

News Broadcasting & Digital Standards Authority

Order No.192 (2025)

Complainant: Citizens for Justice & Peace

Channel: Zee News

**Programme: "Debate on Budaun encounter LIVE: Encounter पर क्यों उठा रहे
सवाल? Javed | Sajid | Breaking news"**

Date of Broadcast : 20.03.2024

Since the complainant was not satisfied with the response received from the broadcaster, on 17.04.2024, the complaint was escalated to the second level of redressal, i.e. NBDSA.

Complaint dated 27.03.2024

The impugned programme was a live debate news segment aired on Zee News on March 20, 2024 at 11 hours, on the Budaun double murder case, which covered the whole case and the encounter of the accused by the UP Police. The complainant alleged that the debate show furthered divisive, targeted and anti-Muslim hate propaganda. It was designed in such a way as to give a one-sided communal view of an issue that did not warrant any such sectarian narrative.

The complainant highlighted the communally inflammatory nature of the statements made by the anchor throughout this coverage of the Budaun murder case, as the accused and the victims belonged to different faiths. While the complainant acknowledged the heinous and brutal nature of the crime, it also wished to highlight the problematic statements made by the anchor throughout the coverage of the show. From using derogatory and stigmatizing phrases such as '*Talibani style of murder*', the anchor indulged in Muslim bashing throughout the half-hour-long show and tried to fan religion-based communal tensions.

It may also be noted that out of the whole 11-hour coverage of the issue, the actual debate was only 35 minutes on the given day and was played in a loop. This had an even higher potential of generating bias, even hatred, as repetitious coverage is known psychologically to have this impact on the viewer.

About the incident

On March 19, disturbing news emerged from the state of Uttar Pradesh where a salon owner, who happened to be Muslim, reportedly killed two minor boys who were brothers and belonged to the majority Hindu community. The incident occurred on Tuesday evening in Baba Colony when the accused, identified as 22-year-old Mohammed Sajid, entered a house and attacked three brothers, aged between 12 and 8 years old, with a knife. As per media reports, the accused, Sajid, was a neighbour of contractor Vinod Thakur, whose sons were attacked. While two

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of the brothers, namely Ayush (aged 12) and Ahaan (aged 8), died in the attack. It had been reported that the accused, Sajid, slit the throats of the two children with a knife.

Thakur's third son, Piyush, was also attacked by the accused, Sajid, with a knife. However, he managed to escape the attack. As per a news report, the surviving brother has now become an eyewitness in the double murder case.

A report by the ANI provided the narration that the surviving brother, namely Piyush, gave first-hand evidentiary accounts of the incident that took place and how he was able to save his own life. In the report, he said, *"The man from the salon had come here. He took my brothers upstairs; I don't know why he killed them. He tried to attack me, too, but I pushed away his knife, pushed him away and ran down. I suffered injuries in my hand and head... Two people (accused) had come here."*

The official reaction to the incident was also provided in the Hindustan Times report. In the report, SSP Budaun Alok Priyadarshi narrated the incident: *"The accused Sajid entered the house yesterday at around 7:30pm and went to the terrace where the children were playing. He attacked the two children and murdered them. He then came down where the crowd tried to hold him back but he escaped... Police teams swung into action when they got to know that the accused had escaped."*

The tragic double murder led to (an understandably) uproar by local residents. As per multiple media reports, the residents set shops on fire as they demanded the immediate arrest of Sajid. Later, as the police tried to apprehend the accused, a retaliatory firing reportedly ensued, as a result of which the accused was shot dead in a police encounter.

The statement of Bareilly Inspector-General of Police Rakesh Kumar was provided by ANI, *"Today evening, an unfortunate incident took place in which two children were killed. The police reached the spot, and the accused tried to escape. We chased the accused. He fired at the police and was killed in retaliatory fire. The accused died on the spot. The police are investigating the case."*

It is essential to note that the reason behind the accused Sajid attacking the three children has not been ascertained yet. The father of the victims has provided that he is not aware of why the accused had attacked his sons. However, SSP Badaun said the accused, Sajid had demanded money from the father.

"In the FIR, the family of the deceased children has also named the brother of the accused, Javed. Teams are working to find him, and he will be arrested soon. According to the family, the accused had demanded ₹5,000 from the father of the deceased children," the SSP Budaun told ANI.

As soon as the news of the double murder and the name of the accused came forth, communally inflammatory posts started going around on social media. A polarising environment was once more created wherein the criminal deeds of one Muslim were used to bash the entire religious minority community. Calls for the boycott of the Muslim community and provocative statements encouraging violence against the community had started doing rounds.

