NBDSA
NEWS BROADCASTING & DIGITAL STANDARDS AUTHORITY

News Broadcasting & Digital Standards Authority

Order No. 201(2025)
Complainant: Mr. Utkarsh Mishra
Channel: Zee News
Programmes:

1. जिहादियों को डर क्यों नहीं लगता? aired on 16.10.2024
2. Thook Jihad Law Update: थूक जिहाद कानून के तहत क्या-क्या होगा?aired on 16.10.2024
3. DNA: थूक जिहादियों का इलाज मिल गया? aired on 15.10.2024
4. Thook Jihad Law: थूक जिहाद पर कानून की स्ट्राइक aired on 15.10.2024

Since the complainant did not receive a reply from the broadcaster within the time period stipulated under the News Broadcasting & Digital Standards Regulations, the complaint was escalated on 24.11.2024 to the second level of redressal, i.e., NBDSA.

Complaint dated 21.10.2024

The complaint concerned news reports on videos of certain individuals spitting or urinating in food, which had been dubbed by the broadcaster as *'thook'* and *'urine' jihad.*

In the broadcasts, a UP law requiring CCTV cameras to be installed in eateries, given the recent spate of spitting in food, was also promoted as an action against *thook jihad*, despite the State not having made any such claim. This had legitimised not only societal but also state-sponsored and legislative targeting based on one's religious identity. The statements made by anchors emulate those being made by the fringe elements.

The promotion of such conspiracy theories constitutes a violation of Guidelines b, c, d, e, f, g, h, and i of the Specific Guidelines for Anchors conducting Programmes, including Debates.

The undue prominence given to the highly subjective and unverified opinions of individuals making these claims violated the principles of neutrality and objectivity, as well as Guidelines 1, 2, and 3 of the Guidelines to Prevent Communal Colour in Reporting Crime, Riots, Rumors, and Related Incidents.

Further, the sensationalisation and communalization of this incident amounted to targeted coverage, perpetuating harmful stereotypes historically used to attack, intimidate, or dehumanise members of a particular community and thus effectively violated the entirety of the guidelines on the prevention of hate speech.

Broadcast No.1

0:03-0.28 Anchor: पिछले कुछ दिनों से थूक से लेकर यूरिन जिहाद के दर्जनों मामले सामने आए! हर सप्ताह हर दिन नफ़रती एजेंडे का कोई ना कोई नया वीडियो सामने आया! उत्तर प्रदेश में योगी सरकार ने नफ़रती जिहादियों के खिलाफ सख्त एक्शन का प्लान भी बनाया! लेकिन हैरत यह कि इन सब के बावजूद! इन सब के बावजूद घिनौने कांड कम नहीं हो रहे हैं! तो फिर सवाल यह कि कोताही कहां है पुलिस इस पर कब पूरी तरीके से काबू कर पाएगी!

0:39 - 1:02 Voice Over: लव जिहाद, लैंड जिहाद, थूक जिहाद, यूरिन जिहाद और रेल जिहाद! हर जिहाद के पीछे घिनौना और नफ़रती एजेंडा! सोशल मीडिया पर वायरल हो रहे इस वीडियो ने पूरे यूपी में हड़कंप मचा रखा है!

1:28-1:38 Voice Over: यह तस्वीरें देखकर घिन्नआएगी! मन में सवाल उठेगा कि भरोसा करें तो किस पर करें यह सिर्फ सेहत का मामला नहीं है बल्कि यह धर्म भ्रष्ट करने वाली सोच है!

3:18- 3:27 Voice Over: सोशल मीडिया पर आए दिन ऐसे घिनौने वीडियो वायरल हो रहे हैं सवाल उठता है कि पुलिस ने एक्शन क्या लिया एक्शन लिया भी तो फिर ऐसे जिहादियों को पुलिस का डर क्यों नहीं है.!

Broadcast No. 2

2:03- 2:12 Anchor:उत्तर प्रदेश में अगर कोई थूक जिहाद करेगा तो उसे अब बक्शा नहीं जाएगा! बिल्कुल योगी सरकार के बनाए कानून का उल्लंघन होने पर जेल भी जाना पड़ सकता है

3:20-3:34 Anchor: थूक जिहाद की जो हाल फिलहाल में तस्वीरें सामने आई हैं ! जिस तरीके से उस पर सवाल उठ रहे हैं कानून के हंटर की तैयारी पूरी-पूरी है ! ये चार तस्वीरें आपके सामने ! रोटी में थूक मिलाने का मामला सामने आया था इस बीच साथ ही साथ जूस में थोक मिलाने का मामला सामने आया !

