

Date: January 7, 2026

To,

**Ms. Annie**

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**Subject: Complaint against show “कालीचरण महाराज Vs चार मौलाना...हिंदुओं की लिंचिंग पर विस्फोटक बहस I Debate on Hindu Lynching I ZEE” that aired on Zee News on January 1, 2026**

Dear Madam,

We, at Citizens for Justice and Peace (CJP), are writing to you with regards to a broadcast by Zee News on January 1, 2026, titled “कालीचरण महाराज Vs चार मौलाना...हिंदुओं की लिंचिंग पर विस्फोटक बहस I Debate on Hindu Lynching I ZEE. (Kalicharan Maharaj Vs 4 Maulana... Explosive Debate on Hindu Lynching).” The show in question surrounded the tragic incidents of violence against Hindus in Bangladesh, which the program used as a pretext to incite communal tension within India. It is important to mention that while the professional identities of the Muslim panellists—including Islamic scholars and researchers—were acknowledged in the introductions, the channel systematically reduced them to a religious monolith by utilizing the sensationalist and confrontational title “Kalicharan Maharaj Vs 4 Maulana.”



The program systematically compromised journalistic integrity through its biased presentation and inflammatory discourse. Host Pratyush Khare orchestrated a narrative that deliberately conflated geopolitical human rights concerns with domestic anti-Muslim tropes. The program's reliance on

sensationalist tickers and unsubstantiated communal claims, coupled with the host's selective questioning and calculated silence during inflammatory speech, created a hostile environment that undermined the principles of fair debate. Khare's conduct throughout the broadcast demonstrated a calculated effort to manipulate the narrative. He repeatedly ignored the need for balanced moderation, instead opting to provide an unchallenged platform for Kalicharan Maharaj to disseminate provocative and hateful rhetoric.

His leading questions, such as "बांग्लादेश में हिंदुओं की लिंचिंग पर मौलाना सेलेक्टिव क्यों?" [Why are Maulanas selective regarding the lynching of Hindus in Bangladesh?] (**Time Stamp: 02:42-02:56**), were designed to provoke suspicion and reinforce a predetermined Islamophobic agenda. Khare's refusal to interrupt or correct Maharaj's inflammatory statements—specifically the misinterpretation of religious texts and the allegation of a "Ghazwa-e-Hind" conspiracy (**Time Stamp: 03:47-04:45**)—revealed a clear bias and a refusal to uphold broadcasting standards. Moreover, his active endorsement of a divisive environment through tickers like "थूक जिहाद वाली कट्टर सोच का इलाज क्या?" [What is the cure for the 'Spit Jihad' mindset?] further underscored his role in promoting a misleading and dangerous narrative.

### Content of the Show:

The entire show consisted of six primary questions posed by the host to the speakers, with the duration of the program revolving not strictly around them. The title and the overarching theme of the show were entirely misleading, communal, and provocative in nature.

1. बांग्लादेश में हिंदुओं की लिंचिंग पर मौलाना सेलेक्टिव क्यों? (Why are Maulanas selective regarding the lynching of Hindus in Bangladesh?)
2. हिंदुस्तान को लिंचिस्तान बताकर बदनाम करने की साजिश? (Is there a conspiracy to defame India by labelling it 'Lynchistan'?)
3. हिंदुस्तान में नई बाबरी का क्या काम? (What is the need for a 'new Babri' in India?)
4. पहचान छिपाकर हिंदू बेटियों से धोखा क्यों? (Why the deception of Hindu daughters by hiding one's identity?)
5. थूक जिहाद वाली कट्टर सोच का इलाज क्या है? (What is the cure for the extremist mindset of 'Spit Jihad'??)
6. जिहाद वाली धर्मकी से मुस्लिमों को उकसाने की कोशिश? (Is this an attempt to incite Muslims using threats of Jihad?)

The debate concluded with a final question from the host that was intentionally biased and communally charged:

7. देश संविधान से चलेगा या शरिया से? (Will the country be governed by the Constitution or by Sharia?)