Contents of the Zee News debate show:

Along with widespread, hate-driven reactions on social media platforms, some news channels gave a communal colour to the whole incident of murder. Varying away from the official response given by the police, the anchor made many such statements that stigmatized the Muslim community as a whole rather than just focusing on the present case and the accused.

The complaint was focused on the instigating and offensive statements made by the anchor during the debate titled ***“Dard.. Murder par ya Muthbhedh par? #BudaunMurder”***.

The show started with an interview with the father of the two murdered children. The father could be heard explaining the incident and emphasising the lack of knowledge regarding the motive behind the murder. While interviewing the father, the anchor urged the interviewer to ask the father whether the *“Murderer had used the knife to kill the children in Talibani style”* (Time stamp- 3:49- 3:58). The interviewer can then be heard asking the said question to the father of the deceased children using the exact phrase.

A debate on the double murder case then ensued. The panellist for the same were Shivam Tyagi (BJP), Dr. Vikram Singh (Ex- DGP, UP), Ali Asgar (senior lawyer), Rashid Shareef, Acharya Vikram Aditya (Hindu religious leader). The show began with the question *“why the secular gang is quiet on this Talibani styled heinous act? Why are the politician’s mum?”* Thus, the anchor posed to the panel communally inflammatory in the starting itself. (Time stamp- 5:10- 5:20)

While a Muslim panellist was speaking, the anchor interrupted him and stated in an accusatory tone *“You wanted the accused to get bail if the government changes. Just like you were crying tears for the terrorists in the Batla House case.”* (Time stamp- 9:37- 9:51)

The phrase *“Talibani style of murder”* was used again and again by the anchor while posing questions to the debate panel. The anchor stated *“Let us not go into technicalities, I want to talk about the moot point. Sangeeta was an innocent mother who did no wrong. These people murdered her children in Talibani style. It has been written in the FIR that after the murder, the perpetrators said that “we have completed our task.” “This shows that this was not a*

case of enmity, rather it was a pre-planned conspiracy. My question is why big politicians like Akhilesh Yadav and Priyanka Gandhi Vadra are quiet on this heinous crime? They cannot give a clear statement calling this a rarest of the rare crime and demanding death penalty. These crimes are now being normalised." (Time stamp- 10:40- 11:38)

With the clearcut attempt to portray the Muslim community as siding with the perpetrators of this crime owing to their religion, the anchor made the following instigating statement: *"A country is truly dead when politicians do vote bank politics over such ghastly issues and refusing to speak up on it. They wrote Essays over Gaza."* (Time stamp- 12:50- 13:03)

At one point during the debate, the anchor goes on to list many "Hindu" names that had been *"murdered by Muslims in a brutal manner"*. The anchor also stated that these were just a few names; almost 70 other Hindus had been murdered by Muslims in the same way. (Time stamp- 13: 17- 14:21)

The anchor then stated, *"Whatever happened with one Akhlaq, even though that was wrong and a punishment should be given, the names of these Hindus get lost. In the similar way, the names of these two Hindu children would be lost when these politicians do not condemn such incidents."* (Time stamp- 14:21- 14: 45)

Later, referring to the encounter, the anchor smilingly accused senior lawyer Ali Asgar of *"having a problem with the encounter and wishing that the police had shot the accused below his knees"*. When Asgar emphasised the laws regarding the encounter that prevail in our country, the anchor brushed him off. (Time stamp- 16:00- 16:26)

In addition to making problematic statements, the anchor also did not stop the panellists from making anti-Muslim statements against other panellists rather, he goaded them to make further derogatory statements. One Hindu religious leader pointedly asked the two Muslim individuals to answer whether the four Hindus, including the anchor, sitting on the panel were *"Kaafirs in their eyes or not and if their religious book taught them to kill those who were not practicing Muslims"*. He also deemed this whole double murder case to be a case of *"achieving heaven after death."* When Menon refused to answer such a polarising question, the Hindu religious leader then started with his anti-Muslim diatribe and stated *"you are calling me fringe element after slitting the heads from the bodies of people. You maulanas are teaching this in the Madrasas. You people are consistently brainwashing innocent children and people and then you get your beard cut and sit here. You should be ashamed."* (Time stamp- 18:58- 20:37)

