

**Only by Email**

October 28, 2020

<b>Mr. Mayank Aggarwal</b> Compliance Officer NBSA Zee Media Corporation Ltd No 19, Film City, Sector 16A <b>Noida 201301</b> <b>Email:</b> <mayank.a@zeemedia.esselgroup.com>	<b>Citizens for Justice and Peace</b> Nirant, Juhu Tara Road, Juhu, Santacruz (W) <b>Mumbai – 400 049</b> <b>Email</b> <cjpindia@gmail.com>
	<b>Mr. Saket Gokhale</b> 502, Viral, Sai Krupa Complex, Kashimira, Mira Road East, <b>Thane 401107</b> <b>Email</b> <contact@saketgokhale.in>

Dear Sirs,

**Re: (1) Complaint dated 16.4.2020 from Citizens for Justice and Peace (CJP) against a programme on Zee News on 11.3.2020 Daily News and Analysis”, Jammu में ज़मीन के 'इस्लामीकरण' का DNA टेस्ट”**

**(2) Complaint from Shri Saket Gokhale against programme titled 'DNA' Zee TV channel on 11.03.2020 - Received from MOI&B vide letter dated 25.6.2020**

Since the complainant did not receive a response to the complaint dated 24.3.2020, the complaint was escalated to the second level, which is the NBSA and complaint dated 16.4.2020 was filed with NBSA. It is prayed that the NBSA take cognizance of the violations as stated in their complaint dated 16.4.2020 to the broadcaster and pass the following directions:

1. To remove the program “DNA: Jammu में ज़मीन के 'इस्लामीकरण' का DNA टेस्ट” (DNA test of Islamic conversion of land in Jammu) from their website, from their YouTube channel and any other digital platform
2. To issue a public apology on its channel for posting such hateful content and for hurting the sentiments of certain communities.
3. To refrain from broadcasting or posting any such content which would contravene the tenets of our constitution which promotes harmony, dialogue and fraternity between all sections of Indians.
4. To refrain from broadcasting or posting, in the future, any such content which would violate the Code of Ethics and other guidelines issued by the NBSA.
5. To provide proportionate monetary compensation to be awarded to a Citizen's Group like CJP battling the vicious politics of hatred.
6. Take any other punitive action that the Authority deems fit.

**Complaint dated 24.3.2020 filed with the broadcaster:**

In the programme titled, “DNA: Jammu में ज़मीन के 'इस्लामीकरण' का DNA टेस्ट”. Mr. Chaudhary showed his viewers a Jihad diagram propagating various types of Jihad in the country categorising them as soft jihad and hard jihad. The complainant alleged that in a country which is walking a tight rope when it comes to its communal issues, such a brazen display of cooked up concepts and types of Jihad is an attempt to create and propagate Islamophobia among the masses.

The complainant alleged that the anchor went on to explain how there were two types of Jihad – Hard Jihad and Soft Jihad further ‘educating’ his viewers by saying, “Hard Jihad includes Population Jihad, Love Jihad, Land Jihad, Education Jihad, Victim Jihad and Direct Jihad, while Soft Jihad includes Economic Jihad, History Jihad, Media Jihad, Movies and Songs Jihad and Secular Jihad.”

Apart from the extremely offensive and shockingly inflammatory content of this programme, what was especially disturbing was how the host, Mr. Chaudhary was encouraging people to tweet using #ZameenJihad a deeply communal hash tag, a brazenly provocative move that can also incite hate.

It was alleged that the intent of the show, seemingly, was to put forth a point that land in Jammu is owned 90 % per cent by Muslims while Jammu is known to be a Hindu majority region. He even termed it as a conspiracy to turn Hindu populated Jammu into a Muslim dominated region. He even tried to justify his theory by twisting statements made by former political leadership of India during the time of partition and their views of Muslim settlement in India, further communalising his content.

While speaking of Zameen Jihad, Mr. Chaudhary said, *“Some people are playing the trick of capturing the government’s land to change the population in terms of religion.”* He added that “Islamists” are even trying to “change the religion of land, jungles and rivers”.

