



Date: **June 28, 2023**

To,

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

News Broadcasting & Digital Standards Authority (NBDSA)

C/o News Broadcasters Association

Mantec House, C-56/5, 2nd Floor,

Sector 62, Noida - 201 301

(authority@nbanewdelhi.com)

**Cc: Ms Annie Joseph,**

For and on behalf of NBSA News Broadcasting & Digital Standards Authority

C/o News Broadcasters Association

**Subject: Complaint against “Rashtravad : मदरसों पर नकेल, नहीं चलेगा विदेशी फंडिंग का खेल ?”  
show aired on TimesNow Navbharat on May 22, 2023**

Respected Sir,

We, at Citizens for Justice and Peace (CJP), are writing to you to raise concerns over a hate-filled and inflammatory show titled “Rashtravad: मदरसों पर नकेल, नहीं चलेगा विदेशी फंडिंग का खेल ?” show aired on Times Now Navbharat on May 22, 2023.

We had complained to the channel on May 29, 2023 and received the channel’s response on June 14, 2023. Dissatisfied with the said response, we are before the NBDSA.

***A copy of the channel’s response has been marked and annexed as Annexure A***

The show is based on a survey carried out by the UP government on Madrassas in the state and last year’s data which allegedly found that 8,841 madarssas were illegal and that the Government shall proceed against 4,000 madarssas in the state.

The video of the show can be found here:

<https://www.youtube.com/watch?v=FF6aFvsZFrw>

(Through time stamps we have extracted some objectionable portions of the show which are the subject of our complaint)

Some questions that were going to be discussed in the debate were displayed: *“UP me videshi funding wale madarsson par kya taala lagne wala hai?”*; *“Madarsson par Yogi ka action to Maulana ko tension kyu ho rahi hai?”*; *“Videshi funding par action, to kaam ko badnaam karne wali baat kyun aagayi? Kya ye na maane ki ye bhadkane wali baat hai?”*; *“Avaidh madarsson par ghamasan, Bajrang Dal par bhaijaan kyun bhadak gaye, Kyun Maulvi sabab ko dikhat hogai?”*

[Will the madrassa receiving international funding in UP be locked down? If yogi is acting on madrassas why are maulanas worried? Action against International funding, where is the question of insulting the religion? Is this inciteful? Attack on illegal madrassas, why are Muslims angry at Bajrang Dal? Why are Maulvis hassled?] **(Time Stamp: 9:30-9:57).**

But as the debate started and both sides started to answer, and one participant pointed out that the Government is not focusing on the quality of education in Government schools, the host shot him down. When the Islamic scholar tried to clarify how the funding is collected and sent to the madrassas clarifying that it *always* comes through a government-scrutinised route, the host cut him short again, mid-sentence, not allowing him to speak. This overtly visible practice was clearly designed to promote a pre-decided even one-sided discourse, not allowing clarifications or responsible inputs to emerge.

It is also important to note the manner in which participants were attacking a particular community by saying *“aap Atiq pe bhi maatam manate ho, aap dusre marte hain uspe maatam nabi manate, lekin Atiq marta hai to pura samaaj road pe kbade hoke matam banane lagta hai”*

[You mourn the death Atiq but when others die you do not mourn their death. When atiq dies you come on the roads to protest]. **(Time Stamp: 19:57- 20:09)**

The host completely ignored the point of someone being “accused” of doing something and being “convicted” of doing something and moved to the ideologically aligned participant.

