीति अब हमेशा के लिये समाप्त हो जाएगी क्योंकि ऐसे लोग देश के सामने अब पूरी तरह से एक्सपोज हो चुके है।

On 24<sup>th</sup> April, 2020 he ran a segment titled “DNA: 'मज़हब' के नाम पर Delivery Boy से 'Distancing' का डवश्लेषण”.

12) Where he made the following statement and allegations at the minute mark: "...दरसल जमात के लोगो ने जो हरकतें की उन तस्वीरों को पूरे देश ने सोशल मीडिया के जरिये देखा ऐसी ही तस्वीरों की वजह से ये अविश्वास पैदा हुआ सोचिए अगर आपको आज सड़क पर 2000 रुपये का नोट कही पड़ा हुआ मिल जाये तो क्या आप उसे उठाने की हिम्मत करेंगे? आपका जवाब होगा बिल्कुल नहीं। क्योंकि उसमे कोरोना वायरस हो सकता है। ऐसी ही एक तस्वीर कुछ दिनों पहले सामने आयी थी और लगातार ऐसी ही तस्वीर आ रही है अलग-अलग हिस्सों से देश के, जिसमे एक शक्स 500 रुपये के कुछ नोटो से अपने मुँह को साफ करता हुआ दिखायी दे रहा है, इस वीडियो मे ये व्यक्ति कहता हुआ सुनाई दे रहा है की कोरोना जैसी बीमरी का कोई इलाज नहीं है क्योंकि ये अल्लाह द्वारा दी हुई सजा है ये, ऐसा ये आदमी वीडियो मे बोलता हुआ नजर आ रहा है आप इसे सुन सकते है।

The complainant stated that the Tablighi Jamaat program was concluded before the announcement of the official lockdown from 23<sup>rd</sup> March 2020, in Delhi, and the subsequent imposition of a nationwide lockdown. However, due to the abrupt announcement of the lockdown, the attendees from different areas could not return home, and were forced to make alternative arrangements. However, without regard for these unambiguous facts, the aforementioned statements clearly indicated that the journalist is prejudiced against a community and is inciting hate against, and attacking them without painting the facts in their entirety. By attempting to portray one community as the sole responsibility-bearer for spreading the disease, the journalist has engaged in fear-mongering, and rousing communal disharmony. These statements are a clear attempt to promote and incite hatred against communities and people on the basis of religion.

The above statements clearly prove that the channel is promoting and inciting hatred towards the community on the grounds of religion and is inciting hate against the community and attacking them without engaging in fact checking, thereby violating a basic principle of journalism, which is to verify facts before presenting a news item.

The complainant submitted that these statements are in violation of the directions from the Central Government, namely: 1. Ministry of Electronics and Information Technology's advisory dated 20.3.2020; 2. Ministry of Information and Broadcasting's Advisories dated 25.2.2020, 11.12. 2019 and 20.12.2019. In addition to the failure to adhere to the aforementioned directions, the above detailed programmes are in violation of the Cable Television Network Rules, 1994 and several sections of the Indian Penal Code, 1860 and Section 1 - Fundamental Principles, No 1, 2, 4, 5 & 6 of the Code of Ethics and Broadcasting Standards and additionally, violated all the principles of self-regulation relating to impartiality, objectivity, neutrality in reporting, accuracy and balance.

The programmes telecast were totally contrary to the principles of self regulation in their intent, content, purpose, tone and tenor. There is no doubt that such programmes must be taken off the air, as the statements outlined above are aired without any reference to impartiality and are overtly prejudiced against a particular religion. The programme were prejudicial, inflammatory, and crossed all boundaries



of good taste and sensibility without any concern for the feelings of the religious group. The manner in which the programmes were presented was highly objectionable and hardly a news report. Instead, they were pure conjecture and the tone, tenor and language was crass, prejudiced and disrespectful. It was aimed at promoting and inciting hatred and making assertions that certain citizens are part of the “tukde tukde gang” or running a deliberate terror plot akin to Shaheen Bagh which is another piece of conjecture.