The anchor repeatedly accused the Muslim participants of having a problem with the encounter. At one point, he gloated about the UP police encountering the accused in this case and stated *"Javed and Sajid committed murder in their Talibani style. If the*

accused had felt any guilt over the murders, they would not have kept their getaway vehicle ready. They kept their bike ready to get away. I salute the UP Police for conducting a legally sanctioned investigation with one of the accused. they are still on the lookout for the other accused. Why are you (addressing the Muslim panellists) not standing with the victim?" (Time stamp: - 23:18) Panellist Tyagi further added to the bashing of the Muslim panellists and stated *"These people are just saying that instead of the encounter, the accused should have been lovingly lodged in jail. This way, an army of lawyers would have readily tried to protect them, just like an army of lawyers are protecting the Ahmedabad blast accused. Many outfits would have come forth to show them support". (Time stamp: 25:00 - 25:30)*

It is essential to emphasise here that neither of the Muslim participants, throughout the debate, showed any sympathy with the accused or tried to justify the crime that took place. Even then, the two Muslim participants were cornered and attacked again and again. Rejecting the condemnation of the attack offered by the two Muslims, the anchor targeted them and stated, *"You (Muslim participants) have not once said that you stand with Sangeeta (mother of the deceased children). You have not said that the children were killed with their throats slit and whatever happened with them was brutality. You are trying to normalise the crime by going into the technicalities of the encounter."* (Time stamp: 27:25- 28:02)

The anchor even justified a call raised by Shivam Tyagi for *"Hindus to avoid going to certain barbers as they might murder them"* by saying, *"Asgar Ali, if any Hindu thinks on the similar lines as Shivam Tyagi and avoids going to certain barbers, then you will villainise the Hindu community."* He then asked senior lawyer Asgar Ali to openly state that he is standing with the victim's family and that the accused on the run, namely Javed, should be given the death penalty. (Time stamp: - 33:00- 34:10)

It is crucial to highlight here that this 35-minute debate played on a loop and was shown on the channel as an 11-hour coverage.

What the show entailed:

It is clear from the extracts mentioned above that throughout the debate show; the anchor dragged the religion of the accused and the victims unnecessarily into an issue that did not warrant any scrutiny of the communities that the parties belonged to. It is essential to reiterate that both the police as well as the family of the deceased children had not pointed to the religion of the accused or the victims as a point of contention. Even after that, the anchor repeatedly communalised the double murders to portray the Muslim community as sympathisers of the encountered Sajid and the other accused, Javed.

A unique environment, one that is intensely polarising, was continuously created for the Muslim participants during the debate as well. As soon as the debates began,

it became evident in the choice and content spouted by not just the participants in the “debate” but also, unfortunately, displayed by the anchor of the show that the statements being made were not unbiased or neutral. The anchor was even observed posing questions to the participants from the Muslim community or the ones representing the opposition political parties on the debating panel in an accusatory manner, while an urbane and inclusive attitude was displayed towards participants from the majority Hindu community or the ruling political party.

Instead of framing an issue soberly with an intent to explore various aspects of the debate, the anchor continued the debate, imposing their own opinions on the participants and instigating them with accusatory and religiously coloured statements. This displayed partisan coverage and did not fit well with the democratic, constitutional principles of independent journalism.

Reporting on news involves an exercise of imparting information. Questioning the bit of news information in a prejudicial or hysterical way, without any rational basis for that questioning, to pitch views of only one segment/community amounts to stigmatizing another section that is thus portrayed. Laws, statutory guidelines and evolving jurisprudence have tested and assessed this kind of portrayal and held it to create an unequal, partisan playing field that demeans the right to life and right to life with dignity of that particular targeted section. Therefore, it attacks the right to equality and non-discrimination, too. Selectivity in news coverage, especially regarding identities and communities, is especially sensitive and requires responsible handling.

It is clear from the extracts that the debate show appeared more like a one-sided show promoting the anchor’s take on the Budaun murder case or a religious/sectarian debate rather than a newsroom debate. Even when the Hindu panellists attacked the Muslim panellists during a live debate on a national platform, not one word was uttered by the anchor to reprimand them.

It is also essential to highlight here that every attempt made by senior lawyer Asghar Ali to shed light upon the laws governing encounters by police or the missing motive in this matter was deemed as sympathy for the Muslim accused by the panellist and even the whole Muslim community. The anchor, who brought in many previous instances of bomb blasts and legal counsels defending those accused, conveniently forgot the right to a legal counsel and defence that Indian laws have guaranteed to every accused/incarcerated.

