



Date: October 23, 2023

To,
Times Now,
Grievance Officer,
Kirtima Maravoor
Email: legalnow@timesgroup.com

Subject: Complaint against two debate shows on the Israel-Hamas-Palestine theme that aired on Times Now Navbharat on October 16, 2023

Dear Madam,

We, at Citizens for Justice and Peace (CJP), are writing to you with regards to two debate news segment that aired on Times Now Navbharat on October 16, 2023 on the theme of the ongoing Israel-Hamas Conflict. The title of these shows is “**Modi के खिलाफ... क्यों खड़े 'हमास' के साथ? | Israel-Hamas Conflict | Owaisi | ST Hasan**” and “**Rashtravad: हिंदुस्तान में 'Hamas Think tank' कौन बना रहा है? | Israel-Palestine Crisis | Owaisi**”.

Since both of the aforementioned shows that aired on the channel were on the same theme and aimed to create a similar misleading image in the minds of the viewers, **we are raising a complaint against both of them in the same complaint.** Both the shows are based on current ongoing conflict between a militant group Hamas and Israel. On October 7, an unprecedented attack was launched by Hamas on Israel which had reportedly resulted in the death of 1,400 people. The militant group had also reportedly taken more than 200 hostages. In the retaliatory attacks and air strikes that have been since launched by Israel in Gaza, at least 3,700 people have been killed, most of which were innocent civilians. Both innocent Israeli citizens and Palestinians have suffered casualties in this ongoing conflict, but in India, this issue is being given a communal colour.

While the Prime Minister Narendra Modi had showed his support with Israel after the attack by the militant group –and this formed the ostensible excuse for the anchors—it needs to be pointed out that the Ministry of External Affairs (MEA) has also reiterated India’s decade’s old support for the cause of Palestine. However, this initial show of support was given an evil and communal twist in India. In our country, a group of people, most of whom are influential given that they are working in the media, have been trying turn this sensitive issue into their hateful propaganda against India’s religious minorities and giving the political question of Israel and Palestine a religious turn. They have been trying to “influence its audience with the

skewed twist that the Indian Muslims are not supporting Israel against the militant attack by painting the cause of Palestine as a only a “Muslim” and an international cause.

Amid this human tragedy, a hateful campaign has been launched to demonise all Muslims and hold them responsible for the violent and condemnable acts of Hamas. The two shows that we are complaining against in the said complaint have furthered the same hate propaganda and have been designed in such a way as to give a one-sided view of the complex issue.

The time frame for filing this complaint to the broadcaster first is seven days and hence, given that today is October 23, 2023 we are within this limitation period.

At the outset, we would like to highlight that in both these shows, the anchors have framed the narrative in such a skewed manner that the Indian Muslims are being shown as a sympathiser of the militant group of Hamas due to their “religious connection”. Both showed targeted the same Muslim leaders of the opposition political parties and presented their views in a partisan manner. Most importantly, the long-standing history of Palestine and Israel has been conveniently ignored by the anchors and only half truths were presented. Both of the shows have been detailed separately below:

1. Rashtravad Debate Show:

The show, telecast on October 16, begins with the following question on the screen-

Does a spiritual connection with the religion mean a support of terrorism?

Along with the question, the pictures of Asaduddin Owaisi (AIMIM), ST Hasan (SP) and Atikur Rehman (Samajwadi Party-SP) are also shown. Host Rakesh Pandey starts the show with pictures of a building being bombed in the background and stating that during the ongoing Israel Hamas conflict, the whole world is standing with Israel and certain Muslim politicians are getting exposed. He states that people are supporting the “terrorism” of Hamas under the garb of supporting Palestinians while some are talking about their spiritual and religious connection with them. He further states that “this raises the question on who are building this Hamas think tank in India?” **(Time Stamp: 1:16 – 1:59)**

Pandey then proceeds to show a video of protestors holding a protest in support of Palestine. As the video plays, he states “these visuals are coming from Jantar Mantar in Delhi. These are students from left organisations that are protesting in support of Palestine. You will see many posters and slogans, but not one words has been said in reference to Hamas. The ‘country’ is standing with Israel, but these people are asking to stop the attacks on Palestine. By protesting against the decision of India and Israel and showing their support for Palestine, these organisations are indirectly showing solidarity with Hamas too. Prior to this, protests were also held at Jamia Milia Islamia and Aligarh Muslim University.” **(Time Stamp: 1:59 – 2:45)**

The host then shows the various statements made by ministers and leaders. The first statement shown is that of Atikur Rehman from the Samajwadi Party, where he stated that “what is the United Nations doing? They should intervene and stop this war. They should help those poor Muslims or else things might get out of hand. We are Indians, but we also have a spiritual and religious connection with them, no one can stop us from pray to God to help them.” **(Time Stamp: 3:25 – 4:24)**

Pandey gives a twist to the statement made by the minister from SP and stated “where were these sentiments when the Israelis were being attacked? By calling these Islamic Nations our friends, these are setting an agenda.” **(Time Stamp: 4:25 – 4:42)**

The next statement that host Pandey play is that of S. T. Hasan from Samajwadi Party as well. In his statement, Hasan states “the UN is still saying that they stand in solidarity with Palestine. However, our Prime Minister showed his support to Israel within 5 hours of the attack. He acted too quick and without putting much thought into it. On an International level, Islamic countries have maintained a friendly relationship with us and have supported us in our bad times. At the very least, the PM should call things for what they are.” **(Time Stamp: 4:42 – 5:12)**

Upon this, Pandey continued with his diatribe and said “If India has been friendly with Islamic nations, then should we also show our support to terrorism? Maybe the leaders of the opposition should learn something from Israel themselves. There are disagreements within Israel, but when it comes to a national decision, they all stand together. Even during this time, they have formed a War committee which includes the leaders of the opposition too. Meanwhile, our leaders of the opposition have been habitual in opposing the stand of the government. No matter what the issue is.” **(Time Stamp: 5:12 – 5:46)**

The third statement that is showed is that of Swami Prasad Maurya from the SP party. In his statement, Maurya can be heard saying “If you talk about Hindu Rashtra, why will Muslims, Jains, Buddhists and Sikhs not talk on the similar lines then? Those who talk about Hindu Rashtra today are the enemies of the nation. Long time ago, the Hindu Mahasabha had spoken about establishing a Hindu nation which had led to the division of India and Pakistan. Veer Savarkar was also a part of this Mahasabha. It was not Jinnah but the Hindu Mahasabha that had led to the division of our country.” **(Time Stamp: 5:58 – 6:35)**

It remains unclear as to why this particular statement of Swami Prasad Maurya was included in this show as it had no relation with the Israel-Hamas conflict. One can only assume that the objective behind including this statement is to instigate the majority community. Not even once did the host exercise restraint and deemed the above statements of the leaders to be their own personal views that they have the right to express, rather used them to target the Muslim community and question their motives.

Following this, a statement given by Sangeet Som of the Bharatiya Janata Party is played wherein he states that “90% of the shopkeepers today belong to the same community. They donate Rs. 50 to 100 to building a Hamas in India. Why is it that whenever there is any terrorist

activity, people from the AMU protest in their solidarity? It is the stand of our Prime Minister that we have to stand with Israel and that we will stand against terrorism, as we always have.”
(Time Stamp: 6:53 – 7:23)

Any unbiased host would not have included the aforementioned statement by the BJP leader where unsupported claims of supporting terrorism are being made against a minority community, and the host relies on this statement to form the premise of the debate.