The complainant stated that the content of the show was not only inflammatory but replete with incitement and provocation against the Muslim community at large and this amounts to criminal offences under the Indian Penal Code besides violating the Code of Ethics and other guidelines set out by the News Broadcasters Standards Authority (NBSA). The show not only defies the fundamental principles of Code of Ethics but also other principles such as impartiality, objectivity, neutrality & fairness in reporting and also the guideline relating to Racial & Religious Harmony.

The complainant desired Zee News to take down the video of this show from all digital platforms and to issue an apology for publicizing such inflammatory content devoid of journalistic ethics and principles.

**Reply dated 17.4.2020 by broadcaster to the complainant:**

The broadcaster submitted that in the show DNA aired on 11.03.2020, after conducting a thorough research and verifying the facts and official records, they highlighted the biggest scam of Jammu and Kashmir, whereby, for the past 18 years, the then Government of Jammu and Kashmir and other stake holders have been trying to change the demography *i.e. population ratio of Jammu Region with a sole intention to make Jammu a Muslim majority area.* To carry out the aforesaid objective, the then Government of Jammu and Kashmir, in the year 2001, enacted Jammu and Kashmir State Lands (Vesting of Ownership to the Occupants) Act, 2001, *popularly known as ‘Roshni Scheme’, whereby, it has been decided to grant ownership of thousands of kanals of the valuable State Land to the unauthorised occupants/encroachers in consideration of meagre amount.* Although, the objective of the Act was to generate funds to finance the power projects in the State, however, the mode and manner of implementation of aforesaid Act by the State Government over the years unveil the hidden objective of the aforesaid Act, pursuant to which, a large chunk of forest and agricultural land in Jammu region have been transferred free of cost to people belonging to one particular religion with a sole intention to change the demography of Jammu Region.

That the aforesaid scam was first came to light in the year 2014, when the Comptroller and Auditor General of India (CAG), in its report, observed gross irregularities on the part of the State Government in implementation of the Act. The CAG, in its report, inter alia, noted that the rules framed by the Government of J&K under the Act were contrary to the objectives of the Act,

inasmuch as, the rules provided for transfer of agricultural lands free of cost, which is beyond the scope, objectives and mandatory provisions of the Act. With the aforesaid observations, the CAG, in its findings, inter alia, recorded that “all the transfer of agricultural lands under the provisions of the Act are illegal”. The CAG has further given its findings that out of actual transfer of 3,48,160 kanals in the State, a major portion of land i.e. 3,40,091 kanals were categorised as ‘agricultural’ and were transferred free of cost, which has resulted in loss of thousands of crores of Rupees to the State Ex-chequer.

That based on the aforesaid report of CAG, a Public Interest Litigation being PIL No. 41/2014 was also filed by one Mr. Ankur Sharma, Advocate before the Hon’ble Jammu and Kashmir High Court, wherein, pursuant to the order dated 21.11.2019, the Revenue Department filed a compliance report dated 21.12.2019 before the Hon’ble High Court stating therein the region wise distribution of beneficiaries. As per the said report, 25,000 persons were granted ownership of the forest and agricultural land in the Jammu Region alone, whereas, the number of beneficiaries in Srinagar region were only 4500 and no land were transferred in Ladakh Region. After perusal of the aforesaid report, even the Hon’ble High Court of Jammu and Kashmir in its order dated 20.02.2020 has observed as under: “This status report reveals shocking state of affairs which had prevailed and the manner in which the land encroachers in Jammu and Kashmir have become owners of large trenches of public land by the operation of the Roshni Scheme.”

In order to decode the hidden objective of the aforesaid Act, which is in larger public interest, they got the list of beneficiaries who have been granted ownership of land in Jammu under the aforesaid Act. As per the said list, 90% of the beneficiaries of the agricultural and forest land of Jammu, which have been transferred in their favour free of cost, belongs to Muslim community. In order to know the truth, their reporters visited Jammu and came to know from the people of Jammu that for past 18 years, the Government of Jammu and Kashmir, in connivance with the extremist groups, have been trying to eliminate the Hindus from Jammu and wants to change its demography.