The complainant submitted that the hatred spread by the media has destroyed and damaged the lives of ordinary people. Miscreants taking law onto their hands and forcing the general public not to buy fruits/vegetables from Muslim street vendors; Resident Welfare associations boycotting Muslims in their apartments and colonies; stopping Muslims from entering specific areas; preventing volunteers who are providing relief measures to the poor, because they are Muslims. The community subjected to this form of vicious hatred has been transformed from being persons to objects. This dehumanization has resulted in calls for elimination of the community and the same is nothing short of a call for genocide. The call to genocide is a violation of the right to life and personal liberty of an entire community under Article 21 of the Constitution, and needs to be dealt with strictly. The calls for social and economic boycott being made are the precursors to genocide. Hate speech which repeatedly dehumanizes an entire community, makes them targets of vigilante violence. The complainant referred to the judgement of the Supreme Court in *Pravasi Bhalai Sangathan v. Union of India*, wherein the Supreme Court has unambiguously stated that hate speech is an effort to marginalize individuals based on their membership to a group, that can have a social impact. Moreover, hate speech lays the groundwork for broad attacks on the vulnerable that can range from discrimination to ostracism, deportation, violence, and even to genocide. Therefore, the aforementioned news items tantamount to the perpetration of genocide and must be considered to be in violation of Article 21 of the Constitution.

The complainant submitted that the media has an additional responsibility in the time of the pandemic and the manner in which Zee News has conducted itself, puts people at a larger risk. The World Health Organisation has in its message dated 18.3.2020 advised that no particular ethnicity or nationality should be held responsible for Covid-19 since it is a worldwide pandemic and can affect anyone in any part of the world.

In view of these undeniable violations of the plethora of laws, the complainant desired appropriate legal action against Zee News which includes seizure of equipment used for operating the cable television network for the making of the aforementioned programmes, under Section 11 of the Cable Television Networks (Regulation) Act, 1995; for violation of Programme Code; tender a public apology for the violation of the Code of Ethics and Broadcasting Standards along with a suspension of broadcast of Zee News for a period of 2 months. Further, air a news

article apologizing for the prejudiced, unsubstantiated, malicious, and vicious content and comments. The broadcaster should be called upon to widely advertise its apologies in every daily national newspaper published in the Hindi and English Language, on two separate days, so that the repairing of the damage that the news broadcasts have caused is impactful and of a sustained nature.

**Reply dated 8.7.2020 from the broadcaster:**

The broadcaster denied each and every allegations, averments and insinuations levelled in the complaint as completely false, frivolous and unfounded. The submissions were as follows:

That all the allegations levelled by the complainant were baseless and no information/news aired on any of the channel was false and/or fake or were intended to disturb the communal harmony or cause damage or insult to the Muslim Community. The news reports presented and the analysis conducted on the channel were based on verified facts and figures and it was only after conducting proper research, did the broadcaster broadcast the same on its channels. Further, as a responsible media house of the country, the broadcaster has utmost respect for the Constitution of India and its values and as such, it treats all the religions, class, communities alike and it telecasts its news reports without any flavor of biasness, partiality, or discrimination. Therefore, the allegations levelled in the complaint, to the effect, that, the channel was spreading hate and fake news to target a community, were completely false, baseless and misleading.

The entire reporting relating to the event of mass gathering of the members of Tablighi Jamaat at Nizamuddin Markaz amid nation-wide lockdown, was completely true and based on the inputs given by the Police Authorities, State Governments as well as the Central Government and no part of it was false and fake, as alleged. That so far as the objections on its news reports making the people of Tablighi Jamaat responsible for spreading of Coronavirus, are concerned, it was stated that all the aforesaid news reports were based on properly verified facts and the inputs given by the Central Government in their press briefings. It was stated that on 16.3.2020, the Government of NCT of Delhi issued an Order, whereby, it was directed that *“Any event (social/cultural/political/religious/ academic/sports/seminar and conference (except marriages) is restricted to maximum of 50 persons in NCT Delhi till 31.03.2020.”*. That despite aforesaid clear and unambiguous directions issued by the Delhi Government under the Epidemic Disease Act, 1897, more than three thousand people belonging to Tablighi Jamaat participated in Nizamuddin Markaz thereafter, which resulted in spread of Coronavirus in several members of the Jamaat, some of whom thereafter travelled to the different states of the country and infected several others. It is further relevant to state here that as per the video clip of 23.3.2020 released by the Delhi Police, the organizers of Tablighi Jamaat were given notices by the Police to vacate the premises, however, despite the aforesaid notices, more than 1500 persons were found in the Nizamuddin Markaz at the time of the evacuation process which was

