

Speed Post / Email

June 1, 2018

<b>Dr. Puneet Jain</b> Group Chief Corporate Affairs Officer Group Chief Law & Compliance Officer TV Today Network Ltd. India Today Mediaplex, FC 8, Sec. 16 A, Film City <b>Noida 201301</b> Email : <Puneet.jain@aajtak.com>	<b>Mr. M. Mohamed Ali Jinnah</b> General Secretary Popular Front of India G-78, Second Floor, Shaheen Bagh Kalindi Kunj, Noida Road <b>New Delhi – 110 025</b> Email: <popularfrontmail@gmail.com>
<b>Ms. A.S. Sainaba</b> Srambickal House, Puthoor P.O., Arichol <b>Malappuram – 676503</b> Email: <ummujunaid@gmail.com>	

Dear Sirs/Madam,

**Common Order No. 52 (2018) :**

- I. Complaint dated 5.12.2017 received from Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India, against Aaj Tak for telecasting news on 1.11.2017.
- II. Complaint dated 5.12.2017 received from Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India, against India Today for telecasting news on 2.11.2017.
- III. Complaint dated 5.12.2017 received from Ms. A.S. Sainaba, President, National Women's Front (NWF) and Member All India Muslim Personal Law Board, against Aaj Tak for telecasting news on 1.11.2017.
- IV. Complaint dated 5.12.2017 received from Ms. A.S. Sainaba, President, National Women's Front (NWF) and Member All India Muslim Personal Law Board, against India Today for telecasting news on 2.11.2017.

Attached please find Order dated 30.5.2018, passed by the News Broadcasting Standards Authority (NBSA).

Thanking you,

Yours faithfully,



Annie Joseph

For and on behalf of the  
News Broadcasting Standards Authority

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News Broadcasting Standards Authority  
Common Order No. 52 (2018)

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- III. Complaint dated 5.12.2017 received from Ms. A.S. Sainaba, President, National Women's Front (NWF) and Member All India Muslim Personal Law Board, against Aaj Tak for telecasting news on 1.11.2017.
- IV. Complaint dated 5.12.2017 received from Ms. A.S. Sainaba, President, National Women's Front (NWF) and Member All India Muslim Personal Law Board, against India Today for telecasting news on 2.11.2017.

1. As the above complaints filed by Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India ("PFI" for short) and Ms. A.S. Sainaba, President, National Women's Front ("NWF" for short) and Member All India Muslim Personal Law Board, against the channels, Aaj Tak and India Today, have common issues, they are considered and decided by this common order. They relate to a sting operation and investigative report relating to PFI.

**I. Complaint by Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India against broadcast on Aaj Tak on 1.11.2017:**

2. In his complaint dated 5.12.2017, Mr. M.M.A. Jinnah alleged as follows:

(i) On 1.11.2017 at 14:06 Hrs, Aajtak television channel broadcast a "Breaking News with objectionable contents against PFI. The channel used the following false and incorrect taglines which were scrolled, flashed and read by the news reader:

*"Operation Dharmantharan",*

*"Bharath ko Syria - Iraq Bananeki secret saaziz ka paradhafash",*

*"Love jihad ki bhahais mein ab thak sab se badaa khulasa"*

*"Sangaththith thareeke se secret jihad factory chalanewala gang",*

*"Hindustan keliye sabse katharnak khabar",*

*"Dharam kinaam par Keral mein horah asaath",*

*"Aajthak ki operation dharmanthran ka badaasar",*

*"Deshmein love jihad ka zaaher ..... Saavadhan.....",*

*"Sarkar ne operation ke khulase ko aham mana".*



(ii) PFI is working within the purview of the democratic set-up and has been abiding the laws of land; that the organisation never subscribed to ISIS or any other terrorism activity; that religious conversion is not the agenda of Popular Front of India; that if it said that the BJP led union government took note of its operation, then it was very clear that, this news was selected and designed to promote a particular opinion in a wrong way; that the broadcaster aired misleading and false news about his organization to create panic among the public and it was nothing but selected and biased reporting to tarnish and lower the image of his organization; and that use of terminology like “love jihad” linking it with his organization was defamatory and hurt the religious sentiments also.

