



Date: August 26, 2024

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

Subject: Complaint against two shows on the theme of “contentious teachings in Madarasas in Bihar” that aired on Times Now Navbharat on August 19, 2024

Dear Madam,

We, at Citizens for Justice and Peace (CJP), are writing to you with regards to two shows, of which one is a news segment and the other is a debate show that aired on Times Now Navbharat on August 19, 2024. The theme of both the shows was regarding the issue of “Teaching in Madrassas in Bihar”. The title of shows in question are “**Sankalp Rashtra Nirman Ka: कराची का लिटरेचर..भारत के मदरसों में क्या कर रहा ? | Hindi News**” and “**Rashtravad: भारत का मदरसा...पाकिस्तान का सिलेबस? | Priyank Kanoongo | Bihar Madarsa | Hindi News**”.

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.** The stipulated time frame for filing this complaint to the broadcaster first is seven days and hence, given that today is August 26, 2024 we are within this limitation period.

Both the shows are based on the statement made by Chairperson of the National Commission for Protection of Child Rights, Priyank Kanoongo, who had alleged that the government-funded madrassas in Bihar are teaching from so-called “Radical-curriculum” and using “Pakistan-Published books”. He had raised concerns over the same. The book in question, with the title of “Talimul Islam”, had sparked controversy over the news channels.

Background of the issue:

On August 18, Priyank Kanoongo, Chairman of the National Commission for Protection of Child Rights (NCPCR), made a series of allegations on 'X' (formerly Twitter). He claimed that government-funded madrassas in Bihar are teaching from books like "Talimul Islam" that describe non-Muslims as “Kafir,” or those who do not believe in Allah. Kanoongo further alleged that Hindu children are enrolled in these madrassas, but the Bihar government has not

provided official data on their numbers. He also raised concerns about the curriculum containing books printed in Pakistan, criticizing UNICEF for its involvement and labelling it as “appeasement.” Kanoongo argued that madrassas are unsuitable for basic education and called for their dissolution, suggesting that children should instead attend regular schools.

Kanoongo's post included a picture of another book, “Sabil-e-Sakina,” published in Latifabad, Hyderabad Sindh, Pakistan, and claimed that it is also being taught in Bihar’s madrassas. His allegations triggered a debate across various media platforms and news channels regarding the supposed radical teachings in these institutions.

“Talimul Islam,” originally written in Urdu by Shaykh Mufti Kifayatullah and published by Kutub Khana Azizia, Delhi, was translated into English as "Lessons in Islam" by Sabihud-Din Ahmed Ansari and published by Darul Ishaat, Karachi, Pakistan. This book is part of the *diniyat* curriculum for classes 2 to 5 in Bihar’s madrassas. Kanoongo highlighted certain controversial questions in the book, claiming they describe non-Muslims as “Kafir.”

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 Madrassas across the country have been painted as suspicious places that are attempting to brainwash children and create the image of the Madrassas and respective teacher as enemies of this country.

1. Sankalp Rashtra Ka Show:

Anchor – **Vidya Nath Jha**

Title of the Show: Sankalp Rashtra Nirman Ka: कराची का लिटरेचर..भारत के मदरसों में क्या कर रहा? | Hindi News”,

Aired on August 19, 2024

The “**Sankalp Rashtra Ka Show**” begins with the following questions on the screen:

Karachi's literature. What is it doing in India's Madrasas?

Poisonous syllabus in Madrasas?

Brain mapping of Hindus in Madrasas. Conspiracy grows?

Who brought the brainwashing book, what kind of Jihad in Madrasas?

The atmosphere in UP-MP has become tight. What is Bihar doing? (Time Stamp: 0:01 – 0:23)

It is important to note that while these questions are being posed by the anchor, pictures of Bihar State Madrasa Board and some madrasa students and teachers studying and doing *namaz* is being shown in the background of the question repeatedly. These pictures as well as the music used attempt to villainise the students as well as the teachers.

Further in the show, the following questions were raised by the Anchor on the screen: -

Is a big conspiracy being hatched in Madrasas?