The show began with host Pratyush Khare framing the theme in a communal manner, setting the tone with a divisive narrative. He introduced the topic by saying that *"Many issues are heating up in the country, whether it is the matter of Babri construction in Bengal or the attacks taking place on Hindus in*

Bangladesh; a major debate has broken out between politicians and religious leaders. Somewhere, Maulanas are describing religion as being above the nation, while elsewhere, New Year celebrations are being called illegitimate by citing Sharia. In the debate sparked over lynching, the Bajrang Dal is being compared to the terrorist organization ISI by some Maulanas, which has left Hindu organizations incensed." [Time Stamp – 00:03 – 00:32]

Then the host introduced the panellist for the debate show in question as Kalibhagat Kaliputra Kali Maharaj. He said, "Questions will be asked by him, and there will be four guests facing him." In other words, the host invited Kalicharan Maharaj and four guests—for which the show used the ticker and title "**Kalicharan Maharaj Vs 4 Maulana.**" These included Islamic Scholar Aashif Khan, Mumtaj Ali Rizvi, Political Analyst Sayyed Jawahar, and Islamic Researcher Kamran Malik. While the show used professional occupations for the four Muslim guests, it simultaneously propagated and disseminated the sensational title "**Kalicharan Maharaj Vs 4 Maulana.**"

Then the host raised the question: "Is the thinking of Maulanas selective regarding the lynching of Hindus in Bangladesh? Why is it so? We will ask Kalicharan Maharaj about this. But first, let's listen to some statements that have come forward related to this." [Time Stamp – 02:42 – 02:56]



The host then played the statement of AIMIM Chief and MP Asaduddin Owaisi, in which he mentioned the alleged killing of Juyel Sheikh in Odisha's Sambalpur by accusing him of being a Bangladeshi. Owaisi had also spoken about the alleged killing of a tribal MBA student, Angel Chakma, in Tripura. Owaisi said that wherever the rule of law is weak, majoritarian politics will gain dominance, and then these incidents occur.

Based on the above, the host asked Kalicharan Maharaj that "Do you feel, Kalicharan Maharaj, that regarding the attacks taking place on Hindus in Bangladesh—where they are being murdered and handed over to live fires—our Maulanas have a selective mindset?" [Time Stamp – 03:30 – 03:46]

Kalicharan Maharaj replied to the said question, which was in itself provocative and leading, by saying that "No doubt it is selective, and no doubt Maulanas will take the favour of Muslims only; there is no

*doubt in this. Because a real Muslim is one who follows the Quran, and it is written in the Quran in 'Surah Tauba,' Surah No. 9, Verse No. 5: 'Kill the non-Muslims, meaning the Kafirs, wherever they are found.' Who is a Kafir? One who commits 'Kufr.' What does 'Kufr' mean? It means to reject. Reject what? Reject Islam, reject the Quran, reject the Hadith. So, who are the rejecters? All non-Muslims are rejecters. So, the condition occurring in Bangladesh—as soon as Muslims increase in India, the condition of Hindus here will be the same as the condition of Hindus in Bangladesh. Therefore, Hindus, be alert! Through your channel, I want to warn Hindus. It is the clear wish of Muslims that 'Ghazwa-e-Hind' happens and an Islamic empire is established over India. It is the wish of Christians that there be a Christian empire over India."* [Time Stamp – 03:47 – 04:45]

The host, Pratyush Khare, did not interrupt the speaker Kalicharan Maharaj for even a single moment regarding his communally charged rhetoric and provocative statements on a national channel. Following the statement from Kalicharan Maharaj, the host, with prejudice and an Islamophobic tone and tenor, raised the next question of whether the "gathering of extremists" in Bangladesh also exists within our country.

*Maharaj replied: "Undoubtedly. When terrorists are hammered or killed, why do 10 lakh people come to the funeral? Who are these? 10 lakh Muslims are coming to support a terrorist, saying, 'Brother, you did a very good job, he has received 72 virgins.' What is being shown here? Look Hindus, we are organized and dedicated to Islam, dedicated to Sharia, and we want Sharia; we want an Islamic state. In India, they are 50% successful. Iran, Iraq, Afghanistan, Pakistan, Bangladesh, Myanmar, Indonesia, Cambodia, Taiwan—these were snatched from the hands of Hindus by Muslims and all the Hindus there were slaughtered. What is happening in Bangladesh is visible. Where did all the Hindus of Pakistan go? They were either killed or made Muslim. This same thing will happen in India; it happened in Kashmir 30 years ago. It will happen in all regions. When India loses an India-Pakistan match, firecrackers are burst in all Muslim areas. Why are they burst? Out of happiness for India's defeat?"* [Time Stamp – 04:46 – 05:50]

Throughout the entire statement delivered by speaker Kalicharan Maharaj, the host again did not show the willingness or readiness to prevent the speaker from using communally charged and rhetorical statements.