That in order to further verify the aforesaid allegations of the people of Jammu, they spoke to Mr. Ankur Sharma, Advocate, who stated that the beneficiaries who have been given state land in Jammu under the provisions of the Act, were not even the residents of Jammu and majority of them have been migrated from Kashmir. The aforesaid advocate has further given reference of some of books written by Military Strategist of Ghazwa-e-Hind, wherein, it is written that to accomplish Ghazwa-e-Hind fall of northern India and particularly Jammu is very critical. They also spoke to Mr. Sushil Pandit, who is an expert on Kashmir issues. He said in his byte that Roshni Act is a scam to disturb the population ration in Jammu and by the said Act, the Government has compromised with the national security. Thereafter, they also talked to Mr. M.M. Khajuria, Ex-DGP of Jammu and Kashmir on the issue, who said that it has been a major policy of the Governments of Jammu and Kashmir to facilitate the migrated population in Jammu to permanently settle there.

In order to expose the real intention and conspiracy behind enacting the aforesaid controversial legislation, they also referred to a report titled ‘White Paper on Kashmir’ written by Head of Department of Political Science, University of Jammu and Kashmir. In the aforesaid Report, it has clearly been stated that the Pakistan always intended to increase militancy in Muslim majority areas of Jammu and they wanted to accumulate the Muslim populations on the west of Chinab River and to prepare them to attack India. The aforesaid report further talks about the intention of the Pakistan to completely eliminate the 7 minority Hindus in Kashmir. They also spoke to Mr. Tariq Fateh, who is well known writer. In his byte, he stated that the fact of transferring 90 percent of land situated in Hindu majority area to the people of Muslim community talks a lot about the intention of the Government and other stakeholders.

In view of the aforesaid facts and situation, in their show DNA, they have conducted a fair analysis of the following questions:

- a. If Roshni Act was enacted to give ownership of State Land to the unauthorized occupants, then how, in Jammu region, where majority population is Hindu, 90 percent beneficiaries of the State Lands are Muslims?
- b. Whether enactment of Roshni Act is part of the conspiracy to change the population ratio of Jammu?

While raising the aforesaid questions on our show, they have clarified that they are Secular and not against any religion. To further clarify to the viewers, they defined the concept of secularism, which means not to give importance to any one religion and all the religion must be treated equally. Since, in the present case, the Hindus of Jammu region were not given equal treatment, they have stated in their show that the Act of the Government of Jammu and Kashmir was anti-secular and against the interest of our nation.

While presenting the aforesaid news report, they have not only explained the concept of secularism to their viewers *but also clarified that they are not against any particular religion and their report relates only to those group of extremists and/or terrorists, who, in the garb of jihad and Ghaṛṛwa-e-Hind, have been trying to convert India into an Islamic Nation. Needless to state that the such extremists and/or terrorists have no religion and as a responsible media, they have all right to expose them in the interest of our nation.*

They have telecasted the aforesaid report *with true spirit of nationality* and only to preserve the integrity and unity of the country without crossing the secular lines or hurting the religious feelings of any religious community. *In their report they have only exposed the proponents of those extremist groups who wanted India to be an Islamic State and, on whose behest, the then Government of Jammu and Kashmir enacted the controversial Roshni Act with a hidden object to change the population ratio of Jammu Region in furtherance of Ghaṛṛwa-e-Hind.*

The flow chart of Jihad, which we presented to the viewers during our show, merely explained the modus operandi of the people of extremist groups, who in the garb of Jihad, have been trying to convert India into a complete Islamic Country. That so far as the display of flow chart of Jihad is concerned, the same was related to only those people who want our country to be divided into pieces irrespectively of their religion and therefore, while displaying the aforesaid chart, our anchor, as a disclaimer, has stated that they are not targeting any particular religion and the aforesaid news report is only relates to those who wants to destroy our country. In the show, they have never tried to promote and incite the communal hatred as falsely alleged.