Broadcast No. 3

0:01- 0:30 Anchor: मुद्दा था थूक जिहाद! इसी जिहाद पर आज योगी आदित्यनाथ ने एक बड़ी बैठक की! उस बैठक में फैसला किया गया बताता हूं आपको! बैठक में फैसला किया कि कानून लेकर जल्द आया जाना चाहिए पहचान छिपा कर के और खानपान की चीजों में गंदी चीजें मिलना एक अपराध घोषित किया जाएगा ! कोई भी इस कानून का उल्लंघन करता है तो जुर्माने से लेकर जेल तक की सजा का प्रावधान किया जाएगा! यानी योगी सरकार अब थूक जिहाद का पक्का इलाज कर वाली है!

1:01-1:07 Voice Over: उत्तर प्रदेश से लेकर उत्तराखंड तक अब थूक जिहादियों का पक्का इलाज करने की तैयारी है!

Broadcast No. 4 0:50-1:15 Voice Over: जूस में थूक, मसाज में थूक, रोटी में थूक, चाय में थूक, सब्जी में थूक, यूपी से लेकर उत्तराखंड तक गंदगी मचाने वाली इन तस्वीरों को जिसने भी देखा उसने बाहर के खाने से तौबा कर ली!

1:29-1:35 Voice Over : इस बीच कावड़ यात्रा के रूट से जब इस तरह की घिनौनी तस्वीरें सामने आई तो देश भर में आक्रोश फैल गया!

3:48 - 4:02 Anchor: यह तस्वीरें घृणा पैदा करने वाली हैं और जो भी इन तस्वीरों को देखता है कहीं ना कहीं उसके मन में यही सवाल उठता है कि जब भी कभी उसने बाहर खाया होगा कहीं ऐसा तो नहीं कि उसके खाने को भी इसी तरह से अशुद्ध किया गया होगा!

4:21-4:24 Anchor: थूक जिहाद रोकने को लेकर के सही कदम है ये योगी आदित्यनाथ का ?

6:12-6:26 Panelist: यहां पर क्या कहते हैं पता नहीं कहां से चार-पांच तसवीरें आपने इकट्ठी कर ली है और उस परे जो है कहते हैं योगी जी आप जो है कहते हैं!

6:20-6:26 Anchor : कामरान साहब के लिए चाय मंगाई जाए ! कामरान साहब के लिए चाय मंगाई जाए मैं उसमें थूकता हूं और कामरान साहब पी कर दिखाएंगे! दिखाएंगे ?

Decision of NBDSA at its Meeting held on 13.12.2024
NBDSA considered the complaint and after viewing the footage of the broadcast, decided to call the parties for a hearing.

On being served with Notices, the following were present for a hearing on 24.05.2025:

Complainant
1. Mr. Utkarsh Mishra

Broadcaster
1. Ms. Ritwika Nanda, Advocate
2. Ms. Annie, Senior Manager – Legal

Submissions of the Complainant
The complainant submitted that the issue being reported in the impugned broadcasts was the enactment of the two Ordinances by the UP government, which would penalise contaminating food with human waste and force all eateries to put up nameplates giving details of owners and staff along with CCTV cameras.

This issue, along with incidents of contamination of food, was reported in the impugned broadcasts as a very dangerous conspiracy of *"thook jihad"*. This narrative was not only evident from the tickers aired during the broadcasts but also from the vocabulary of the anchors.

In the broadcasts, the Ordinances are promoted as an action against *thook jihad* even though the word *jihad* has not been uttered by any agency or official authority while promoting this Ordinance. Further, the law itself does not name any specific community or their intent.

The complainant reiterated that its objection to the impugned broadcasts was the manner in which a communal color was given to an issue concerning hygiene and food safety. By promoting the conspiracy of '*jihad*' in the broadcasts, the broadcaster had violated the NBDSA Guidelines, under which religious stereotyping is prohibited and conspiracy theories cannot be disseminated. Further, no holistic investigation was conducted by either the broadcaster or by the State government itself to ascertain who the accused were, whether they were Muslims. He submitted

that even if all the accused were Muslims, it did not justify the broadcaster branding the incidents as *"thook jihad"*.

NBDSA orders in the past have made it clear that the word *jihad* cannot be loosely used and has to be objectively contextualized. While it is the duty of the broadcaster to report on a law being enacted, in the instant case, there was clear sensationalisation and communalisation of the matter as the incidents were branded as communal jihadi conspiracy, which not only perpetuates harmful stereotypes but also targets the minority community.

The coverage and framing of the word *Jihad* thus violate the Guidelines for Prevention of Hate Speech, Specific Guidelines for Anchors conducting Programmes including Debates and Guidelines to prevent communal colour in reporting.