carried out on 29/30.3.2020 in clear violation of the norms of social distancing and lockdown guidelines. Not only this, after coming into light the aforesaid act of grave negligence, the Chief of the Tablighi Jamaat, Maulana Saad, who was duty bound to furnish the relevant information of the participants of Nizamuddin Markaz to the Police and the Government, became incommunicado and failed to cooperate with the Police, which resulted in registration of an FIR against him and against the other organizers of the event by the Crime Branch, Delhi Police, on 31.3.2020.

The allegations levelled against the contents of the show DNA aired on 31.3.2020 were incorrect. It was submitted that based on reliable information provided by Police and the Government Officials, the broadcaster had fairly reported that a total number of 1548 people were evacuated from Nizamuddin Markaz on 29/30.03.2020, out of which 441 persons, having initial symptoms of Covid-19, were sent to quarantine centres and hospitals. The broadcaster further reported that 8 persons who participated in Jamaat were dead due to Covid-19. Based on the official inputs given by the Delhi Government, it was reported that several members of Tablighi Jamaat had travelled to several other States thereby increasing the risk of infection of Covid-19 at large scale; as per the visa norms, if any person wants to visit India for the purpose of propagation of his/her religion, he or she is required to obtain a missionary visa, however, the foreign members of the Tablighi Jamaat came to India on tourist visa, which was again a clear violation of the visa rules and the said fact had also been confirmed by the Central Government in a press conference. Thus, due to the aforesaid gross negligence of the organizers of Tablighi Jamaat, the risk of spread of corona virus was increased substantially and therefore, in the show DNA aired on 31.3.2020, the broadcaster had highlighted the aforesaid act of negligence committed by the organizers of Tablighi Jamaat and the aforesaid report cannot be said to have targeted the entire Muslim Community, as falsely alleged by the complainant.

Amid nation-wide lockdown, the broadcaster has performed its duties with a complete sense of responsibility and exposed all those people/group/politicians/celebrities who had violated the lockdown guidelines, irrespective of their caste, creed, community, religion etc.

The entire reporting on the issue of Tablighi Jamaat was completely non-communal and was done only with a view to disseminate the current events so as to make people aware of the latest happenings related to Covid-19 in the country. It is a matter of record that due to the negligence of Tablighi Jamaat, the Coronavirus cases in the country started increasing at a higher rate. The Ministry of Health, Government of India, in its press conferences, held from time to time, in the month of April-2020, had also clarified and stated that 30 percent of Corona cases in the country were linked to Tablighi Jamaat and the said fact had also been published by several other news agencies and media houses.

With regard to the allegations that the broadcaster had manufactured allegations upon certain individuals, it was stated that the entire reporting on the issue of Tablighi Jamaat was completely fair and uncolored from any motive, prejudice and notions. Despite reporting the aforesaid issue fairly and in larger public interest, several people attacked the broadcaster on social media and made false allegations against media for reporting the issue on communal lines and therefore, in the public interest, the broadcaster had highlighted the agenda of such pseudo secular people of this country who were trying to create a false picture against the responsible media channels, including Zee News, with an intention to promote communal disharmony.

The allegations, to the effect, that by comparing the protestors at Shaheen Bagh with the members of Tablighi Jamaat, the broadcaster had attempted to create enmity between different religions, was completely false and baseless. It stated that in the show dated 31.3.2020, it had fairly reported that despite prohibitory orders issued by the Central and Delhi Government in the wake of Covid-19, the persons, who had been protesting against CAA/NRC at Shaheen Bagh, refused to disperse and a similar negligence was also observed at Nizamuddin Markaz, where, despite repeated warnings and notices issued by the Police and prohibitory orders issued by the Government of Delhi, the organisers of the Tablighi Jamaat did not vacate the premises. Thus, the aforesaid comparison and analysis was done with a bonafide intention, and all the allegations levelled in the complaint are completely misleading.

