



Date: March 27, 2024

To,
Mr. Piyush Choudhary
Compliance Officer
Zee Media Corporation Ltd.
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Subject: Complaint against debate show on the Budaun Double Murder that aired on Zee News on March 20, 2024

Dear Sir,

We, at Citizens for Justice and Peace (CJP), are writing to you with regards to a live debate news segment that aired on Zee News on March 20, 2024 on the Budaun double murder case. The said debate segment was aired for a period of 11-hours on the news channel covering the whole case and the encounter of the accused by the UP Police. The title of this show is “**Debate on Budaun encounter LIVE: Encounter पर क्यों उठा रहे सवाल? Javed | Sajid | Breaking news**”.

The show can be viewed here:

<https://www.youtube.com/watch?v=Yhv76m9tNZw>

The debate show that we are complaining against in the said complaint has furthered a divisive, targeted and anti-Muslim hate propaganda and, as elaborated in detail below, has been designed in such a way as to give a one-sided communal view of an issue that did not warrant for any such sectarian narrative. The time frame for filing this complaint to the broadcaster first is seven days and hence, given that today is March 27, 2024, we are within this limitation period.

At the outset, the complainant wishes to highlight the communally inflammatory nature of the statements made by the anchor throughout this coverage on the Budaun murder case as the accused and the victims belonged to different faiths. While the complainant surely acknowledges the heinous and brutal nature of the crime, we also wish to highlight the problematic statements made by the anchor throughout the coverage of the show. From using derogatory and stigmatizing phrases such as “Talibani style of murder”, the anchor has indulged in Muslim bashing throughout the half hour long show and tried to fan religion-based communal tensions.

It may also be notes that out of the whole 11-hour coverage of the self-same entire issue, the actual debate was of 35 mins only on the given day and was then played on loop. This has an

even higher potential of generating bias, even hatred as repetitious such coverage is known psychologically to have this impact on the viewer.

About the incident

On March 19, disturbing news emerged from the state of Uttar Pradesh that a salon owner, who happened to be Muslim, reportedly killed two minor boys who were brothers and belonged to the majority Hindu community. The incident happened on Tuesday evening in Baba Colony, when the accused, identified as 22-year-old Mohammed Sajid, entered a house and attacked three brothers, aged between 12 to 8 years old, with a knife. As per media reports, accused Sajid was a neighbour to contractor Vinod Thakur, whose sons he attacked. While two of the brothers namely Ayush (aged 12) and Ahaan (aged 8), died in the attack. It had been reportedly that accused Sajid slit the throats of the two children with a knife.

Thakur's third son, Piyush, was also attacked by accused Sajid with a knife, however he managed to escape the attack. As per a report of Livemint, the surviving brother has now become an eyewitness in the double murder case.

A report by the ANI provided the narration that the surviving brother, namely Piyush, gave first hand evidentiary accounts of the incident that took place and how he was able to save his own life. In the report, he has been quoted as saying, "The man from the salon had come here. He took my brothers upstairs; I don't know why he killed them. He tried to attack me, too, but I pushed away his knife, pushed him away and ran down. I suffered injuries in my hand and head...Two people (accused) had come here."

The official reaction to the incident was also provided in the report of the Hindustan Times. In the said report, SSP Budaun Alok Priyadarshi narrated the said incident by stating the following: "The accused Sajid entered the house yesterday at around 7:30pm and went to the terrace where the children were playing. He attacked the two children and murdered them. He then came down where the crowd tried to hold him back but he escaped...Police teams swung into action when they got to know that the accused had escaped."

The tragic double murder led to (an understandably) uproar by local residents. As per multiple media reports, the residents set shops on fire as they demanded the immediate arrest of Sajid. Later, as the police tried to apprehend the accused, a retaliatory firing reportedly ensued, as a result of which the accused was shot dead in a police encounter.

The statement of Bareilly Inspector-General of Police Rakesh Kumar was provided by ANI, wherein he had stated "Today evening, an unfortunate incident took place in which two children were killed. The police reached the spot, and the accused tried to escape. We chased the accused. He fired at the police and was killed in retaliatory fire. The accused died on the spot. The police are investigating the case."

It is essential to note that **the reason behind the accused Sajid attacking the three children has not been ascertained yet.** The father of the victims has provided that he is not aware why the accused had attacked his sons. However, SSP Badaun Alok Priyadarshi said that accused Sajid demanded money from the father.

“In the FIR, the family of the deceased children has also named the brother of the accused, Javed. Teams are working to find him, and he will be arrested soon. According to the family, the accused had demanded ₹5,000 from the father of the deceased children,” the SSP Budaun told ANI.