Submissions of the Broadcaster

At the outset, the broadcaster raised a preliminary submission that the impugned broadcast was barred by limitation as there was a delay of four days in escalating the complaint to the Authority at the second level of grievance redressal, which was not satisfactorily explained by the complainant in the application filed for condonation of delay in terms of Regulation 9.1 of the News Broadcasting & Digital Standards Regulations.

The impugned broadcasts emanate from reports concerning incidents of spitting and urinating in food by certain individuals. These incidents gained prominence when an incident came to light wherein a house help who had been cooking food for a family for nearly 8 years was caught urinating in the food before preparing it. In this case, all family members had been diagnosed with liver disease. This incident escalated the issue and garnered broader attention, showing that there have been instances of food safety as well as instances of spitting in food. These instances were a serious public concern, and its coverage was aimed at informing the public and bringing attention to potential food safety and hygiene issues.

In the impugned broadcast, verified reports of food contamination incidents, including formal complaints submitted by the public and responses from government authorities, including the statements from Uttar Pradesh's Chief Minister, Yogi Adityanath, who indicated that strict action would be taken against those responsible for these acts was aired.

During the broadcast, interviews were conducted with various food establishments to assess hygiene practices and the implementation of state guidelines. The reporter had visited three places in Prayagraj, Saharanpur, and Lucknow to inspect public

eateries, wherein it was seen that people were not wearing gloves or masks, despite the specific directions of the government. These included eateries run by Hindus as well. Therefore, in the broadcast, it was only attempting to gather information on the larger public issue concerning the mandate of the government for the installation of CCTV cameras, usage of masks, gloves, and headcaps in eateries and restaurants.

The purpose of the broadcast was to inform and raise awareness about these incidents and the steps being taken to address them, in line with the public interest. The impugned broadcasts did not, in any manner, promote or endorse any conspiracy theories, nor did they sensationalize or communalize the issue at hand. The subject matter of the report—namely, incidents of spitting and urinating in food—pertains to legitimate and grave public health concerns relating to food safety and hygiene.

There was no communal angle in the broadcasts. The term *"jihad"* has not been referred to in a communal sense. The term *"thook jihad"* was used solely in reference to these incidents.

Further, an internal Advisory had been issued to the reporters not to use the term *"jihad"* in their broadcasts. The broadcaster submitted that it was also undertaking deliberate steps to ensure that there is no violation of the Code of Conduct in its broadcasts.

As far as the delay at the second level of redressal was concerned, the complainant submitted that the delay of four days was due to inadvertence and requested the Authority to condone the same under the principles of natural justice and in the interest of strengthening the self-regulatory structures.

Decision of NBDSA

Before considering the complaint, NBDSA decided to condone the delay of four days at the second level of grievance redressal.

NBDSA considered the complaint, response of the broadcaster, gave due consideration to the arguments of the complainant and the broadcaster and reviewed the footage of the broadcasts.

NBDSA observed that no objection could be raised with regard to the impugned broadcasts, had the broadcasts confined themselves to the stated objective of informing the public and bringing attention to issues concerning food safety and hygiene.

However, NBDSA found that while showing that certain persons were spitting or urinating in food, the broadcaster did not attempt to verify the veracity of these incidents and that they belonged to one particular community. Without undertaking this verification, the broadcaster/anchors have termed these incidents as *"thook jihad" or "urine jihad"*, insinuating these incidents as being part of a *"nafrati agenda"* and the individuals involved as *"nafrati jihadi"* accusing them of being part of *"jihadi gang"*. As it turned out, in one incident of urinating in the food by a woman, the said woman did not belong to the community, which the anchor attributed.

In view of the above, NBDSA held that by using the term *"jihad"* in connection with these isolated incidents, that too without verifying the background of such persons allegedly doing so, was uncalled for.

NBDSA also noted that in the fourth impugned broadcast, the anchor statement "कामरान साहब के लिए चाय मंगाई जाए ! कामरान साहब के लिए चाय मंगाई जाए मैं उसमें थूकता हूं और कामरान साहब पी कर दिखाएंगे! दिखाएंगे?", was on the premise that spitting in the food/drinks was by a particular community, without any verification about the veracity of such incidents by that community. When viewed in this context, NBDSA held that the broadcaster had not adhered to the Code of Conduct, in particular the Specific Guidelines covering Reportage concerning Racial and Religious Harmony and the Specific Guidelines for Anchors conducting Programmes including Debates.

In view of the above, NBDSA decided to issue a warning to the broadcaster not to repeat such violations in future broadcasts.

NBDSA further also directed the broadcaster to remove the videos of the impugned broadcasts, if still available from 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 06.06.2025