(iii) While telecasting news about PFI in the name of “**Operation Dharmantharan**” as flash news, the broadcaster showed unknown armed persons with covered faces depicting themselves as ISS or other terror group; and that the use of such unconnected pictures was to mislead the viewers through misrepresentation and deception with an intent to malign Popular Front of India. While doing so, the broadcaster did not exercise care and objectivity in featuring the belief and practice of Islamic religious groups, and indulged in religious stereotyping, in their intent to create negative impact and religious intolerance and disharmony. Further, the broadcaster wrongly showed a misleading caption as “Zainaba A.S, PFI Mahila Dhasth ke Pramuk”, even though PFI has neither women membership nor women’s wing.

(iv) The broadcast showed one Mr. Ahmed Shareef, who was caught on camera in their sting operation, as the Founder member of PFI, though he is neither a member nor an office bearer/leader of PFI. The visuals of the sting operation were deliberately altered, edited and misrepresented. Confessions were obtained from a person who was not related to PFI and that was aired. These were done to malign PFI.

(v) The broadcast incorrectly stated: “*Pehle se India Today ne sting operation ko khulasa kiya tha, ye Keral ke Popular front of India ne kis thara se dharmantharan kiyar ne, dharmanthran ka anardh kar raha hai*”. Religious conversion is not the agenda of PFI. The visuals of the sting operation taken in the Sathya Sarani were deliberately altered, edited and misrepresented.

(vi) The broadcast stated: “*Aajtak ke is sting operation se saaf ho chukka hai, ki God’s own country ke ek kone sa Bharath ko thabah karne ka dhanviye shadyanthru racha ja raha hai. Jiska zikr Bharthiya suraksha ahencyaan kayi salon se karthi aayi hai. In deshdhrohiyon ka maksad na sirf dharmantharn hai. Balke dharmanthran ke badh unhi logon ko ye jihad ke liye thayyar karthe hain*”. The said allegations were false, misleading and defamatory. Declaring PFI as Deshdhrohi was unacceptable and was intended to malign the image of PFI

and to offend the sensitivities of Muslim religious group and create religious intolerance and disharmony.

3. The complainant stated that the broadcaster infringed the following norms of the Code of Ethics & Broadcasting Standards: (i) Fundamental principles Section 4 and principles of self-regulation relating to Impartiality and Objectivity in reporting, ensuring Neutrality, Sting Operations and corrigendum and the Specific Guidelines Covering Reportage relating to Fundamental Standards, Accuracy, Impartiality, Neutrality & Fairness, Racial & Religious Harmony; and (ii) the Guidelines prohibiting Media Trial. The complainant requested NBSA to direct the broadcaster to acknowledge its mistakes made in the course of the broadcasts, to withdraw the false allegations, and to publish/air apology prominently in their channel as well as in their online portal.

#### **Response from the Broadcaster (Aaj Tak):**

4. The broadcaster, in its response dated 2.1.2018 to the complainant, stated that the story was investigative in nature and everything recorded on camera and aired was without any coercion; and at no point the complainant was pressurized to answer any questions. It was contended that the telecast was factual in nature and what went on air was exactly what was recorded on camera; that the news story was telecast without any prejudice and was totally based on facts that came in light during course of Investigation; and that the complainant's version was also telecast during the programme. The broadcaster denied the allegations of holding a media trial. With regard to the claim that Sathya Sarani is only an education institution and not a conversion centre, the broadcaster stated that a report submitted by a Government Authority to Ministry of Home Affairs, specifically mentioned that PFI uses its sister outfits like Sathya Sarani to carry out 'forceful conversions'. In regard to the claim that there is no women's wing of PFI, the broadcaster submitted that the aforementioned report defines National Women's Front as the women's wing of PFI and described Sainaba as the President of National Women's Front, the women's wing of PFI. The broadcaster further contended that public records show her as a member of Sathya Sarani, which, as per the aforementioned report is run by PFI. The broadcaster asserted that as per the said report, Mr. Ahmed Shareef is the district committee member of PFI and co-coordinator of a PFI front, National Confederation of Human Rights Organization (NCHRO) and a former SIMI member presently associated with PFI. The broadcaster stated that utmost care was taken to ensure the broadcast did not hurt any religious sentiments.

#### **II. Complaint by Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India against broadcast on India Today on 2.11.2017:**

*Amr*

5. In his complaint dated 5.12.2017, Mr. M.M.A. Jinnah alleged as follows:

(i) On 2.11.2017 by 11:42 am, the channel broadcast a “Breaking News” with the following objectionable, misleading, false taglines against PFI being scrolled/ flashed and read by the news reader:

**“India Today Impact: Govt to act on India Today expose”,**  
**“PFI to be banned by Home Ministry”,**  
**“Big India Today Impact: PFI to be banned soon”,**  
**“Modi govt to ban the radical Islamic group soon”,**  
**“India Today exposed Kerala’s conversion factories”**

(ii) In a live report from Delhi, the broadcaster’s reporter Meetu Jain made the following false statements in regard to PFI: **“Lot of conversions ....., ..... that is 20 % of those people have allegedly gone to Syria to fight with the ISIS to set-up a Islamic Caliphate, ..... 20 % of them have link with PFI, ..... and PFI with terrorism”**, even though PFI is working within the purview of the democratic set-up and has been abiding the laws of land and never subscribed to ISIS or terrorism.

(iii) The broadcaster also falsely and incorrectly stated: **“All top leaders of the PFI are the ex-members of SIMI....., .....Once SIMI was banned they have set-up this organization....., .....and that is why the recruitment process of the PFI is secret, why it is not open....., ....After our sting operation, Neetu you know....., ....Union Minister Ravi Shankar Prasad applauding India Today for the Operation conversion Mafia....., ....the evil designs of PFI and the dubious activities that have been going on in the name of education is important in the religion.”** Very few leaders of PFI were members of SIMI, when it was legally functioning; that the predecessor of PFI in Kerala was National Development Front (NDF) which was formed in the year of 1993, whereas SIMI was banned in 2001. So, the allegation **“Once SIMI was banned they have set-up this organization”** was false. PFI’s recruitment process was transparent and open; and the broadcaster had criticised PFI’s educational empowerment programmes for the downtrodden only to malign the image of PFI.

(iv) On the same day at 01:00 pm, the channel broadcast breaking news with following false and objectionable contents against PFI to create panic among the public: **“It is a mega India Today expose, two days after India Today’s expose Kerala’s Conversion Factories run by the radical Islamic organization, the Popular Front of India. The group is now in the centre’s cross hair and a ban seems eminent .....”**, even though there is no report of central government banning PFI.

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(v) While telecasting news about PFI under the name “**Operation Conversion Factory**” as flash news, the channel showed an unknown person with covered face holding ISIS flag, thereby depicting terror identity and thus maligned PFI and misled viewers.

(vi) The channel flashed the tagline “**Kerala’s conversion factory**” with the intention of creating a negative impact by religious stereotyping and to create religious intolerance and disharmony.

(vii) The channel wrongly showed a caption: “**Zainaba A.S., National President, PFI Women’s Wing**” even though PFI has neither women membership nor women’s wing. Similarly, the broadcaster showed one Mr. Ahmed Shareef as the Founder member of PFI, who was caught on camera in their sting operation, even though he was neither a member nor a leader of PFI. It was stated that the sting operation was taken with someone else and deliberately altered and edited to malign the name of PFI. The channel also took confessions from some person, who was not connected to PFI and broadcast it to malign PFI.

(viii) The channel wrongly showed in the scrolls: “**PFI’s Sathya sarani exposed**”, “**What really happens inside Sathya sarani?**” and “**Educational institution or conversion factory?**”, even though Sathya sarani is not run by PFI. The visuals of the sting operation taken in the Sathya sarani were deliberately altered, edited and misrepresented to offend the sensitivities of Muslim religious group and to create religious intolerance and disharmony.