As per the guidelines of the NBDSA, the anchor is supposed to and expected to take a neutral stand, introduce a neutral theme and not side with a particular community to put any other community on the spot, but that did not happen. As

is apparent from the video of the debate show and the statements highlighted, the anchor was keen on leading the debate with the question of whether the Muslim leaders of the opposition, protestors and the Muslim community are supporting the accused Sajid and Javed. As the anchor of a show on a news channel, which is supposed to have a neutral and unbiased theme, the anchor did not even attempt to have any non-communal theme in the debate.

The anchor kept reiterating throughout the show that the Muslim community are unhappy with the encounter and are refusing to condemn the incident and demanding the Muslim participants issue an apology to prove their stance on the matter. Even after the Muslim participants condemned the incident, the Hindu panellists, as well as the anchor, continued to bash the two for not issuing an apology up to their standards. This not only violated the guidelines issued by NBDSA but also violated our constitutional principles.

Violations of NBDSA principles:

The complainant submitted that the broadcaster had violated Fundamental Principles No. 1, 4, 5 and 6 and Principles of Self-Regulation concerning ensuring neutrality and Racial and Religious Harmony under the Code of Ethics & Broadcasting Standards by airing the impugned broadcast. Apart from the above, the broadcaster also violated the Specific Guidelines for Anchors conducting Programmes including Debates. If the channel truly cared about the values of secularism and fraternity, it would abide by them. However, it is clear that in utter disregard of these constitutional values, the channel brazenly forwarded its anti-minority narrative and showed the Muslim community in a suspicious light and furthered the Islamophobic discourse prevalent in the current times.

The channel must be aware of the recent matters pending before the Hon'ble Supreme Court, wherein specifically the role of television channels and anchors has come in for sharp questioning. In view of the above, the complainant urged the channel to more sensitive and responsible coverage of issues in future.

Response dated 03.04.2024 from the Broadcaster

The broadcaster stated that in the complaint various false, frivolous and motivated allegations have been raised against its broadcast, wherein, a fair and objective news debate and analysis was conducted on the Budaun double murder case.

At the outset, it denied each and every allegation, averment and insinuation contained in the subject complaint, as the same were completely false, frivolous, unfounded and misleading. In reply to the allegations levelled in the subject complaint, the broadcaster stated as under:

1. The impugned programme including the headlines, objected to by the complainant, do not in any manner violate any of the guidelines or journalistic codes. The impugned programme was completely fair, objective and neutral and the statement used therein were completely in the context of the circumstances and issues discussed in the programme and it never meant to even remotely target or defame any particular community or religion, as falsely alleged. Therefore, the complaint under reply is misleading and is a mala fide attempt on the part of the complainant to muzzle the voice of a responsible media from reporting the truthful account of important facts and events and discussion thereon.
2. The impugned program comprised a panel discussion regarding the brutal murder of two minor children who were aged just 6 and 13 that took place in Badaun, Uttar Pradesh. The assertions delineated within the complaint pertained to remarks made by the anchor during the programme, who raised inquiries regarding the brutality surrounding the murder of two children and the apparent silence of the prominent political leaders in the State on the said incident of murder.
3. One of the perpetrators was killed in an encounter, while the other escaped. Following this, a tweet from the Samajwadi Party Media Cell emerged, primarily focusing on condemning the encounter of the perpetrator, with no mention of the horrific murder of the two innocent children who were ruthlessly thrashed to death, despite being faultless.
4. The phrase "*talibani style of murder*" was used to underscore the severity of the manner of committing the murder by slitting the throat of the children with the knife and was not intended to single out any specific religion or community, as falsely alleged. Further, the word '*taliban*' is not connected with or refers to any particular religion or community, it rather refers to a Islamist militant group that originated in Afghanistan and therefore Taliban's interpretation of Islam is not representative of all Muslims. Referring to the word '*talibani*' does not amount to targeting any community in any manner whatsoever. In fact, in the aforesaid programme, it had raised an important issue regarding the conduct of the political parties and leaders who communalize such incident and raised a pertinent question in the programme i.e. "*murder mein mazhab kaun laaya?*", from which it is evident that the anchor had not communalized the said incident but had condemned the communalization of the aforesaid incident by political parties and leaders in the State.
5. The anchor, at the inception of the programme specifically stated that the communal politics played by the politicians who are silent on such a gruesome

incident should be stopped (time stamp 00:04:33 to 00:04:37). The anchor focused the panel debate on the egregious nature of the murder, prompting queries regarding the conspicuous silence of the political leaders who typically vocalize on such matters. He scrutinized the absence of condemnation and questioned the potential communal implications inferred from this silence. The anchor began the show by directing queries to panelist Rashid Shareef who condemned the brutal murder. Subsequently, the anchor highlighted Mr. Shareef's condemnation of the act and juxtaposed it against the absence of similar condemnations from other political leaders in the State. Therefore, it is incorrect to state that the anchor posed to the panel communally inflammatory in the starting itself.