In respect to the comments regarding the police inaction in dealing with the issue of Tablighi Jamaat, it is stated that the aforesaid comments were made in light of the fact that the headquarters of Tablighi Jamaat is only 18 meters away from Nizamuddin Police Station and despite prohibitory order dated 16.03.2020 issued by the Government of Delhi and subsequent imposition of complete lockdown by the Central Government, the Police did not take any strict action to vacate the Nizamuddin Markaz. Thus, due to the aforesaid inaction of the Police, in the show DNA aired on 31.3.2020, the broadcaster conducted a fair analysis on the reasons as to why the Police could not take any strict action against the organizers of the Tablighi Jamaat despite fully knowing the fact that a large number of persons had gathered in the Markaz. To the allegations, that it has falsely claimed that other places of religious worship in the country had also been closed at the time of Tablighi Jamaat gathering, it was stated that all the prominent religious places in the country were closed much prior to the imposition of a nation-wide lockdown by the Central Government.

As far as the objections in DNA on 30.3.2020 and 1.4.2020 are concerned, it was stated that in the programmes, the broadcaster had fairly highlighted the negligence of the members of the Tablighi Jamaat. In the programmes, it never made any allegation against any particular community as a whole. The entire news reporting was based on official inputs given by the police and Government Departments. As

a responsible media house of the country, it is its duty to report the truth in larger public interest.

The allegations against linking Tablighi Jamaat with the terror outfits in its show dated 1.4.2020 were as per the report of WikiLeaks published in 2011 which stated that the Tablighi Jamaat has connection with terrorist organization, Al Qaida. As per the WikiLeaks documents, the Al-Qaida terrorist used the premises of Nizamuddin Markaz to hide themselves and it was further claimed that one of the members of Al Qaida, Hamir Mohammad used Tablighi Jamaat to get Pakistan Visa. It was submitted that the aforesaid facts along with several others showing connection of Tablighi Jamaat with terrorist organizations have widely been reported by various news agencies and the same are based on the reliable documents and sources.

The broadcaster submitted that the allegations levelled against the contents of the programmes aired on DNA on 3.4.2020, 5.4.2020 and 24.4.2020 were complete false, misleading and denied. The broadcaster has fairly and without any partiality, aired the latest events and updates relating to Covid-19 in the country by making a fair analysis of the events. It was submitted that without any objectivity and partiality, it had exposed those culprits in the society, irrespective of their caste, community or religion, who were violating the norms of social distancing and the guidelines for implementation of nation-wide lockdown. Further, based on the inputs given by the Central Government, State Government and concerned Police, it had also exposed the members of Tablighi Jamaat who were misbehaving with the health workers and doctors while staying in quarantine centres. It was submitted that apart from reporting the said events, it had aired all the latest updates and information, including those relating to Coronavirus. The broadcaster strongly refutes and denies all allegations made by the complainant in its complaint and reiterates that its reporting was purely with the intent of true, correct and unbiased news reporting. In the complaint, the complainant has miserably failed to point out any specific news item which they claimed to be false and as such, the complaint is liable to be dismissed.

### **Decision of NBSA at its meeting held on 10.7.2020**

NBSA considered the complaint, the response received from the broadcaster and also viewed the footage of the programmes. NBSA was of the prima facie view that the broadcaster had violated Specific Guideline No 9. 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*”. NBSA decided that the broadcaster and the complainant be called for a hearing at the next meeting of NBSA.

The following persons were present at the hearing on 7.9.2020:

**Complainant:** Mr. Utkarsh Mishra, Advocate  
Ms.Suroor Mander, Advocate

**Broadcaster:** Ms. Ritwika Nanda, Advocate  
Mr. Piyush Choudhary, Manager-Legal  
Ms.Annie, Assistant Manager, Legal

The complainant submitted that in his complaint he had brought before NBSA facts related to the broadcasts for its consideration. He reiterated that his complaint was not regarding the content of the broadcast, but the manner in which it was presented by Mr.Sudhir Chaudhary, the anchor of the programmes which included sensationalization of the matter, claims that the pandemic hotspot spread was done on purpose, in a manner as deliberate as the Shaheen Bagh protest against the CAA, amongst other unsolicited opinions on Islam that he has used his airtime and privilege as a broadcast reporter to impress upon viewers , actively neglecting to report the multiple gatherings that had occurred at the same time, involving far larger number of people and ignoring the lapse of security measures by the state authorities that should have quarantined these individuals when they came to the country in the first place.

The complainant stated that the channel had carried out a sustained campaign throughout the month of April 2020 to communalize the issue of Tablighi Jamaat Covid 19 hotspot, and failed to do an objective coverage of the pandemic/public health emergency, which has contributed to an unscientific understanding of the matter as evidenced by terms popularized since the outbreak such as '*Corona Jihad*' and '*Chinese Virus*'. He submitted that the coverage was one sided and communally intended to develop hatred towards a particular community. The complainant stated that the broadcaster had alleged that the Tablighi Jamaat has links with Al-Qaida and proceeded to make unverified allegation regarding the group's alleged involvement in terror activities worldwide, making further implications that the Covid 19 incident could be a terror plot, enabled by the Jamaat and its functionaries. He repeatedly sought to paint the spread of the COVID-19 as a deliberate occurrence, due to the alleged unreasonable powers enjoyed by the concerned community that does not believe in the Constitution, which evidently renders the Police and the Hon'ble Supreme Court powerless to act against them for their own political agenda. He stated that the anchor in the broadcast said that the Nizamuddin community allegedly has its own rules and regulations in dealing with Covid-19 and are not interested in following the guidelines laid out by the State. The anchor associâtes the Jamaat with terrorism by saying that if they had a gun maybe they would kill 10-20 people but with Corona, they can kill thousands.

The anchor addresses the pushback against his claims whereby several voices spoke out against the presumptuous and communally opinionated spin being given to the

reporting over Tablighi Jamaat and says that the said spin is justified as it is being done to address the individuals who are not standing with the country in the fight against Covid and are thus traitors to the nation.

The common thread in these programmes clearly indicated that the journalist is prejudiced against the community on the grounds of religion and is inciting hate against and attacking them without giving the facts in its entirety and is prejudicing the minds of the viewers. The anchor chose not to make reference of other religions like the Sikh pilgrims who had come back to India after visiting Nanded and other activities that took place in the country during that time.

The complainant submitted that by attempting to portray one community as solely responsible for spreading the disease, the journalist has engaged in fear-mongering, and rousing communal disharmony. He was making assertions that certain citizens are part of the “tukde tukde gang” or running a deliberate terror plot akin to Shaheen Bagh which was another piece of conjecture. Such statements are a clear attempt to promote and incite hatred against communities and people on the basis of religion and attacking them without engaging in fact checking, thereby violating the basic principle of journalism, which is to verify facts before presenting a news item. The programmes were prejudicial, inflammatory, and crossed all boundaries of good taste and sensibility without any concern for the feelings of the religious group. The manner in which the programmes were presented was highly objectionable and hardly a news report. Instead, it is pure conjecture, and the tone, tenor and language are crass, prejudiced and disrespectful. He submitted that the anchor violated all the principles of self-regulation relating to impartiality, objectivity, neutrality in reporting, accuracy and balance.

The broadcaster in its submissions stated that the allegations made by the complainant were unwarranted. It further submitted that the complainant had cherry picked the programmes and not shown other programmes aired by the channel. It stated that what was broadcast was on admitted facts and it cannot be denied that the assembly of the Tablighi Jamaat in the Nizamuddin area and their movement across the country were in violation of the Disaster Management and the Epidemics Act by which severe restrictions had been imposed on all activities across the length and breadth of the country. Congregation of more than 20 persons was not allowed, funerals were restricted etc. In these circumstances the laws, rules and regulations were being violated by the members of the Tablighi Jamaat. The broadcaster submitted that at that point of time 63% of the infected persons belonged to the Tablighi Jamaat.

The broadcaster submitted that the reporting related to the event of mass gathering of the members of Tablighi Jamaat at Nizamuddin Markaz amid nation-wide lockdown and travelling to different states of the country making the people of Tablighi Jamaat responsible for spreading of corona virus was based on properly

verified facts and the inputs /figures given by the Central Government , Delhi Government and Delhi Police in their press briefings. The act of negligence committed by the organisers of Tablighi Jamaat cannot be said to target the entire Muslim Community. The entire reporting on the issue of Tablighi Jamaat was completely fair and uncoloured from any motive, prejudice and notions. The allegation that by comparing the protestors at Shaheen Bagh with the members of Tablighi Jamaat, the broadcaster had attempted to create enmity between different religions, was completely false and baseless. In respect, to the allegations, that the broadcaster had falsely claimed that other places of religious worship in the country had been closed at the time of Tablighi Jamaat, it was clarified by the broadcaster that all the prominent religious places in the country were closed much before the imposition of nation-wide lockdown by the Central Government. The channel had also reported the Covid violations by the former Karnataka Chief Minister at his son's wedding.

The broadcaster also pointed out that the visas of the foreign members of the Tablighi Jamaat, were revoked by the Government for its misuse because as per the visa norms, if any person wants to visit India for the purpose of propagation of his/her religion, he or she is required to obtain a missionary visa, however, the foreign members of the Tablighi Jamaat came to India on tourist visa, which is again a clear violation of the visa rules and the said fact had also been confirmed by the Central Government in a press conference.

The broadcaster submitted that it had fairly highlighted the aforesaid negligence of the members of the Tablighi Jamaat. The broadcaster stated that the Tablighis may be part of a specific religion i.e Islam , but they never made any allegation against any particular community as a whole. It is the broadcaster's duty to report the truth, in larger public interest. Therefore, the allegations levelled in the complaint that the channel was spreading hate and fake news to target a community, are completely false, baseless and misleading.

The broadcaster stated that the polarisation was being done by the complainant. To a question raised by the complainant as to why the broadcaster had not vilified the Sikh Community or the violations during the Ayodhya Shilanyas and only one community was referred to in the broadcasts , the broadcaster responded to state that it had reported about the Sikh pilgrims returning from Nanded, criticized the Delhi Police and the reference of Shaheen Bagh had to be seen in the context of the reporting. It reiterated that there was no bias in the said programmes and it was not targeting a community.

The broadcaster was informed by NBSA that the complaint against the channel was regarding DNA programmes. The programmes are anchored by Mr Sudhir Chaudhary with no panelists to obtain another view point . NBSA observed that the manner in which the programme were reported, it tended to give the impression



that the programmes are not about Tablighis but the programmes appeared to be about targeting an entire religion.

NBSA further noted that the Anchor stated in the programme that *“Aapko wo patrakar acche lagte hain jo aapki tareef karen, aapko wo channel wo akhbar acche lagte hain jo aapki man-gadant baton ko chahpen aur jo aapke desh ko tukde-tukde karne ki jo mansha hai uska saath den”*.

NBSA also desired to know from the broadcaster, as to whom Mr. Chaudhary was referring to while using the words “Who are “these people” and whether it was a reference to the Tablighi’s, a community or is it the language that is normally used in the broadcasts.

NBSA drew the attention of the broadcaster of another reference in the broadcast, *“Ye desh me 70 saal hog aye in logo ko tushtikaran ki aadat pad chuki hai, inhe special status ki aadat pad chuki hai aise log desh me aaye sabse bade sankat ke beech bhi har bar dharm ka naam lekar zehar phailate hain. Ye wo log hain jinhe sansad par vishwas nahi supreme court par bharosa nahi aur media par bhi vishwas nahi.”* NBSA desired to know from the broadcaster that how can the happenings in the country of the past 70 years be attributed to the Tablighi’s?

### **Decision of NBSA**

NBSA considered the complaint, reply from the broadcaster, heard the arguments of both the complainant and the broadcaster and reviewed the footage.

NBSA decided that it would consider the complaints only in regard to the violations of the Code of Ethics and Broadcasting Standards and Guidelines/ Advisories issued by NBSA, and it would not consider the complaint in relation to the Programme and Advertising Codes prescribed under the Cable Television Network Rules, 1994 and various Sections of the Indian Penal Code, 1860 as the Authority does not have jurisdiction to decide the complaints in relation to the above statutes and Rules.

NBSA noted that whenever any news story is telecast by a broadcaster, the Code of Ethics and Broadcasting Standards, Principles of Self-Regulations, Fundamental Principles and Specific Guidelines Covering Reportage relating Impartiality, Objectivity and Fairness as also the Specific Guidelines Covering Reportage-Guideline No 9 relating to Racial & Religious Harmony, must be adhered to.

NBSA noted that there were certain statements made by the anchor in the programmes, which violated the aforesaid Regulations, Principles and Guidelines.

The anchor was condemning his fellow journalists in a programme by calling them “ designer patrakar” and belonging to the “ Tukde Tukde Gang” and made various imputations. By way of example, it may be mentioned that:

“सिर्फ कुछ बचे कुचे डिजाइनर पत्रकार इनके पास है अब जो इनके मन की बात कहते है, ये सिर्फ मीडिया के उस हिस्से पर विश्वास करते है जिस हिस्से मे यही डिजाइनर पत्रकार है, टुकड़े-टुकड़े गैंग के सदस्य है और ऐसे लोग है जो देश को तोड़ने, देश को हराने की बात करते है। मीडिया का जो हिस्सा देश की बात करता है, समान अधिकारों की बात करते हैं, जो ऐसे लोगो को एक्सपोज करता है वो इन्हे बर्दाश्त नही”.

“देश की सरकार ने पूरे देश मे लॉकडाउन कर दिया है लेकिन ये लोग जो है ये सरकार के लॉकडाउन को नही मानते ये अपने लॉक डाउन को मानते हैं इनके अपने ताले है और वो ताला ना ही पुलिस से खुलता है और ना ही संविधान से खुलता है वो ताला ऐसा है जिसकी चाभी इस देश के सुप्रीम कोर्ट के पास भी नही है।”

There are number of such assertions in the programmes. Undoubtedly, the anchor had the right to express his view, however the same should be objective, rational, and supported by some material/evidence and further, the anchor should avoid communal touch to the programmes, which seems to have happened in these broadcasts and programmes.

In view of the above NBSA was of the view that the attempt of the anchor to give it a communal color by targeting one particular community was not appropriate.

It is in this context that NBSA has come to the conclusion that the broadcasts telecast by the broadcaster and statements made by the anchor are violative of the Code of Ethics and Broadcasting Standards, Principles of Self-Regulations, Fundamental Principles and Specific Guidelines Covering Reportage relating to Impartiality, Objectivity and Fairness; as also the Specific Guidelines Covering Reportage- Guideline No 9 relating to Racial & Religious Harmony.

In view of the above NBSA decided that the broadcaster be directed to air an apology on their channel by stating the following (Text to be translated in Hindi)

*“Zee News apologises for certain statements made by the anchor in the DNA programmes aired throughout April 2020 at prime time as it has violated the Code of Ethics and Broadcasting Standards requiring broadcasters to maintain impartiality, objectivity in reporting and ensuring neutrality. The broadcast also violated the Specific Guideline Covering reportage relating to Racial & Religious Harmony. We clarify that it was not our intention to portray any community in poor light or to promote hatred against any community. There was no intention on our part to sensationalize the issue and we shall abide by the Code of Ethics and Guidelines issued by NBSA in our endeavor to improve broadcasting standards.”*

NBSA also directs that the video of the said broadcasts, 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 statements made by the parties in the proceedings before the NBSA while responding to the complaint and putting forth their view points, and any finding or observations by NBSA in regard to the broadcasts, in its proceeding or in this Order, are only in the context of examination as to whether there are any violations of any broadcasting standard or 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.

Proof of compliance of telecast of the apology to be submitted to NBSA on Compact Disc within 7 days of telecast.

**Sd/-**

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

**Place: New Delhi**

**Date: June 16, 2021**