(ix) On the same day at 5:30 pm, the channel again showed Mr. Ahmed Shareef falsely depicting him as the leader of PFI. The channel’s Managing Editor, Rahul Kanwal, put pressure again and again during an on-board interview with the Union Home Minister, Rajnath Singh, to get the word from his mouth about the banning of PFI. This showed partiality in reporting.

6. The complainant alleged that the broadcaster infringed the following norms of the Code of Ethics & Broadcasting Standards: Fundamental principle 4 and principles of self-regulation relating to Impartiality and Objectivity in reporting, ensuring neutrality, Sting Operations and corrigendum and the Specific Guidelines Covering Reportage relating to Fundamental Standards, Accuracy, Impartiality, Neutrality & Fairness, and Racial & Religious Harmony.

7. The complainant alleged that after India Today broadcast a concocted sting operation with false allegations against PFI, the untrue content was incorporated in the Application (Crl. M.P. No. 124312 of 2017) filed by Mr. Asokan K.M, father of Hadiya before the Supreme Court of India on 21/11/2017 to initiate action against

PFI; and that showed an unholy nexus among the litigants, investigation agencies like NIA and the India Today TV Channel. The channel conducted such media trial with an intention of manipulating the judiciary by undermining the tenets of its independence.

8. The same content was broadcast with more allegations on 31.10.2017, at 6.00 pm, 6.55 pm, 7.32 pm and on 1.11.2017 at 6.59 pm.

### **Response from the broadcaster**

9. The broadcaster in its response dated 2.1.2018 (addressed directly to the complainant) stated that the story was investigative in nature and everything recorded on camera was without any coercion; that at no point the complainant was pressurized to answer any questions; that the telecast was factual in nature and what went on air was exactly what was recorded on camera; that the news story was done without any prejudice and was totally based on facts that came in light during course of investigation and complainant's version was duly aired during the telecast. The allegations of media trial were denied. With regard to the claim that Sathya Sarani is only an education institution and not a conversion centre, the broadcaster stated that a report submitted by a Government Authority to Ministry of Home Affairs, specifically mentioned that PFI uses its sister outfits like Sathya Sarani to carry out 'forceful conversions'. In regard to the claim that there is no women's wing of PFI, the broadcaster submitted that the aforementioned report defines National Women's Front as the women's wing of PFI and described Sainaba as the President of National Women's Front, the women's wing of PFI. The broadcaster further contended that public records show her as a member of Sathya Sarani, which, as per the aforementioned report is run by PFI. The broadcaster asserted that as per the said report, Mr. Ahmed Shareef is the district committee member of PFI and co-coordinator of a PFI front, National Confederation of Human Rights Organization (NCHRO) and a former SIMI member presently associated with PFI. The broadcaster stated that utmost care was taken to ensure the broadcast did not hurt any religious sentiments.

**III. Complaint by Ms. A.S. Sainaba, President, National Women's Front (NWF) against broadcast by Aaj Tak on 1.11.2017; and**

**IV. Complaint by Ms. A.S. Sainaba, President, National Women's Front (NWF) against broadcast by India Today on 2.11.2017:**

10. The complainant stated in her complaint dated 1.11.2017 that 'India Today' telecast a program named '*Operation Jihad Mafia*' on 1<sup>st</sup> November 2017 at 14.06 hours with the following false and objectionable contents being shown as scrolls, flash news and comments by the news reader: "*Operation Dharmantharan*",

*“Bharath ko Syriya - Iraq Bananeki secret saaziz ka paradhafash”, Love jihad ki bhahais mein ab thak sab se badaa khulasa”, “Sangatthith thareeke se secret jihad factory chalanewala gang”, “Hindustan ke liye sab se katharnak khabar”, “Dharam ki naam par Keral mein horah asaath”, “Aajthak ki operation dharmanthran ka bada asar”, “Deshmein love jihad ka zaaher.....Saavadhan.....”, “Sarkar ne operation ke khulase ko aham mana” “Operation Dharmantharan”, “Bharath ko Syriya - Iraq Bananeki secret saaziz ka paradhafash”, Love jihad ki bhahais mein ab thak sab se badaa khulasa”, “Sangatthith thareeke se secret jihad factory chalanewala gang”, “Hindustan ke liye sab se katharnak khabar”, “Dharam ki naam par Keral mein horah asaath”, “Aajthak ki operation dharmanthran ka bada asar”, “Deshmein love jihad ka zaaher.....Saavadhan.....”, “Sarkar ne operation ke khulase ko aham mana”;* that the channel telecast false news item against her by portraying mere allegations as facts and charges as offences; that the channel conducted media trial, which is unfair and against principle of natural justice; that Sushad Pathek and Jamshed Adilkhan of the companion channel of India Today took her video without her consent and it was aired after twisting the facts with the intention of denigrating her in the eyes of the public; that she was targeted and singled out by the channel with ulterior motive to satisfy some one for achieving the political gain; that her dignity was damaged through the channel’s political vendetta by spreading false propagandas against her; and that the channel’s attempts created religious hatred among the public. She therefore requested the channel to tender unconditional apology to be aired and withdraw the false allegations.

11. She made a similar complaint dated 23.11.2017 against ‘India Today’ in respect of its program named **‘Operation Conversion Mafia/ Operation Conversion Factory’** aired on 2<sup>nd</sup> November 2017 at 1.00 pm (and similar content aired on 2.11.17 at 11.42 am, on 1.11.17 at 6.59 pm, on 31.10.17 thrice at 6.00 pm, 06.55 pm, and 7.32 pm) alleging that the following objectionable comments were made against her by way of scrolls, flash news and comments by news reader: *“Hawala funding from gulf countries ran an elaborate conversion operation”, “In fact, king pin Zainaba is expected to be interrogated by the NIA”, “India Today Impact: Govt to act on India Today expose”, “India Today exposed Kerala’s conversion factories”.*

12. She complained about the following objectionable and false contents:

(i) While broadcasting news about her in the name of **“Operation Dharmantharan”** by Aaj Tak channel and in the name of **“Operation Conversion Factory”** by India Today channel, the channels showed unknown armed persons with covered faces depicting themselves as ISIS or any other terror group. These telecasts were nothing but use of pictures obtained through misrepresentation and



deception to mislead the viewers with intent to malign her. She is a law-abiding citizen and never subscribed to ISIS or any other terrorism.

(ii) The channel showed Sathya Sarani in bad light. Sathya Sarani is not the conversion centre. It is only the educational institution teaching the tenets of Islam. The two channels, with the intention of creating negative impact against her, did not exercise care and objectivity in featuring the belief and practice of Muslim religious group. The channels indulged in religious stereotyping and thereby offended the sensitivities of Muslim religious groups and tried to create religious intolerance and disharmony.

(iii) The channels showed caption as **“Zainaba A.S, PFI Mahila Dhasth ke Pramuk”** and **“Zainaba A.S, National President, PFI Women’s Wing”** though she was not a member of PFI. PFI has neither women membership nor women’s wing. She was the President of National Women’s Front (NWF) and member of All India Muslim Personal Law Board.

(iv) The channels showed the visuals of sting operation, which was taken without her consent and without her knowledge. The visuals of the sting operation were deliberately altered, edited and misrepresented with the intention of maligning and denigrating her.

(v) The channels telecast false and misleading allegations. Aaj Tak alleged: **“Aajtak ke is sting operation se saaf ho chukka hai, ki God’s own country ke ek kone sa Bharath ko thabah karne ka dhanviye shadyanthru racha ja raha hai. Jiska zikr Bharthiya suraksha ahencyaan kayi salon se karthi aayi hai. In deshdrohiyon ka maksad na sirf dharmantharn hai. Balke dharmanthran ke badh unhi logon ko ye jihad ke liye thayyar karthe hain”** and declared her as Deshdrohi, which was nothing but slinging mud on her image. She stated: *“Declaring me as Deshdrohi was unacceptable at any cause and it was nothing but slinging mud on my personality. Also it was offending the sensitivities of Muslim religious group intending to create religious intolerance and disharmony.”*

13. Complainant requested NBSA to direct the two channels to withdraw the false allegations, to publish apology on air with due prominence as well as in their online portal.

#### **Response from broadcasters to both the above complaints:**

14. Broadcasters in their response dated 17.11.2017 stated that the notice is void *ab initio*, since it fails to point out any specific instances in reference to the allegations made against the channel; that the notice does not mention any specific details, to

perceive the story to be defamatory, the story was investigative in nature, and everything recorded on camera was shown without any coercion and at no point was the complainant pressurized to answer the questions; that the sting was recorded in her premises and therefore her complaint about intention of the channel was incorrect; that the telecast was completely factual in nature and what went on air was exactly what was recorded on camera; that the story was done without any prejudice and was totally based on facts that came in light during course of Investigation and her version was duly played out during the telecast. The channel therefore denied the allegations by the complainant. The channel reiterated the fact that in keeping with the highest standards and journalistic norms, the recording was aired without any change or modifications.

15. When the complaint made by Ms. Sainaba to NBSA was forwarded to the broadcaster vide email dated 13.12.2017, they replied by letter dated 2.1.2018 directly to the complainant. The channels submitted that the story was investigative in nature and everything recorded on camera was shown without any coercion, at no point was the complainant pressurized to answers the questions. The broadcasters contended that as the sting operation was recorded in the complainant's premises, any allegation of *mala fide*-intent was baseless and false; that the telecast was completely factual in nature and what went on air was exactly what was recorded on camera; that the news story was based on facts that came to light during course of investigation and complainant's version was duly played out during the telecast, so allegations of media trial are denied. Keeping in view the religion sentiments, utmost care was taken that no religious sentiments are hurt during the broadcast. Further, there was nothing in the telecast that might have maligned the image of the complainant as woman. Utmost care was again taken in consideration about women's modesty. With regard to her claim that Sathya Sarani is only an education institution and not a conversion centre, the broadcasters submitted that according to a report submitted by a Government Authority to Ministry of Home Affairs, it specifically mentions that Popular Front of India (PFI) uses sister outfits like Sathya Sarani to carry out 'forceful conversions'. Further, with regard to the claim that the complainant is not a member of PFI, the said report describes her as the President of National Women's Front 'the women's wing of PFI. Also, as per a public document, her name is mentioned as a member of Sathya Sarani, which, as per aforementioned Govt. Authority's report, is run by PFI.

16. NBSA considered the complaints, responses given by the broadcaster and also viewed the CD of the broadcasts. NBSA decided that the broadcasters and the complainant be called for a hearing. Accordingly, the following persons appeared for a hearing 16.3.2018:

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**Mr. M. Mohamed Ali Jinnah, General Secretary, Popular Front of India & Ms. A.S Sainaba [Complainants]**

Mr. A. Mohamed Yusuff, Advocate

Mr. Saifan Shaikh, Advocate

Mr. Aitmad, Advocate

Mr. Ameeruddin, Assistant

**TV Today Network Ltd. [Channels Aaj Tak & India Today]**

Dr. Puneet Jain, Group Chief Law Officer

### **Complainants' Submissions:**

17. The complainants reiterated the averments made in the complaints and stated that the various broadcasts made by Aaj Tak and India Today had violated the Code of Ethics of the NBSA and in particular the Guidelines relating to Impartiality, Neutrality and Accuracy.

18. The complainant stated that the Sting Operation was doctored/edited and Mr. Ahmed Shareef, who was caught on camera in the sting operation by the broadcaster was not a member of PFI, nor was he a founder member. The visuals of the sting operation were deliberately altered, edited and misrepresented.

19. The complainants stated that the documents submitted by the broadcaster in relation to one Mr. Ahmed Shareef were forged and that PFI was neither a terrorist organization nor was Satya Sarani an organization preaching "Love Jihad". Satya Sarani was not connected to PFI and PFI did not subscribe to the concept of "Love Jihad" either. The complainants stated that the programs had been telecast without verification with malafide intentions; and that the broadcaster did not give them any opportunity to give their version.