That immediately after displaying the aforesaid chart, they had clarified that the aforesaid chart of Jihad does not relates to those people who wants India to remain unified and integrated. That immediately after airing the aforesaid news report, *they have received accolades and appreciations from various sections of the society and it is a great shock and dismay that despite bringing into light the biggest monetary and religious scam of the country without disturbing the communal harmony, various pseudo secular and pseudo intellectual citizens of this Country, who never had any problem with the word 'Hindu Atankwad', have started criticizing their sincere efforts in exposing those extremists and terrorists group who, in the garb of Jihad and Ghaṛṛwa-e-Hind, are trying to destroy our country.*

*They responded to the aforesaid criticism in their same prime time show aired on the next day i.e. on 12.03.2020, wherein, they have stated that majority of India Muslims are peace loving citizens and have nothing to do either with Jihad or with Ghaṛṛwa-e-Hind and in our aforesaid news report they have only exposed those few people who wants to divide our country.* It is relevant to mention here that in response to their aforesaid news report, the Ex-Deputy Chief Minister of Jammu and Kashmir posted a tweet appreciating us for raising the important issue of change of population ration in Jammu. They have also received *appreciation from various political leaders and citizens of our country.*



The aforesaid show analyzing the concept of Zameen Jihad in Jammu and Kashmir is completely uncolored from any motive, prejudice or notions but are based completely on verified, accurate and established facts and do not tend to promote disharmony or enmity between the different religion. They have imposed self-restraint while conducting the analysis in their aforesaid show.

The broadcaster stated that they have neither breached any of the guidelines of NBSA nor committed any offence, much less offences under Section 153A, 295A, 298 and 505 of India Penal Code. They have strictly adhered to the laid down principles of neutrality, impartiality and fairness in our telecast of the aforesaid news report.

### **Rejoinder dated 8.5.2020 to Zee News from CJP**

CJP submitted a common rejoinder to their complaint dated 24.3.2020, sent to the broadcaster as well as the complaint dated 16.4. 2020 sent to NBSA.

The complainant in the rejoinder stated that the broadcaster's response is replete with factual assertions and their point of argument and their allegations is the manner of presentation of these facts, which has been done with the malicious intention of creating a communal divide by pitching one religion against the other. There seems to be a misrepresentation of facts by the broadcaster in its show which shows not only its abject disregard towards presentation of truth but its thrust and focus being on airing a divisive, partisan and communal narrative to appease to a certain ideology. A simple viewing and re-viewing of the show reveals the intent of the broadcaster which is to showcase both the religion of Islam and 'jihad' as having negative and predatory qualities.

They would like to point to the many problematic statements made by the host of the program in question, "Daily News and Analysis" aired on March 11, 2020. The topic of that day was "DNA: Jammu में ज़मीन के 'इस्लामीकरण' का DNA टेस्ट".

Firstly, the host of the show in the beginning itself puts forth the concept of "Zameen Jihad" or 'Land jihad' by comparing it to 'Love Jihad', This term, 'Love jihad' is a cleverly crafted term increasingly loosely used to detrimentally describe inter-community marriages, which, incidentally the Indian Constitutional mandate is completely and utterly in tune with, given India's commitment to the right to life, the right to liberty and freedom and the right to equality before the law. That the term selectively vilifies only one faith and religion is clear from the suffix of 'Jihad' to the term 'Love' given especially the misuse of the very term by rabid, outfits who have carried out acts of terror and violence justifying these in the name of 'Jihad' and 'Islam.' Never is 'Love' coupled with say a term like 'Yuddh' or 'Mahayuddh' which would give it a completely different connotation.

This term, 'love jihad', which is increasingly used in sections of the news media is one replete with a track of an anti-minority mindset. Besides, many rightwing supremacist outfits, be it of the majority or minority kind position themselves against the free association and intermingle, even though friendship, business, marriage and association as these will further the real secularisation of the Indian polity (Articles 14,15, 16, 19, 21 and 25 of the Indian Constitution).

Many cases of 'Love Jihad' have been disposed by the courts of law, as being legitimate relationships of love that culminated into marriage and had been termed as 'Love Jihad' to intentionally demonise a particular religion.