6. When the panelist, Shivam Tyagi diverged into discussion regarding the Unnao case or other matters, the anchor redirected the discussion to the main issue of the brutal murder of the two children. The anchor ensured throughout the programme that the panelist Zubair Memon was given ample opportunity to express his views and condemn the incident. Additionally, the anchor emphasized the importance of maintaining focus on the central issue, urging avoidance of technicalities and prioritization of discussing the silence of politicians regarding the tragic event.
7. The panelists exhibited a pattern of interrupting each other, exemplified by Acharya Vikramaditya's action of halting Asghar Ali's speech when the latter deviated from the central issue by questioning motives unrelated to the primary focus of the debate. The pivotal matter under discussion pertained to the silence of politicians, who typically express opinions promptly, regarding the brutal murder in question, rather than the motives behind it.
8. Further, the anchor proceeded to enumerate individuals who fell victim to murder, highlighting the notable silence regarding the murders of Hindus, a matter that remains un-condemned by politicians. It is falsely stated and alleged that the anchor made a clearcut attempt of portraying Muslim community as siding with the perpetrators of this crime owing to their religion when the anchor was in fact repeatedly questioning the silence of the politicians over such a brutal act and could be seen emphasizing on the moot point of the debate being the '*silence of certain political leaders*'. Further, the anchor had time and again emphasized with the panelist Rashid Shareef's commendable act of condemnation while questioning the conspicuous absence of similar condemnations from other political figures. The primary focus of the debate was underscored as the condemnation of the brutal murder which had been overshadowed by the condemnation of the encounter. The anchor repeatedly raised queries as to why attention was diverted towards the encounter rather

than the same being towards condemning the murder, thereby expressing concern over the lack of voices denouncing the heinous act.

9. It is falsely stated and alleged that the anchor did not stop the panelists from making anti-Muslim statements against other panelists and rather goaded them to make further derogatory statements when evidently the anchor persistently emphasized adherence to the principal issue, which pertained to condemning the murder, rather than allowing discussion to stray towards unrelated topics. Moreover, when Acharya Vikramaditya delved into discussions regarding teachings in madrasas, the anchor intervened to redirect the focus back to Zubair Memon, querying why other politicians remained silent instead of standing in solidarity with the victim and condemning the murder. The anchor further questioned why efforts were not directed towards urging politicians to address the issue. The question of making it a communal issue goes away when the anchor himself was questioning the selective condemnation of such acts portraying communal color by the political leaders. In view of the aforesaid, it reiterated that the contents of the programme were never intended to target any community and the accusations levelled in the complaint are absolutely false and hence denied.
10. Towards the end of the debate the anchor read out a tweet from the Samajwadi Party Media Cell, which served as the focal point of the ongoing debate, noting its failure to condemn the murder but instead focusing on encounter. The anchor demonstrated a concerted effort to prevent the debate from veering off course towards the encounter and questioned why the panelists were not expressing sympathy for the victims' family, emphasizing the importance of maintaining focus on condemning the murder and expressing compassion towards the affected individuals. Subsequently, a video clip featuring Akhilesh Yadav, a member of the Samajwadi Party (SP), Ramgopal Yadav, a Member of Parliament (MP), and Shivpal Yadav, a Member of the Legislative Assembly (MLA) for the SP, was played showing their emphasis on the encounter and failure to condemn the aforementioned brutal act. The said video clip and tweet are the moot point of the panel debate, and the anchor asserted that until all politicians unite in condemning such brutal acts irrespective of religious affiliations, the societal message that such atrocities transcend political interests will not resonate. The anchor further highlighted the observation that politicians remain silent on such matters due to considerations of electoral gains, prioritizing vote bank politics over denouncing acts of violence.
11. The aim and object of the debate was to bring to the viewers the silence of political leaders over similar issues which they otherwise condemn if the same are for their political gain, and the same has nothing to do with any specific or

particular religion or community.