### **Broadcasters submissions:**

20. The broadcasters reiterated the averments made in their response to the complaint and stated that story based on the sting operation was telecast as recorded; that the material/footage was not doctored to present a particular point of view; that the broadcaster was willing to submit the entire raw footage taken by it to support its view that the sting operation was not doctored; that the story on Sathya Sarani was supported by and was based on the confidential reports and dossiers of the NIA and Police that mentions that Popular Front of India (PFI) uses sister outfits like Sathya Sarani to carry out 'forceful conversions'.

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21. The broadcasters further stated that the allegations with regard to Mr. Shareef was also supported by documents which clearly showed that he was a member of PFI; and that these documents filed by the broadcasters were neither fake nor forged. The broadcaster submitted that in all three sting operations had been conducted.

#### **Consideration by NBSA:**

22. After hearing both sides (in the four complaints), NBSA was of the view that the broadcasters should submit to NBSA the material on which they had based their news reports on including the NIA report, as the said documents had not been submitted earlier. NBSA also directed that the raw footage of the sting operation be submitted to the NBSA within 10 days. The complainants were also directed to submit documents in its possession which disprove the broadcaster's statements in the broadcasts. NBSA decided to consider the documents submitted by the broadcasters (and by PFI, if any) at its next meeting.

23. The following documents submitted by the broadcasters and the complainants, in response to the said direction were considered by NBSA at the meeting held on 24.5.2018:

#### **The documents submitted by the broadcasters:**

1. 3CDs (includes raw and on air footage).
2. Power of Attorney in Malayalam (not translated)
3. Mr. Ahmed Sharif's WhatsApp messages and other valid proofs.
4. Documents from NIA, Police etc. in matters pertaining to the members of PFI

#### **Documents submitted by Ms A.S Sainba (complainant):**

1. Rejoinder dated 14.3.2018 to NBSA on 15.3.2018 by Email
2. Original trust deed from Sathya Sarani
3. Names of the members of Sathya Sarani Trust so far.
4. Criminal complaint filed by Mr P. P. Rafeeqe, Secretary of Sathya Sarani Educational & Charitable Trust, Mallapuram before the Kasaba Police Station, Puthiyara, Calicut against the India Today and Aaj Tak for producing the fake document about Sathya Sarani. along with the postal receipt.
5. Copy of Memorandum of Association (bye-laws) of NWF

#### **Documents submitted by Mr Mohamed Ali Jinnah (complainant):**

1. Rejoinder dated 14.3.2018 to NBSA on 15.3.2018 by Email
2. Original trust deed from Sathya Sarani

3. Names of the members of Sathya Sarani Trust so far .
4. Criminal complaint filed by Mr P. Nasir , District Secretary of PFI before the Kasaba Police Station, Puthiyara, Calicut against the India Today and Aaj Tak for producing the fake document about Sathya Sarani. along with the postal receipt
5. Copy of bye-laws (Constitution) of Popular Front of India
6. Notarised Specimen receipt (Fake Document)

24. After considering the complaints, responses and the documents produced by the parties and viewing the CDs, NBSA was of the view that the scope of its enquiry being restricted to examining whether there was any violation of the NBA/NBSA Regulations and Guidelines, it would not be able to decide whether the documents relied upon by the broadcasters were bogus or fake, as alleged by the complainants. For that purpose, the complainants may have to approach the appropriate forum.

25. NBSA was of the view that even taking note of the sting operation and the material produced, the channels ought to have shown more restraint in using terms like "Desh Drohi", "Love Jihadka Zaaher", etc. In the absence of any finding or declaration by a court or other competent authority, such descriptions may be considered to be objectionable bordering on violation of the NBA/NBSA Code of Ethics, Regulations and the Guidelines relating to neutrality and objectivity. NBSA therefore decided to close the complaints with a warning to the broadcasters to be more careful in describing persons/institutions with objectionable taglines.

26. NBSA further directs the NBA:

- a) To send a copy of this Order to the complainants and the broadcaster.
- b) To circulate this Order to all Members, Editors & Legal Heads of NBA.
- c) To host this order on its website and to include it in its next Annual Report.
- d) To release the Order to media.



Justice R.V. Raveendran (Retd.)  
Chairperson

Date: 30<sup>th</sup> May 2018

certified true copy  
Arun Joseph  
11/6/2018