

No. N-41014/2/2020-BC.III
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' WING, SHASTRI BHAWAN,
NEW DELHI – 110001

Dated the 6th March, 2020

ORDER

WHEREAS it had come to the notice of the Ministry of Information & Broadcasting that Asianet News TV channel telecast news reports on North-East Delhi violence on 25.02.2020 at 18:58:34 – 19:09:19, 00:10:45 Hrs.

WHEREAS Asianet News channel reported that riots continued in Delhi and death toll has reached 10. Armed rioters were attacking people after asking their religion. Hundreds of shops, houses and vehicles were set on fire and 160 people were injured in the riots. The rioters took over the streets as the Police remained mute spectator. Curfew was imposed in North East Delhi for a month. Channel correspondent PR Soni reported that violence continued at Jaffrabad like the previous day and rioters ruled the streets at Jaffrabad, Ashok Nagar and Maujpur. Delhi Police were mute spectators when rioters set ablaze mosques at Jaffrabad and Maujpur. Fire tenders reached after two hours to put the fire of the mosque. Rioters blocked the commuters and attacked them after questioning their religion. Houses of Muslims were attacked at Hindu majority areas and Muslims retaliated. Rioters were firing at each other in the streets. Violence erupted the previous day has turned into communal violence after a section of Hindus chanted Jai Sri Ram and Muslims chanted Azadi slogans. Hundreds of shops, houses and vehicles were burnt down. A Petrol pump was set on fire. As the violence continued for the third day, no action was taken to contain the violence. The Central Government did not act to control the riots. Central forces reached the riot hit areas after long hours of the meeting of Union Minister Amit Shah. Delhi witnesses such a large riot after 1984 anti-Sikh riots. The violence continued and the fire on many vehicles has not been doused.

WHEREAS it appeared that telecast of reports on North-East Delhi violence had been shown in a manner which highlighted the attack on places of worship and siding towards a particular community.

WHEREAS, the said news reports telecast by Asianet News TV channel appeared to violate the following provisions of the Cable Television Networks Rules, 1994:

Rule 6(1)(c) provides that no programme should be carried in the cable service which Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;

Rule 6(1)(e) provides that no programme should be carried in the cable service which is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;

Whereas, the Ministry had also issued an Advisory on 25.02.2020 in the matter advising the channels to strictly abide by the Programme Code of the Cable Television Networks (Regulation) Act, 1995.

WHEREAS, a show cause notice (SCN) dated 28.02.2020 was issued to Asianet News Channel whereby it was called upon to show cause as to why action as per the provisions of Uplinking/Downlinking Guidelines, the terms and conditions of the permission granted and the provisions of Section 20 of the Cable Act should not be taken against it.

WHEREAS, responding to the SCN, the channel, vide its letter dated 03.03.2020, has submitted following comments:

- i. They have not violated the Programme Code prescribed in Cable Television Networks Rules, 1994. The reports published by them were factual and never intended to attack religions or communities by word or gesture. They have published the news stories with due care and caution and with utmost restraint after verifying the factual situation from the official authorities.
- ii. The allegations that telecast of reports on North East Delhi violence has been shown in a manner which highlights the attack on places of worship and siding with a particular community is incorrect and hence denied. The reports on North West Delhi violence on 25.2.2020 were impartial and true reports of the untoward incidents that took place in the particular area wherein their reporters and crew were physically present. They never intended to cause publication of report siding towards a particular community. The reports regarding the violence on 25.02.2020 by anti-social elements, irrespective of their community or religion were telecast by all media including Asianet News. This was all in accordance with their obligation as a responsible and experienced Media organization that upholds the values enshrined in the Constitution to safeguard their great democracy. They have been reporting news from 1995. During the last 25 years they have acquired acceptance and credibility as a responsible media and are much ahead of all other news channels in Kerala as far as viewership is concerned. They have reported riots and human tragedies across the state, country and abroad respecting the sensitivity and sensibility involved. Never in the past were they accused of violation of any rule or code.
- iii. Asianet News was reporting and monitoring the violence in Delhi from 23.02.2020 with utmost care, caution in compliance with the provision Cable Television Networks Rules, 1994. On 24th also, their two

correspondents were on field and exhibited restraint to avoid any provocation while reporting facts.

- iv. On 25th, three reporters were in the field, reporting various incidents and updating the situation. They reported about a huge crowd coming there chanting religious slogans and even threatening media persons. The crowd went inside Ashok Nagar area destroying a place of worship. This happened when there were no policemen in the area and even after two policemen came, they were helpless. They reported these facts with a bona fide intention to solicit immediate intervention of authorities to save lives and property of innocent people including women and children. These facts were reported from the field risking the life of reporters and crew with an object to bring to the notice of the authorities and public regarding the serious nature of violence and the need to protect the life and property of innocent people living in the locality irrespective of their caste, creed, religion or community. All these were done to discharge their social obligation as a responsible news channel.
- v. On 25.02.2020, they had also telecast the interviews of victims of Maujpur who belong to the majority community. They recorded interviews of residents of Yamuna Vihar too who belong to majority community. All reports were prepared by the same reporters without favoring any particular community. Even before receiving this notice, they were airing stories narrating the brotherhood between the two communities in the same locality and their appeal for peace and harmony. In addition, they have covered the miseries and sufferings of victims belonging to both sides and did a special 30 minutes episode with all versions and with an appeal to maintain peace and harmony. They mentioned the destruction of religious places in one or two areas and this was reported by National and International channels also. Their reporters even made efforts to rescue a 14 year old boy who was shot by alerting authorities and this boy is recovering now at GTB hospital. All these are positive gestures of Asianet News to uphold the sovereignty, integrity, security, secularism and public order of our Great Nation.
- vi. No words in their reports were contemptuous of any religious group or which promotes communal attitudes. They never meant, or had any intention, to air any programme which contained attack on religions or communities or visuals or words contemptuous of religious groups which promoted communal hatred.
- vii. They have not done any programme intentionally to incite violence or contain anything against maintenance of law and order which promotes anti-national attitudes.

- viii. The entire news stories were aired strictly following the advisory dated 25.02.2020. They are a quarter century old organization that has set an example in responsible journalism. If the Ministry still feel that they have touched the threshold, this was done inadvertently and as submitted earlier, with a positive intention only.
- ix. Without prejudice to the above, if the Ministry feels that if any of the reports on North East Delhi violence was telecast in violation of the provisions of Rules 6(1)(c) and 6(1)(e), they hereby tender their unconditional apology and regrets.
- x. In view of the above facts and without prejudice, it is requested to appreciate their submission above and accept their contention that they have not acted in contravention of Rules 6(1)(c) and 6(1)(e), of the Cable Television Networks Rules, 1994 or committed any acts to attract the provision of Section 20 of the Act 1995. Therefore, it is prayed that all further proceedings on the basis of the SCN dated 28.02.2020 may be dropped.

The CD containing the cited telecast was examined in the Ministry. It is stated that the anchor/correspondent of the channel made the following remarks:

The violence of the previous day has continued from morning. The violence turned into communal violence after a group of Hindu people chanted Jai Sri Ram and the Muslims chanted Azadi slogans.

The commuters on the roads are forced to chant Jai Sri Ram. Muslims are brutally attacked. Union Home Ministry claims that 33 company central forces are deployed, but still violence continues in the areas. The Centre can control the violence within hours, but no action has been taken till now. The correspondent says the Centre give silent consent for the violence.

The violence has turned out to a communal riot from yesterday itself. I have witnessed the attack on Muslims.

The rioters asked my religion. I have not seen such a situation in Delhi and I was forced to disclose my religion to continue reporting. Earlier in Delhi, Sikh riots had happened in 1984. Today we witness a similar situation. In the morning I travelled to Jafrabad area. There I saw a boy who was shot at 11 o'clock in the morning. Not even a policeman went to that area till 4.45 in the evening. There was no ambulance to shift the boy to a hospital.

The Police can stop the violence. Earlier police have stopped such incidents. Army may be deployed to control the violence. But no such decisions have been taken. Union Home Minister announced that central forces will be deployed and the situation is under control. But the situation is getting worse in the riot hit area.

Central forces reach the riot hit areas after long hours of the meeting of Union Minister. The Centre has rejected Delhi Chief Minister's request to deploy central forces.

The Union Ministry claimed that 33 company central forces were deployed but still violence continues in the area and also the Centre gave silent consent for the violence.

While reporting such critical incident, the channel (Asianet News TV) should have taken utmost care and should have reported it in a balanced way. Such reporting could enhance the communal disharmony across the country when the situation is highly volatile. The Ministry has time and again issued Advisories to all News Channels to comply by the provisions of the rules. Due care and responsibility is expected while reporting news based on such incidents. However, it is abundantly clear that the channel has not adhered to the Programme codes and has shown irresponsibility by not fully complying to them. The Ministry has come to the conclusion that Asianet News TV channel had violated Rule 6 (1) (c) & (e) of the Programme Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and the rules framed thereunder by telecasting said news regarding the North East Delhi violence.

WHEREAS, as per para 5.2 of the Guidelines for Uplinking from India, one of the basic conditions/obligations of the company permitted to uplink registered channels is that the company shall comply with the Programme Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder;

WHEREAS, as per para 8.1 of the said guidelines, in the event of a channel found to have been/being used for transmitting any objectionable/unauthorized content inconsistent with public interest, the Central Government has the power to revoke the permission granted;

WHEREAS, as per para 8.2 of the said uplinking guidelines, the Central Government has the power to impose penalties for violation of any of the terms and conditions or other provisions of the said guidelines;

WHEREAS, in case of violation of Programme Code this Ministry has powers to suspend the permission of uplinking granted to a company for a period of 30 days in the event of first violation as per para 8.2.1, for 90 days in the event of second violation as per para 8.2.2 and revocation of permission of the company and prohibition of broadcast up to the remaining period of permission in the event of third violation as per para 8.2.3 of the said uplinking guidelines;

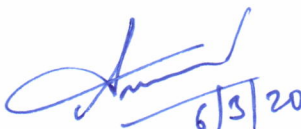
WHEREAS, sub-section (2) of Section 20 of the Cable Television Networks (Regulation) Act, 1995 provides that where the Central Government thinks it necessary or expedient so to do in the interest of the (i) sovereignty or integrity of India; or (ii) security of India; or (iii) friendly relations of India with any foreign State; or (iv) public order, decency or morality, it may, by order, regulate or prohibit the transmission or re-transmission of any channel or programme;

WHEREAS, sub-section (3) of Section 20 of the Cable Television Networks (Regulation) Act, 1995 provides that where the Central Government considers that any programme of any channel is not in conformity with the prescribed programme code referred to in section 5 or the prescribed advertisement code referred to in section 6, it may by order regulate or prohibit the transmission or re-transmission of such programme;

AND WHEREAS, the Competent Authority has decided to impose a penalty of prohibition of transmission/re-transmission of Asianet News TV channel on any platform throughout the Territory of India for a period of 48 hours;

Now, Therefore, the Central Government in exercise of the powers conferred by sub section (2) & (3) of Section 20 of the Cable Television Networks (Regulation) Act, 1995 and under paras 8.1 & 8.2 of the guidelines for uplinking from India, **orders to prohibit the transmission or re-transmission of Asianet News TV channel for 48 hours on any platform throughout India with effect from 19:30:00 hrs.on 06thMarch, 2020 till 19:30:00 hrs.on 8thMarch, 2020.**

This issues with the approval of the Competent Authority.



[AMIT KATOCH]
Director (BC)
Tele.23386394

Managing Director,
Asianet News Network Pvt. Ltd.,
Housing Board Junction,
Thiruvananthapuram – 695001
Email: ann@asianetnews.in, kishen@asianetnews.in,
frank@asianetnews.in

(With the direction to send compliance report immediately after the commencement of the above period followed by a final report on expiry of the said prohibition period on e-mail id sobcii-moib@nic)

Copy to: Managing Director, M/s. Planetcast Media Services Limited, C-34, Sector – 62, Electronic City, NOIDA – 201307: With the request to stop uplinking of Asianet News TV channel for **48 hours on any platform throughout India with effect from 19:30:00 hrs. on 06thMarch, 2020 till 19:30:00 hrs.on 8thMarch, 2020.** The receipt and compliance of this order may also be confirmed to this Ministry at the earliest via fax on 022-23383539 and on e-mail id sobcii-moib@nic.in as well.



[Vijay Kaushik]

Under Secretary to the Govt. of India

Copy for kind information to: Shri A.K. Kalia, DDG (NOCC), Network Operation Control Central, Deptt of Telecom., New Delhi.

Vijay Kaushik
[Vijay Kaushik]

Under Secretary to the Govt. of India

Copy for ensuring compliance to:

1. Shri Ashok Mansukhani, President, MSO Alliance, In Centre, 49150, MIDC, 12th Road, Andheri (E), Mumbai – 3.
2. ShriHariNagpal, President, DTH Association, 15th Floor, Vijay Building, 14th Barakhamba Road, Connaught Place, New Delhi.
3. Ms. Roop Sharma, President, Cable Operators Federation of India, 13/97, Subhash Nagar, Near Rajouri Apartments, New Delhi – 110027.
4. Shri Anil Prakash, Secretary General, IPTV India Forum, Suite 115, Gagandeep 12, Rajendra Place, New Delhi – 110008.
5. Wireless Advisor (WPC), Deptt of Telecommunications, Sanchar Bhawan, Ashoka Road, New Delhi.
6. Director (M&C), PIB, Shastri Bhawan, New Delhi
7. ADG, EMMC with the request to report compliance of Ministry's Order relating to Asianet News channel.

Vijay Kaushik
[Vijay Kaushik]

Under Secretary to the Govt. of India