



July 23, 2021

To,
Justice (Retd.) A.K. Sikri,
Chairperson,
News Broadcasting Standards Authority
C/o News Broadcasters Association
Mantec House, C-56/5, 2nd Floor,
Sector 62, Noida - 201 301
(authority@nbanewdelhi.com)

Cc: Ms Annie Joseph,
For and on behalf of NBSA News Broadcasting Standards Authority
C/o News Broadcasters Association News Broadcasting Standards Authority

Sub: Complaint against communal and insensitive portrayal of the minority community on Zee News show 'Taal Thok Ke'

Dear Sir,

Citizens for Justice and Peace (CJP) is a human rights movement that is dedicated to upholding and defending our fundamental freedoms, in the courts and beyond. CJP has been actively campaigning against Hate Speech and believes in the constitutional values of harmony and equality.

We wish to bring to the attention of NBSA, a show that aired on Zee News on June 27, 2021 called कुदरत बहाना है, मुस्लिम आबादी बढ़ाना है? (Nature is just an excuse, the motive is to increase Muslim Population?) in its debate programme called 'Taal Thok Ke'.

The video link of the show can be found here:

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

The clip of the show downloaded by Citizens for Justice and Peace (CJP), Mumbai, on June 29, 2021 is marked and annexed hereto as Annexure A.

As per protocol, CJP wrote a complaint to Zee News regarding the show.

The complaint sent to Zee News on July 3, 2021 is annexed hereto as Annexure B

Complaint

The show focused on how the Uttar Pradesh government is mulling over a potential population control law. At that time there was no official confirmation from the UP government regarding the same. Zee News aired a debate programme on this topic, emphasising on the statement made by Samajwadi Party MP Shafiqur Rahman who said that Children are "*Nizāam-e-Kudrat*" (part of the system of nature) and that nobody has a right to interfere with that.

The entire show which is barely a debate and more a shrill exercise in heightening hyperbole and volume, insinuates that there is only one particular minority community behind India's backwardness and illiteracy. Mohsin Raza, an Uttar Pradesh minister, part of the panel, said that BJP is a party for the 'Bhartiya Janta' (Indian population) and that they are *samarpit* (dedicated) to the country, working for their nation, taking a dig at the spokesperson from the Samajwadi Party, Anurag Bhadauriya, who was against giving a communal angle to the story and instead brought up issues like Covid-19 deaths, inflation and rising unemployment. When he tried to bring up these issues, the anchor of the show, Aditi Tyagi, kept cutting him off and continued to play the statement made by Shafiqur Rahman about how nobody has the right to interfere with population. The debate was about how Shafiqur could make such a statement and nothing about the expected population control bill and the provisions it would entail. Moreover, it needs to be stated that every segment of society, in India or the world, surely has persons with different views: cherry picking from these and using the media to generate a stereotype is certainly not a responsible act from a media house.

Mohsin Raza went on to say that Samajwadi Party and its supporters don't have a problem with forceful conversions and instead glorify terrorism. "*Yeh hinduon ko musalman banwanewa loke saath khade rehte hai?*" (These people (Samajwadi party) stand by Muslims who forcefully convert Hindus to their religion), he alleged against the Samajwadi Party. The channel allowed such statements to be spoken unabated without any verification.

Throughout the show, which was close to 40 minutes, misinformed and offensive taglines were run. At some point in the show, the host Ms. Aditi Tyagi did ask questions about why a religious angle has been given to the potential population control law, but on the other hand taglines concerning only Muslim population was flashed on the TV screens of all viewers. Some examples are:

- *Hum do humare do par mazhabiru kawat kyun?* (Why a religious angle/barrier to the two-child policy?)
- *Nizam-e-kudratya Hindustan par aafat?* (system of nature or a disaster upon India?)
- *Kudrat bahana hai, muslim abaadi badhana hai?* (is nature just an excuse, motive is to increase the Muslim population?)

The show also, on several occasions, showed visuals of crowded areas only inhabited by Muslims. Such images of areas crowded by only Muslim people clearly displays the intention of the channel that just wanted to regurgitate the 'Hindu-Muslim narrative' and divert from the real issues of Covid-19 and the slowing economy. Such themes also tend to perpetuate the myths pertaining to the Muslim population and falsely glorifies the Muslim population explosion narrative that compels people to believe that Muslims intend to do anything to increase the population of their community to dominate India.

Further, another panelist, BJP Spokesperson Sanju Verma asked at the outset as to why this population control law is being looked at from a religious perspective but makes arguments in support of the very same religious angle. She mentions states like Uttar Pradesh, Bihar and West Bengal where the Muslim population is high and states that there are 86 districts in these states which have the most unemployment, malnutrition and crime. In all these districts, Muslim population is more than 50 percent.

The show, even though it raised questions about why religion should be factored on a discussion around population, (the topic), actually ends up doing the exact same thing. The name of the show (Nature is just an excuse, the motive is to increase Muslim Population?) is sufficient to indicate that this show was aired to target only a particular community and push a majoritarian agenda.

Further, the debate then drifts to the narrative that the abovementioned law is not pinning the blame on Muslims or giving it a religious angle and that it does not intend to promote disharmony. But at the same time, in the beginning of the show, it ropes in a Hindu Mahant Narayan Giri of the *Antarashtriya Juna Akhada* who comments against Shafiqur Rahman's Nizaam-e-kudrat statement and says that such foolish people reach the Parliament and disrespect the Constitution of India. He also said that the population is exploding and before he could complete his sentence, the channel cuts to images of crowded Muslim places.

The channel's intent

On one hand, the host kept questioning through the show why population is a religious issue and on the other hand, asked obnoxious questions like *Kudrat bahana hai, muslim abaadi badhana hai?* (is nature just an excuse, motive is to increase the Muslim population?). It seemed like the show tried to infuse rhetoric around an issue that (then) did not exist, as not even the Uttar Pradesh government has made any religious reference for its proposed population control law, nor has any prominent leader conformed to such views.

It is ironical and almost seems intentional that the show created a communally biased narrative and then questioned why such a narrative exists. It is unclear why the channel resorted to create a narrative that is in clear violation of code of ethics and principles of self-regulation laid down by the NBSA.

It appears that the intention of the show was to create a platform for communally charged opinions to be expressed and to cherry pick opinions of people with extreme religious views and have a debate on the same. Time and again, CJP, in its complaints to the channels as well as NBSA has stressed upon the duty of the news media to be a medium of information and unbiased analysis of the same. Creating a narrative out of thin air certainly cannot be a function of an independently run news media in a democracy.

News Broadcasting Association's (NBA) code of ethics spells out the role of electronic news media stating that it "has the promise to make democracy a living reality for those who do not have access to the print media". Among other things, it also puts the prerogative on the news media to expose the lapses in government and in public life. It also rightly points out that the difference between inaccuracy and falsehood lies in the motive.

The code of ethics clearly states that 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*** (*emphasis added*).

Zee News on YouTube has around 18.9 million subscribers, and about 5.2 million followers on Twitter, which proves that it has an impactful reach amongst Indians and can influence a considerable amount of the population. The host of the show, Aditi Tyagi also has a huge

following on Twitter with 2,08,000 followers (approximately). The Supreme Court in the **Amish Devgan vs Union of India** (W.P. CrI. No 160 of 2020), has held that,

“Persons of influence, keeping in view their reach, impact and authority they yield on the general public or the specific class to which they belong, owe a duty and have to be more responsible.”

Recently, the Tamil Nadu High Court in **Mohan C Lazarus vs State of Tamil Nadu** (CRL. OP No. 250 of 2021) held that:

“The whole object of religion is to enable humans to evolve themselves into better beings... Unfortunately, in many instances, people get blindly attached to their religious beliefs and tend to make demeaning statements against other religions. They do not realise that spirituality is not a medium through which each religion competes with each other to show its superiority over the other... Spewing venom against another religious faith and developing hatred among the followers of a particular religion against another, defies the very purpose of religion, which is meant to help a human being evolve towards higher truths.”

Related facts

Further, we would also like to bring forth some facts about population explosion in India which have been articulated in a book by Former Chief Election Commissioner (CEC), SY Quraishi, called “The population Myth-Islam, Family Planning and Politics in India”

Between Pages 100-102 the Book states,

“Availability of health infrastructure and services: As we have seen in the previous chapter, family planning acceptance is also dependent on delivery of health services to the communities and individuals in question. Here, again we find Muslims lagging. According to NFHS-4 data, only 77 per cent of Muslims women in the age group of 15-49 has received antenatal care from a skilled provider, which is the lowest among all religious groups (Table 4.6). They also lag behind in accessing delivery services at healthcare facilities and receiving advice on family planning from community health workers, as is evident from Table 4.7 and Table 4.8. This results in lower acceptance of family practices by the community.

Table 4.6: Percentage of women in the age group 15 – 49 who received antenatal care from a skilled provider lowest for Muslims

Religion	Percentage receiving antenatal care from skilled provider
Hindu	79.3
Muslim	77
Christian	84.2
Sikh	93.6
Buddhist/Neo-Buddhist	93.2
Jain	93.7

Source: NFHS – 4; Mumbai: IIPS

Table 4.7: Percentage distribution of live births among women aged 15 – 49 delivered in health facility lowest for Muslims

Religion	Percentage Delivered in a Healthcare Facility
Hindu	80.8
Muslim	69.2
Christian	78.5
Sikh	92.5
Buddhist/Neo-Buddhist	92.2
Jain	98.1

Source: NFHS – 4; Mumbai: IIPS

Table 4.8: Percentage of women in the age group 15 – 49 who received advice on family planning lowest for Muslims

Religion	Percentage Who Received Advice on Family Planning
Hindu	69.7
Muslim	65.2
Christian	72.6
Sikh	77.1
Buddhist/Neo-Buddhist	81.6
Jain	70.4

Source: NFHS – 4; Mumbai: IIPS

This is only one excerpt from a 298 page book. Such a fact bases approach could have been taken by the news channel in its show by focusing on aspect of discrepancies in health care services and access. While this is one of the many fact-based views the channel could have taken, it still chose to become a platform enabling hateful and divisive speech.

Violations of NBSA principles

Here are some of the codes of ethics and principles of self-regulation as laid out by the NBSA, violated by Zee Media by airing this show:

Section 1 -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 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.



Section 1- Principles of Self-Regulation

1) Impartiality and objectivity in reporting: Channels should be transparent. Errors must be correctly promptly and clearly, whether in the use of pictures, a news report, a caption, a graphic or a script. Channels should also strive not to broadcast anything which is obviously defamatory or libellous. Truth will be a defense in all cases where a larger public interest is involved, and in even these cases, equal opportunities will be provided for individuals involved to present their point of view.

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 channel 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.

Specific Guidelines Covering Reportage

Fundamental Standards

All reporting must be done keeping in view the following supervening criteria:

- A. All news reporting must be done in “public interest”.
- B. Reporting should not sensationalise or create panic, distress or undue fear among viewers.
- E. Broadcasters should exercise care and objectivity in featuring activities, beliefs, practices, or views of any racial or religious group in their content to prevent any negative impact thereof.

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.

The code of ethics has established the fact that it is the job of news media to inform people of news around them, without bias and prejudices. While the news in the case in point can be identified as the UP government mulling over a population control law, the news channel, with malicious intention, picked out an ill-informed opinion made by a religious figure which suited the narrative they wished to create, which was to nudge a communally charged debate. The whole purpose of a debate is to get view points from all stakeholders and to put it forth before the viewers but when the main topic of the debate stems from, not a news point, but a biased opinion, the purpose of the debate is lost. It is undebatable that public opinion is greatly influenced by the news media, hence the need for an unbiased news based narrative that at least does not push the communal angle is desirable in a democracy. Especially in a democracy like ours where people from multiple religions, races and ethnicities reside in one country, news media ought to play a role to maintain harmony and not create non-existent narratives on a news point.

Violations of Indian Penal Code

Further, the inflammatory and communally charged content of the show amounts to inciteful, hate speech which is a punishable offence under various sections of the Indian Penal Code (IPC):

Sections:

153A [promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony],

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

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

505 (1) and (2) [publication or circulation of any statement, rumour or report causing public mischief and enmity, hatred or ill-will between classes].

The link to this show is still available on YouTube (as of July 19, 2021) with over 5.5 lakh views with over 10,000 likes. We, thus, urge NBSA to take appropriate action in this matter.

Prayers

We humbly urge the NBSA to:

1. Direct Zee News to remove this program from all their social media accounts and website.
2. Direct Zee News to issue a public apology on its channel for promoting enmity and hurting the sentiments of a certain community.
3. Direct Zee News to refrain from broadcasting or posting any such content which would contravene the tenets of our constitution which promotes harmony, dialogue and fraternity between all sections of Indians.

Declaration to be given as per Regulation 8.4

- The facts stated in the complaint are true and correct to the best of our knowledge and belief.
- We have placed all relevant facts before the NBSA and have not concealed any material facts.
- We confirm that no proceedings are pending in any Court of law or other Tribunal or Statutory Authority in respect of the subject matter complained of before the NBSA.
- We shall inform the NBSA forthwith if during the pendency of the inquiry before the NBSA the matter alleged in the complaint becomes the subject-matter of any proceedings in a Court of law or other Tribunal or Statutory Authority.



Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

Annexures:

Annexure A : The video clip of the show downloaded by Citizens for Justice and Peace (CJP),
Mumbai, on June 29, 2021

Annexure B : The complaint sent to Zee News on July 3, 2021