In the exact words of the host, "*Hamaredesh me love jihad kitarah ab zameen jihad bhi ho rabihai*" (Translation- Just like love jihad, land jihad is also taking place in our country). Through this statement, the host, Mr. Sudhir Chaudhary, has implied his acceptance of the abhorrent term 'love jihad' as being a real phenomenon and so same basis validates the term "zameen jihad" as well.

Further, the host poses facts related to the Roshni Act in Jammu and Kashmir region, where in the Jammu district, which is a Hindu majority district the lands have been handed over mostly to Muslims. To be precise, he states that 25,000 persons, who were illegally occupying government lands have bought these lands from the government as per the provisions of the Roshni Act and 90% of these buyers belong to the Muslim community. *Basis these statements, the show has questioned the intention of the law, and imputed whether it was enacted to change the demography of the Jammu district by converting it from a Hindu dominated region to a Muslim majority region.*

Hamaredesh me love jihad kitarah ab zameen jihad bhi ho rahihai Jihad ka hathyar Kanoon kea ad me dharm k aadhar par jansankhya ko badalne kish hotirahi 25,000 people were given land under the Act and 90% of these are Muslims.

The programme and the Anchor is questioning the law and its intent and imputing/questioning whether the purpose of the law was to in fact allow or orchestrate a change in the demography of Jammu; whether this motive was to effect a change from Jammu being a Hindu Majority region into a region with a majority Muslim population. To prove his point, the host relies on population data (without citing a source) of the Jammu district which is as follows:

This data then becomes the basis of the ‘claims’ and ‘assertions’ made on the show that state that the Roshni Act was a conspiracy to change the demography of Jammu district. Thus, calling it ‘Zameen Jihad’ which is loosely defined as an act of usurping land in order to increase Muslim population in Jammu.

Since the channel has not cited the source for this data, they found some official figures from the Indian Census office. They found that the population figures claimed by the show for the year 2001 matched with our search. The population of Hindus was 65.23% and Muslim population was 30.69% for the total population of Jammu District (source: <https://jk.gov.in/jammukashmir/?q=demographics>).

On the other hand, they found a stark difference in the actual population figures of census 2011 and the ones presented on the show (in 2020). They found that as per 2011 census, the Hindu population in Jammu district was 84.27% (12,89,240 persons) and Muslim population had dropped considerably to 7.03% (1,07,489 persons). This data is readily available on the official census website: <http://censusindia.gov.in/>

If the broadcaster was really professional, ethical, secular and unbiased in its/his intent –also having a high regard for the Laws of the Land, the Constitution, the Unity and Integrity of the nation -- claimed in its response -- one would have expected, at the bare minimum a thorough fact check before propagating such blatantly divisive propaganda and rhetoric through its show. The ‘perpetrated fears’ of ‘unbridled’ Muslim/Islamic growth is an oft and old hashed out narrative among supremacist and communal narrative in India, being ill-used to perpetrate hatred of and alienation from the Indian Muslim community.

Thus, by relying on and making an entire show based on a wrong set of facts and figures and erroneously conceived ‘information’, the broadcaster has shown utter disregard towards the very basics of the ethics of journalism that this Authority endeavours to safeguard. This further makes the broadcaster liable to violating the “Accuracy”, Errors of fact should be corrected at the earliest and facts should be clearly distinguishable from, and not be mixed-up with, opinion, analysis and comment.

### **Manipulation of Term ‘Jihad/Jihad’**

The entire broadcast, is to play, twist and manipulate the term ‘Jihad,’ a term of Islamic/Arab usage that has a certain etymology, historicity and connotation. They stated that the overall impact of the broadcast by ‘Zee News’ on March 11, 2020 is nothing short of a brazen attempt to ride on this popular distaste and fear of the term (‘Jihad/Jehad’) and in fact turn that, very dangerously, into an overall dislike and antipathy against all that is either Islamic or Muslim.

What however makes the broadcast even more sinister is that in its entirety and in toto, whether its speaking of ‘Hard Jihad’ or ‘Soft Jihad’, the objective is to paint the very concept –and the religion, Islam from where it hails –as dangerous, sinister and worthy of distancing, alienation and hate.