The host puts for the following questions that the participants would debate upon:

1. Will there be support of terrorism owing to the religious connection shared?
2. Has the ‘Muslim leadership’ been exposed in this Israel-Hamas conflict?
3. Who is building the ‘ Hamas think tank’ in India? **(Time Stamp: 7:31 – 7:44)**

The participants of the debate were: Retired Col. RSM Singh (Security expert), Rajeev Jaitly (BJP), Danish Kureshi (AIMIM), Hajik Khan (Islamic Scholar), and Deepak Pandey (SP).

The questions that were posed during the debate were already in line with one-sided narrative. Even as Deepak Pandey explains the aspect of humanity that the leaders of SP are focussing upon while supporting Palestine, host Rakesh Pandey instigates him by stating “Are you bothered because I am naming Hamas again and again? Will that hamper your vote back?”
(Time Stamp: 9:02 – 9:14)

In the most condescending manner, host Rakesh Pandey repeatedly asks Deepak Pandey to tell him the name of the President of Palestine, not providing the participant any time to elaborate upon the partisan questions posed to him. Questioning Deepak Pandey on “his show of humanity”, host Rakesh Pandey asks him “whether he is from Hamas or if he sits in Gaza itself?” The host then forces Deepak Pandey to say “Hamas Murdabad (Death to Hamas)” so that he can move further to the other participants. **(Time Stamp: 10:22 – 12:02)**

The next participant, Rajeev Jaitly from BJP, makes a derogatory and offensive statement and states that “all these parties and organisations that are supporting Hamas, even though they have conducted acts of terrorism, are only doing so because they are Muslims. None of these people have done the same had Hamas not been a Muslims organisation.” He then goes on to accuse the SP party of supporting Hamas to appease the Indian Muslims as the SP political party themselves see the Indian Muslims as ‘Muslims’ first. **(Time Stamp: 13:20 – 14:43)**

Hajik Khan spoke next. While he was speaking on the issue of civilians and innocents dying on both sides by the hands of Israel and Hamas, host Pandey keeps on interrupting him and instigating him. Even as Hajik keeps on showing his support for Palestine, after having condemned the attack by Hamas, host Rakesh Pandey asks him whether he is showing support for the Palestine cause because they are Muslims.

Host Rakesh Pandey asks Danish Kureshi (AIMIM) to provide an explanation for the absence of any statement condemning the attack by Hamas on the social media of Asaduddin Owaisi.

He then accused the AIMIM party of instigating the Muslim community in India and creating an image in the minds of the Muslims that only the AIMIM party cares for them.

The host concludes the debate by stating that “let me tell you why the leaders of the opposition says all this, it is because you find people in the country who are willing to go to a funeral of our Prime Ministers and who protest on the day that Yakub Menon underwent his death sentence. It is because these people think that they will appease the sentiments of a particular group that they make such statements.” **(Time Stamp: 24:55 – 25:10)**

The debate show can be viewed here: <https://www.youtube.com/watch?v=XST4VldjUtU>

2. Debate Show- “*Virodh ki kasrat, Hamas wali Hasrat?* (The hard work of the opposition, ambitions similar to Hamas?)”

The show begins with the host Naina Yadav introducing the Israel and Hamas conflict and raising a question on the innocent Israelis that died in the attack by Hamas. She raises the question whether the people living in Gaza, supporting the terrorist organisation of Hamas” did not expect such a bad situation to be a result of the attack by Hamas on the innocent civilians in Gaza? She further states that a division can also be seen in India in regards to the conflict and refers to the formation of a ‘Hamas Gang’. **(Time stamp: 0:22 – 0:56)**

A report is then played which shows the visuals of Hamas strikes and attacks on the people of Israel on October 7. The visuals then show the retaliatory attacks that were launched by Israel. While the visuals play, the speaker states that as soon as Israel starting killing the members of Hamas, the Islamic nations started with their hue and cry. The speaker in the report further states that even certain groups within India are supporting Hamas. The report then plays a video of ST Hasan (SP) wherein he can be heard condemning the mass scale damage and killings being conducted by Israel. Hasan also criticises the actions of Hamas. Another video is then played as a part of the report. The video is of Asaduddin Owaisi from the AIMIM party where he can be heard talking about the bombings and killings in Gaza at the hands of Israel. **(Time stamp: 0:58 – 4:05)**

The report then shows the visuals of students protesting in solidarity with Palestine in Aligarh Muslim University. The speaker can be heard saying that these “extremist elements” might be protesting under the garb of Palestine, but they are supporting Hamas, which is why they are not on the target of the BJP. **(Time stamp: 4:30 – 4:56)**

Following this, similar to the other show, the report shows the statement given by Sangeet Som of the BJP wherein he states that the stand of our Prime Minister that we have to stand with Israel and that we will stand against terrorism, as we always have. He accuses the AMU to always stand in solidarity with acts of terrorism. He further states that the effort to establish another Hamas will not reap any results. **(Time stamp: 4:57 – 5:23)**

Based on the premise set through the report, a debate starts on the question “whether the people of India will also support Hamas and are the leaders of the opposition instigating people?” The participants of the debate were: Shubham Tyagi (BJP), Wajahad Kasmi (Muslim scholar), Captain Sikandar Rizvi (expert), Mumtaaz Alam Rizvi (Muslim scholar) and Lokesh Jindal (Political expert).

The question that the host puts to of Lokesh Jindal is whether there is any sympathy with Hamas even after the terrorist acts conducted by them? The host cuts short Jindal as he tried to explain the whole Arab and Israel as well as the support for the Palestine cause from amongst India and asks him to focus on condemning the acts of Hamas. **(Time stamp: 6:50 – 8:25)**

The host then moves on to Shubham Tyagi from the BJP party who indulges in attacking the people of Palestine with the same partisan and misguided narrative that the host had been promoting since the beginning of the show. Tyagi attacks the resolution passed by the Congress party in solidarity with Palestine and compares it with Congress supporting terrorist entities such as Osama, ISIS, Hamas, etc. Tyagi further accuses all the opposition parties of condoning every terrorist activity that takes place in the world as they run on religious ideologies and want to appease people of those religions. Tyagi even refers to these opposition parties as “sleeper cells of terrorist organisations”. Lokesh Jindal reacted to these statements made by Tyagi by calling him uninformed and an extremist. He also stated that “it is your duty to make informed statements and not spread instigating rumours.” As Jindal continues to school Tyagi, the host starts cutting him short again and maintained her partisan stance. **(Time stamp: 10:00 – 12:50)**

Throughout the debate, Tyagi made derogatory statements towards the parities in the opposition and the host could be seen lauding him on. Unlike the other participants that were cut short by the host, she made no attempts to correct the misinformed and inflammatory statements made by Tyagi while debating with the other participants.

The debate can be viewed here: https://www.youtube.com/watch?v=xpDMh_C2QGg

What these shows entailed

A uniquely stigmatising environment, one that is intensely polarising, has been created (engendered) for the Indian Muslims in the wake of escalating conflict in Palestinian and Israeli territories. Certain sections in India are seeking to draw support for the cause of Israel as an extension of their own anti-Muslim stance and politics. As is evident from the details of the **debates conducted at the two Times Now Navbharat shows**, this conflict has been given an anti-Muslim turn. Even before the debate had started, both the host indulged in spreading their anti-Muslim diatribe and polarized views. The hosts tried to build the premise of the show by depicting the Muslim community in a suspicious light, questioning their intentions behind supporting Palestine and gave it a communal turn. These host further put seeds of doubt in the

minds of his audience by establishing that another Hamas inside India is being created by the leaders of the opposition, the protesting students and the Muslims who are showing solidarity with Palestine.

As soon as the debates began, it becomes evident in the choice and content spouted by not just the participants in the “debate” but also unfortunately displayed by the host of the show that the statements being made were not unbiased or neutral. The host 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 the accusatory manner, while an urbane and inclusive attitude was displayed towards participants from the majority Hindu community or from the ruling political party.

Instead of framing an issue in a sober fashion with an intent to explore various aspects of the debate, both the hosts continued the debate imposing their own opinions on the participants and instigating them with accusatory and religiously coloured statements. This displays partisan coverage and does not fit well with democratic, constitutional principles of independent journalism. Both the host themselves made some extremely problematic statements too.

Reporting on news involves an exercise of imparting information. Questioning of the bit of news information in a prejudicial or hysterical way, without any rational basis to that questioning, with an intention to pitch views of only one segment/community amounts to stigmatising another section that is thus portrayed. Laws, statutory guidelines and evolving jurisprudence have tested and assessed this kind of portrayal and held it to be, in fact, creating an unequal, partisan playing field that both demeans the right to life and right to life with dignity of that particular targeted section. In practice, therefore it attacks the right to equality and non-discrimination, too.

It is clear from the extracts we have mentioned above, that the debate show appeared more like a one-sided show promoting the host’s take on the Israel-Palestine conflict or a religious/sectarian debate rather than a news room debate.

As per the guidelines of the NBDSA, the hosts are 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 clearly did not happen. As is apparent from the videos and the statements highlighted by us, both the hosts Rakesh Pandey and Naina Yadav were keen on leading the debate with the question of whether the Muslim leaders of the opposition, protestors and the Muslim community are supporting Hamas and creating a ‘Hamas think tank’ within India. As the anchor of a show on a news channel, that is supposed to have a neutral and unbiased theme, both the hosts did not even attempt to have any non-communal theme on the debate.

With the utmost convenience, both the shows in the Hamas-Israel conflict did not provide any historical context of the ongoing conflict and blatantly compared supporting the cause of Palestine to the acts conducted by Hamas. The historical truth that from Mahatma Gandhi to

Edward Said to Jawaharlal Nehru, persons of stature nationally and internationally, representing the sane, non-violent voice, cutting across religious creeds, have openly and consistently spoken in favour of the rights of Palestinian people was also not presented during the shows. Instead, the whole issue was communalised wherein the Muslim community were made to stand in the spotlight and asked to “prove their intentions and motives.”

It is also essential to note that on October 12, four days prior to the debates, the Ministry of External Affairs spokesperson Arindam Bagchi had reiterated India’s call for the creation of a sovereign Palestinian state. At a press briefing, Bagchi had stated that “Our policy in this regard has been long-standing and consistent. India has always advocated the resumption of direct negotiations towards establishing a sovereign, independent and viable State of Palestine, living within secure and recognised borders, side by side at peace with Israel.” interestingly, this stance of India’s solidarity with the Palestine was not a part of either of the shows.

Both the hosts kept reiterating through the show that the Muslim community, by standing in solidarity with the Palestine, were going against the stand taken by the Prime Minister and supporting terrorism, making the entire show a communal battleground. This does not only violate the made guidelines issued by the News Broadcasting Digital and Standards Authority (NBDSA) from time to time of which the channel is a member but also stands in violation of our constitutional principles. With the vast viewership of the channel, it can be presumed that this prejudicial view has already reached large sections of the people through the TV channel and also through the social media platforms including YouTube, Twitter and Facebook.

Violations

The Violations of NBDSA principles:

Following are some of the codes of ethics and principles of self-regulation as laid out by the NBDSA, violated by Times Now Navbharat:

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.

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.

5) The fundamental purpose of dissemination of news in a democracy is to educate and inform the people of the happenings in the country, so that the people of the country understand significant events and form their own conclusions.

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.

PRINCIPLES OF SELF REGULATION

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.

Specific Guidelines for Anchors conducting Programmes including Debates

The Anchors/Presenters/Journalists/Editors should:

a. Not make any derisive or derogatory statements about individuals, communities or religious beliefs and practices while reporting, commenting, analysing or debating on any issue or topic in any programme/s including debates.

b. All communally inflammable statements/declarations are prohibited as per the Code of Ethics and therefore should not be uttered during the programmes. Members are aware that such utterances are subject to penalty under the News Broadcasting & Digital Standards Regulations.