12. Since the aforesaid programme was a live debate and not a pre-scripted programme, the views expressed by the panelists on the show were their personal views and the channel or the anchor had nothing to do with the views/comments made by the panelists. Further, the anchor, while performing his journalistic duties, had made his best efforts to avoid giving the programme communal color by any of the panelist. During the aforesaid programme, it has also repeatedly run a disclaimer on the screen, in the form of a ticker, clearly stating that *"the views expressed by the panelists on the show are their personal views and Zee News has nothing to do with the views/comments made by the panelist and the panelist will personally be liable for the comments made by them during the show."* The disclaimer further stated that *"Zee News do not intend to hurt the sentiments of anyone"*. In view of the aforesaid disclaimer, the channel neither endorsed nor could be made liable for the statements/comments made by any of the panelists.
13. In view of the aforesaid, the broadcaster strongly refuted and denied all allegations levelled, inasmuch as, the same were completely baseless, misleading and far from truth. It further vehemently denied that the aforesaid reporting was done with an intent to provoke the communal disharmony or religious tension.
14. That the reporting in the impugned broadcast was completely uncolored from any motive, prejudice or notions and was based completely on verified, accurate and established facts and did not tend to promote disharmony or enmity between the different religion.

Thus, in view of the aforesaid, it submitted that it had not breached any of the principles of self-regulations and guidelines issued by NBDA/NBDSA, as alleged in the complaint.

In view of the above, is the broadcaster stated that ZMCL had abided by the principles of news reporting, broadcasting and journalistic norms and the complainant had miserably failed to establish any deviations therefrom by ZMCL. Therefore, the complainant should withdraw the complaint.

Complaint dated 17.04.2024 filed with NBDSA

The broadcaster in its response, had acknowledged the receipt of the complaint and had termed our concerns as *"false, frivolous and motivated"*. While escalating the said complaint to the NBDSA, the complainant stated that it would also be briefly responding to the response of the broadcaster, which is as follows:

1. The broadcaster has stated that the programme, including the headlines, did not violate any guidelines or journalists code. Refuting the same, it would like to

highlight that the broadcaster had repeatedly given a communal colour to the double murder case and had maintained no sense of neutrality while presenting the sensitive news. The phrase "*Talibani style of murder*" was repeatedly used by the anchor, while posing questions to the debate panel.

2. Even as the debate was supposedly organised to question the opposition political parties regarding their stance on the Budaun murder case, the anchor had not in any way stopped the Hindu panellists from making communally coloured and anti-Muslim statements. For example, the Hindu '*religious leader*' had deemed this double murder case to be a case of "*achieving heaven after death*", and had bashed the Muslim community by accusing them of "*brainwashing innocent children and then sitting in these debates after getting their beards cut.*"
3. The choice of the panellists and the freedom given to them to make communally coloured statements during the live debate went against the observations made by the Bombay High Court in the case of *Nilesh Navalakha and Ors. V Union of India and Ors.*
4. It is crucial to highlight here that while the Hindu panellists were given a free reign, the anchor had actually actively *prevented* the Muslim participants discussing the issue of legality of the encounter by the UP police and had rather accused the Muslim panellist of supporting the accused by shedding light on this important and valid issue
5. In its response the broadcaster has stated that the anchor highlighted the condemnation expressed by the Muslim participants over the incidents. In response to the same, it would like to emphasise a) that the overall attitude of the anchor is most pertinent while evaluating such broadcasts and b) that the anchor had rather commented/accused the Muslim participants of not saying that they stand with the mother of the victims and normalising such crimes. (Time stamp: 27:25- 28:02)
6. Furthermore, the anchor himself had supported and justified the call for boycott of Muslim barbers raised by Hindu panelist Shivam Tyagi by saying "*Asgar Ali (participant), if any Hindu thinks on the similar lines as Shivam Tyagi and avoids going to certain barbers, then you will villainise the Hindu community.*" (Time stamp: - 33:00- 34:10)
7. The complainant expressed its dissatisfaction with the response received and escalated the complaint to the NBDSA

On being served with Notices, the following were present for the hearing on

31.07.2024:

Complainant

1. Ms. Tanya Arora
2. Mr. Aman Khan

Broadcaster

1. Ms. Petal Chandok, Trust Legal
2. Ms. Annie, Manager Legal

Submissions of the Complainant

The impugned broadcast was a debate centred on the double murder that took place in Uttar Pradesh, wherein a man attacked three minor boys with a knife. Tragically, two of them were killed, while the third boy managed to escape and later became a key witness in the case.

During the debate, the Buduan double murder case was communalized simply because the victims and the accused belonged to different faiths. In the debate, the anchor failed to raise any concerns over the rising cases of crimes. Rather, the debate only focused on the role of religion in the incident. This was despite both the police officials dealing with the case as well as the family of the deceased clearly stating that they were not aware of any religious or communal motive behind the incident.

