



Date: May 5, 2020

To,

Ms. Jyothi Suresh Kumar

Legal Authorised Representative

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Subject: Response to email dated April 30, 2020 sent by you as a response to our complaint dated April 16

We, at Citizens for Justice and Peace (CJP), have received your response dated April 30, 2020 to our email dated April 16, 2020 and are frankly shocked by the contents.

Ms. Setalvad, being the Secretary of CJP is the face of the organisation that has been involved in ground level humanitarian and human rights work since its formation in 2002. Be it seeking justice for the survivors of the Gujarat 2002 pogrom, a campaign against hate speech or for due implementation of the Forest Rights Act, 2006, CJP's pathbreaking efforts are led by Ms Teesta Setalvad. The organisation that believes in pursuing its Constitutional, human rights agenda *in the courts and beyond*, has been also involved relentless humanitarian work of feeding hungry mouths during the COVID19 crisis in and around the Mumbai metropolitan region. On the issue of citizenship, its work across Assam is well known and highly respected.

Just as with the corporate newspaper world or the world of mega corporations and organisations, the identity of the organisation is deeply entwined with those who lead it.



We would, therefore, at the outset, like to clarify here that any attempt or act of maligning the image or reputation of Ms. Setalvad directly affects the image and reputation of CJP as an organisation as well. Hence, the actions of your channel directed towards maligning Ms. Setalvad affect the reputation and credibility of CJP and we believe are aimed at targeting that work. As such, we speak on behalf of Ms. Setalvad.

Before we categorically respond to the contentions put forth by you in your response, we would like to state here that we reiterate in its entirety the contents of our complaint dated April 16, 2020 and the assertions made therein. At the outset, we refuse to accept your denial of the allegations made by us in our complaint and hereby state that we stand by our assertions. We also reserve the right to pursue all legal remedies available to us given the detrimental and adverse impact of your malignant campaign.

Firstly, the article dated March 9, 2020 which can be found at the following link,

<https://www.timesnownews.com/delhi/article/npr-suspicious-leading-to-nrc-shaheen-bagh-tutor-teesta-setalvad-demands-census-halt-till-npr-is-withdrawn/562801>, also has a video embedded in it. In this video, the host of the show says “Teesta Setalvad says Census should be blocked”. The person anchoring the programme says this, not once or twice, but thrice; in three different ways. She says Setalvad “proposes census blockade”, “wants census to be blocked”. These are assertions made completely **in isolation**. Nowhere does the host mention the entire or complete statement made by Setalvad. It is only in the later part of the video that this clarity is attempted (deviously we believe), clearly leaving the viewer with the malafide insinuation that Setalvad’s agenda may be nefarious. Such half-baked (or deliberately part-dealt) information was given by your host with the clear intention of creating an impression in viewers minds that Setalvad is against the statutory process of Census, and thus to harm her reputation. We would like to reiterate the statement by her, **which should have been carried by you in toto**, “We do not want census work to stop, but our demand is that the census work should not begin until the NPR is withdrawn.” The fact that your channel selectively picked out words from her statement, twisted her words to give it a perverse effect shows your mal-intention of maligning her in the eyes of the public. The actions do not reflect either objectivity or professionalism either, suggesting a (rather unprofessional desire, not the job of a television channel) to paint a negative picture.

Further, we are also reiterating that on your show titled “**Teesta Setalvad COACHES Shaheen Bagh protestors**” published on February 19, she has been labelled as a “Modi Baiter” for no good reason. This program can be found here: <https://www.youtube.com/watch?v=ztQZLMCq480>

Throughout the show, you have pushed a false narrative and created whimsical insinuations to suit your jingoistic ideology. The justification given by you in your response that her comments ‘*sawaal theek hain na?*’ and ‘*sawaal rakbna farz hain hamaara*’ are proof of the her ‘tutoring’ or ‘coaching’ form an extremely feeble base for the large burden of conjectures drawn by your channel. Her mere presence and assistance to the volunteers at Shaheen Bagh have been twisted by your journalists to portray that she is orchestrating the mediation process sanctioned by the Supreme Court. Your channel has unapologetically made false suggestions/insinuations such as “she deputed people to talk to protestors”; or that the incident amounts to “contempt of court”. In the program the journalist also makes further utterly baseless claims such as “Teesta ‘tuition’

scuttles talks”, referring to the mediation proceedings that took place in Shaheen Bagh with Supreme Court appointed mediators.

The fact that your channel conducted a 37 minute debate revolving around the mere presence of Ms. Setalvad at a protest, where she has every right to be as a responsible citizen of this country, reveals the targeted and malafide nature of your narrative to malign the image of Ms. Setalvad, who successfully runs a civil rights organisation which has been instrumental in furthering Constitutional law, human rights jurisprudence, justice for survivors of mass crimes, as also reaching out and providing relief to thousands of people in Mumbai and Assam during the present lockdown.

Clearly, your channel intended to pit Ms. Setalvad against the Supreme Court as well and to portray, through an ill-thought out and shrill programme, that she is against the mandate of the apex court. All this, while not even once acting neutral or giving the person, you are so maligning, the benefit of the doubt. While objectivity and professionalism is not expected from your news channel, it is at least expected that you would not foist malicious labels upon a person, who holds such high esteem in civil society; and *not badger her* with such unfounded, baseless and frivolous allegations against herself and not defame her so on national television.

The job of a journalist is to present facts to the public but here, your news channel has resorted to twisting of facts to suit your narrative the sole intention of which seems to be to defame Ms. Setalvad by all means and to distort and manipulate public view on certain issues.

In the past as well, in 2017, your channel aired content where Ms. Setalvad was called “Modi Baiter” and have made claims like “Teesta Setalvad leads anti-Mandir activists” while she was one of the many intervenors in a court case dealing with the Ayodhya land dispute.

These former reportage can be found at the following links:

<https://www.youtube.com/watch?v=VEvf6ZOBESY>

<https://www.youtube.com/watch?v=P6yKppmbnuc>

All this amounts to defamation, in simple terms, because your channel has made allegations about Ms. Setalvad without any basis or regard for facts. It would prove fructuous if you could come up with stronger “facts” than just one two sentences uttered by her in the video shown by you on your show. The imputations made by you in your show lowers the intellectual character, her character in respect of her calling, and lowers her credit in the minds of the many viewers of your channel. By association and as the chief executive of the CJP, it also stands to affect the credibility of CJP, as an organisation and could have an adverse impact on the relentless humanitarian work done by CJP, under the guidance and direction of Ms. Setalvad.

As mentioned in our complaint dated April 16, we reiterate all the code of ethics, fundamental standards of self-regulation and Guidelines on Broadcast of Potentially Defamatory Content that stand violated by your channel and we do not wish to cite them here again, for the mere sake of brevity.

Although, we do reiterate that presenting personal or the channel’s view to the public as so definite that they get coloured as facts is a blatant violation of Code of ethics of journalism and general reportage in India.



Hence, we once again ask you to issue an appropriately worded apology to Ms Setalvad and take down the above-mentioned programs from your website and any other digital channel it may have been uploaded on to at least lessen future damage already caused to the reputation and standing of Ms. Setalvad.

You are also put on notice that failure on your part to satisfy the aforementioned, may result in legal consequences for your channel at the appropriate for a, at your risk to costs.

Authorised representatives of CJP

Anil Dharker, President

Teesta Setalvad, Secretary