Pakistan's plan has come to India!

Lessons of fundamentalism being taught in Madrasas!

Pakistani books being taught in Madrasas!

Non-Muslims are being told, 'who is a kafir'!

Hindu children are being brainwashed! (Time Stamp: 0:26 – 1:00)

These questions contain free and loose usage of words such as “conspiracy”, “Pakistan”, “fundamentalism”, “brainwashing” and “Kafir” in the beginning of the show itself builds a uniquely stigmatising environment. The anchor then showed a bite, showing a book on screen titled as “Lessons in Islam, authored by Talimul Islam” and flagged the following questions-

“A big revelation has come to light; a big conspiracy has come to light”.

“What kind of books are being taught in the madrassas run with the aid of the government?

“Why is a person who believes in more than one God being called a Kafir?” (Time Stamp: 1:22 – 1:41)

The language used in these questions is extremely Islamophobic as it perpetuates harmful stereotypes and fosters suspicion towards the Muslim community. The unsubstantial implication that madrassas are involved in conspiracies while questioning the content of their educational materials through unfair portrayal of Islamic schools as breeding grounds for extremism is not just and neutral coverage of an important issue. This generalisation ignores the diversity within Islamic education and promotes a narrative of fear and mistrust. Additionally, the use of terms like "Kafir" in a negative context vilifies Islamic beliefs and suggests an inherent hostility towards other religions, further alienating Muslims.

Moreover, this kind of language promotes an "us vs. them" mentality, deepening divisions between Muslims and non-Muslims. By casting suspicion on the Muslim community and misrepresenting their beliefs, the questions contribute to the marginalization and discrimination of Muslims. This Islamophobic rhetoric not only misrepresents the religion but also encourages hostility, making it harmful and divisive in both social and political contexts.

Furthermore, the show also featured an interview of Priyank Kanoongo with a reporter of the Times Now Navbharat wherein Kanoongo shows Page 6 of the book in question, namely “Taleem-ul-Islam Book 1- Lessons in Islam” on a screen. Notably, Page 6 of the said book contained the following questions:

Q. Who created you?

Ans. Allah created us, our parents, the heavens, the earth and all other things.

Q. How did Allah create the world?

Ans. He created it by his might and decree.

Q. What do we call those who do not believe in Allah?

Ans. They are called Kafirs (unbelievers).

Q. Some people worship objects other than Allah or believe in two or three gods. What are such people called?

Ans. Such people are called Kafirs (unbelievers) or Mushriks (polytheists).

Q. Will the polytheists attain Salvation?

Ans. The polytheists shall never attain salvation, they shall, instead, be doomed to eternal punishment and affliction

Highlighting these questions, the NCPCR Chairperson told a reporter from Times Now Navbharat that they have been in discussions with state governments for several days, expressing that it is not appropriate for Hindu children to stay in madrasas. According to the Chairperson, madrasas are not meant for non-Muslims, and even Muslim children in madrasas are deprived of their right to basic education. The Chairperson emphasized that these children should be admitted to regular schools to ensure they receive fundamental education as guaranteed by Article 21 of the Constitution under the Right to Education Act. The NCPCR has also engaged with the Bihar state government multiple times on this issue, insisting that Hindu children studying in madrasas should be immediately enrolled in schools, and that Muslim children in Bihar's madrasas should also be provided with school education. However, the Bihar state government responded by saying that their syllabus has been prepared by UNICEF, and therefore, they will not make this change. **(Time Stamp: 3:58 – 4:51)**

The complainant understands that concerns exist regarding the curriculum of madrasas and other schools that focus on religious education. These institutions, like any other educational establishments, must ensure that their teachings align with broader educational standards, including critical thinking, scientific inquiry, and civic responsibility. Evaluating and updating curricula to meet these standards is a legitimate concern, as it aims to provide students with a well-rounded education that prepares them for participation in a diverse and modern society.

However, the news segment broadcasted by Times Now Navbharat has exaggerated and twisted these concerns to the point of portraying madrasas as institutions that are solely focused on brainwashing Muslim children and encouraging an extremist divisive agenda. Such a portrayal not only misrepresents the diverse nature of Islamic education but also unfairly stigmatizes an entire community. It's crucial to approach the issue with a balanced perspective, recognizing the need for educational reform while avoiding harmful generalizations that fuel prejudice and discrimination. The focus should be on constructive dialogue and collaboration to improve educational outcomes, rather than fostering fear and division.

What does the show entail?

In the impugned broadcast herein, the TNN reporter questioned Deputy Director, Bihar State Madrasa Board, Mr. Abdul Salam Ansari over the allegations of Muslims being imparted radical and divisive education against non-Muslims in the Madrassas of Bihar. Responding to the same, Ansari clarified that “this kind of syllabus is not in my Madrasa board. Whatever syllabus of 1st to 8th class of Bihar Government is approved by SCERT, all the syllabus are valid in my madrassas”. The reporter then referred to the allegations raised by the NCPCR Chairperson Kanoongo, to which Deputy Director Ansari replied by stating that “See, we do not have any information about this, it is not appropriate to comment on it until the official information comes”. **(Time Stamp: 5:27 – 6:27)**

The reporter further questioned Ansari on whether they have to obtain a certificate from UNICEF regarding the studies that take place in the Madrasas. On this question, Ansari replied



that “Yes, a committee was formed for that, UNICEF was also in it and the syllabus was prepared through those (UNICEF) people in 1920. It is a very good syllabus. Therefore, it is not appropriate to take jibe.” **(Time Stamp: 6:28 – 6:45)**

In relation to the NCPCR’s claim of inaction by the government, the reporter stated that “it is being said by them (NCPCR) that many attempts were also made to contact the government. But no further action has been taken by the government, now they will take the help of law and are even talking about going to court” **(Time Stamp: 6:46 – 6:57)**

The anchor of the show then cites the action taken by Uttar Pradesh’s Chief Minister Yogi Adityanath against the alleged illegally operating Madrassas in the state of UP. He further states that the scene is different in UP as CM Yogi Adityanath does not tolerate even the slightest spark against the national interest, Yogi Adityanath had recently tightened the noose on those madrassas which were allegedly running illegally. **(Time Stamp: 9:54 – 10:07)**

The anchor further showed a clip in the impugned broadcast in which Times Now Navbharat reporter is seen talking to a Madrasa teacher and the students in a Madrasa in Patna (Bihar). The reporter can be heard asking the Madrasa teacher about the controversy that is stewing in regards to the content of the book, to which the Madrasa teacher said that “No, it is not taught here, it is not in our syllabus”. **(Time Stamp: 12:04 – 12:14)**

The reporter then moves toward the students sitting in Madrasa and asked the student to the meaning of the word “Kafir”. One student answered to the reporter that the word Kafir has been used for the farmer as farmers sow seeds inside the soil, thereby concealing them and Kafir is a term that is used for anyone that conceals anything. The child also stated that this is not a wrong word; it is an Arabic word. The TNN reporter then further asked the student whether the book “Talim-e-Islam” mentions that if someone believes in two Gods and Goddesses, then that person is a Kafir. The student replied to the same by stating that the word “kafir” which has been used for a farmer is not in any bad sense, rather is used for anything that is done to hide the truth is called “kafir”. A second student was then questioned by the reporter, who stated that word “Kafir” is an Arabic word which is mentioned in the scriptures. The said word should remain limited to the scriptures and not be made an issue that should be mis-used against Muslims loosely through debate to further the Hindu-Muslim divide or any political agendas. **(Time Stamp: 12:27 – 13:31)**

However, the anchor ignored all the contributions made by the people interviewed as a part of the report and encouraged his own one-sided narrative by stating that “If the curriculum of fundamentalism is being run in the madrassas of Bihar, then obviously the same curriculum would be running in other madrassas of the country also. The truth has come out. It remains to be seen how it will be controlled and what steps the government will take.” **(Time Stamp: 13:32 – 13:47)**

It is evident from the extracts provided above that the Anchor had intentionally narrated the whole theme of the show with hateful and fake propaganda against the educational institutions of Muslims and deliberately attempts to show Madrassas in country as place of radical education and anti-national activities. The coverage of the issue by the anchor was biased, as it

selectively emphasised points that aligned with a preconceived narrative while disregarding key clarifications provided by those interviewed. Despite Deputy Director Ansari's assurance that the curriculum in Bihar's madrasas is aligned with the government-approved syllabus and the contributions from students and teachers who clarified the meaning of the term "Kafir" in a non-divisive context, the anchor chose to ignore these insights. Instead, the anchor promoted a one-sided narrative that suggested madrasas in Bihar, and by extension, across the country, are systematically promoting radicalism, without presenting any concrete evidence to support this claim.

Furthermore, the anchor's reference to actions taken in Uttar Pradesh, where the state's Chief Minister allegedly cracked down on illegal madrasas, was used to draw an unfounded parallel with the situation in Bihar. This not only generalized the issue but also stoked fear and suspicion towards madrasas on a national scale. By focusing on unverified allegations and disregarding the balanced responses from the madrasa representatives, the anchor's coverage lacked objectivity and fairness, ultimately contributing to the furthering of a divisive and Islamophobic narrative. The tickers aired along with the report, such as "*Karachi's literature. What is it doing in India's Madrasas?*" further shows how the host made deliberate attempt to connect Indian madrasas with Karachi's literature, this has been done by malafide intention of the channel and the host.

The show can be viewed on You Tube channel of the [Times Now Navbharat](#) and link of the broadcast can be found here:

<https://youtu.be/ddl2PIYbdNA?si=5fepe0OYLGh5bWgK>

2. Rashtravad Debate Show

Host – **Rakesh Pandey**

Title of the Debate Show: “Rashtravad: भारत का मदरसा...पाकिस्तान का सिलेबस? | Priyank Kanoongo | Bihar Madarsa | Hindi News”

Aired on August 19, 2024

It is essential to highlight in the beginning itself that the present impugned show is based on the report represent by the TNN above. The debate show begins with the host Rahul Pandey introducing the question that;

“Is Pakistan's radical syllabus being taught in Indian madrassas?”

“Are lessons of hatred being taught to children in madrassas in the name of religion? (Time Stamp: 0:31 - 0:51)”

Throughout the introduction of the show host Rakesh Pandey raised the question on the so-called controversy of ‘Pakistan’s Syllabus teaching in Indian Madrassas’. Explaining the basic controversy upon which the show was based, host Rakesh Pandey highlighted the same

questions that had been highlighted in the report above, questioning the content that was being taught in madrassas. **(Time Stamp: 0:41 – 1:06)**

Before the debate, host Rakesh Pandey aired a report featuring images of students studying in madrassas. These images were shown while controversial questions were raised, seemingly to create suspicion in the minds of the viewers. For instance, when the anchor questioned whether a "Pakistani agenda" was being promoted in Indian madrassas, the corresponding images of madrasa students were displayed, implying a connection between the students and the alleged conspiracy, thereby casting them as potential threats. **(Time Stamp: 1:43 – 2:12)**

In the present debate, host Rakesh Pandey echoed the same sentiments as the anchor of the previous report. He highlighted allegations that Pakistani textbooks are being used in Indian madrassas, where non-Muslim students are allegedly taught that those who do not believe in Allah are "Kafirs" (non-believers). **(Time Stamp: 2:25 – 2:50)**

The report presented by host Rakesh Pandey contains the same statement of NCPCR chairperson Priyank Konoongo wherein he is saying that the syllabus of the Madrasas is such that it is not suitable for Hindu students, and creates an extreme opinion in the mind of the Muslim students regarding non-Muslims. The report also includes statements made by a Madrasa Principal, namely Mashroof Ahmad Qadri Nadvi, wherein he can be seen responding to the Times Now Navbharat reporter by stating that the present controversy is being created without any reason and is a distortion of understanding of the Islamic scriptures. Regarding the meaning of the word 'Kafir,' Principal Nadvi explained that it is an Arabic word meaning "denial." He further clarified that in the Arabic context, a "Kafir" is someone who denies God or other truths.

Another teacher of the Madrasa can be seen as responding to the TNN reported by stating that they only follow "Quran" and "Hadith", and in Quran the word has been used for farmer. The teacher stated that "the word "Kafir" is an Arabic word for farmer. In Quran, there is a definition for Kafir which means on who hide the truth and farmer hide the seed in the earth for this reason farmer is called "Kafir". **(Time Stamp: 5:06 – 6:12)**

What the show entailed

Following this, the host sets the premise of the debate by posing the following questions for the participants to discuss:

1. Why fundamentalism is being taught in madrassas?
2. Why are calling non-Muslims infidels and spreading bigotry?
3. Justifying the kafir ,aren't sowing the seeds of hatred?
4. Even non-Muslims in Madrassas, then why the lesson on "Kafir"?
5. Whoever worships more than one God-goddess, what is called? **(Time Stamp: 10:51 – 12:11)**

Based on the premise set through the report and the narration of the issue by the host, the debate begins. The participants of the debate were: Mohammad Faiz Khan (RMM), Vinod Bansal

(VHP), Maulana Sajid Rashidi (Islamic Scholar), Mumtaj Alam Rijvi (Islamic Scholar) and Syed Jawwad (Political Expert).

The host asked Pawan Bansal whether teaching Muslim children that those who worship more than one deity are "Kafirs" is not, in itself, spreading poison. Instead of directly addressing the question, Bansal accused Maulana Rashidi and Islam of sowing poison in madrasas, and further labeled the opposing panellist as a member of "Jihadi Sanskriti." The host did not intervene against Bansal's abusive language and even fueled the discussion by stating, "The lesson being taught in madrasas is not simple." **(Time Stamp: 16:03 – 19:38)**

The host then turned to Mumtaj Alam Rizvi, who began explaining that for those who are religious and believe in Allah, Ishwar, or God, the word "Kufr" (unbelief) does not carry any punishment. However, the host interrupted Rizvi, questioning whether the chapter in question is being taught, whether it is instilling hatred in the minds of children, and if madrasas have been created to teach such hatred. The host then directed the same question to Mohammad Faiz Khan, who responded by calling Rashidi a "*Kattarpanthi*" (extremist). The host made no effort to stop the derogatory language used by the panellists and further escalated the debate by bringing Hinduism into the discussion and reading the text of the book as a critique against Hinduism. **(Time Stamp: 20:41 – 23:16)**

One-sided coverage like this creates a deeply problematic and biased narrative that fosters division and perpetuates stereotypes. By focusing solely on controversial and inflammatory questions, such as whether madrasas are teaching a "Pakistani agenda" or spreading hatred towards non-Muslims, the debate disregards the nuanced explanations provided by madrasa representatives and Islamic scholars. The selective presentation of facts and the lack of balanced perspectives contribute to a distorted understanding of the issue, reinforcing negative perceptions of madrasas and the Muslim community. This kind of coverage not only misrepresents the intentions and teachings of these institutions but also unfairly stigmatizes an entire religious community, sowing fear and mistrust among viewers.

Moreover, the host's failure to moderate the discussion fairly, allowing derogatory language and accusations to go unchecked, further exacerbates the problem. By not challenging or correcting the inflammatory statements made by participants, the host implicitly endorses a narrative of extremism and radicalism being insubstantially associated with madrasas. This approach undermines the credibility of the debate and encourages a hostile environment where productive dialogue is replaced by sensationalism and divisiveness. Such coverage does a disservice to the audience, as it obscures the real issues at hand and prevents a meaningful exploration of the concerns surrounding religious education, ultimately contributing to a climate of intolerance and misunderstanding.

The link for the TNN debate show can be found here:

<https://youtu.be/emvXM0UrEnI?si=NwMvIROBdS-34A3>

Issues with both the TNN news shows:

Linguistically, the Arabic word "Kafir"¹ derives from the root "kafara," which means to cover or conceal. According to classical Islamic sources, "Kafir" literally means someone who covers or hides something. For instance, the night is referred to as "Kafir" because it conceals everything with darkness. Similarly, a farmer is called "Kafir" because he buries seeds in the ground. In Islamic terminology, "Kafir" denotes someone who rejects Islamic teachings and is considered unable to perceive the divine signs and guidance. The term is not intended as an insult to other religions but rather signifies a refusal to accept Islamic faith.