Before the debate began, an interviewer from Zee News questioned the father of the deceased if religion was a motive behind the murder, who responded by saying that he was not aware of any religious motive. The anchor from the beginning of the debate provided a very sectarian narrative of this incident, which was unwarranted.

Several communally inflammatory statements and derogatory phrases were used during the debate show. Merely because a knife was used, and the accused happened to belong to the Muslim community, the murder was repeatedly labelled as "*Talibani style*". During the interview, the anchor urged the interviewer to question the father of the deceased whether the "*Murderer had used the knife to kill the children in Talibani style*".

In the debate, the entire Muslim community was bashed. Further, the anchor used an accusatory tone while speaking with the Muslim panellists, who were asked to issue an apology, even though the panellists had said that if the crime was proven, the accused should have been dealt with strictly by the law. When one of the Muslim panellists pointed out that the UP Police had conducted an encounter in which the main accused was killed and had emphasized how there were laws governing such encounters and how there have been repeated instances of such encounters being carried out by the UP Police, which also deserve attention, the anchor interrupted the said panellist. In an accusatory manner, the anchor asked the panellist, "You

wanted the accused to get bail if the government changes. Just like you were crying tears for the terrorists in the Batla House case."

The anchor smilingly accused a senior lawyer, Ali Asgar, of *"having a problem with the encounter and wishing that the police had shot the accused below his knees"*. When Asgar emphasized the laws regarding encounters that prevail in our country, the anchor brushed him off.

The anchor repeatedly raised the issue of Muslims and Muslim panellists, showing sympathy for the accused, who were also from the Muslim community, and providing them with legal assistance and representation. In doing so, the anchor overlooked the rights of the accused and undertrials in India, including their right to legal representation. The phrase *"Talibani style of murder"* was also repeated several times.

The complainant submitted that the anchor twisted the rather important issue of extra-judicial killings by attempting to portray the Muslim community as *"siding with the perpetrators of this crime"* owing to their religion. In the impugned debate, there was no discussion on the rights of the accused.

The anchor appeared to want the Muslim panellists to apologize and remain silent while being criticized. He persisted in speaking with the Muslim panellists in an accusatory tone, deeming them to be sympathetic towards the perpetrators, and made communally inflammatory statements. The anchor even justified a call raised by another panellist, Shivam Tyagi, for *"Hindus to avoid going to certain barbers as they might murder them"* by saying *"Asgar Ali, if any Hindu thinks on the similar lines as Shivam Tyagi and avoids going to certain barbers, then you will villainise the Hindu community."*

At one point during the debate, the anchor goes on to list many *"Hindu"* names which had been *"murdered by Muslims in a brutal manner"*. The anchor also stated that these were just a few names, almost 70 other Hindus had been murdered by Muslims in the same way. By making the aforesaid statements the anchor wanted to create an impression that Hindus were being murdered by Muslims.

The anchor failed to adhere to the guidelines laid down by the Hon'ble Bombay High Court in *Nilesh Navalakha & Anr. vs. Union of India & Ors (2021) SCC Online BOM 56*. He not only failed to stop the panellists from deviating from the point of discussion and from making anti-Muslim statements against other panellists but also goaded them to make further derogatory statements. Acharya Vikramaditya, one of the panellist who was a Hindu religious leader pointedly asked the Muslim individuals to answer whether the four Hindus, including the anchor, sitting on the panel were *"Kaafirs in their eyes or not and if their religious book taught them to kill those who were*

not practicing Muslims". He also deemed this whole double murder case to be a case of "achieving heaven after death". The panellist went on an anti-Muslim diatribe and stated "you are calling me fringe element after slitting the heads from the bodies of people. You maulanas are teaching this in the Madrasas. You people are consistently brainwashing innocent children and people and then you get your beard cut and sit here. You should be ashamed." At no point did the anchor stop Acharya Vikramaditya from making such offensive statements.

Submissions of the Broadcaster

The impugned broadcast focused on the brutal murder of two very young children, aged 13- and 6-year-old, who were murdered in their own house in very brutal and severe manner. The debate was centred on the silence of the politicians regarding these murders.

At the outset, the anchor before starting the debate stated that this communal politics should be stopped.