He simply moved to another panellist, Aashif Khan, regarding the remark that *"if Hindus do not wake up, they will turn this into Bangladesh as well."*

Aashif Khan strongly condemned the statement made by Kalicharan Maharaj and mentioned: *"Because the Quran says, Allah is saying in the Quran, that all of creation is my family. And in the Quran, Allah says that if someone kills a human being, it is as if he has killed all of humanity, and if someone saves a human life, it is as if he has saved all of humanity. This is the education of humanity given by the Quran. Regarding Bangladesh and India—what you are saying is a wrong thought. We say our country is a secular country. In this country, India, there was Muslim rule for about 850 years, but 'Ghazwa-e-Hind' did not happen. After that, there was British rule for about 195 years, and even then, 'Ghazwa-e-Hind' did not happen. Then Congress ran this country for 65 years. But from 2014 until today, it is being said that the Hindus of India are in danger. When the Hindus of India themselves are being described as in danger, then how will they save the Hindus of Bangladesh when they themselves are in danger?"* [Time Stamp – 05:52 - 06:52]

Then another guest, Islamic Scholar Mumtaj Ali Rizvi, followed the statement of Aashif Khan and said that *"Just now, Kalicharan Das ji quoted a verse. It is a very good thing that you read the Quran—congratulations to you for that. We hope you will read it in a better way so the true meanings can be understood,*

*because even a story written by a common man is not understood in one go, so how will the Quran be understood? Therefore, read it more. Now I am also quoting a verse that is read everywhere—'Lakum Deenukum Waliya Deen.' It means: our religion is with us, your religion is with you. You remain happy. You also gave a reference that all Hindu rule or Hindu populations were finished—you are saying this incorrectly. Even today in Dubai, Qatar, and Doha, our Hindu brothers are present and working there. A temple has been built in Abu Dhabi, and a temple has also been built in Dubai. In today's era, temples are being built, so which era are you talking about where everything was broken? Finally, you say Hindus are in danger. On one hand, you say there is a strong government under Modi ji, and on the other hand, you say Hindus became endangered in that same strong government—how is this possible? As far as what is happening in Bangladesh, I clearly oppose and condemn it. That is absolutely not right."* [Time Stamp – 06:53 - 08:06]

Kalicharan Maharaj immediately reacted and asked *"Just now in Bangladesh, they burnt that person, they burnt a Hindu alive; did any Maulana speak against it?"* Then one speaker, Aashif Khan, said, *"We oppose it."* Kalicharan Maharaj reacted and said: *"By sitting here? By sitting here? I am opposing it and that's it?"* When one speaker asked Kalicharan Maharaj, *"What have you done for them?"* Maharaj answered, *"We are working continuously,"* [Time Stamp – 08:08 – 08:27]

The host immediately moved to his next question, leaving the debate unaddressed in a neutral manner.

The host moved to the next question, asking: *"Is there a conspiracy to defame India by calling it 'Lynchistan?'"* The host referred to a post on X (formerly Twitter) by politician Iltija Mufti, in which she stated, *"Not India, nor Bharat, nor Hindustan; Thy name is Lynchistan."* In her post, she also uploaded the Aadhaar card of Juyel Rana, claiming that a 19-year-old Bengali Muslim migrant worker was lynched in Odisha after being labeled a *"Bangladeshi."* Without addressing the broader context of the politician's statement, the host selectively focused on the caption *"Lynchistan."*

The host then asked Kalicharan Maharaj, *"So, is this Hindustan actually 'Lynchistan?'"* Kalicharan Maharaj provided the expected response, stating: *"This is an insult to Mother India; this is an insult to the nation of Bharat. Our nature is not to corner and kill; we are warriors who fight face-to-face. We are the people of Chhatrapati Shivaji Maharaj and Guru Gobind Singh Ji Maharaj."*

Following this, the host asked speaker Sayyed Jawahar: *"Tell us about this X post; do you agree with it? Should Hindustan be called 'Lynchistan' so easily? She just posted it like that—is this right?"*

Sayyed Jawahar expressed his dissent regarding Iltija Mufti's post, stating: *"One should avoid such words and refrain from building such narratives. I can say with certainty that 90% of our brothers in the majority within India are secular and value mutual brotherhood. I say this with great responsibility. However, there are 10 to 15% of people who have moved heavily toward extremism and a specific ideology. Maharaj Ji, perhaps you are unaware of global trends, but you should know that approximately 15 to 20 lakh people have renounced their Indian citizenship. Major industrialists and business tycoons have given up their citizenship to set up businesses in Sharia-governed or Christian countries. This is because you only talk about a 'Hindu Rashtra,' but when people look at its foundation, they remember what Babasaheb Bhimrao Ambedkar wrote about it historically. And if you know the history of Manusmriti—I want to ask, how many years old is it? Whatever the age may be, give me an idea. I want to know the historical basis. If I am placing an argument before you, you should respond with a counter-argument."*

Sayyed Jawahar further stated: "There is a population of 50 crore across Dubai and the UAE where all kinds of people, including our Hindu brothers, reside, yet not a single incident of violence occurs there. Not one incident is happening there. You can go to Canada as well; not a single incident is taking place. Incidents are happening in India, and incidents are occurring in places connected to India. There must be some deficiency here, sir." [Time Stamp – 08:30 – 12:14]

The show can be viewed here:

Link: <https://youtu.be/C20VXx3KNgk?si=nvBywmMs2-TbY3ck>

### What does the show entails?

The broadcast aired by Zee News on January 1, 2026, titled "कालीचरण महाराज Vs चार मौलाना...हिंदुओं की लिंचिंग पर विस्फोटक बहस" [Kalicharan Maharaj Vs 4 Maulana... Explosive Debate on Hindu Lynching], represents a severe departure from the fundamental principles of journalism. Under the guise of a "debate" on human rights issues in Bangladesh, the program was architected to incite communal fear, reinforce dangerous stereotypes, and provide an unchallenged platform for hate speech within the Indian domestic context.

**1. Communal framing and strategic dehumanisation:** From the outset, the program's structure was designed to create a religious battleground rather than an intellectual exchange. The title itself—"Kalicharan Maharaj Vs 4 Maulana"—is a stark violation of the NBDSA's mandate for neutrality. By stripping the Muslim panellists of their professional designations (Islamic Scholars, Political Analysts, and Researchers) and labelling them simply as "Maulanas," the channel reduced their contributions to a religious monolith. This "One vs. Many" framing strategically positioned Kalicharan Maharaj as a heroic defender of the faith against a perceived religious siege, a tactic known as the "Chakravyuh" narrative.

**2. Enabling unchecked inflammatory speech:** The most egregious violation occurred between **Time Stamps 03:47 and 05:50** wherein the host, Pratyush Khare, allowed Kalicharan Maharaj to deliver a series of inflammatory, anti-Muslim diatribes without a single interruption or correction. Maharaj's assertions included:

- Misinterpreting Quranic verses to claim that Muslims are mandated to kill "Kafirs" (non-believers).
- Alleging a "Ghazwa-e-Hind" conspiracy to establish an Islamic empire in India.
- Claiming that 10 lakh Muslims in India support terrorists and celebrate India's national defeats.

By allowing these statements to go unchallenged on a national platform, the host effectively endorsed them. This violates the NBDSA Specific Guidelines for Anchors, which explicitly state that anchors must moderate and prevent communal provocation. The host's silence transformed the broadcast from news reportage into a conduit for hate-mongering.

**3. The use of "presumptive" and provocative questions:** The six primary questions posed by the host were not inquiries for information but "presumptive narratives" intended to vilify. Questions such as "Is the thinking of Maulanas selective...?" or "What is the cure for the 'Spit Jihad' mindset?"

presume the guilt of an entire community. The term "*Spit Jihad*" [थूक जिहाद] is a fabricated communal trope used to dehumanise a minority group. For a mainstream news channel to legitimise such fringe, hateful vocabulary violates the Principle of Self-Regulation and the Guidelines to Prevent Communal Colour in Reporting.

**4. Conflation of geopolitics with domestic hate:** The show utilised the legitimate and tragic concern of violence against Hindus in Bangladesh as a "dog-whistle" to target Indian Muslims. Maharaj's warning to Hindus to "be alert" because their fate would be the same as those in Bangladesh is a classic fear-mongering tactic. Instead of focusing on the geopolitical facts or human rights violations in a neighbouring country, the host steered the debate toward domestic demographic anxieties and historical grievances, such as the "*New Babri*" [नई बाबरी] and "*Land Jihad*" tropes.

**5. Intentional bias and the "Sharia vs. Constitution" fallacy:** The debate's conclusion with the question "*Will the country be governed by the Constitution or by Sharia?*" [देश संविधान से चलेगा या शरिया से?] served as the ultimate communal provocateur. This is a "false binary" designed to suggest that the Muslim community is inherently at odds with the Indian State and its democratic values. Such framing is not only misleading but intentionally designed to erode social harmony and incite the majority community against a minority.

**6. Violation of accuracy and fairness:** While Muslim panellists like Aashif Khan and Mumtaj Ali Rizvi attempted to bring nuance and condemn violence—quoting the Quranic principle that "killing one human is like killing all of humanity"—the host consistently interrupted them or moved to the next question to prevent their counter-arguments from taking root. This selective editing and moderation ensure that the "explosive" communal narrative remains the dominant takeaway for the viewer, directly violating the Principle of Impartiality and Fairness.

### A breach of public trust

The broadcast was not a debate; it was a televised performance of communal polarisation. By utilising sensationalist tickers, allowing unverified religious interpretations, and failing to moderate a known inflammatory speaker, Zee News failed in its duty as the "fourth pillar of democracy." This show fulfils all the criteria of "Hate Speech" as defined by the NBDSA that communication that discriminates and incites hatred against a group based on religion.

This systematic subversion of journalistic ethics requires immediate corrective action—not only to remove the content but to issue an apology that restores the standard of responsible broadcasting.

### Problematic and misleading tickers

The broadcast relied heavily on a series of sensationalist and communally inflammatory tickers that served as a constant visual subtext, reinforcing a divisive narrative even when participants were not speaking. These tickers were not merely descriptive; they were strategically designed to provoke fear, anger, and suspicion toward the Muslim community, violating the NBDSA's mandate for "neutrality, impartiality, and accuracy."

- "2026 का पहला विस्फोटक Show" (The first explosive show of 2026): By branding the program as "explosive," the channel explicitly prioritised shock value over informative journalism. This framing suggests that the objective was not to facilitate a constructive dialogue on human rights or regional stability, but to create a high-decibel communal spectacle.
- "मौलानाओं के चक्रव्यूह में कालीचरण महाराज" (Kalicharan Maharaj in the 'Chakravyuh' of Maulanas): The use of the word *Chakravyuh*—a mythological military formation—characterises the Muslim panelists not as guest debaters but as adversaries in a religious war. This "one versus many" framing was a deliberate attempt to portray the Hindu speaker as a victimised hero fighting against a coordinated religious conspiracy, effectively stripping the debate of any intellectual or professional merit.
- "हिंदुओं की लिंचिंग पर मौलाना सेलेक्टिव क्यों?" (Why are Maulanas selective on Hindu lynching?): This ticker employs a "presumptive narrative," a tactic specifically cautioned against by the NBDSA. By stating as a fact that Maulanas are "selective," the channel bypassed the need for evidence and immediately put the Muslim panellists on a defensive, moral trial. This creates a generalised stigma against the community's religious leaders, suggesting they lack empathy for non-Muslim victims.
- "'थूक जिहाद' वाली कहर सोच का इलाज क्या?" (What is the cure for the 'Spit Jihad' mindset?): The inclusion of the pejorative and fabricated term "Thook Jihad" (Spit Jihad) is perhaps the most egregious violation. This term is part of a broader Islamophobic trope intended to dehumanise Muslims and portray their everyday actions as biological or religious warfare. By using this as a headline, the channel legitimised a conspiracy theory that has no factual basis, violating NBDSA standards regarding the "prevention of communal colour" in reportage.