As soon as the news of the double murder and the name of the accused came forth, communally inflammatory posts started doing round on social media. Since the accused was a Muslim while the victims were Hindu, it did not take much time for ‘X’ (formerly Twitter) to see hashtags such as #रमजान_हॉरर (Ramzan Horror) and #HindusUnderAttack start trending. The religious backgrounds of the parties involved served as the perfect opportunity for the bots and faceless trolls on ‘X’ to spread their divisive ideology, which was then picked up by far-right influencers and IT cells. A polarising environment was once more created wherein the criminal deeds by one Muslim was used to bash the entire religious minority community. Calls for boycott of the Muslim community and provocative statements encouraging violence against the community had started doing rounds.

Contents of the Zee News debate show:

Along with widespread, hate-driven reactions on social media platforms, some news channels gave a communal colour to the whole incident of murder. Varying away from the official response given by the police, the Zee News anchor made many such statements which stigmatized the Muslim community as a whole rather than just focussing on the present case and accused.

In the present complaint, we have focussed on the instigating and offensive statements made by the anchor, namely Pradeep Bhandari, during the debate titled **“Dard.. Murder par ya Muthbhedh par? #BudaunMurder”**.

The show starts with an interviewer interviewing the father of the two murdered children. The father can be heard explaining what the incident and emphasising upon the lack of knowledge regarding the motive behind the murder. While interviewing the father, anchor Bhandari urges the interviewer to ask the father whether **“Murderer had used the knife to kill the children in Talibani style”** (Time stamp- 3:49- 3:58) the interviewer can then be heard asking the said question to the father of the deceased children using the same phrase.

A debate on the double murder case then ensues. The panellist for the same are Shivam Tyagi (BJP), Dr. Vikram Singh (Ex- DGP, UP), Ali Asgar (senior lawyer), Rashid Shareef, Acharya Vikram Aditya (Hindu religious leader). The first question begins the show with the question on **“why the secular gang is quiet on this Talibani styled heinous act? Why are the politician’s mum?”** Thus, anchor Bhandari poses to the panel communally inflammatory in the starting itself. (Time stamp- 5:10- 5:20)

While a Muslim panellist was speaking, the anchor interrupts him and states the following in an accusatory tone **“You wanted the accused to get bail if the government changes. Just like you were crying tears for the terrorists in the Batla House case.”** (Time stamp- 9:37- 9:51)

The phrase **“Talibani style of murder”** is used again and again by the anchor while posing questions to the debate panel. The anchor had stated **“Let us not go into technicalities, I want to talk about the moot point. Sangeeta was an innocent mother who did no wrong. These people murdered her children in Talibani style. It has been written in the FIR that after the murder, the perpetrators said that “we have completed our task.” This shows that this was not a case of enmity, rather it was a pre-planned conspiracy. My question is why big politicians like Akhilesh Yadav and Priyanka Gandhi Vadra are quiet on this heinous crime? They cannot give a clear statement calling this a rarest of the rare crime and demanding death penalty. These crimes are now being normalised.”** (Time stamp- 10:40-11:38)

With the clearcut attempt of portraying the Muslim community as siding with the perpetrators of this crime owing to their religion, the anchor made the following instigating statement: **“A country is truly dead when politicians do vote bank politics over such ghastly issues and refusing to speak up on it. They wrote Essays over Gaza.”** (Time stamp- 12:50- 13:03)

At one point during the debate, the anchor goes on to list many “Hindu” names which had been “murdered by Muslims in a brutal manner”. The anchor also stated that these were just a few names, almost 70 other Hindus had been murdered by Muslims in the same way. (Time stamp- 13: 17- 14:21)

The anchor then states, **“Whatever happened with one Akhlaq, even though that was wrong and a punishment should be given, the names of these Hindus get lost. In the similar way, the names of these two Hindu children would be lost when these politicians do not condemn such incidents.”** (Time stamp- 14:21- 14: 45)

Later, referring to the encounter, the anchor smilingly accuses senior lawyer Ali Asgar of **“having a problem with the encounter and wishing that the police had shot the accused below his knees”**. When Asgar emphasises upon the laws regarding the encounter that prevail in our country, the anchor brushes him off. (Time stamp- 16:00- 16:26)

In addition to making problematic statements, the anchor also did not stop his panellists from making anti-Muslim statements against other panellists and rather goaded them to make further derogatory statements. One Hindu religious leader pointedly asked the two Muslim individuals to answer whether the four Hindus, including the anchor, sitting on the panel were **“Kaafirs in their eyes or not and if their religious book taught them to kill those who were not practicing Muslims”**. He also deemed this whole double murder case to be a case of **“achieving heaven after death.”** When Menon refused to answer such a polarising question, the Hindu religious leader then starts with his anti-Muslim diatribe and states **“you are calling me fringe element after slitting the heads from the bodies of people. You maulanas are teaching this in the Madrasas. You people are consistently brainwashing innocent**

children and people and then you get your beard cut and sit here. You should be ashamed.” (Time stamp- 18:58- 20:37)

The anchor repeatedly accuses the Muslim participants of having a problem with the encounter. At one point, he gloats about the UP police encountering the accused in this case and states **“Javed and Sajid committed murder in their Talibani style. If the accused had felt any guilt over the murders, they would not have kept their getaway vehicle ready. They kept their bike ready to get away. I salute the UP Police for conducting a legally sanctioned investigation with one of the accused. they are still on the lookout for the other accused. Why are you (addressing the Muslim panellists) not standing with the victim?”** (Time stamp: - 23:18)

Panellist Tyagi further adds to the bashing of the Muslim panellists and states **“These people are just saying that instead of the encounter, the accused should have been lovingly been lodged in jail. This way, an army of lawyers would have readily tried to protect them, just like an army of lawyers are protecting the Ahmedabad blast accused. Many outfits would have come forth to show them support”.** (Time stamp: 25:00 - 25:30)

It is essential to emphasise here that neither of the Muslim participants, throughout the debate, showed any sympathy with the accused or tried to justify the crime that took place. Even then, the two Muslim participants were cornered and attacked again and again. Rejecting the condemnation of the attack offered by the two Muslims, the anchor targets them and states, **“You (Muslim participants) have not once said that you stand with Sangeeta (mother of the deceased children). You have not said that the children were killed with their throats slit and whatever happened with them was brutality. You are trying to normalise the crime by going into the technicalities of the encounter.”** (Time stamp: 27:25- 28:02)

The anchor even justified a call raised by Shivam Tyagi for “Hindus to avoid going to certain barbers as they might murder them” by saying **“Asgar Ali, if any Hindu thinks on the similar lines as Shivam Tyagi and avoids going to certain barbers, then you will villainise the Hindu community.”** He then asks senior lawyer Asgar Ali to openly state that he is standing with the victim’s family and the accused on the run, namely Javed, should be given death penalty. (Time stamp: - 33:00- 34:10)

It is crucial to highlight here that this 35-minute debate plays on loop and shows on the channel as 11-hour coverage.

What the show entailed:

It is clear from the extracts we have mentioned above that throughout the debate show, anchor Pradeep Bhandari has dragged the religion of the accused and the victims unnecessarily into an issue that did not warrant any scrutiny of the communities that the parties belonged to. It is

essential to re-iterate that both the police as well as the family of the deceased children had not pointed to the religion of the accused or the victims being a point of contention. Even after that, the anchor has repeatedly communalised the double murders in order to portray the Muslim community as sympathisers of the encountered Sajid and the other accused Javed.

A unique environment, one that is intensely polarising, was continuously created for the Muslim participants during the debate as well. 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 anchor of the show that the statements being made were not unbiased or neutral. The anchor 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, the anchor 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. The anchor himself 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. Selectivity in news coverage, especially when it comes to identities and communities is especially sensitive and requires responsible handling.

It is clear from the extracts we have mentioned above, that the debate show appeared more like a one-sided show promoting the anchor’s take on the Budaun murder case or a religious/sectarian debate rather than a news room debate. Even when the Hindu panellists attacked the Muslim panellists during a live debate on a national platform, not one word was uttered by the anchor to reprimand them.

It is also essential to highlight here that every attempt made by senior lawyer Asghar Ali to shed light upon the laws governing encounter by police or the missing motive in this matter was deemed as sympathy for the Muslim accused by the panellist, and even the whole Muslim community. The anchor, who brought in many previous instances of bomb blasts and legal counsels defending those accused, conveniently forgot the right to a legal counsel and defence that every accused/incarcerated has been guaranteed by Indian laws.

As per the guidelines of the NBDSA, the anchor is 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 video of the

debate show and the statements highlighted by us, the anchor Pradeep Bhandari was keen on leading the debate with the question of whether the Muslim leaders of the opposition, protestors and the Muslim community are supporting the accused Sajid and Javed. As the anchor of a show on a news channel, that is supposed to have a neutral and unbiased theme, the anchor did not even attempt to have any non-communal theme on the debate.

The anchor kept reiterating throughout the show that the Muslim community are unhappy with the encounter and are refusing to condemn the incident and demanding the Muslim participants to issue an apology to prove their stance on the matter. Even after the Muslim participants condemned the incident, the Hindu panellists as well as the anchor continued to bash the two for not issuing an apology up to their standards. 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 Zee News:

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 panelists 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 panelists (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 panelists 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 panelists from making provocative and divisive statements during the debates. In case of non-compliance, mute the panelist/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 panelists 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 defense 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],

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 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, 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 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 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.

As mentioned above, various other regulatory bodies apart from the NBDSA like the Press Council of India (traditionally dealing with print media) have repeatedly cautioned against selective portrayal of community identities when it comes to crimes and happenings, cautioning discretion and responsibility. We crave leave to rely on these through the course of the complaint proceedings.

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 urge more sensitive and responsible coverage of issues in future.

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary