



Date: April 15, 2020

To,

1. Rahul Kanwal ,
Managing Editor, TVTN,
THE INDIA TODAY GROUP
MEDIAPLEX
FC-8, SECTOR - 16A,
FILM CITY, NOIDA – 201301

Email id: rahul.kanwal@aatk.com

2. Raj Chengappa,
Group Editorial Director
THE INDIA TODAY GROUP
MEDIAPLEX
FC-8, SECTOR - 16A,
FILM CITY,
NOIDA - 201301

Email id: rajc@intoday.com

Subject: *Complaint against Investigative Journalism reportage titled “Madrasa Hotspots”*

This is with reference to the show titled “Madrasa Hotspots: India Today Investigation” hosted by Rahul Kanwal, that aired on your TV channel “India Today” on April 10, 2020. This program is still available on your YouTube channel at the following link:

https://www.youtube.com/watch?v=O9_iWSvq-9Q

We, at Citizens for Justice and Peace (CJP), are concerned about the blatantly Islamophobic content and tonality of this program. CJP (cjp.org.in) is a civil and legal rights organisation, committed to furthering Constitutional values, upholding and defending human rights and our fundamental freedoms in the courts and beyond.

You must be aware that after this program was aired, it was summarily panned and criticised widely on social media for its communal content that appeared to be aimed at spreading hatred against one particular community. The entire program is a sting operation conducted in madrasa where minor children are housed. However, madrasas serve as hostels for poor, destitute and orphaned children. This important piece of information appears to have been conveniently skipped in the show. Instead, the show blatantly claimed that these children have been hidden in the madrasa.

The show also goes on to draw a comparison between the much talked about Tablighi Jamaat case and says that despite concerns about the spread of Covid-19, there are children being crammed up in rooms in madrasas. Did the channel take this stand in a bid to insinuate that

Muslims are still defying social distancing, thus making them appear to be a greater enemy than the coronavirus itself?

While sting operations are considered a last resort in the field of journalism, to carry it out in an institution that houses poor destitute and orphaned children, can be deemed as deplorable at best. While such reportage defies all principles of morality, there are laws as well as standard ethical practices in place which make this kind of journalism a punishable offence.

Firstly, in order to protect freedom of press, news media has the onus of regulating itself under some guidelines as well as code of ethics, laid out by the News Broadcasters Standards Authority (NBSA).

Here are some of the code of ethics and principles of self-regulation that your aforementioned program has violated and defied.

Fundamental principles

4) Broadcasters shall, in particular, ensure that they do not select news for the purpose of either promoting or hindering either side of any controversial public issue. News shall not be selected or

designed to promote any particular belief, opinion or desires of any interest group.

6) Broadcasters shall ensure a full and fair presentation of news as the same is the fundamental responsibility of each news channel. Realizing the importance of presenting all points of view in a democracy the broadcasters should, therefore, take responsibility in ensuring that controversial subjects are fairly presented, with time being fairly allotted 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.

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. Sting Operation

As a guiding principle, sting and under-cover operations should be a last resort of news channels in an attempt to give the viewer comprehensive coverage of any news story...Sting operations, will also abide by the principles of self-regulation mentioned above, and news channel will ensure that they will be guided by an identifiable larger public interest. News channels will as a ground rule, ensure that sting operations are carried out only as a tool for getting conclusive evidence of wrong doing or criminality, and that there is no deliberate alteration of visuals or editing or interposing done with the raw footage in a way that it also alters or misrepresents the truth or presents only a portion of the truth.

Your show, further violated **Specific Guidelines Covering Reportage:**

2. Impartiality, Neutrality & Fairness

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

9. Racial & Religious Harmony

9.2 Caution should be exercised in reporting content which denigrates or is likely to offend the sensitivities of any racial or religious group or that may create religious intolerance or disharmony.

Clearly, in carrying out the sting operation, your channel, has not allowed any of the principles laid out for sting operations. Neither this sting operation was needed as any “conclusive evidence” of any kind of “criminality”, nor was it a last resort available to your channel.

Also, the focus on the madrasas is an example of selective targeting. As mentioned before, madrasas are places where poor, destitute, orphaned children are taken care of, similar to the model of old age homes, orphanages. Hence, if madrasas are doing something wrong by keeping children within their premises, taking care of their needs, then by that logic, your channel should go on to question orphanages and old age homes as well. The fact that the latter will not happen shows the inflammatory intention of the content on your program.

Further, the inflammatory content of your show amounts to inciteful, hate speech which is a punishable offence under various sections of the Indian Penal Code (IPC); sections 153A [promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony], 295A [deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs], 298 [uttering, words, etc., with deliberate intent to wound the religious feelings of any person] and 505 (1) and (2) [publication or circulation of any statement, rumour or report causing public mischief and enmity, hatred or ill-will between classes].

It is due to such anti-Muslim narratives that viewers develop animosity towards their fellow members of society and even people who have lived in harmony, start discriminating against families belonging to Muslim communities. Inciteful speech has been recognised by innumerable Judicial Commissions adjudicating into communally targeted pogroms (read “riots”) to have created a complicit public atmosphere where wider social sanction is given to such othering by hate which –after this kind of hate speech is widespread and systemic –then can lead to killing, later extermination. Hate speech by supremacist/extremist groups played a role in the Gujarat genocidal pogrom of 2002; now to see “commercial mainstream media” indulging in such targeted sensationalism, takes the dangers to a new level.

A recent incident bares outlining. A week ago, in Una, Himachal Pradesh where Mohd. Dilshad, the only breadwinner of his family committed suicide, leaving a note saying “I am nobody’s enemy.” Mohd. Dilshad was seen ferrying two people who had attended Tablighi Jamat meet, on request, and since then, other villagers targeted him and his family. The villagers called the police



after which Dilshad was kept in quarantine and ultimately tested negative for COVID19. The targeted, social ostracization however continued, as the villagers refused to buy milk from his family, while he was gone. Such ostracization, was probably one of the major causes for him taking the extreme step of ending his own life. It is such selective, sensational narratives created and promoted by the electronic media that influence social behaviour, legitimises the spread of exclusion and hate, and in extreme conditions leads to killing and violence.

We would also like to bring to your attention that such hate propaganda and bigotry of the media has been punished as war crimes in Nazi Germany and Rwanda. Such a phenomenon has been analysed in international human rights jurisprudence as *Journalism as Genocide*. The theory being that consistent and targeted hate messages (against a section of the population, a community, caste, race or tribe) in the media have a direct effect on the dehumanisation of a population and *create the conditions* of the wider sections (majority) to consolidate and legitimise hatred against these sections. The onus lies must lie with the media to ensure that they engage in responsible journalism of presenting facts and complete information, without any malicious intent so that the public can form their own opinions without selectivity, bias and prejudice.

Hence, in the interest of the wider public good and to avoid legal implications for your channel, CJP hereby asks of India Today to take down the video of this show from all digital platforms and to issue an apology for publicising such inflammatory content devoid of journalistic ethics and principles. India's Constitution promotes harmony, dialogue and understanding between Indians of different faiths. It is based on equality and non-discrimination. Your show violates these basic, fundamental tenets.

You are also put on notice that failure on your part to respond to this complaint and the failure to satisfy the complainants with an apology on your news channel, within 7 days of receipt of this complaint, may result in legal consequences for your channel at the appropriate fora, at your risk to costs.

Authorised representatives of CJP

Anil Dharker, President

Teesta Setalvad, Secretary