*“Dekhiye madarsse ke lie hum kehte hain aapko, apne deeni sikhsa leni hai, aap deeni siksha lijiye. Aap madarsse kyu khol rhe hain? Madarsse me kyun padhna? Aur aap jaake dekhiye Nepal border, Uttar Pradesh ke border me piche das saal me takreeban 2,000 to 2,500 naye madarsse aagae hain aur sarkar ke lie bhot bada chinta ka visbay hai ki ye madarsse achanak kaise aa gaye”*

[You want to study in madrassas its fine. Why do you want to study in madrassas? And go and see the number of madrassas that have cropped up on the UP- Nepal border. Around 2,00-25,00 new madrassas are functioning and this is a matter of concern for the government] **(Time Stamp:22:08-22:26).**

*“ye jo desh ki khaaskar seemavartti kshetron me kukkarmutton ki tarah ugg aae hain ye madarsse aur waba par jo aatankvadi aur jihadi siksha di ja rhi hai waba par bachon ka dimag kharab karke jihad ki taraf dhakel rhe hain”*

[In the border areas, madrassas have mushroomed and there the children are being imparted education on terrorism and they are brainwashing the children and they are being taught about jihad]. **(Time Stamp: 22:41-22:53)**

When asked to support these claims with any data, the speaker, Vinod Bansal (of VHP), did not provide any and when Haji Rangrez tried to intervene and ask from some proven data on this, the host ignored the same. In fact, the host even defended Bansal on this and said that Bansal is not talking

about all but only some madrassas, however even the host could not provide solid data to support this claim.

Haji Rangrez made bold to ask the host and others to name at least one madrasa where children are being brainwashed into terror; however, the host however shut him down and did not wish to further discuss on this. **(Time Stamp: 24:27-24:37)**

There was also a point where Haji Rangrez, one of the speakers agreed that if madrassas are illegal and have no documents for the international funding, action should be taken against them, however, the host did not pick that up or note it and continued with questioning the Muslim speakers on the show on why they had an issue if the government was looking at legality of madrassas.

The following text is repeatedly displayed throughout the debate which suggests that the intention of the channel was to spread stigma, even hatred against the Muslim community. This also amounts to creating a narrative that is anti-Muslim to add fuel to the existing, perpetuated animosity against a minority Indian community that has been widely prevalent, conspicuously due to reportage such as this example. There is the serious potentiality of such perpetrated and one-sided unsubstantiated discourse resulting in targeted violence. The channel must be aware that the “mainstream”, “commercial” media, which it is also a part of, has been responsible for disseminating such a stigma-driven for several years now.

The following tickers were being run throughout the show:

- *Madarsson par Yogi ka action, Maulana ko tension?*

[If Yogi is taking action against madrassas why is Maulana worried?] **(Time stamp: 0:17)**

- *Avaiddh Madarson par Yogi ka Hunter, kaise darr?*

[Yogi taking action against illegal madrasas, who is scared?] **(Time stamp: 0:23)**

- *Bajrang Dal par kyun bhadke Madni Bhaijaan?*

[Why are muslims angered at Bajrang Dal?] **Time stamp: (0:29)**

- *Ab nahi chalega Videshi funding ka khel?*

[Now international funding will not be allowed?] **(Time stamp: 00:42)**

- *Aatank ko paala, to madarsson par lagega taala?*

[If terrorism is being taught, the madrassas will be shut down?] **(Time stamp: 0:50)**

Clearly, the channel was trying to push this narrative of *the* madrasa or *all* madrassas being a/the centre of illegalities. The presentation of the debate, by repeatedly showing the students reading Namaaz at a madrasa. While the debate was branded to discuss the issue of illegal madrassas, the screen displayed arguments in favour of and against the madrassas.

The host is seen questioning someone from the Muslim community about the illegality of these madrassas. The question being, does he run any of these madrassas? How is he capable of answering these questions about illegal madrassas? The whole point of the debate thus becomes moot. Yet, the debate continues among people who are not concerned directly with the subject being discussed. Thus, leading to a polarised debate.

At one point the host shows data of some people from Muslim community linked with terror outfits, who once studied in these madrassas (presumably). However, it is unclear what the channel aims to depict by showcasing this data since a person committing a crime would have studied somewhere at some point, be it a school or madrassa. The clear intention of the show was to draw a connection between madrassas and people involved in terror activities, to show that alleged terrorist's study in madrassas, that is the perception the channel aims to create in people's minds.