In several recent orders (e.g., **NBDSA vs. Zee News on 'Mehendi Jihad' dated September 29, 2025**), the Authority has noted that tickers often "go beyond the narrative" of the discussion to amplify communal rhetoric. In this broadcast, the tickers acted as a parallel narrative of hate, designed to ensure that viewers reached a predetermined, polarised conclusion regardless of the actual debate. The cumulative effect of these tickers was to corrode the secular fabric of the country and incite intolerance.

## Violations

### The violations of NBDSA principles:

The broadcast in question blatantly disregards the Code of Ethics and Broadcasting Standards and the Principles of Self-Regulation as laid out by the News Broadcasting & Digital Standards Authority (NBDSA). The following principles were violated by Zee News during the airing of the show titled "कालीचरण महाराज Vs चार मौलाना... हिंदुओं की लिंचिंग पर विस्फोटक बहस I Debate on Hindu Lynching I ZEE." (Kalicharan Maharaj Vs 4 Maulana... Explosive Debate on Hindu Lynching):

### Fundamental principles

1. **Trusteeship & integrity:** Professional electronic journalists operate as trustees of the public. Host Pratyush Khare failed this mission by prioritising a divisive communal narrative over the fair reporting of truth regarding the situation in Bangladesh and India.
2. **Impartiality in controversial issues:** Broadcasters must not select news to promote or hinder either side of a controversial issue. By framing the debate as "Kalicharan Maharaj Vs 4 Maulana," the channel deliberately designed the show to promote a specific anti-minority belief.
3. **Full and fair presentation:** The broadcaster has a fundamental responsibility to ensure all points of view are fairly presented. In this show, the selection of Kalicharan Maharaj—a figure known for extremist rhetoric—and the subsequent failure to moderate his hate speech prevented any fair or balanced presentation of the subject.

### **Principles of self-regulation**

2. **Ensuring Neutrality:** TV News channels must offer equality for all affected parties. By stripping the Muslim panellists of their professional designations (Islamic Scholars and Researchers) and labelling them monolithically as "Maulanas" while failing to interrupt Maharaj's inflammatory allegations about "Ghazwa-e-Hind," the host completely abandoned neutrality. Allegations were portrayed as facts, and religious identity was used as a badge of guilt.

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

9.1 Religious stereotyping must be avoided. The program systematically stereotyped Muslims as supporters of terrorists and enemies of the state.

9.2 The show denigrated the sensitivities of the Muslim community and created religious intolerance by using fabricated tropes like "Thook Jihad" (Spit Jihad).

### **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;

Further, the inflammatory and unverified content of the show amounts to incitement, 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].

## Judicial precedents

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 against the India Tv 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."*

During the broadcast, host Pratyush Khare and guest Kalicharan Maharaj made statements that directly incited fear and hatred. Khare's failure to challenge Maharaj's inflammatory comments—such as framing the demographic presence of Muslims as a "conspiracy" or "Ghazwa-e-Hind"—

created an atmosphere ripe for communal divide. Maharaj's assertion that Muslims seek to establish an Islamic state and Christians a Christian empire undermines the essence of pluralism and posits a dangerous narrative that pits communities against one another.

Such rhetoric not only deepens the societal divide but also legitimises aggression towards the Muslim community, painting them as a monolithic threat. By allowing these harmful narratives to flourish unchallenged, the channel not only fails in its duty as a responsible media outlet but also endangers the very fabric of communal harmony in the nation.

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 under sharp questioning. In view of this, it is in your best interest to remove the above-mentioned content from all social media accounts and issue a public apology. Failure to do so will compel us to submit a formal complaint to the NBDSA.

Yours sincerely,

**Nandan Maluste, CJP President**

**Teesta Setalvad, CJP Secretary**