Further in the show, the host goes on to explain how there were two types of ‘Jihad’ – ‘Hard Jihad’ and ‘Soft Jihad’ further ‘educating’ his viewers by saying, “Hard Jihad includes ‘Population Jihad’, ‘Love Jihad’, ‘Land Jihad’, ‘Education Jihad’, ‘Victim Jihad’ and ‘Direct Jihad’, while ‘Soft Jihad’ includes ‘Economic Jihad’, ‘History Jihad’, ‘Media Jihad’, ‘Movies and Songs Jihad’ and ‘Secular Jihad’.” The bias and bent of the entire broadcast is evident that each and all of those alluded to in this broadcast are those having negative connotations all together in toto therefore aimed to further a hatred of and alienation of all that is Islamic and Muslim.

While explaining, each kind of jihad, the show labels regular and usual occurrences as “jihad” thus leaving no stone unturned in terming almost everything that identifies with Islam or the Muslim community as ‘jihad’ (with the aforementioned negative connotations of a kind of war with intent), thus further inciting hatred towards the community in general. In times when the country is walking the tight rope of communal harmony, such divisive and inciteful rhetoric, masked under false information, is nothing but malafide agenda of the broadcaster. At a time when hate-infilled rhetoric appears not even to invite politically powerful rebuke and institutional censure, leave alone punishment, the impact of such a programme can be further imagined.

The host of the show/broadcast has termed things like the mere mention of Mughals (termed as glorification) in history or education as ‘History jihad’ or ‘Education jihad’. He even termed propagation of Islamic culture like songs of the Sufis, Mystics or anyone who emerged from Islamic cultures, stories and narratives reflecting in movies, as ‘Film and Music jihad’. What could be the intent of such a single-minded negative portrayal than to further divides and actually test the principles of objectivity in broadcasting? He also defines ‘Zameen jihad’ as the acts of usurping land and building mosques, madrasas and kabristans (muslim burial grounds), thus implying that that all such buildings are on usurped land and amount to some kind of ‘jihad’ or ‘holy war’ waged by ‘kattar’ (hard line, fanatical) Muslims. The anchor terms ‘secularism jihad’ as one that is supported categorically by leftists, communists and liberals in the country, thus showing utter disregard to a gamut of ideologies and way of thinking; also clearly violating the principle of neutrality in journalism. He also terms ‘victim jihad’ (‘pedit jihad’) as one where Muslims demand separate personal laws, reservations for themselves and so on. These “definitions” created by the broadcaster not only contradicts their claims of being secular but also displays their blatantly partisan approach towards news and broadcasting. In the overall context this broadcast is no doubt inflammatory and inciteful maliciously aimed towards creating a divide and promoting enmity between religions.

Apart from the extremely offensive and shockingly inflammatory content of this programme, what was especially disturbing was how the host, the anchor was encouraging people to tweet using #ZameenJihad a deeply communal hash tag, a brazenly provocative move that can also incite hate. This action takes the offensive broadcast steps further as it uses the micro blogging site (Twitter)

and social media platforms for developing a mass and mob hate mentality against Muslims, Islam through single minded, negative and adversarial usage of the term ‘Jihad.’

The constant prompts to tweet using this hashtag made users post inflammatory tweets. The said tweets are proof that the incitement sown by the show has had a long-lasting effect and that the term has caught on and being used to abuse the Muslim Community, to humiliate them. These are just few of the thousands of tweets posted by netizens proving the wide impact of the show and its inflammatory content. Such contents are aimed at fueling disharmony within the nation and it undermines the promise of brotherhood, peace and inclusivity on which the Indian nation is premised.

Finally, in the response of the broadcaster the remark that people have not objected terms like ‘Hindu Terrorism’ is neither here nor there nor relevant to the present case. For the record however, those among us who have pointed to the ills of home grown ‘Hindutva terrorism’ have been at pains to show that this has nothing to do with the eclectic and catholic inclusiveness of the Hindu faith though in its organized form with caste ridden exclusions, unimaginable rights violations and injustices have resulted for years, even centuries. If at all this means that faiths and ideologies and traditions have both sides: the liberative, binding and inspiring ones and those that control, exclude and enjoin followers to hate and violence.

The programme and content is also a violation of Indian Criminal Law i.e. Sections 153A, 153B, 295A, 298, and 505(2) of the Indian Penal Code, 1860.

These discriminatory statements and unverified claims amount to generating an atmosphere that can lead to mass violence and targeting of the Muslim community. ‘Journalism as genocide’ is a context that is being documented worldwide especially after Rwanda. The hatred perpetrated 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 media has an additional responsibility in the time of the Pandemic. Though the broadcast was on March 11, 2020 on the eve of the lockdown this is not irrelevant. The World Health Organisation has, in its message dated 18.03.2020, advised that no particular ethnicity or nationality should be held responsible for COVID-19 since it is a world-wide pandemic and can affect anyone in any part of the world. This is essential, as the WHO advises, to “reduce stigma”.

### **Decision of NBSA**

NBSA considered the complaint, response and the further rejoinder by the complainant and also viewed the broadcast. NBSA also considered the complaint received from MOI&B vide letter dated 25.6.2020 along with a copy of the email dated 12.3.2020 received from Shri Saket Gokhale on the same broadcast and the response received from the broadcaster dated 8.7.2020.



NBSA noted that in the said programme the anchor was questioning the Roshini Act and whether the purpose of the law was to in fact allow a change in the demography of Jammu from being a Hindu majority region into a region with Muslim population in majority.

NBSA also noted that in the programme, the anchor presented different kinds of "Jihad" practiced in India through a diagrammatic representation which aimed at further increasing the hatred /alienation of the Muslim community and targeting the said community specifically.

NBSA was of the prima facie view that the programme was not in consonance with the *Fundamental Principles of the Code of Ethics No 6* which states that "Broadcasters shall ensure a full and fair presentation of news as the same is the fundamental responsibility of each news channel. Realizing the importance of presenting all points of view in a democracy, the broadcasters should, therefore, take responsibility in ensuring that controversial subjects are fairly presented, with time being allotted fairly to each point of view. Besides, the selection of items of news shall also be governed by public interest and importance based on the significance of these items of news in a democracy" .Also the *Guidelines on Broadcast of Potentially Defamatory Content No 5* which states that " a news anchor/journalist/presenter should not make any derogatory, derisive or judgmental statements as part of reporting or commenting" and also the Specific Guideline Covering Reportage relating to Racial & Religious Harmony, at Clause 9 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."The broadcast had also violated the fundamental principles of Code of Ethics such as impartiality, objectivity, neutrality & fairness in reporting.

NBSA was also of the prima facie view that the tone and tenor of the programme was divisive and that the broadcast certainly was targeting a particular community which is against the secular ethos of our country.

NBSA decided to call the broadcaster and the complainants for a hearing at the next meeting of the NBSA.

You are accordingly requested to appear for a hearing on **26.11.2020 through video conference, the time and link for which will be sent a day before the hearing.**

Parties should ensure the presence of their authorized representative or counsel at the said date, and time failing which the matter will be dealt with without further reference.

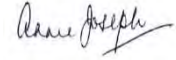
**Kindly ensure that ONLY two persons represents the parties as the hearing is through video conference.**

**Attached please find the complaint, response/s from the broadcaster along with footage, which is being sent separately by electronic transfer. Kindly download the same. Please see the footage in totality and pinpoint the objectionable portion with timing at the bottom to save the time in the hearing.**

Please acknowledge receipt of this communication and confirm your participation in the above hearing.

Thanking you,

Yours faithfully,



Annie Joseph  
For & on behalf of NBSA

*Encl: As above*

*CC: Ms. Sonika Khattar, Under Secretary, MoI&B <s.khattar@nic.in>  
Ref. your letter No. N-41012/11/2020-BC-III dated 25.6.2020 on the subject.  
piyush.choudhary@zeemedia.esselgroup.com, sudhir.chaudhary@zeemedia.esselgroup.com,  
purushottam.vaishnava@zeemedia.esselgroup.com, dileep.timari@zeemedia.esselgroup.com*