This is also clear in the ticker they were running '*Aatank ko pala toh madarso pe lagega tala*'. *Lashkar aur SIMI ke log pakde jate fir bhi ye kehte hai ki karyavahi nahi honi chahiye*' [People from Lashkar and SIMI are being caught, still these people are saying don't do any inquiry], the host said **(Time stamp: 21:46-21:51)**

**Absence of Neutrality in Moderator:** It is also worth noting the behaviour and tolerance of the debate moderator between and towards the people speaking for and against the topic. A debate moderator should be handling a debate in an unbiased, neutral manner, but, here, the way the host let the persons supporting the channel's pre-decided 'agenda' speak vs the people who are making clarifications that pick holes in this, clearly reveals the ill-intention behind the entire debate.

### **Baseless allegations**

The host throughout the show questioned where madrassas receive their funding from and kept questioning one of the participants why madrassas do not keep proper record of the funds they receive. This question was asked to someone totally unrelated to the management of the said madrassas in question.

The news point was that UP government survey found that many madrassas receive foreign funding but some of them were unable to show any paperwork for the same.

This has been into a point of debate and speakers, who have no relation with madrassas and how they are being run are brought to the show to talk about it.

At one point the host even questioned why do Muslims want to study in madrassas in the first place. Then one of the speakers, Vinod Bansal, a VHP member said that [In the border areas, madrassas have mushroomed and there the children are being imparted education on terrorism and they are brainwashing the children and they are being taught about jihad and another speaker Haji Rangrez, took offence, and interrupted him, the host tried to shut off Rangrez instead of asking Bansal to not express such views. Further, he defended Bansal and said that Bansal did not point his finger towards all madrassas but only some of them. Such allegations were made on the show unabated and without any evidence in support.

This, while tickers like “Aatank ko paala, to madarsson par lagega taala?” kept running through the show.

The extracts from the show mentioned above indicate that the show does not even pretend to have any semblance of neutrality or compliance of any of the Code of Ethics.

The intention of the show was very clear, to show that madrassas receive dubious foreign fundings and they are set up along the border and the children are brain washed and are trained to become terrorists. The channel, allows such speakers to come on their debate show time and again to express such extremist and baseless views to target the minority community and then the channel takes a stand that they do not endorse the views of the participants.

The channel is clearly in total disregard of NBDSA’s **Specific Guidelines for Anchors conducting Programmes including Debates** whereby it is stated:

c. While deciding panellists for debates, Anchors, Editors and Broadcasters/Publishers should avoid inviting fringe elements, extremists and separatists who are known for espousing rabid/fanatic views/opinions thereby giving them an opportunity to air and spread their divisive and provocative views.

g. Refrain from using religion-linked adjectives in a pejorative manner and refrain from any character assassination/attacks whatsoever on the basis of religion, political affiliations, prejudices etc. in any programme/s including debates.

h. Avoid pushing any communal agenda during a programme including a debate. Anchors must ensure that they do not take any sides and do not harass or harangue panellists to force any admission, opinion or comment.

The NBDSA has also stated that merely adding a disclaimer “does not absolve Editorial personnel, Anchors, Journalists and Producers of their responsibility in case of violation of the Code of Ethics and the Guidelines. Editorial Policy of a particular channel cannot be a defence to a breach of the Code of Ethics and the Guidelines.”

### **The channel’s response**

With great chagrin we must mention here that the channel’s combined response to our three complaints made on May 29, 2023 about three shows aired on the channel on the same day (May 22, 2023) is tone deaf and is reflective of the indifferent attitude of the channel. It has become amply clear through this combined response that the channel has dedicated no time to even look at the complaints or the shows we have complained about, before responding. The response does not make any specific denials and has given a rather generic response, showing the least regard it has to the complaints received by it.