Both shows propagated harmful ideas through a distorted portrayal of madrasa education, emphasizing sensationalism over balanced reporting. The "Sankalp Rashtra Nirman Ka" show and the "Rashtravad" debate show both relied heavily on inflammatory language and selective framing, painting madrassas as centers of radicalism and anti-national sentiment. The use of provocative questions and visual imagery aimed to generate fear and suspicion among viewers. For example, the repeated use of terms like "conspiracy," "brainwashing," and "Pakistani agenda" created an impression that madrassas are involved in subversive activities, which unfairly stigmatizes these educational institutions and the Muslim community at large.

The biased nature of the reporting is evident from how both shows handled the controversy surrounding the madrasa curriculum. In the "Sankalp Rashtra Nirman Ka" show, the anchor's questions were designed to evoke alarm, using terms like "poisonous syllabus" and "fundamentalism" without providing a balanced perspective. The show's narrative suggested a direct link between madrasa education and extremist ideologies, despite clear explanations from madrasa officials and students who clarified that terms like "Kafir" were contextual and not used in a derogatory manner. The anchor's choice to ignore these clarifications and focus on unverified allegations exemplifies a deliberate bias.

Similarly, the "Rashtravad" debate show perpetuated harmful stereotypes by framing the debate around questions designed to reinforce negative perceptions of madrasa education. The host's approach to the discussion allowed derogatory language and accusations to go unchecked, contributing to a hostile environment. Participants were given a platform to make sweeping generalizations and inflammatory statements, which were not countered or moderated effectively. This lack of balance not only misrepresents the educational content of madrassas but also fuels divisive narratives that exacerbate communal tensions.

Both shows failed to provide a fair and nuanced exploration of the issue, focusing instead on sensationalism and divisive rhetoric. By presenting madrassas as breeding grounds for radicalism and using biased framing, these broadcasts contributed to the spread of Islamophobic sentiments and distorted the public's understanding of Islamic education. The portrayal of madrasa education as inherently problematic, without acknowledging the diversity and context of these institutions, underscores the biased and harmful nature of the coverage provided by both shows.

¹ The Meaning of Kāfir in the Quran: A Study of Thematic Interpretation [[https://www.bircu-journal.com/index.php/birci/article/download/7387/pdf#:~:text=word%20k%C4%81fir%20means%20no%20faith,SWT%2C%20\(2\)%20covering%20up](https://www.bircu-journal.com/index.php/birci/article/download/7387/pdf#:~:text=word%20k%C4%81fir%20means%20no%20faith,SWT%2C%20(2)%20covering%20up)]

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 the anchor of a show on a news channel, that is supposed to have a neutral and unbiased theme, the hosts did not even attempt to have any noncommunal theme on the debate. 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.

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 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 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;

Further, the inflammatory and unverified content of the show amounts to inciteful, hate speech which is a punishable offence under various sections of the **Bharatiya Nyay Sanhita, 2023 (BNS):**

Sections 196 [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 [deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs];

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

356 (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 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 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 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 valued the principles of secularism and communal harmony, it would uphold these values in its reporting. However, it is evident that, in blatant disregard for these constitutional principles, the channel has aggressively promoted an anti-minority agenda. By portraying the Muslim community in a suspicious light and amplifying Islamophobic rhetoric, the channel has contributed to the harmful and divisive discourse surrounding madrasa education. It is further crucial to note that no discussion on the education of Muslims in contemporary India can be complete without discussing the role of madrasas. Since they offer free education and often free boarding facilities, as well as possible employment as imams and maulvis, most madrasa students belong to poor families. A significant contribution of the 2006 Sachar Committee Report was its frank and illuminating discussion on the role of madrasas in the education of Muslims in India.

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