NBDSA questioned the broadcaster whether this disclaimer was sufficient, when the anchor not only failed to control the discussions but also actively contributed to it. In response the broadcaster submitted that at various points, the anchor stopped the panellists from digressing from the subject of the debate, which was the silence of the politicians. The debate in fact started with the anchor questioning Mr. Rasheed Shareef whether he supported the victims and thereafter the anchor proceeds to question the silence of other politicians in the matter. The broadcaster clarified that the anchor was not making any statement or averment in the broadcast rather he was only raising questions in the impugned broadcast on the silence of the politicians. It reiterated that at timestamp 4:56 and 14:30, the anchor raised questions on the apparent silence of the politicians. At 15:40, the anchor questions why politicians were not speaking like Mr. Rasheed.

Subsequently, in the broadcast the father of the deceased children was also interviewed and a question was raised as to why the politicians seemed more concerned about the encounter than the actual murders.

Regarding the objection to the murder being described as *"Talibani style of murder"*, the broadcaster submitted that the term was used only to reflect the brutality of the murder, where throats of the children were slit with a knife. Further, the term *"Talibani"* was used only to reflect the style of murder and does not refer to any religion or imply that Muslims are Taliban.

In the broadcast, a disclaimer was also aired stating that *"the views expressed by the panelists on the show are their personal views and Zee News has nothing to do with the views/comments made by the panelist and the panelist will personally be liable for the comments*

made by them during the show." The disclaimer further stated that "*Zee News do not intend to hurt the sentiments of anyone*". In view of the aforesaid disclaimer, the channel neither endorsed nor can be made liable for the statements/comments made by any of the panelists.

In the debate, a balance was struck as leaders from all parties and even religious leaders were invited. Therefore, removing any of the panellist from the debate could affect the balance of the debate. It reiterated that the anchor at several occasions stopped the panellists from digressing from the subject of the debate.

In rejoinder the complainant submitted that at time stamp 1:47, a ticker stating "*kyunki woh Sajid Javed tha*" was aired in the broadcast. Furthermore, while it is admitted that the anchor stopped the panellists, it was only the Muslim panellists who were stopped from discussing the technicalities of the encounter killings while panellists like Acharya Vikramaditya were given a platform to spread their communal diatribe, without being stopped by the anchor.

NBDSA questioned the broadcaster that if the debate was only a discussion on the silence of the politicians on the murders, why religious leaders were invited as panellists in the debate. In response, the broadcaster submitted that religious leaders were invited to bring balance in the broadcast.

Decision

NBDSA considered the complaint, response from the broadcaster and gave due consideration to the submissions of the complainant and the broadcaster and viewed the footage of the broadcast.

NBDSA noted that while the broadcaster had the right to conduct a panel discussion on the brutal murder of two minor children in Badaun, Uttar Pradesh. However, the broadcaster should have borne in mind the *Specific Guidelines for Anchors conducting Programmes, including Debates* while broadcasting such a panel discussion.

During the submissions, the broadcaster had stated that its objective in the panel discussion was to raise questions about the failure of the politicians to condemn the murder and their apparent silence. On the other hand, the complainant had submitted that simply because the accused and the victims belonged to different faiths, in the impugned broadcast, a communal colour was given to the incident.

NBDSA observed that if the intention of the broadcaster was only to question the apparent silence of the politicians on the heinous double murder case, there would have been nothing objectionable with the broadcast. The broadcaster had every right to question the silence of the politicians on such incidents which have the tendency

to disturb harmony in the society. However, the panel discussion was not limited to that aspect alone and the broadcaster exceeded the limits laid down in the Code of Conduct by bringing in the elements of 'Taliban', which is clear from the question, *"Why the secular gang is quiet on this Talibani-styled heinous act? Why are the politician's mum?"*. Merely because the suspect person belonged to a particular community, it was no reason to label the same as 'Talibani' styled murder.

In the process the anchor had given a communal colour to the incident, which was in gross violation of the Code of Ethics & Broadcasting Standards, the Specific Guidelines covering Reportage relating to Racial and Religious Harmony and the Guidelines to prevent communal color in reporting crime, riots, rumours and such related incident.

In view of the above, NBDSA decided to issue a warning to the broadcaster.

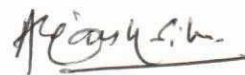
NBDSA further also directed the broadcaster to remove the video of the said broadcast, if still available on the website of the channel, or YouTube, and remove all hyperlinks including access which should be confirmed to NBDSA in writing within 7 days of the Order.

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

NBDSA directs NBDA 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 NBDA;
- (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 NBDSA while responding to the complaint and putting forth their view points, and any finding or observation by NBDSA 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 NBDSA in regard to any civil/criminal liability.



Justice A.K Sikri (Retd.)
Chairperson

Place: New Delhi

Date: 24.01.2025