For reference purposes only, we are annexing a list of such recent broadcasts by TimesNow Navbharat. Sabrang India did an analysis on the themes of the broadcasts of the channel over a span of one week and found that the channel has been belligerently pushing its anti-minority agenda

through its shows: an analysis of their content of over just seven days, shows how tireless they are in propagating hate. Not one day passes without this channel pushing its vicious, dehumanizing agenda.

*A copy of the article published on Sabrang India published on June 10, 2023 has been marked and annexed as Annexure B*

*A document enlisting the links of shows of the channel of past 2 days is marked and annexed as Annexure C*

## **Violations**

### **The Violations of NBDSA principles**

The following are some of the codes of ethics and principles of self-regulation as laid out by the NBDSA, violated by the channel:

#### **SECTION – 1**

##### **FUNDAMENTAL PRINCIPLES**

- 1) Professional electronic journalists should accept and understand that they operate as trustees of public and should, therefore, make it their mission to seek the truth and to report it fairly with integrity and independence. Professional journalists should stand fully accountable for their actions.
- 3) News channels recognize that they have a special responsibility in the matter of adhering to high standards of journalism since they have the most potent influence on public opinion. The broad principles on which the news channels should function are, therefore, as stated hereinafter.
- 4) Broadcasters shall, in particular, ensure that they do not select news for the purpose of either promoting or hindering either side of any controversial public issue. News shall not be selected or designed to promote any particular belief, opinion or desires of any interest group.
- 6) 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.

#### **SECTION – 2**

##### **PRINCIPLES OF SELF REGULATION**

###### **1. Impartiality and objectivity in reporting:**

Accuracy is at the heart of the news television business. Viewers of 24-hour news channels expect speed, but it is the responsibility of TV news channels to keep accuracy, and balance, as precedence over speed. If despite this there are errors, channels should be transparent about them. Errors must

be corrected promptly and clearly, whether in the use of pictures, a news report, a caption, a graphic or a script. Channels should also strive not to broadcast anything which is obviously defamatory or libellous. Truth will be a defence in all cases where a larger public interest is involved, and in even these cases, equal opportunities will be provided for individuals involved to present their point of view. This also applies in cases where television channels report on those holding public office, though by virtue of doing so, no person can claim immunity from scrutiny from or criticism by news channels.

## **2. Ensuring neutrality:**

TV News channels must provide for neutrality by offering equality for all affected parties, players and actors in any dispute or conflict to present their point of view. Though neutrality does not always come down to giving equal space to all sides (news channels shall strive to give main view points of the main parties) news channels must strive to ensure that allegations are not portrayed as fact and charges are not conveyed as an act of guilt.

## **9. Racial & Religious Harmony:**

### **9.1 Racial and religious stereotyping should be avoided.**

9.2 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 program, further violates Specific Guidelines Covering Reportage:**

#### **2. Impartiality, Neutrality & Fairness**

2.1 For balanced reportage, broadcasters should remain neutral and ensure that diverse views are covered in their reporting, especially on a controversial subject, without giving undue prominence to any particular view.

#### **9. Racial & Religious Harmony**

9.2 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.

Further, the inflammatory and unverified content of the show amounts to inciteful, hate speech which is a punishable offence under various sections of the Indian Penal Code (IPC):

**Sections 153A** [promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony],

**298** [uttering, words, etc., with deliberate intent to wound the religious feelings of any person] and

**505 (1) and (2)** [publication or circulation of any statement, rumour or report causing public mischief and enmity, hatred or ill-will between classes]

The channel also stands in violation of the **Cable Television Network Rules, whereby the programme Code under Rule 6 states that**

(1) No programme should be carried in the cable service which: -

- (c) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;
- (e) Is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote-anti-national attitudes;
- (h) Contains anything affecting the integrity of the Nation;
- (i) Criticises, maligns, or slanders any individual in person or certain groups, segments of social, public, and moral life of the country;

In order to respect the diverse religions and composite cultures of India, it is essential to keep a check on the unverified claims and hate propaganda against Muslims. Targeting a particular community fosters a spirit of discrimination and needs immediate attention to protect the secular fabric of India.

In the case of **Amish Devgan vs. Union of India and others [Writ Petition (Criminal) No. 160 OF 2020 decided on December 7, 2020]**, the Supreme Court held thus,

*“The unity and integrity of the nation cannot be overlooked and slighted, as the acts that ‘promote’ or are ‘likely’ to ‘promote’ divisiveness, alienation and schematism do directly and indirectly impinge on the diversity and pluralism, and when they are with the objective and intent to cause public disorder or to demean dignity of the targeted groups, they have to be dealt with as per law....Such threats not only insidiously weaken virtue and superiority of diversity, but cut-back and lead to demands depending on the context and occasion, for suppression of freedom to express and speak on the ground of reasonableness. Freedom and rights cannot extend to create public disorder or armour those who challenge integrity and unity of the country or promote and incite violence.”*

*“In this context, it is necessary to draw a distinction between ‘free speech’ which includes the right to comment, favour or criticise government policies; and ‘hate 10 speech’ creating or spreading hatred against a targeted community or group....The object of criminalising the latter type of speech is to protect the dignity (as explained above) and to ensure political and social equality between different identities and groups regardless of caste, creed, religion, sex, gender identity, sexual orientation, linguistic preference etc.”*

In *Pravasi Bhalai Sangathan v. Union of India* (Ref: AIR 2014 SC 1591, at para. 7.), the Supreme Court has unambiguously stated that hate speech is an effort to marginalise individuals based on their membership to a group, that can have a social impact. Moreover, the Court stated that hate speech lays the groundwork for broad attacks on the vulnerable that can range from discrimination, to ostracism, deportation, violence, and even to genocide.

The Law Commission Report, 2017 stated that *“hate speech has the potential of provoking individuals or society to commit acts of terrorism, genocides, ethnic cleansing etc. Such speech is considered outside the realm of protective discourse. Indisputably, offensive speech has real and devastating effects on people’s lives and risks their health and safety. It is harmful and divisive for communities and hampers social progress. If left unchecked hate speech can severely affect right to life of every individual.”*

In the *Sudarshan News* case (*Firoz Iqbal Khan v UOI – WP[CIV] NO. 956/2020*), the Supreme Court had observed that, *“the edifice of a democratic society committed to the rule of law under a regime of constitutional rights, values and duties is founded on the co-existence of communities. India is a melting pot of*





*civilizations, cultures, religions and languages. Any attempt to vilify a religious community must be viewed with grave disfavour by this Court as the custodian of constitutional values constitutional values demands nothing less.”*

### **Prayers**

It is prayed that the NBDSA take cognizance of the aforementioned violations and it is further prayed that the NBDSA:

1. Direct the broadcaster to remove this program from all their social media accounts and website.
2. Direct the broadcaster to issue a public apology, on its channel for spreading hateful and communal agenda while abdicating its duty to present verified news to its viewers. This apology should be widely telecast and displayed commensurate to the coverage and promotion of the initial broadcast itself.
3. Direct the broadcaster 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. Take any other action against the broadcaster that it may deem appropriate

### **Declaration to be given as per Regulation 8.4**

- The facts stated in the complaint are true and correct to the best of our knowledge and belief.
- We have placed all relevant facts before the NBSA and have not concealed any material facts.
- We confirm that no proceedings are pending in any Court of law or other Tribunal or Statutory Authority in respect of the subject matter complained of before the NBSA.
- We shall inform the NBSA forthwith if during the pendency of the inquiry before the NBDSA the matter alleged in the complaint becomes the subject-matter of any proceedings in a Court of law or other Tribunal or Statutory Authority.

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

**List of annexures**

- Annexure A: A copy of channel's response received on June 14, 2023
- Annexure B: A copy of the article published on Sabrang India published on June 10, 2023
- Annexure C: A document enlisting the links of shows of the channel of past 2 days