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.

d. Caution, inform, guide, advise and brief the panellists (either by e-mail or personally), prior to participating in a debate, to refrain from making any provocative and divisive statements and bring to the attention of the panellists the Code of Ethics and the Guidelines issued by NBDSA. These emails, if any, should be kept on record and may be produced before NBDSA in case of any future complaint/s.

e. Advise and warn the panellists from making provocative and divisive statements during the debates. In case of non-compliance, mute the panellist/s if he/she continues to make such statements which may incite hatred amongst communities or result in racial and religious stereotyping or which denigrates or creates religious intolerance or disharmony.

f. Ensure that panel discussions and /or the programmes including debates do not become a platform to encourage or expound extremist/divisive views or spread falsehood or fake facts about individuals, communities, religious beliefs and practices.

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.

It may be noted that adding a Disclaimer to any programme including debates 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 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;

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],

295A [deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs],

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].

On January 13, while hearing a batch of petitions seeking action against hate speech the bench of Justices KM Joseph and BV Nagarathna (Supreme Court of India) said that the news anchors who promote or indulge in hate speech should be punished by imposing a fine and taken off air. The bench also said that the news media must realise that they occupy a position of great strength and what they are saying impacts the whole country. “They should realise that they have no right to speak their minds whichever way they want,” said Justice Joseph. The bench also said that news channels were creating a rift in the society. During a hearing in September 2022, in the Hon’ble Supreme Court, a Justice of 7 the Court (Justice Joseph) had expressly stated that TV channels were using hate to increase their ratings.

From the multiple complaints that we have raised before NBDSA over the years, especially against the Times Now Navbharat channel, it is evident that certain news channels are always seeking a communal agenda to increase their viewership. Controversial and communal topics attracts viewer attention as it is a matter of debate and thus, these channels tend to pick up any news that can be given a communal turn and sometimes even create a news point to further their divisive agenda.

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 lawSuch 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 and ors.***, reported in AIR 2014 SC 1591, while hearing a plea urged in public interest that the existing laws of the country are not sufficient to cope with the menace of "hate speeches", had the occasion to consider what a "hate speech" is. The court stated thus,

"7. Hate speech is an effort to marginalise individuals based on their membership in a group. Using expression that exposes the group to hatred, hate speech seeks to delegitimise group members in the eyes of the majority, reducing their social standing and acceptance within society. Hate speech, therefore, rises beyond causing distress to individual group members. It can have a social impact. Hate speech lays the groundwork for later, broad attacks on vulnerable that can range from discrimination, to ostracism, segregation, deportation, violence and, in the most extreme cases, to genocide. Hate speech also impacts a protected group's ability to respond to the substantive ideas under debate, thereby placing a serious barrier to their full participation in our democracy."

If the channel truly cared about values of secularism and fraternity, it would abide by them. However, it is clear that in utter disregard of these constitutional values, the channel has brazenly forwarded its anti-minority narrative and gone full throttle in showing Muslim community in a suspicious light and furthered the Islamophobic discourse prevalent in the current times.

We are sure that a channel such as yours is aware of the recent matters pending in the Hon'ble Supreme Court, wherein specifically the role of television channels and anchors has come in for sharp questioning. In view of this, it is in best interest, that you remove the above-mentioned content from all social media accounts of your channel and your own website, and issue a public apology for the communal reportage. In an event we do not receive a satisfactory response from you, we will be compelled to submit a complaint to the NBDSA. You are also put on notice that failure on your part to satisfy the complainants with an apology on your news channel may result in legal consequences for your channel at the appropriate fora, at your risk to costs.



We also urge more sensitive and responsible coverage of issues in future.

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary