

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

(PUBLIC INTEREST LITIGATION)

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:-

JAMIAT ULAMA-I-HIND & ANR. ... PETITIONERS

-VERSUS-

UNION OF INDIA & ANR. ... RESPONDENTS

WITH

I. A. NO. OF 2020 : APPLICATION FOR INTERIM
EX-PARTE STAY.

AND WITH

I. A. NO. OF 2020 : APPLICATION FOR EXEMPTION
FROM FILING OFFICIAL
TRANSLATION

AND WITH

I. A. NO. OF 2020 : APPLICATION FOR URGENT
HEARING

PAPER BOOK

(PLEASE SEE INDEX INSIDE)

FILED BY:-

EJAZ MAQBOOL, ADVOCATE FOR THE PETITIONERS

INDEX

Sl. No.	Particulars of Document	Page No. of part to which it belongs		Remarks
		Part I (Contents of Paper Book)	Part II (Contents of file alone)	
(i)	(ii)	(iii)	(iv)	(v)
1.	Court Fees			
2.	Listing Proforma	A - A1	A - A1	
3.	Cover Page of Paper Book		A-2	
4.	Index of Record of Proceedings		A-3	
5.	Limitation Report prepared by the Registry		A-4	
6.	Defect List		A-5	
7.	Note Sheet		NS1 to ...	
8.	Synopsis and List of Dates	B - I		
9.	Writ Petition under Article 32 of the Constitution of India with affidavit.	1 - 27		
10.	Appendix of relevant statutory provisions:- (i) A copy of the Articles 14, 21 & 32 of the Constitution of India, 1949. (ii) A copy of the Sections 5, 19 & 20 of the Cable	28 - 29 30 - 31		

	<p>Television Networks (Regulation) Act, 1995.</p> <p>(iii) A copy of the Rule 6 of the Cable Television Networks Rules, 1994.</p>	32 - 35		
11.	<p>ANNEXURE P-1</p> <p>A photocopy of the Aadhar Card of the Petitioner No.2.</p>	36		
12.	<p>ANNEXURE P-2</p> <p>A photocopy of the PAN Card of the Petitioner No.2.</p>	37		
13.	<p>ANNEXURE P-3</p> <p>A true copy of the Policy Guidelines for Uplinking of Television Channels dated 5.12.2011.</p>	38 - 51		
14.	<p>ANNEXURE P-4</p> <p>A true copy of the order dated 6.3.2020 imposing telecast ban on Asianet News.</p>	52 - 58		
15.	<p>ANNEXURE P-5</p> <p>A true copy of the order dated 6.3.2020 imposing telecast ban on Media One TV.</p>	59 - 65		
16.	<p>ANNEXURE P-6</p> <p>A true copy of the fact check report by Altnews titled "<i>Old, unrelated video shared as Muslims licking utensils to spread coronavirus infection</i>" dated March 30, 2020.</p>	66 - 69		

17.	ANNEXURE P-7 A true copy of the order dated March 31, 2020 passed by this Hon'ble Court in Writ Petition (Civil) No. 468 of 2020.	70 - 77		
18.	ANNEXURE P-8 A true copy of the news report by Newslaundry titled " <i>Coronavirus and Nizamuddin: TV news returns to bigotry with a bang</i> " dated April 1, 2020.	78 - 88		
19.	ANNEXURE P-9 A true and translated copy of the leaflet dated Nil.	89		
20.	ANNEXURE P-10 A true and translated copy of the broadcast message sent by the Ahmedabad Police Commissioner dated April 1, 2020.	90 - 92		
21.	ANNEXURE P-11 A true copy of the fact check report by Altnews titled " <i>Video of Sufi ritual falsely viral as mass sneezing in Nizamuddin mosque to spread coronavirus infection</i> " dated April 1, 2020.	93 - 102		
22.	ANNEXURE P-12 A true copy of the news report by The Scroll titled " <i>Scapegoating Muslims for Covid-19 is communal – and hobbles India's battle against the pandemic</i> " dated April 2, 2020.	103 - 104		

23.	ANNEXURE P-13 A true copy of the news report titled " <i>It Was Already Dangerous to Be Muslim in India. Then Came the Coronavirus</i> " published in the international magazine Time dated April 3, 2020 detailing the instances of communal trends on Twitter.	105 - 109		
24.	ANNEXURE P-14 A true copy of the news report entitled " <i>BJP Chief Nadda cautions party leaders: Don't give coronavirus a communal twist</i> " published in the Indian Express on April 4, 2020.	110 - 112		
25.	ANNEXURE P-15 A true copy of the letter dated April 4, 2020 issued by lawyers.	113 - 114		
26.	I.A. NO. _____ OF 2020 Application for interim ex-parte stay.	115 - 117		
27.	I.A. NO. _____ OF 2020 Application for exemption from filing official translation.	118 - 119		
28.	I.A. NO. _____ OF 2020 Application for urgent hearing.	120 - 124		
29.	F/M		125	
30.	V/A		126	

LISTING PROFORMA
IN THE SUPREME COURT OF INDIA

SECTION - (PIL-W)

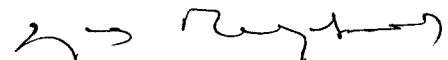
The case pertains to (Please tick/check the correct box):

- Central Act: **Constitution of India, 1950,
Cable Television Networks (Regulation) Act, 1995**
- Section: **Articles 14, 21 & 32 of the Constitution of India
Sections 5, 19 & 20 of the Cable Television Networks
(Regulation) Act, 1995**
- Central Rule : **Cable Television Networks Rules, 1994**
- Rule No(s) : **Rule 6 of the Cable Television Networks Rules, 1994**
- State Act : **NA**
- Section : **NA**
- State Rule : **NA**
- Rule No(s) : **NA**
- Impugned Interim order: (Date) **NA**
- Impugned Final Order/Decree : (Date) **NA**
- High Court : - **NA**
- Names of Judges: **NA**
- Tribunal/Authority: **NA**

-
1. Nature of matter : – **Civil matter**
 2. (a) Petitioner No.1: – **Jamiat Ulama-I-Hind**
(b) e-mail ID: – **jamiatlegalcell@gmail.com**
(c) Mobile phone number:- **93-232-16738**
 3. (a) Respondent No.1: – **Union of India**
(b) e-mail ID: – **NA**
(c) Mobile phone number: – **NA**

A1

4. (a) Main category classification: – **08 - Letter Petition & PIL Matters**
(b) Sub classification: – **0812- Others**
5. Not to be listed before: – **NA**
6. (a) Similar disposed of matter with citation, if any, & case details:
No Similar matter is disposed of.
(b) Similar pending matter with case details: -
7. **Criminal Matters:- NA**
(a) Whether accused/convict has surrendered: Yes No
(b) FIR No. **NA** Date: **NA**
(c) Police Station: **NA**
(d) Sentence Awarded: **NA**
(e) Period of sentence undergone including period of Detention/Custody Undergone: **NA**
8. **Land Acquisition Matters: – NA**
(a) Date of Section 4 notification: **NA**
(b) Date of Section 6 notification: **NA**
(c) Date of Section 17 notification: **NA**
9. **Tax Matters:** State the tax effect: **NA**
10. **Special Category** (first petitioner/appellant only): **NA**
 Senior citizen > 65 years SC/ST Woman/child
Disabled Legal Aid case In custody
11. Vehicle Number (in case of Motor Accident Claim matters): **NA**



EJAZ MAQBOOL

Advocate for the Petitioners

Code No. : 180

E-mail ID:-emaqbool@gmail.com

New Delhi

Dated: 06.04.2020

SYNOPSIS

The present Writ Petition is being filed by the Petitioners herein under Article 32 in the nature of a public interest litigation to seek directions from this Hon'ble Court to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print and electronic media.

In the month of February, 2020, the State of Delhi witnessed one of the worst riots in the history of the State. While the State was recovering from the said riots and the relief work was ongoing, the outbreak of COVID-19 pandemic constrained the Government to cause a nationwide shut down. While the entire nation was in a lockdown, on March 30,2020, the Nizamuddin area in Delhi was sealed as an event of the Muslim religious organisation called the Tablighi Jamat that was held in the neighbourhood early in March had been attended by a number of people who were subsequently found to be infected by the novel coronavirus. Subsequently on March 31,2020, the incident made national headlines, however certain sections of the media, instead of exercising restraint, reported the entire incident with a communal flavour, with phrases such as "Corona Jihad", "Corona Terrorism", "Islamic Insurrection", "Corona bombs" etc. It was thus apparent that the

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unfortunate incident of the Tablighi Jamat was being used to demonise and blame the entire Muslim community.

In addition to the foregoing, there were several fake reports and/or videos circulated on social media, showing Muslims in bad light. For instance, a fake video of Sufi followers indulging in mass sneezing or another fake video showing Muslim persons licking vessels allegedly to perpetrate the spread of corona virus in the country. The Social Media websites were flooded with such videos demeaning the Muslim Community, without any basis.

It is submitted that such reporting has triggered communal antagonism and has also perpetrated hatred, resulting in fissiparous tendencies gaining foothold, undermining and affecting communal harmony. It is further relevant to note that ever since the communal riots in February 2020, the situation in Delhi and in the rest of the nation is already tense and sensitive, therefore, such reporting will only deteriorate the circumstances.

It is the need of the hour that the entire nation is united in the fight against COVID- 19 and any reporting on communal angle will hamper and undermine the same. It is therefore necessary that the media is directed to tread with caution and is warned against giving any communal angle to the Nizamuddin Markaz incident.

Hence, the present petition.

LIST OF DATES

- 05.12.2011 The Respondent No. 2 herein issued Policy Guidelines for Uplinking of Television Channels from India.
- Feb 2020 The State of Delhi witnessed one of the worst communal riots in the history. The situation in the entire nation was sensitive.
- 06.03.2020-
08.03.2020 The Respondent No. 2 herein imposed a telecast ban on Asianet News and Media One TV which required both channels to go off air at 7.30 PM on March 6,2020 and resume telecast at 7.30 PM on March 8, 2020.
- 30.03.2020 The Nizamuddin area in Delhi was sealed as an event of the Muslim religious organisation called the Tablighi Jamat that was held in the neighbourhood early in March had been attended by a number of people who were subsequently found to be infected by the novel coronavirus.

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Soon after the incident was reported in the news, several sections of the print and electronic media started communalising the entire incident. Further there were several social media posts which were being shared wrongly showing Muslims deliberately doing acts to spread the COVID-19, one such instance was a video which showed Muslims licking vessels, allegedly to perpetrate the spread of the novel coronavirus. It is submitted that a fact check enquiry found that the said video was an old and unrelated one.

31.03.2020

This Hon'ble in an order in Writ Petition (Civil) No. 468/2020 directed the media to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. This Hon'ble Court further directed the media to refer to and publish only the official version about the developments. The relevant extract of the order of the Hon'ble Supreme Court dated March 31, 2020, is as follows:

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“In particular, we expect the Media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. A daily bulletin by the Government of India through all media avenues including social media and forums to clear the doubts of people would be made active within a period of 24 hours as submitted by the Solicitor General of India. We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments.”

31.03.2020

In and around March 31, 2020, reports of 6 deaths in Telangana of persons who had attended the religious congregation at the Nizamuddin Markaz, New Delhi surfaced. As a result of which, the police and other enforcement agencies sprang into action and evacuated the Markaz premises and carried out all the necessary medical check-ups.

01.04.2020-
03.04.2020

Since the entire story catapulted into national attention on March 31, 2020 certain sections of the media are blatantly using the unfortunate tragedy to show it as some sort of Muslim conspiracy to spread the COVID-19 virus in India. This has resulted in flaring and fanning of communal sentiments at such a sensitive time posing a serious threat to life and liberty of Muslims across the country. Several reports detailing the Islamophobic headlines and incendiary statements by TV news anchors have noted the communalisation of the issue.

Social media was also replete with fake news targeting the Muslims and inciting hatred and violence against them. A number of such fake news have been busted by fact check organisations. Particularly, hate messages on the social media website Twitter have seen a huge spike but no action is being taken by Twitter and other social media in accordance with their own standards and guidelines.

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Additionally, after the news of the Nizamuddin Markaz surfaced, a leaflet in the form of a notice has been doing the rounds in Gujarat exhorting all Hindus to boycott Muslim hawkers and shopkeepers from entering their societies as they are on a mission to spread the Coronavirus. The leaflet reads that the Tablighi Jamaat has collected 2500 Corona positive persons from all over the world and sent them all over the country to spread the Coronavirus. On April 1, 2020, the Ahmedabad Police Commissioner took cognizance of this leaflet and has circulated a message to all police stations in Ahmedabad and informed them to take care no untoward situation arises due to such a message being circulated on social media. While this instance is particular to Ahmedabad, Gujarat, there are thousands of such messages doing the rounds on social media which are a clear consequence of the demonization of Muslims by the media.

04.04.2020

The President of the ruling party, BJP, Shri J.P. Nadda also appealed to people to not communalise the issue. Similar appeals have been made by the Chief Ministers of Kerala, Telangana, and Maharashtra.

A statement was issued by a group of lawyers practising in various courts in Delhi expressing grave concern at the communalisation of the Tablighi Jamaat issue by certain sections of the media.

06.04.2020

Reporting of the Nizamuddin Markaz incident by giving it a communal flavour by certain sections of the media has triggered communal antagonism also perpetrated hatred resulting in fissiparous tendencies gaining foothold, undermining and affecting communal harmony. Such reporting is creating a divide in the nation, at a time when even the Hon'ble Prime Minister has appealed for the entire nation to come together. Hence, the present Writ Petition.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

(PUBLIC INTEREST LITIGATION)

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:

1. JAMIAT ULAMA-I-HIND
Through its Secretary, Legal Cell
Mr. Gulzar Ahmed Noor Mohammed Azmi
Having his office at
Imambada Compound,
Opposite B.I.T. Chawl No. 1,
Near Mughal Masjid,
Imam Wada, Mumbai,
Maharashtra – 400 009 ... Petitioner No.1
2. MR. GULZAR AHMED NOOR MOHAMMED AZMI
Secretary, Legal Cell, Jamiat Ulama-i-Hind
R/o. Room No.32, 1st Floor,
29/C Minara Masjid Trust Chawl,
Piru Lane, Pathanwadi, Mumbai
Maharashtra – 400009 ... Petitioner No.2

-VERSUS-

1. UNION OF INDIA
Through its Secretary
Ministry of Home Affairs,
Government of India,
North Block, New Delhi - 110001 ... Contesting
Respondent No.1
2. UNION OF INDIA
Through its Secretary
Ministry of Information and Broadcasting,
Government of India,
Shastri Bhawan,
New Delhi - 110001 ... Contesting
Respondent No.2

**WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA SEEKING TO ADDRESS THE
COMMUNALISATION OF NIZAMUDDIN MARKAZ
ISSUE BY CERTAIN SECTIONS OF THE MEDIA**

To,

The Hon'ble Chief Justice of India
and his companion justices of the
Hon'ble Supreme Court of India

The humble petition of the
above named Petitioners:

MOST RESPECTFULLY SHOWETH:

1. The Petitioners are filing the present Writ Petition under Article 32 of the Constitution in the nature of a Public Interest Litigation to seek directions from this Hon'ble Court to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print and electronic media.

2. The Petitioner No.1 organization was established in November 1919 and the main aims and objectives of the Petitioner No.1 organization are inter alia as follows:

- a) Protection of Islam, Islamic Culture, tradition, Islamic heritage and places of worship.
- b) Protection and promotion of religious, cultural, educational and citizenship rights of the Muslim Community.
- c) Reformation of religious, social and educational life of the Muslim community.

- d) Establishment of such institutions, which could empower Muslims educationally, culturally, socially, economically.
 - e) In accordance with the teachings of Islam promotion of cordial and friendly relations among members of different Indian Communities.
 - f) Any male or female Muslim is eligible to become a member of the Applicant organization if he/she is of sound mind and fully agrees with the aims and objects of the Applicant Organization.
3. The Petitioner No.1 Organization is regularly involved in several philanthropic activities, some of the recent instances of the work done by the Petitioner No.1 Organization includes extending relief to Nepal Earthquake victims, extending relief for victims of fire in Pune, building of colonies for the homeless in Assam, extending relief to victims of flood in Kashmir and undertaking other relief work such as providing ambulances in the flood affected areas, rehabilitating the flood victims by building homes for them. Further the Petitioner No.1 organization has also built homes in Malegaon for the victims who lost their houses due to fire, built homes in Bihar for the victims who lost their houses due to flood, has extended relief to the Rohingya refugees and has set

up medical camps in tribal areas including the district of Palghar in Maharashtra. Apart from such services, the Petitioner No.1 organization has worked in several other areas affected by riot and natural calamities and has been spending huge amount of money for provision of Education, Medical and Legal Aid.

4. Further more recently, the Petitioner No. 1 organisation has also undertaken relief work such as construction of homes and other flood relief work in Kolahpur, Sholapur, Sangli, Mirja flood relief. Pertinently, the Petitioner No. 1 Organisation has also been undertaking relief work during the present Corona Pandemic.

5. The Petitioner No. 1 organisation is not a registered organisation.

6. The Petitioner No. 2 is the Secretary of the Legal Cell of the Petitioner No. 1 Organisation. The Petitioner No.2 has been duly authorized by the Petitioner No.1 Organisation to sign the vakalatnama and the affidavit for filing the present Writ Petition before this Hon'ble Court.

7. That the necessary details of the General Secretary through whom the Petitioner No.1 is approaching this Hon'ble Court and which is the details also of Petitioner No. 2 are as follows:-

(i) Name : Gulzar Ahmed Noor Mohammed Azmi

Father's Name : Late Mr. Noor Mohammed Azmi,
Address : R/o. Room No.32, 1st Floor, 29/C
Minara Masjid Trust Chawl, Piru Lane,
Pathanwadi, Mumbai - 400009
Occupation : General Secretary and Social Worker
E-mail : jamiatlegalcell@gmail.com
Mobile No. : 093-232-16738
Aadhaar No : 4655-3445-6551
PAN No. : AAUPM1748B
Annual Income : N/A

Copies of Aadhar Card and PAN Card of Petitioner No. 2 are annexed hereto and marked as **Annexure P-1 [Page No. 36]** and **Annexure P-2 [Page No. 37]** as personal identification in this Writ Petition because the same is being filed as a Public Interest Litigation.

8. The Petitioner No.2 is a citizen of India and also a General Secretary of Petitioner No.1 Society.

9. That the Petitioners have no personal gain, private motive or oblique reason in filing the present Petition. The petition is filed for common cause and the benefits of the society at large.

10. That the Petitioners state that no civil, criminal or revenue litigation involving the Petitioners, which has or could have a legal nexus with the issues involved in the Petition is pending.

11. That the Respondents herein are the Union of India through the Secretary, Ministry of Home Affairs, and the Ministry of Information and Broadcasting.

12. That the Petitioners state that there is no concerned Government authority which could be moved for the reliefs sought for by the Petitioners in the present Petition as the only efficacious remedy lies before this Hon'ble Court under Article 32 of the Constitution. It is further submitted that in the present scenario when the nation is under a lockdown, an alternate remedy, if any would take a long time to fructify thereby being inefficacious since the communal reporting of the Nizamuddin incident ought to be stopped immediately and any delay may result in promoting feeling of ill-will, enmity and hatred towards the Muslim Community which may further result in unrest.

13. That the present Petition is necessitated on account of the communal colour being given to the outbreak of the COVID-19 pandemic by certain sections of print, electronic and social media posing a threat to the life and liberty of Muslims infringing their fundamental rights under Article 21 of the Constitution. The demonization is also an infringement of the right to live with dignity which is also covered under Article 21 of the Constitution.

14. The Brief facts leading to the filing of the present Writ Petition are as follows:-

- (i) That on 5.12.2011, the Respondent No. 2 herein issued Policy Guidelines for Uplinking of Television Channels from India. A true copy of the Policy Guidelines for Uplinking of Television Channels dated 5.12.2011 is annexed hereto and marked as **Annexure P-3 [Page Nos. 38 to 51]**.
- (ii) That in February 2020, the State of Delhi witnessed one of the worst communal riots in the history. The situation in the entire nation was sensitive.
- (iii) That the Respondent No. 2 herein imposed a telecast ban on Asianet News and Media One TV which required both channels to go off air at 7.30 PM on March 6,2020 and resume telecast at 7.30 PM on March 8, 2020. A true copy of the order dated 6.3.2020 imposing telecast ban on Asianet News is annexed hereto and marked as **Annexure P-4 [Page Nos. 52 to 58]**. A true copy of the order dated 6.3.2020 imposing telecast ban on Media One TV is annexed hereto and marked as **Annexure P-5 [Page Nos. 59 to 65]**.

- (iv) That on March 30,2020, the Nizamuddin area in Delhi was sealed as an event of the Muslim religious organisation called the Tablighi Jamat that was held in the neighbourhood early in March had been attended by a number of people who were subsequently found to be infected with the novel coronavirus.
- (v) That on March 30,2020, soon after the incident was reported in the news, several sections of the print and electronic media started communalising the entire incident. Further there were several social media posts which were being shared wrongly showing Muslims deliberately doing acts to spread the COVID-19, one such instance was a video which showed Muslims licking vessels, allegedly to perpetrate the spread of the novel coronavirus. It is submitted that a fact check enquiry found that the said video was an old and unrelated one. A true copy of the fact check report by Altnews titled "*Old, unrelated video shared as Muslims licking utensils to spread coronavirus infection*" dated March 30, 2020 is annexed hereto and marked as **Annexure P-6 [Page Nos. 66 to 69]**.
- (vi) That on March 31, 2020, this Hon'ble in an order in Writ Petition (Civil) No. 468/2020 directed the media to maintain

a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. This Hon'ble Court further directed the media to refer to and publish only the official version about the developments. The relevant extract of the order of the Hon'ble Supreme Court dated March 31, 2020, is as follows:

“In particular, we expect the Media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. A daily bulletin by the Government of India through all media avenues including social media and forums to clear the doubts of people would be made active within a period of 24 hours as submitted by the Solicitor General of India. We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments.”

A true copy of the order dated March 31, 2020 passed by this Hon'ble Court in Writ Petition (Civil) No. 468 of 2020 is annexed hereto and marked as **Annexure P-7 [Page Nos. 72 to 77]**.

- (vii) That in and around March 31, 2020, reports of 6 deaths in Telangana of persons who had attended the religious congregation at the Nizamuddin Markaz, New Delhi

surfaced. As a result of which, the police and other enforcement agencies sprang into action and evacuated the Markaz premises and carried out all the necessary medical check-ups.

(viii) That however, since the entire story catapulted into national attention on March 31, 2020 certain sections of the media are blatantly using the unfortunate tragedy to show it as some sort of Muslim conspiracy to spread the COVID-19 virus in India. This has resulted in flaring and fanning of communal sentiments at such a sensitive time posing a serious threat to life and liberty of Muslims across the country.

(ix) That several reports detailing the Islamophobic headlines and incendiary statements by TV news anchors have noted the communalisation of the issue. Further, even social media is replete with fake news targeting the Muslims and inciting hatred and violence against them. A number of such fake news have been busted by fact check organisations. Particularly, hate messages on the social media website Twitter have seen a huge spike but no action is being taken by Twitter and other social media in accordance with their own standards and guidelines.

Additionally, after the news of the Nizamuddin Markaz surfaced, a leaflet in the form of a notice has been doing the rounds in Gujarat exhorting all Hindus to boycott Muslim hawkers and shopkeepers from entering their societies as they are on a mission to spread the Coronavirus. The leaflet reads that the Tablighi Jamaat has collected 2500 Corona positive persons from all over the world and sent them all over the country to spread the Coronavirus. On April 1, 2020, the Ahmedabad Police Commissioner took cognizance of this leaflet and has circulated a message to all police stations in Ahmedabad and informed them to take care no untoward situation arises due to such a message being circulated on social media. While this instance is particular to Ahmedabad, Gujarat, there are thousands of such messages doing the rounds on social media which are a clear consequence of the demonization of Muslims by the media.

A true copy of the news report by Newslandry titled "*Coronavirus and Nizamuddin: TV news returns to bigotry with a bang*" dated April 1, 2020 is annexed hereto and marked as **Annexure P-8 [Page Nos. 78 to 88]**.

A true and translated copy of the leaflet dated Nil is annexed hereto and marked as **Annexure P-9 [Page No.89]**.

A true and translated copy of the broadcast message sent by the Ahmedabad Police Commissioner dated April 1, 2020 is annexed hereto and marked as **Annexure P-10 [Page Nos.90 to 92]**.

A true copy of the fact check report by Altnews titled “*Video of Sufi ritual falsely viral as mass sneezing in Nizamuddin mosque to spread coronavirus infection*” dated April 1, 2020 is annexed hereto and marked as **Annexure P-11 [Page Nos.93 to 102]**.

A true copy of the news report by The Scroll titled “*Scapegoating Muslims for Covid-19 is communal – and hobbles India’s battle against the pandemic*” dated April 2, 2020 is annexed hereto and marked as **Annexure P-12 [Page Nos. ¹⁰³__ to ¹⁰⁴__]**.

A true copy of the news report titled “*It Was Already Dangerous to Be Muslim in India. Then Came the Coronavirus*” published in the international magazine Time dated April 3, 2020 detailing the instances of communal

trends on Twitter is annexed hereto and marked as **Annexure P-13** [Page Nos. ¹⁰⁵__ to ¹⁰⁹__].

- (x) That multiple FIRs have been filed in the case and the entire controversy is under investigation now. However, in the meanwhile a communal color has been given to the incident by some sections of the media, which is leading to victimisation of the Muslim Community as a whole. It is submitted that the purpose of the present Petition is not to prejudge the outcome of the investigation, but to raise alarm and bring to the attention of this Hon'ble Court, the blatant communalisation and demonization of Muslims using this unfortunate incident by certain sections of the media.
- (xi) That on April 4, 2020, the President of the ruling party, BJP, Shri J.P. Nadda also appealed to people to not communalise the issue. Similar appeals have been made by the Chief Ministers of Kerala, Telangana, Andhra Pradesh and Maharashtra.

A true copy of the news report entitled "*BJP Chief Nadda cautions party leaders: Don't give coronavirus a communal twist*" published in the Indian Express on April 4, 2020 is

annexed hereto and marked as **Annexure P-14** [Page Nos. 110 __ to 112].

- (xii) That on April 4, 2020, a statement was issued by a group of lawyers practising in various courts in Delhi expressing grave concern at the communalisation of the Tablighi Jamaat issue by certain sections of the media.

A true copy of the letter dated April 4, 2020 issued by lawyers is annexed hereto and marked as **Annexure P-15** [Page Nos. ¹¹³ __ to ¹¹⁴ __].

- (xiii) That reporting of the Nizamuddin Markaz incident by giving it a communal flavour by certain sections of the media has triggered communal antagonism also perpetrated hatred resulting in fissiparous tendencies gaining foothold, undermining and affecting communal harmony. Such reporting is creating a divide in the nation, at a time when even the Hon'ble Prime Minister has appealed for the entire nation to come together. Hence, the present Writ Petition.

15. That the Petitioners are filing the present Writ Petition in public interest as the failure of the State to check such communalisation of content by the media has posed a grave threat to the life and liberty of Muslims across the country violating the

fundamental right under Article 21 of the Constitution. The demonization is also an infringement of the right to live with dignity which is also covered under Article 21 of the Constitution.

16. The following questions of law of general public importance arise for consideration by this Hon'ble Court: -

- (i) Whether the giving a communal angle while reporting the Nizamuddin Markaz incident has violated Article 21 of Muslim persons?
- (ii) Whether the reporting giving a communal flavour to the Nizamuddin Markaz incident is in violation of the provisions of the the Cable Television Networks (Regulation) Act,1995?
- (iii) Whether such reporting demonizing the entire Muslim community is contrary to principles of secularism?
- (iv) Whether the Respondent Union failed in its duty in failing to prohibit transmission of such programmes wherein a communal angle was given to the entire incident in accordance with Section 19 & 20 of the Cable Television Networks (Regulation) Act,1995 and also in accordance with Clause 8 of the Policy Guidelines for Uplinking of Television Channels?

- (v) Whether the Respondent Union failed to stop fake news and communal statements from being spread on social media websites?

17. That the Petitioners are therefore filing the present Writ Petition under Article 32 of the Constitution of India on the following amongst other grounds which are taken without prejudice to one another:-

GROUNDS

- A. For that it is submitted that by communalising the issue and demonising the entire Muslim community, the actions of the media pose a serious threat to the life and liberty of Muslims across the country. The demonization is also an infringement of the right to live with dignity which is also covered under Article 21 of the Constitution.
- B. For that it is further submitted that it is the State's duty to give equal protection of the law to all persons in India under Article 14 of the Constitution. By not taking action against to maintain communal harmony in such a critically sensitive time for the country, the Respondents have failed in their duty under the Constitution.

- C. For that based on several annexed news reports detailing the communal headlines and bigoted statements, it is clear that various Hindi and English news channels have presented information concerning the incident in a twisted manner with the most incendiary, virulent, and vitriolic statements inciting hatred against the entire Muslim community at large. The TV news channels, and social media are replete with phrases like “Corona Jihad”, “Corona Terrorism”, “Islamic Insurrection”, “Corona bombs” being used to describe the Nizamuddin Markaz issue. At a time when maintaining communal unity in the country is the need of the hour, certain sections of the media have only alleviated the tensions in the society.
- D. For that it is further submitted that social media is also replete with misinformation and fake news aimed at giving the entire incident a communal tone and proliferating conspiracy theories about the Tablighi Jamaat deliberately spreading the coronavirus across the country. Social websites like Twitter have seen the biggest spike in communal trends and hate speech against the Tablighi Jamaat and Muslims on social media. No action has been taken by these websites in accordance with their own

standards and guidelines and no efforts have been made by the Respondents to ensure the same.

- E. For that it is submitted that through their communal reportage sections of the media have violated all norms of journalistic conduct by resorting to such dog whistle tactics of targeting Muslims. Following are some of the stipulations contained in the Norms of Journalistic Conduct 2019 edition issued by the Press Council of India which are violated by the media through its coverage of the Nizamuddin Markaz issue:

“To maintain communal harmony and bind the social fabric of the country, press ought to be more careful while publishing names of any organization and alleging their involvement in terrorist activities.”
(See Pg. 10)

“The press is expected to use its power to promote and contribute in maintaining communal harmony.

The fabric of a community is very delicate. The newspapers and periodicals should be sensitive in use of words with different connotation at different places and in different languages.” (See Pg. 11)

“News, views or comments relating to communal or religious disputes/clashes shall be published after proper verification of facts and presented with due

caution and restraint in a manner which is conducive to the creation of an atmosphere congenial to communal harmony, amity and peace. Sensational, provocative and alarming headlines are to be avoided.” (See Pg. 20)

- F. For that it is further submitted that the actions of certain sections of the media are also against the letter and spirit of the Code of Ethics and Broadcasting Standards issued by the News Broadcasters Association, which is the regulatory body for news channels. Under the Code, ensuring neutrality and objectivity in reporting is one of the foremost principles of media regulation.
- G. For that it is further submitted that at a time when the need of the hour is to encourage harmony and unity, the media, by creating divisions and demonising the entire Muslim community has indulged in grossly irresponsible behaviour. Spreading of such communally charged fake news and yellow journalism has the effect of pitting different communities against each and can also have the effect of creating social unrest in the society.
- H. For that such reporting is in clear violation of Section 5 of the Cable Television Networks (Regulation) Act, 1995. Section 5 stipulates that “no person shall transmit or re-

transmit through a cable service any programme unless such advertisement is in conformity with the prescribed programme code”. It is further submitted that the Programme Code as provided in Rule 6 of the Cable Television Network Rules,1994 *inter alia* prohibits any programme which contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes (See Rule 6(1) (c)).

- I. For that Section 19 of the Cable Television Networks (Regulation) Act,1995 provides as follows:-

Power to prohibit transmission of certain programmes in public interest.

Where “any authorised officer” thinks it necessary or expedient so to do in public interest, he may, by order, prohibit any cable operator from transmitting or re-transmitting “any programme or channel if, it is not in conformity with the prescribed programme code referred to in section 5 and advertisement code referred to in section 6 or if it is” likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or

regional groups or castes or communities or which is likely to disturb the public tranquillity.

It is submitted that the reporting done by certain sections of the media maligning the entire Muslim community promotes feelings of enmity, hatred and ill-will towards the Muslim Community and therefore the Respondent Union ought to have prohibited the transmission of such programmes as violative of Section 19 of the Cable Television Networks (Regulation) Act,1995. Further the transmission of such a programme was contrary to public interest and therefore violative of Section 20 of the Cable Television Networks (Regulation) Act,1995.

- J. For that the Respondents herein failed in their duty to impose a penalty on these media channels in accordance with Clause 8 of the Policy Guidelines for Uplinking of Television Channels from India dated 5.12.2011.
- K. For that it is further submitted that the media has violated the directions of this Hon'ble Court in a recent order dated March 31, 2020 passed in Writ Petition (Civil) No. 468/2020. This Hon'ble Court, in a petition dealing with the plight of migrant workers who are stuck due the nationwide lockdown, has directed the media to maintain a strong sense

of responsibility and ensure that unverified news capable of causing panic is not disseminated. It has further directed the media to refer to and publish only the official version about the developments. The relevant extract of the order of the Hon'ble Supreme Court dated March 31, 2020, is as follows:

“In particular, we expect the Media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. A daily bulletin by the Government of India through all media avenues including social media and forums to clear the doubts of people would be made active within a period of 24 hours as submitted by the Solicitor General of India. We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments.”

- L. For that needless to say, encouraging in such communal polarisation is also against secularism and the fundamental duties of every Indian citizen, particularly Article 51A(e) of the Constitution of India which makes it a duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India

transcending religious, linguistic and regional or sectional diversities.

M. For that in view of the abovementioned, it is of utmost urgency that Respondents take strict action against errant sections of the media and that there is responsible reporting by all sections of the media in light of the order of the Hon'ble Supreme Court at such a difficult time for the country.

N. For that the State of Delhi has recently witnessed one of the worst communal riots in its history and permitting the media to use the Tablighi Jamat incident to once again perpetrate communal hatred would risk the law and order situation in the entire state. It is submitted that the reporting of the Tablighi Jamat incident, in a way which demonises the entire Muslim community, is likely to trigger communal antagonism and hatred resulting in fissiparous tendencies gaining foothold, undermining and affecting communal harmony.

18. The Petitioners crave liberty to urge other grounds in addition to the grounds above at a later stage of the proceedings as appropriate.

19. The Petitioners have not filed any other petition before this Hon'ble Court or any other Court within the territory of India on the subject matter of the instant Petition and for the reliefs prayed for herein.

20. In the aforesaid premises and in the interests of justice, it is most respectfully prayed that this Hon'ble Court may be graciously pleased to:-

PRAYER

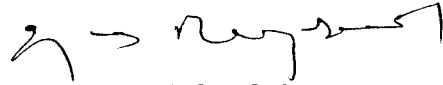
- (a) Issue a writ in the nature of mandamus, or any other writ, order or direction to the Central Government to stop the dissemination of fake news and take strict action against the sections of the media spreading bigotry and communal hatred in relation to the Nizamuddin Markaz issue; and/or
- (b) Issue a writ in the nature of mandamus, or any other writ, order or direction to the Ministry of Information and Broadcasting to identify and take strict action against sections of the media who are communalising the Nizamuddin Markaz issue; and/or
- (c) Issue a writ in the nature of mandamus, or any other writ, order or direction to all sections of the media to strictly comply, in letter and spirit, with the directions of the

Hon'ble Supreme Court dated March 31, 2020 in Writ
Petition (Civil) No. 468/2020; and/or

- (d) pass such other/further order as this Hon'ble Court may
deem fit and proper in the facts and circumstances of the
present case.

**AND FOR THIS ACT OF KINDNESS, THE PETITIONERS
AS IN DUTY BOUND, SHALL EVER PRAY.**

FILED BY:-



EJAZ MAQBOOL

Advocate for the Petitioners

DRAWN BY:-

Mr. Ejaz Maqbool, Advocate
Mr. Md. Tahir M. Hakim, Advocate
Mr. Shahid Nadeem, Advocate
Ms. Akriti Chaubey, Advocate
Mr. Muhammad Isa M. Hakim, Advocate
Ms. Aishwarya Sarkar, Advocate

Drafted on: 04.04.2020

New Delhi
Filed on: 06.04.2020

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:-

JAMIAT ULAMA-I-HIND & ANR. ... PETITIONERS

-VERSUS-

UNION OF INDIA & ANR. ... RESPONDENTS

AFFIDAVIT

I, Gulzar Ahmed Noor Mohammed Azmi, S/o. Late Mr. Noor Mohammed Azmi, aged about 86 years, R/o. Room No.32, 1st Floor, 29/C Minara Masjid Trust Chawl, Piru Lane, Pathanwadi, Mumbai - 400009, do hereby solemnly affirm and state as under:-

1. That I am the Petitioner No.2 and the Secretary Legal Cell of the Petitioner No.1 in the above mentioned Writ Petition and as such I am well conversant with the facts and circumstances of the case and competent to swear the present affidavit on my own behalf and also on behalf of the Petitioner No.1.
2. That I have gone through a copy of the Synopsis and List of Dates running from pages ___ to ___ and a copy of the Writ Petition from paragraphs ___ to ___ running from pages ___ to

___ and I state that the contents thereof are true and correct to my knowledge and belief.

3. That I have gone through a copy of the Interlocutory Application and state that the contents thereof are true and correct to my knowledge and belief.
4. That the annexures annexed to the present Writ Petition are true and correct copies of their respective originals.
5. That the Petitioners have no personal interests, individual gain, private motive or oblique reasons for filing the present petition. The present petition is not guided for the gain of any individual person, institution or body and there is no motive other than Public Interest in filing the present Petition.

MAA

DEPONENT

VERIFICATION

Verified at Mumbai on this ___ day of April, 2020 that the contents of the above Affidavit are correct and true to the best of my knowledge, belief and nothing material has been concealed therefrom.

MAA

DEPONENT



APPENDIX – (I)

THE CONSTITUTION OF INDIA, 1949

Article 14. Equality before law

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India
Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

Article 21. Protection of life and personal liberty

No person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 32. Remedies for enforcement of rights conferred by this Part

- (1) The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed;
- (2) The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever

may be appropriate, for the enforcement of any of the rights conferred by this Part;

(3) Without prejudice to the powers conferred on the Supreme Court by clause (1) and (2), Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court under clause (2);

(4) The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution.

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APPENDIX – (II)

**THE CABLE TELEVISION NETWORKS
(REGULATION) ACT, 1995**

Section 5. Programme Code.

No person shall transmit or re-transmit through a cable service any programme unless such programme is in conformity with the prescribed programme code.

Section 19. Power to prohibit transmission of certain programmes in public interest.

Where ¹[any authorised officer] thinks it necessary or expedient so to do in the public interest, he may, by order, prohibit any cable operator from transmitting or re-transmitting ²[any programme or channel if, it is not in conformity with the prescribed programme code referred to in section 5 and advertisement code referred to in section 6 or if it is] likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquillity.

Section 20. Power to prohibit operation of cable television network in public interest.

- (1) Where the Central Government thinks it necessary or expedient so to do in public interest, it may prohibit the operation of any cable television network in such areas as it may, by notification* in the Official Gazette, specify in this behalf.
- (2) 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.
- (3) 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.

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THE CABLE TELEVISION NETWORKS RULES, 1994

Rule 6. Programme Code.

- (1) No programme should be carried in the cable service which—
- (a) offends against good taste or decency;
 - (b) contains criticism of friendly countries;
 - (c) contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;
 - (d) contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths;
 - (e) is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;
 - (f) contains anything amounting to contempt of court;
 - (g) contains aspersions against the integrity of the President and Judiciary;
 - (h) contains anything affecting the integrity of the Nation;

- (i) criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;
- (j) encourages superstition or blind belief;
- (k) denigrates women through the depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals;
- (l) denigrates children;
- (m) contains visual or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups;
- (n) contravenes the provisions of the Cinematograph Act, 1952 (37 of 1952);
- [(o) is not suitable for unrestricted public exhibition]:

[Provided that no film or film song or film promo or film trailer or music video or music albums or their promos, whether produced in India or abroad, shall be carried through cable service unless it has been certified by the Central Board of Film Certification (CBFC) as suitable for unrestricted public exhibition in India.] [Explanation. —For

the purpose of this clause, the expression “unrestricted public exhibition” shall have the same meaning as assigned to it in the Cinematograph Act, 1952 (37 of 1952).]

(2) The cable operator should strive to carry programmes in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities.

[(3) No cable operator shall carry or include in his cable service any programme in respect of which copyright subsists under the [Copyright Act, 1957 (14 of 1957)] unless he has been granted a licence by owners of copyright under that Act in respect of such programme.]

(4) Care should be taken to ensure that programmes meant for children do not contain any bad language or explicit scenes of violence.

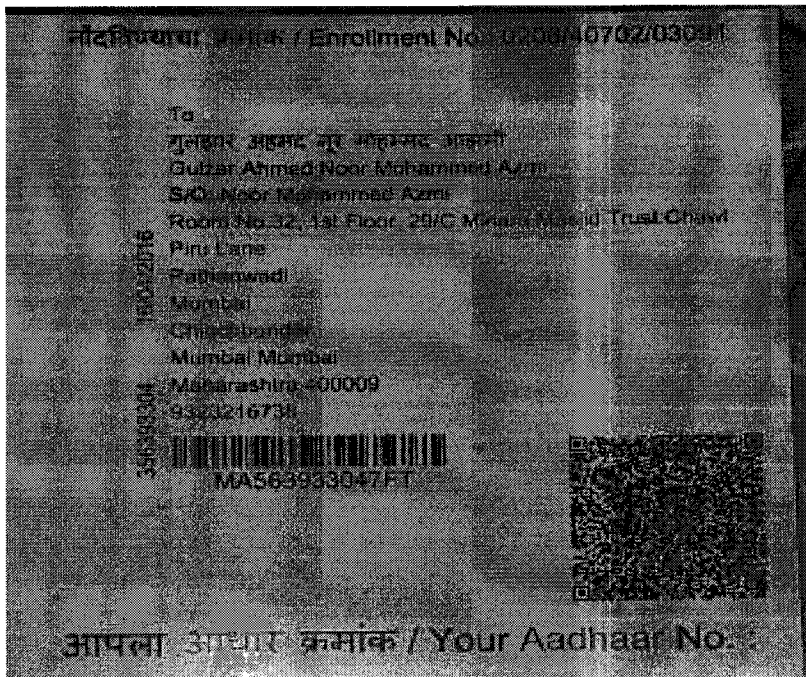
(5) Programmes unsuitable for children must not be carried in the cable service at times when the largest numbers of children are viewing.

[(6) No cable operator shall carry or include in his cable service any television broadcast or channel, which has not been registered by the Central Government for being viewed within the territory

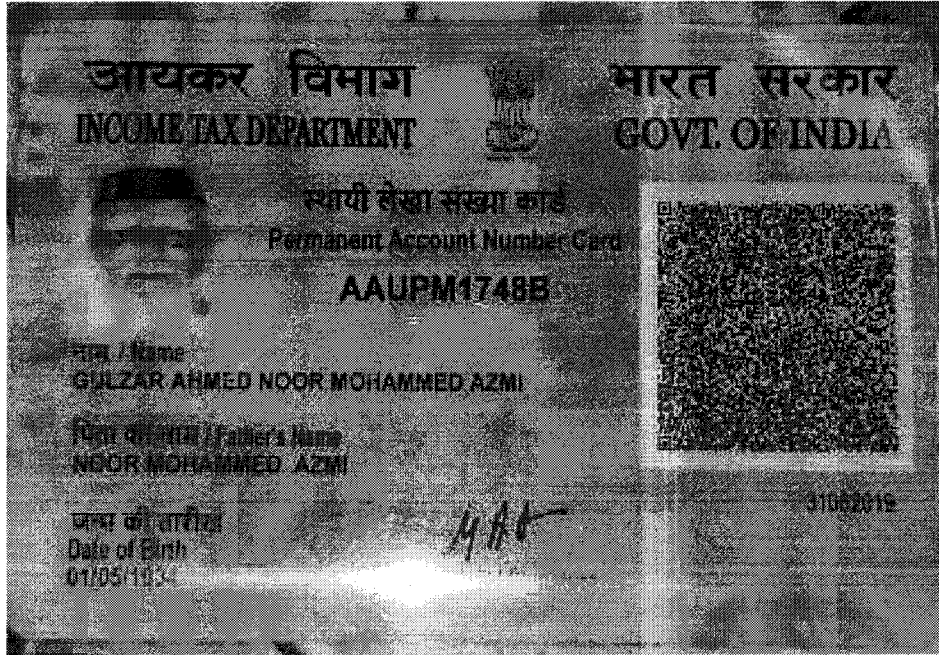
of India: [Provided that a cable operator may continue to carry or include in his cable service any television broadcast or channel, whose application for registration to the Central Government was made on or before 11th May, 2006 and is under consideration, for a period up to 15th June, 2009 or till such registration has been granted or refused, whichever is earlier.] Provided further that channels uplinking from India, in accordance with permission for uplinking granted before 2nd December, 2005, shall be treated as “registered” television channels and can be carried or included in the cable service.]

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ANNEXURE P – 1



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File No: 1501/34/2009-TV(I)
Government of India
Ministry of Information and Broadcasting
Broadcasting Wing

New Delhi.
Dated: 5th December, 2011

POLICY GUIDELINES FOR UPLINKING OF TELEVISION CHANNELS FROM INDIA

PREAMBLE

Ministry of Information and Broadcasting, Government of India notified the "Guidelines for Uplinking from India" in July 2000. This was followed by "Guidelines for Uplinking of News and Current Affairs TV Channels from India" in March 2003, which were amended in August 2003. Further followed by "Guidelines for use of SNG/DSNGs" in May 2003 and addendum dated 1.4.2005 to the Uplinking guidelines. The Government has, on 20th October 2005, further amended these Guidelines, which came into effect from 2nd December 2005. Some amendments to these Guidelines have also come into operation as a result of enactment of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007 and the rules and notifications thereunder. Some amendments were also needed in the provisions relating to the determination of the foreign investment in the applicant/permission holder company to bring them in line with the extant FDI Policy of the Government. The Government has, on 7th October 2011 further amended these guidelines. Accordingly, in supersession of all previous guidelines, the Government hereby notifies the following consolidated Uplinking Guidelines. These shall come into effect from today the 05th December, 2011 and would be applicable to existing channels as well.

GENERAL

The applicant seeking permission to set up an Uplinking Hub/ Teleport or Uplink a TV Channel or Uplink facility by a News Agency should be a company registered in India under the Companies Act, 1956.

1. PERMISSION FOR SETTING UP OF UPLINKING HUB/ TELEPORTS

1.1. Eligibility Criteria

1.1.1. In the applicant company, the foreign equity holding including NRI/OCB/PIO should not exceed 49%.

1.1.2. The Company should have a minimum Net Worth as prescribed below:[

[Item	Required Net Worth
<i>For the first Teleport</i>	<i>Rs. 3.00 Crore</i>
<i>For each additional Teleport</i>	<i>Rs. 1.00 Crore]</i>

1.1.3. *Notwithstanding the provisions contained in Para 1.1.2, the minimum network requirement for additional Teleport of a Company, which held permission(s) for a Teleport(s)*

as on the date of issuance of the amended Guidelines on 05.12.2011, would be calculated by applying the networth norms as they existed prior to the issuance of amended guidelines for the permissions already held on that date, and the revised norms as per Para 1.1.2 for the additional Teleport(s).]'

1.2. Period of Permission

1.2.1. Permission shall be granted for a period of 10 years.

1.3. Fee

1.3.1. The applicant will pay an amount of Rs. Ten Thousands per teleport as non-refundable processing fee.

1.3.2. *[The applicant company shall pay a permission fee at the rate of Rs. Two lakh per Teleport per annum.*

1.3.3. *After being held eligible, the applicant Company shall pay the permission fee for the first year before the issuance of permission. The succeeding year's permission fee will have to be deposited 60 days before such fee becomes due.]'*

1.4. Special Conditions/ Obligations

1.4.1. The company shall Uplink only those TV Channels which are specifically approved or permitted by the Ministry of Information and Broadcasting for Uplinking from India.

1.4.2. The company shall stop Uplinking TV channels whenever permission/approval to such a channel is withdrawn by the Ministry of Information & Broadcasting.

1.4.3. The applicant company shall abide by the general terms and conditions laid down in Para 5 below.

[1.5. Roll Out Obligations for operationalisation of permitted Teleports:-

1.5.1. *The applicant company shall operationalise the teleport within one year from the date the permission is granted by the Ministry of Information and Broadcasting.*

1.5.2. *After being held eligible, the applicant company shall also furnish a Performance Bank Guarantee (PBG) for Rs 25 lakhs for each teleport before the issuance of permission on the format so specified by the Ministry for fulfilling the rollout obligation stipulated in Para 1.5.1, from any scheduled bank in favour of the Ministry of Information and Broadcasting. If the teleport is not operationalised even after one year, the permission shall be cancelled and the Performance Bank Guarantee (PBG) shall be forfeited.*

1.5.3. *The requirement of Performance Bank Guarantee (PBG) shall also be applicable to a Company which held permission(s) for a Teleport(s) as on the date of issuance of the amended Guidelines on 05.12.2011 and wishes to seek further extension for operationalisation beyond the period already permitted as on that date, for granting extension up to a further period of one year.]'*

2. PERMISSION FOR UPLINKING A NON-NEWS & CURRENT AFFAIRS TV CHANNEL

[Note: For the purpose of these guidelines, a Non-News & Current Affairs TV channel means a channel which does not have any element of News & Current Affairs in its programme content.]

2.1. Eligibility Criteria

2.1.1. The applicant company, irrespective of its ownership, equity structure or management control, would be eligible to seek permission.

2.1.2. The Company should have a minimum Net Worth as prescribed below: [

Item	Required Net Worth
First TV Channel	Rs. 5.00 crore
For each additional TV Channel	Rs. 2.50 crore

2.1.3. *Notwithstanding the provisions contained in Para 2.1.2, the minimum networth requirement for additional Non-News and Current Affairs TV channels of a Company which held permission(s) for TV channels as on the date of issuance of the amended Guidelines as on 05.12.2011, would be calculated by applying the networth norms as they existed prior to the issuance of amended guidelines for the permissions already held on that date, and the revised norms as per Para 2.1.2 for the additional TV channels.*

2.1.4. *At least one of the persons occupying a top management position in the applicant company should have a minimum 3 years of prior experience in a top management position in a media company (or media companies) operating Non-News and Current Affairs TV channels. The term "top management position" in this context shall mean the Chairperson or Managing Director or Chief Executive Officer or Chief Operating Officer or Chief Technical Officer or Chief Financial Officer of the Company. The channels which were permitted but could not become operational by the date of issuance of the amended guidelines on 05.12.2011 will also be required to fulfill this criteria.]¹*

2.2. Period of Permission

2.2.1. Permission shall be granted for a period of 10 years.

2.3. Fee

2.3.1. The applicant will pay an amount of Rs.Ten thousands per TV Channel as non-refundable processing fee.

2.3.2. *[The applicant company shall pay a permission fee at the rate of Rs. Two lakh per Non-News and Current Affairs channel per annum*

2.3.3. *After being held eligible, the applicant Company shall pay the permission fee for the first year before the issuance of permission. The succeeding year's permission fee will have to be deposited 60 days before such fee becomes due.]¹*

2.4. Special Conditions/ Obligations

2.4.1. The applicant company shall obtain registration for each channel, in accordance with the procedure laid down under the Downlinking Guidelines notified by the Ministry of Information & Broadcasting separately.

2.4.2. The applicant company permitted to uplink shall operationalise the channel within a period of one year from the date the permission is granted by the Ministry of Information and Broadcasting, and will abide the Section 2.5 and its sub sections thereof, as given below.

2.4.3. *[The company shall ensure compliance of the provisions of Sports Broadcasting Signals (Mandatory sharing with Prasar Bharati) Act 11 of 2007 and the Rules, Guidelines, Notifications issued there under.]²*

2.4.4. The applicant company shall abide by the general terms and conditions laid down in Para 5 below.

[2.5 Roll out Obligations for Operationalising permitted Non News and Current Affairs TV Channels

2.5.1 *The applicant company shall operationalise the permitted non-News and Current Affairs Television channel within one year from the date the permission is granted by the Ministry of Information and Broadcasting.*

2.5.2 *After being held eligible, the applicant company shall also furnish a Performance Bank Guarantee (PBG) for Rs 1 crore for each non-News and Current Affairs TV channel before the issuance of permission on the format so specified by the Ministry for fulfilling the rollout obligation stipulated in Para 2.5.1, from any scheduled bank in favour of the Ministry of Information and Broadcasting. If the channel is not operationalised even after one year, the permission shall be cancelled and the Performance Bank Guarantee (PBG) shall be forfeited.*

2.5.3. *The requirement of Performance Bank Guarantee (PBG) shall also be applicable to a Company which held permission(s) for a non-News and Current Affairs TV channel as on the date of issuance of the amended Guidelines on 05.12.2011 and wishes to seek further extension for operationalisation beyond the period already permitted as on that date, for granting extension up to a further period of one year.]¹*

3. PERMISSION FOR UPLINKING A NEWS & CURRENT AFFAIRS TV CHANNEL

[Note: For the purpose of these guidelines, a News & Current Affairs TV channel means a channel which has any element of news & current Affairs in its programme content.]

3.1. Eligibility Criteria

3.1.1. *[The total direct and indirect foreign investment including portfolio and foreign direct investments into the company shall not exceed 26% at the time of application and during the currency of the permission. The methodology of calculation of the direct and indirect foreign investments would be as per the extant policy of the Government. The Company, permitted to uplink the channel shall certify the continued compliance of this requirement through its Company Secretary, at the end of each financial year. Approval of Foreign Investment Promotion Board (FIPB) shall be required for any existing or proposed foreign investment in the company.]*³

3.1.2. Permission will be granted only in cases where equity held by the largest Indian shareholder is at least 51% of the total equity, excluding the equity held by Public Sector Banks and Public Financial Institutions as defined in Section 4A of the Companies Act, 1956, in the New Entity. The term largest Indian shareholder, used in this clause, will include any or a combination of the following:

- (1) In the case of an individual shareholder,
 - (a) The individual shareholder.
 - (b) A relative of the shareholder within the meaning of Section 6 of the Companies Act, 1956.
 - (c) A company/ group of companies in which the individual shareholder/HUF to which he belongs has management and controlling interest.
- (2) In the case of an Indian company,
 - (a) The Indian company
 - (b) A group of Indian companies under the same management and ownership control.

For the purpose of this Clause, "Indian company" shall be a company, which must have a resident Indian or a relative as defined under Section 6 of the Companies Act, 1956/ HUF, either singly or in combination holding at least 51% of the shares.

Provided that in case of a combination of all or any of the entities mentioned in Sub-Clause (1) and (2) above, each of the parties shall have entered into a legally binding agreement to act as a single unit in managing

3.1.3. *[.deleted..]*³

3.1.4. The company shall make full disclosure, at the time of application, of Shareholders Agreements, Loan Agreements and such other Agreements that are finalized or are proposed to be entered into. Any subsequent changes in these would be disclosed to the Ministry of Information and Broadcasting, within 15 days of any changes, having a bearing on the foregoing Agreements.

- 3.1.5. It will be obligatory on the part of the company to intimate the Ministry of Information & Broadcasting, the changes in Foreign Direct Investment in the company, within 15 days of such change. While effecting changes in the shareholding patterns, it shall ensure its continued compliance to Clause 3.1.1 and 3.1.2 above.
- 3.1.6. The applicant shall be required to intimate the names and details of all persons, not being resident Indians, who are proposed to be inducted in the Board of Directors of the company.
- 3.1.7. The company shall be liable to intimate the names and details of any foreigners/ NRIs to be employed/ engaged in the company either as Consultants (or in any other capacity) for more than 60 days in a year, or, as regular employees.
- 3.1.8. At least 3/4th of the Directors on the Board of Directors of the company and all key Executives and Editorial staff shall be resident Indians.
- 3.1.9. The representation on the Board of Directors of the company shall as far as possible be proportionate to the shareholding.
- 3.1.10. All appointments of key personnel (executive and editorial) shall be made by the applicant company without any reference on from any other company, Indian or foreign.
- 3.1.11. The applicant company must have complete management control, operational independence and control over its resources and assets and must have adequate financial strength for running a news and current affairs TV channel.
- 3.1.12. CEO of the applicant company, known by any designation, and/ or Head of the channel, shall be a resident India
- 3.1.13 The Company should have a minimum network as prescribed below: [

Item	Required Network
<i>First News and Current Affairs TV channel</i>	<i>Rs. 20.00 crore</i>
<i>For each additional TV channel</i>	<i>Rs. 5.00 crore</i>

- 3.1.14 *Notwithstanding the provisions contained in Para 3.1.13, the minimum network requirement for additional News and Current Affairs TV channels of a Company which held permission(s) for TV channels as on the date of issuance of the amended Guidelines as on 05.12.2011, would be calculated by applying the network norms as they existed prior to the issuance of amended guidelines for the permissions already held on that date, and the revised norms as per Para 3.1.13 for the additional TV channels.*
- 3.1.15 *At least one of the persons occupying a top management position in the applicant company should have a minimum 3 years of prior experience in a top management*

position in a media company (or media companies) operating News and Current Affairs TV channels. The term "top management position" in this context shall mean the Chairperson or Managing Director or Chief Executive Officer or Chief Operating Officer or Chief Technical Officer or Chief Financial Officer of the Company. The channels which were permitted but could not become operational by the date of issuance of the amended guidelines on 05.12.2011 will also be required to fulfill this criteria.]¹

3.2. Period of Permission

3.2.1. Permission shall be granted for a period of 10 years.

3.3. Fee

3.3.1. The applicant will pay an amount of Rs. Ten thousands per TV Channel as non-refundable processing fee.

3.3.2. *[The applicant company shall pay a permission fee at the rate of Rs. Two lakh per News and Current Affairs TV Channel per annum.*

3.3.3. *After being held eligible, the applicant Company shall pay the permission fee for the first year before the issuance of permission. The succeeding year's permission fee will have to be deposited 60 days before such fee becomes due.]¹*

3.4. Special Conditions/ Obligations

3.4.1. Permission for usage of facilities/infrastructure for live news/footage collection and transmission, irrespective of the technology used, will be given to only those channels which are uplinked from India. To ensure immediate compliance of this policy in respect of permissions/licences given/to be given for utilization of VSAT/RTTS/Satellite Video Phone and similar other infrastructure, which lends itself for use in uplinking/ point to point transfer of content for broadcast purposes, separate guidelines will be issued by the Ministry of Communications & Information Technology.

3.4.2. The channel/company will ensure that its news and current affairs content provider(s), if any, are accredited with the Press Information Bureau. Such accredited content provider(s) only can use equipment/platform for collection/transmission of news/footage.

3.4.3. The company/channel should ensure that it uses equipment, which is duly authorized and permitted by the competent authority, or its content provider(s), if any, use equipment duly authorized by the competent authority.

3.4.4. It will be obligatory on the part of the company to intimate the Ministry of Information & Broadcasting, the changes in Foreign Direct Investment in the company, within 15 days of such change. While effecting changes in the shareholding patterns, it shall ensure its continued compliance to Clause 3.1.1 and 3.1.2 above.

3.4.5. The company/channel will be liable to intimate to the Ministry of Information & Broadcasting the details of any foreigners/NRIs employed/engaged by it for a period exceeding 60(sixty) days.

- 3.4.6. The applicant company shall abide by the general terms and conditions laid down in Para 5 below as well as Paras 2.4.1 to 2.4.3 above.

[3.5 Roll out Obligations for Operationalising permitted News and Current Affairs TV Channels

- 3.5.1 *The applicant company shall operationalise the permitted News and Current Affairs Television channel within one year from the date the permission is granted by the Ministry of Information and Broadcasting.*
- 3.5.2 *After being held eligible, the applicant company shall also furnish a Performance Bank Guarantee (PBG) for Rs 2 crore for each News and Current Affairs TV channel before the issuance of permission on the format so specified by the Ministry for fulfilling the rollout obligation stipulated in Para 3.5.1, from any scheduled bank in favour of the Ministry of Information and Broadcasting. If the channel is not operationalised even after one year, the permission shall be cancelled and the Performance Bank Guarantee (PBG) shall be forfeited.*
- 3.5.3. *The requirement of Performance Bank Guarantee (PBG) shall also be applicable to a Company which held permission(s) for a News and Current Affairs TV channel as on the date of issuance of the amended Guidelines on 05.12.2011 and wishes to seek further extension for operationalisation beyond the period already permitted as on that date, for granting extension up to a further period of one year.]¹*

4. PERMISSION FOR UPLINKING BY INDIAN NEWS AGENCY

4.1. Eligibility Criteria

- 4.1.1. The applicant company should be accredited by Press Information Bureau (PIB).
- 4.1.2. The applicant company should be 100% owned by Indian, with Indian Management Control.

4.2. Period of Permission

- 4.2.1. Period of permission shall be as per WPC license.

4.3. Special Conditions/ Obligations

- 4.3.1. The company shall use uplinking for news-gathering and its further distribution to other news agencies/broadcasters only.
- 4.3.2. The company shall not uplink TV programmes/channels for direct reception by public.
- 4.3.3. The applicant company shall abide by the general terms and conditions laid down in Para 5 below.

5. GENERAL TERMS & CONDITIONS

- 5.1. The company can uplink either in C or Ku Band. Uplinking in C Band would be permitted both to Indian as well as foreign satellites. However, proposals envisaging use of Indian satellites will be accorded preferential treatment. On the other hand, uplinking in Ku Band would be permitted through Indian satellite only, subject to the condition that this permission is not used to run/ operate DTH service without proper license, to which separate guidelines apply. Satellite to be used should have been coordinated with INSAT System.
- 5.2. The company shall comply with the Programme & Advertising Codes, as laid down in the Cable Television Networks (Regulation) Act, 1995 and the Rules framed there under.
- 5.3. The company shall keep record of the content uplinked for a period of 90 days and produce the same before any agency of the Government, as and when required.
- 5.4. The company shall furnish such information, as may be required by the Ministry of Information & Broadcasting, from time to time.
- 5.5. The company/channel shall provide for the necessary monitoring facility, at its own cost, for monitoring of programmes or content by the representatives of the Ministry of Information & Broadcasting or any other Government agency as and when so required.
- 5.6. The company shall permit the Government agencies to inspect the facilities as and when required.
- 5.7. The company shall comply with the terms and conditions of Wireless Operational License to be issued by the WPC Wing, Ministry of Communications & IT.
- 5.8. The Company shall ensure its continued eligibility as applicable through out the period of permission and adhere to all the terms and conditions of the permission, failing which the company shall be liable for penalty as specified in Para 8 below.
- 5.9. The Government of India, Ministry of Information & Broadcasting shall have the right to suspend the permission of the company for a specified period in public interest or in the interest of national security to prevent its misuse. The company shall immediately comply with any directives issued in this regard.
- 5.10. It will be obligatory on the part of the company to take prior permission from the Ministry of Information & Broadcasting before effecting any change in the CEO/ Board of Directors.

6. PERMISSION FOR USE OF SNG/DSNG EQUIPMENTS IN C BAND AND KU BAND

- 6.1. The use of SNG/DSNG would be permitted to News and Current Affairs channels uplinked from India for live news/footage collection and point-to-point transmission.
- 6.2. PIB accredited content provider(s) if any, to the permitted News and Current Affairs channel(s) can use SNG/DSNG for collection/transmission of news/footage.

- 6.3. Entertainment channels who are uplinking from their own teleport, can use SNG/DSNG for their approved channels, for transfer of video feeds to the permitted teleport.
- 6.4. All Foreign channels, permitted entertainment channels uplinked from India and companies/individuals not covered in 6.1, 6.2 and 6.3 as above will be required to seek temporary uplinking permission for using SNG/DSNG for any live coverage/footage collection and transmission on case to case basis.
- 6.5. Only permitted teleport operators and Doordarshan may offer/hire out SNG/DSNG equipments/infrastructures to other broadcasters who are permitted to uplink from India.
- 6.6. The uplinking should be carried in encrypted mode, so as to be receivable only in closed user group. The signal should only be down linked at the permitted teleport of the licensee and uplinked for broadcasting through permitted satellite through that teleport only.
- 6.7. Each company/channel desiring to use SNG/DSNG would have to apply to Ministry of Information and Broadcasting and get permission before doing the same.
- 6.8. Uplinking from SNG/DSNG should be in SCPC mode only (only single feed can be uplinked from the SNG/DSNG at a time).
- 6.9. The channel would also give an undertaking that the feed collected through SNG/DSNG shall conform to Programme and Advertisement Codes.
- 6.10. The use of SNG/DSNG would be permitted only in those areas/regions/states which are not specifically prohibited by MHA.
- 6.11. The company would submit the purchase documents of SNG/DSNG terminals and inform Ministry of Information and Broadcasting about placement of these terminals at the various locations.
- 6.12. Period of Permission:
 - a) For teleport owners – co-terminus with teleport license.
 - b) For permitted News and Current Affairs channels – for the period of the Channel permission.
 - c) For content providers to permitted channels - for the period of the channel permission.
 - d) For other broadcasters having temporary uplinking permission – for periods as specified in the temporary uplinking permission.
- 6.13. The company permitted to use SNG/DSNG shall apply to WPC for frequency authorization of WPC. It should be renewed yearly in time and a copy should be submitted to this Ministry by the company every year.

- 6.14. The permitted company shall maintain a daily record of the location and the events which have been covered and uplinked by SNG/DSNG terminals and down linked at their main satellite earth station and produce the same before the licensing authority or its authorized representative, which will include officers of Ministry of Home Affairs and Ministry of Information and Broadcasting, as and when required.
- 6.15. The permitted company shall not enter defence installations.
- 6.16. The equipment should not be taken in the areas cordoned off from security point of view.
- 6.17. The company/channel desiring to use SNG/DSNG would give an undertaking that it would be used for live newsgathering and footage collection for captive use only.
- 6.18. Violations of any of the aforementioned terms and conditions would lead to revocation/cancellation of the permission to use the SNG/DSNG.
- 6.19. The permitting authority may modify the conditions laid down or incorporate new conditions, as and when considered necessary.
- 6.20. SNG/DSNG in Ku Band will not be used for DTH operation, directly or indirectly. Any such use would lead to the termination of license/permission.
- 6.21. Uplinking Dish used for SNG/DSNG operation in Ku Band shall not exceed 2 meters.

7. PERMISSION FOR TEMPORARY UPLINKING

- 7.1. The use of all equipment/platforms for collection of footage/news by channels uplinked from outside for specific programme(s)/event(s) of temporary duration will be entertained on recommendation from the PIB and permitted on a case to case basis, in consultation with the Ministry of Home Affairs and other Ministries/Departments concerned.
- 7.2. Foreign news channels/ agencies may be granted permission up to one year at a time for temporary uplinking from time to time through a pre-designated teleport, subject to the following conditions:
 - a) The applicant is accredited with the Press Information Bureau, Government of India.
 - b) The applicant undertakes to conform to the Programme and Advertisement Codes.
 - c) The applicant has a binding agreement with the relevant teleport for the period of permission.
 - d) The applicant pays a processing fee of Rs. 10,000/- and temporary permission fee of Rs. 50,000/- per year.

The news/footage so uplinked shall be primarily for the usage abroad by the foreign news agency/ channel and shall not be broadcast in India without downlinking permission and registration of the channel.

8. OFFENCES AND PENALTIES

- 8.1. In the event of a channel/teleport/SNG/DSNG found to have been/ being used for transmitting/ uplinking any objectionable unauthorized content, messages, or communication inconsistent with public interest or national security or failing to comply with the directions as per para 5.9 above, the permission granted shall be revoked and the company shall be disqualified to hold any such permission for a period of five years, apart from liability for punishment under other applicable laws.
- 8.2. Subject to the provisions contained in para 8.1 of these guidelines, in the event of a permission holder violating any of the terms and conditions of permission, or any other provisions of the guidelines, the Ministry of Information and Broadcasting shall have the right to impose the following penalties:
 - 8.2.1. In the event of first violation, suspension of the permission of the company and prohibition of broadcast/ transmission up to a period of 30 days.
 - 8.2.2. In the event of second violation, suspension of the permission of the company and prohibition of broadcast up to a period of 90 days.
 - 8.2.3. In the event of third violation, revocation of the permission of the company and prohibition of broadcast up to the remaining period of permission.
 - 8.2.4. In the event of failure of the permission holder to comply with the penalties imposed within the prescribed time, revocation of permission and prohibition of broadcast for the remaining period of the permission and disqualification to hold any fresh permission in future for a period of five years.
- 8.3. In the event of suspension of permission as mention in Para 5.9 or 8.2 above, the permission holder shall continue to discharge its obligations under the Grant of Permission Agreement including the payment of fee.
- 8.4. In the event of revocation of permission, the fees shall be forfeited.
- 8.5. All the penalties mentioned above shall be imposed only after giving a written notice to the permission holder.

9. PROCEDURE FOR OBTAINING PERMISSION

- 9.1. The applicant company can apply to the Secretary, Ministry of Information & Broadcasting, in triplicate, in the prescribed format "**Form 1**" along with all requisite documents including a demand draft for an amount equal to processing fee wherever prescribed, payable at par at New Delhi, in favour of the Pay & Accounts Officer, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi.
- 9.2. On the basis of information furnished in the application form, if the applicant is found eligible, its application will be sent for security clearance to the Ministry of Home Affairs and for clearance of satellite use to the Department of Space (wherever required).

- 9.3. As soon as these clearances are received, the applicant would be asked to furnish a demand draft for an amount equal to the permission fee and Performance Bank Guarantee as applicable, payable at New Delhi, in favour of Pay & Accounts Officer, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi. Further, the applicant company in respect of Para 1, 2 or 3 above would be required to sign an agreement titled as "Grant of Permission Agreement", in the format "Form 2", which is being prescribed separately.
- 9.4. Thereafter, the Company would be issued a formal permission to enable it to obtain requisite license/ clearances from the WPC Wing, Ministry of Communications & IT or approach a teleport service provider in case of TV channels/ uplinking by a Indian news agency.
- 9.5. The applicant will pay the licence fee and royalty, as prescribed by WPC Wing from time to time, annually, for the total amount of spectrum assigned to Hub/Teleport station, as per norms & rules of the WPC Wing. Besides, the Hub/Teleport station owner will inform WPC Wing the full technical and operations details of TV channels proposed to be uplinked through his/her Hub/Teleport in prescribed format. (This clause is applicable for teleports/ uplinking by a Indian News Agency.)

[10. RENEWAL OF EXISTING PERMISSIONS

- 10.1. *The existing permission holders as on the date of issuance of the amended Guidelines on 05.12.2011 will continue to be governed by the terms and conditions of permission as they existed prior to the issuance of amendments on 05.12.2011 till the expiry of such permission.*
- 10.2. *Renewal of permission will be considered for a period of 10 years at a time, subject to the condition that the channel should not have been found guilty of violating the terms and conditions of permission including violations of the programme and advertisement code on five occasions or more. What would constitute a violation would be determined in consultation with the established self-regulating mechanisms.*
- 10.3. *The renewal will also be subject to the permission holder's acceptance of all of the terms and conditions of permission as the Government may prescribe by way of policy pronouncements from time to time.*
- 10.4. *At the time of considering the renewal of permission of the existing permission holders, the eligibility criteria of net worth of the company and experience of the top management will not apply. However, other terms and conditions would be applicable as per modified terms and conditions of the permission.*

11. Transfer of Permission of Television Channels

- 11.1. *The permission holder shall not transfer the permission without prior approval of the Ministry of Information and Broadcasting. On a written request from the permission holder, the Ministry shall allow transfer of permission in case of merger/demerger/ amalgamation, or from one Group Company to another provided that such transfer is in*

accordance with the provisions of the Companies Act, and further subject to the fulfillment of following conditions:

- (i) The new entities should be eligible as per the eligibility criteria including the net worth and should be security cleared.*
- (ii) The new entities should undertake to comply with all the terms and conditions of permission granted.*

12. UPLINKING OF TELEVISION CHANNELS FOR VIEWING ONLY IN FOREIGN COUNTRIES

- 12.1 *TV channels operating in India and uplinked from India but meant only for foreign viewership are not required to comply with the programme and advertisement code of India. The concerned broadcasters will be required to ensure compliance of the rules and regulations of the target country for which content is being produced and uplinked. However, the uplinked content should not contain anything which is against the sovereignty, integrity and national security of India as well as its relations with friendly countries. For monitoring purposes, these channels will be required to preserve the recordings of the proceedings for at least six months instead of the present stipulation of 3 months.]¹*

Note (Superscripts):

- 1- Amended vide Order No. 1501/34/2009-TV(I), Dated 05.12.2011 of the Ministry of I&B
- 2- Amended in accordance with the provisions of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007 and the rules and notifications hereunder.
- 3- Amended as per extant FDI Policy notified by DIPP.

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 crowds 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;

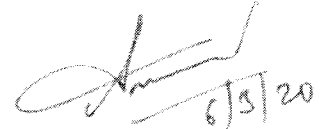
WHEREAS, sub-section (2) of Section 20 of the Cable Television Networks (Regulation) Act, 1995 provides that where the Central Government thinks it necessary or expedient so to do in the interest of the (i) sovereignty or integrity of India; or (ii) security of India; or (iii) friendly relations of India 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 sobciii-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 sobciii-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, ShastriBhawan, 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

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 Media One TV channel telecast news reports on North-East Delhi violence on 25.02.2020 at 06:10:02-06:47:07 and 00:30:22 Hrs.

WHEREAS, Media One channel while reporting on Delhi violence in its Bulletin carried a phone-in of its Delhi correspondent HassanulBanna saying that vandals fired at an anti-CAA protest site from a rooftop from 2 pm to 9 pm and around 5 anti-CAA protesters were injured. Police refused to visit the spot and nob the vandals. Accoding to anti-CAA protesters, police were present there the previous day during the Bharat Bandh called by Bhim Army Chief Chandrashekar Azad. Vandals also set ablaze tents set up by anti-CAA protesters in Chand Bagh. Vandals have succeeded in pushing back anti-CAAprotesters from three protest sites by unleashing violence. The police were seen supporting people who were in favour of CAA. The channel alleged that Delhi Police remained inactive during violence, vandalised the shops and fruit carts and set them ablaze. The channel also reported that violence took place mostly in Muslim dominated area of Chand Bagh, Delhi. While telecasting the news, the channel carried the news of stone pelting, arson and injured people being taken to hospital.

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. Channel's reporting on Delhi violence seems to be biased as it is deliberately focusing on the vandalism of CAA supporters. It also questions RSS and alleges Delhi Police inaction. Channel seems to be critical towards Delhi Police and RSS.

Whereas such telecast could incite violence and pose danger to maintenance of law and order situation, particularly when the situation is already highly volatile and charged up and riots are taking place in the area with reports of killings and bloodbath; and it could also stoke the feelings of anger, hatred and animosity among the communities and hurt their religious sentiments which could ultimately result into escalation of violence.

WHEREAS, the said news reports telecast by Media One 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 Media One 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. The Ministry's Show Cause Notice (SCN) and the contents thereof are insufficient as to what the Ministry is advertising to in particular. The news statements or the visuals at the particular newscasts in question which allegedly constitute breach of Rule 6 (c) of (e) are lacking in the S.C. N, in the absence of which it is not possible to furnish a proper and comprehensive explanation. Therefore it is requested to provide the specific statements or visuals, which according to the Ministry constitute violation of Rule 6(c) or (e).
- ii. The Notice stating the timing of the telecast of the news in question is not correct. On facts, the notice says that the timing of the incident was at 00:03 am. In fact there was a commercial break from 00:29 to 00:32 after which there was a recorded program "Weekend Arabia".
- iii. There was no restriction on journalists or common people from entering the areas where violence was taking place and no prohibitory order was there in force. Even the Advisory sated 25.02.2020 referred to in the SCN was general in nature in terms of Rule 6 (c) and (e) of the Rules and there was no specific direction as issued in some other instance earlier.
- iv. The notice admits that Media One was reporting about the violence while agitation against and in favour of CAA was taking place in north east Delhi. It is a fact that mass rallies, sit-in agitations etc. against CAA was taking place all over India and violence occurred only in north east Delhi where, as you have stated "people who were in favour of CAA" also were present.

- v. It is reiterated that the news reports telecast by Media One about the incident, which happened in north east Delhi do not constitute any breach of Rule 1994, It is the lawfully accepted duty of the media under Article 19 (1) (a) read with Article 15(2) of the Constitution of India to bonafide investigate and report news truly and correctly. They have only discharged that duty. Rule 6 (c) and (e) are subject to the fundamental rights under the Constitution of India. As a recognized news channel, the news in question telecast by Media One is in exercise of the fundamental rights guaranteed under the Constitution of India.
- vi. Before the Ministry takes any further step in pursuance to the Show Cause Notice, there is a legal requirement of natural justice which cannot be done merely by exchange of SCN and reply within 48 hours.
- vii. The allegations made in para 2 of the SCN are not correct, and are arbitrary and unreasonable. The Ministry has conveniently omitted to consider several news reports telecast by us on 25.02.2020. They had reported that the Government has appreciated the situation and are doing everything possible to curb violence and bring the situation under control. It was reported by them that the Police have set up barricades and had reported that the Home Ministry should give stringent instruction to the police to act responsibly to ensure law and order. They have also repeatedly explained the steps taken by the authorities to ensure peace and order. The news reports regularly covered orders to deploy paramilitary force and announcement of curfew in several places. The directions of the Central Government of stringent actions were included in the headlines. They also reinforced the Government's determination to end violence. These parts of the news reports were not considered by the Ministry while issuing the SCN. Instead one sided, discriminatory allegations are made against, which is unreasonable, unjustified and illegal. The Government has to act fairly and reasonably, and consider all the facts, material and circumstances it is submitted.
- viii. The allegations made in para 2 of the SCN and the truth thereof are matters of record in videos recorded and telecast by several other new channels and newspaper reports. Journalists, TV crews on the spot had given live reports about the incidents. Further the local residents also were witnesses to the incidents. Their evidence also is necessary and we are prepared to furnish, for which an opportunity has to be given.
- ix. Their report was similar to other reports. They did not incite violence which took place and the situations getting out of hands, it is necessary to emphasize that there is no incitement on the part of their channel which is dedicated to inform the public. Nor are there any particulars relating thereto alleged in the notice.

- x. The actual contents of the programme reports are based on the eye witnesses account and what the journalist saw. It is similar to other reports. They have maintained what was reported to them and what they saw.
- xi. It was widely reported by many that the riots happened to be planned. Former Commissioner of Police such as Mrs. A.R. Sharma had indicated that the situation was out of control and the Police should have acted earlier. The Chief Minister of Delhi has also made a statement that those who indulged in violence are outsiders which means that the violence was pre-planned. By targeting them, the Ministry is acting malafide and discriminatory. What they reported was already in public domain.
- xii. With respect, there cannot be any coercive action in pursuance of the SCN without the due process of law.
- xiii. They demand a proper hearing in person. This is a matter to be adjudicated on the basis of evidence to be collected from local residents, journalists, who were broadcasting and telecasting the events live, including our reporters and photographs of the events published in newspaper, international media, comments of other Countries, foreign press reporters etc. Since that matter involves a substantial question of freedom of press guaranteed under the Constitution, a detailed adjudication is necessary.

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:

It seems the vandals and police are hand in glove.

Govt has not taken initiative for any talks with anti-CAA protesters and only courts have given ear to the anti-CAA protesters. Govt's cold shouldered approach towards anti-CAA protesters is the main reason behind ongoing protests in the national capital. The provocative speech of BJP leader in Jafrabad has led to the violence and it seems vandals were prepared to target anti-CAA protesters. Delhi Police has failed to register an FIR for hate speech. AAP Govt in Delhi has also failed the people by not taking a stand on Delhi violence. But most significant thing is the inefficiency of Delhi Police in containing the violence. In many areas Police paved the way for vandals to roam free with weapons and carry out attacks and arson.

Union Home Ministry has stated that the situation is under control but in reality the situation is getting out of hand.

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. After careful consideration of the case on the whole, the Ministry has come to the conclusion that Media One 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 Media One 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 Media One TV channel for 48 hours on any platform throughout India with effect from 19:30:00 hrs. on 06th March, 2020 till 19:30:00 hrs. On 08th March, 2020.**


This issues with the approval of the Competent Authority.


[AMIT KATOCH]
Director (BC)
Tele.23386394

Managing Director,
M/s. Madhyamam Broadcasting Ltd.,
Media One Headquarters,
15/594C, Velliparamba PO,
Kozhikode, Kerala - 673008
Email: info@mediaonetv.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 Media One News TV channel for **48 hours on any platform throughout India with effect from 19:30:00 hrs. on 06th March, 2020 till 19:30:00 hrs. on 8th March, 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. Shri Hari Nagpal, 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.
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7. ADG, EMMC with the request to report compliance of Ministry's Order relating to Media One TV channel.

Vijay Kaushik
[Vijay Kaushik]

Under Secretary to the Govt. of India

Old, unrelated video shared as Muslims licking utensils to spread coronavirus infection

👤 Pooja Chaudhuri 🕒 30th March 2020

4.3K
SHARES



Facebook



Twitter

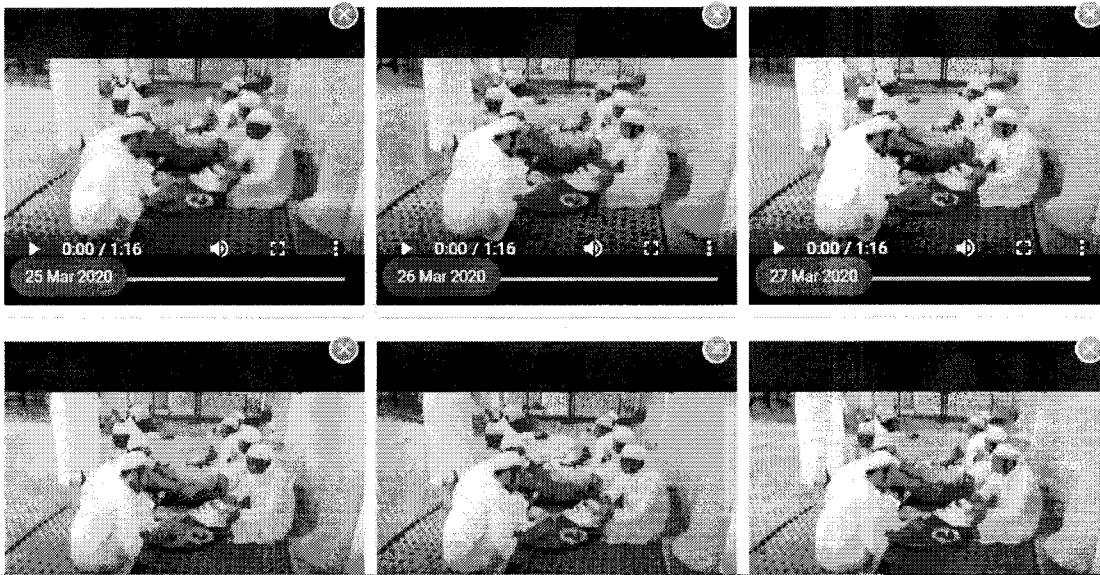


in

A video where a group of Muslim men are licking utensils and cutlery is floating across social media platforms and messaging applications. It is being claimed that they intend to spread the coronavirus infection. Alt News has received multiple requests on its official mobile application to fact-check the video.

Detailed View

ACCEPT REJECT



The message shared along with the video alleges, "14 China Muslims hidden at Bihari mosque has been taken to corona virus test by Bihari police. Erode police has caught Thailand Muslim mullahs infected with corona virus. Today Salem Police has caught 11 Indonesian Muslim mullahs at Salem mosque. This video shows that they are applying and putting saliva on spoons, plates and utensils and also they are in the intention of spreading corona virus disease. Nobody knows what's happening in the Nation."

The clip has also been shared with a message claiming that the incident took place in Nizamuddin. "Stay aware, stay safe. Coronavirus is not spreading in India but it is being spread in the country. An example of this is Nizamuddin. (सतर्क रहें सुरक्षित रहें भारत में कोरोना फैल नहीं रहा बल्कि फैलाया जा रहा है। इसका ताजा उदाहरण निजामुद्दीन से मिले.)"

Video Unavailable

This video may no longer exist, or you don't have permission to view it.

[Learn More](#)

Nizamuddin has been identified as a coronavirus hotspot after several preachers of Tablighi Jamaat tested positive in three different locations across the country. The organisation led a congregation at its headquarters (Markaz) Banglewali Masjid in Delhi's Nizamuddin area in mid-March, for which the Delhi government has now filed an FIR against a mosque preacher. Tablighi Jamaat maintains that its gathering was not illegal because it was held before Prime Minister Modi announced the first lockdown (Janata curfew) on March 22. However, the Delhi government claims that the congregation breached its order banning large gatherings on March 13. Ironically, this was the same day when the Health Ministry declared that COVID-19 was not a health emergency. The March 13 order, however, did not extend to religious gatherings and only a subsequent order passed on March 16 did. If reports are to be believed, the congregation was held between March 13 to 15.

Old, unrelated video

One of the messages shared with the video claims that 14 Chinese Muslims hiding in a mosque in Bihar were apprehended by the police and taken for coronavirus testing. Alt News had earlier debunked a similar claim. A video of Kyrgyzstan citizens in Patna was widely circulating with the false claim that they were people from Iran and Italy hiding in a mosque to evade testing.

A keyword search on Google – 'Muslims licking utensils' – threw up several results including a Vimeo link from July 31, 2018, which carried the same video. According to the description, these are Dawoodi Bohras licking leftover food from utensils to not waste even a morsel.



Video depicting crazy behaviors of gullible plate, bowls, spoons licking Bohras plate-licking Bohras 2

from Asghar Vasanwala

01:30

The description also says that the men were following orders of "Syedna". Syedna Aali Qadr Mufaddal Saifuddin is the 53rd and current Da'i al-Mutlaq (highest authority in the faith) of the Dawoodi Bohras.

We found that the video was shared even earlier, on July 30, 2018, on Twitter where the user wrote, "Bohras eat together in a big "thaal". This one is from a jamatkhana where on several occasions there is food served. What's happening here is taking not wasting food at an extreme level."



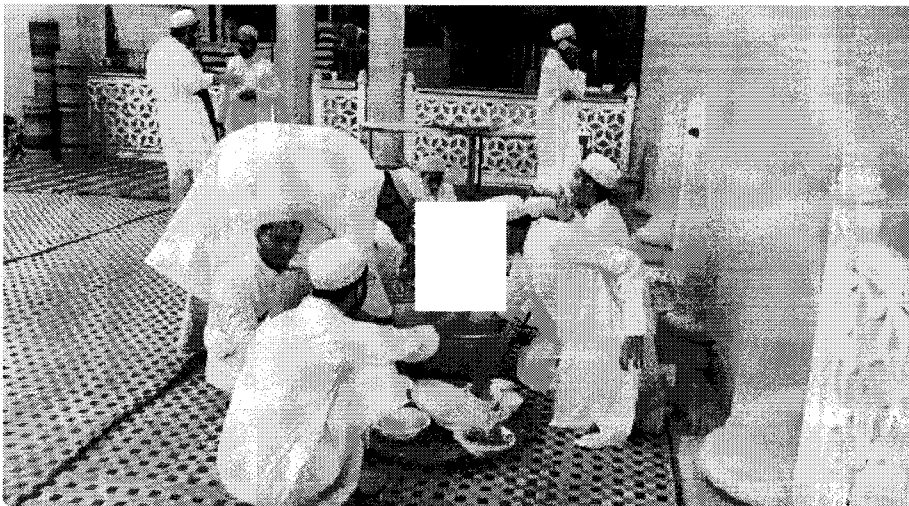
Yusuf Unjhawala

@YusufDFI

Bohras eat together in a big "thaal". This one is from a jamatkhana where on several occasions there is food served. What's happening here is taking not wasting food at an extreme level. twitter.com/KunwarManvendr...

राष्ट्रभक्त सावरकर मानवेन्द्र सिंह चंद्रावत @KunwarManvendrC

@YusufDFI ये क्या है समझना था व्हाट्सएप्प पर प्राप्त हुआ है



57 14:50 - 30 Jul 2018

33 people are talking about this

Speaking with *Dainik Bhaskar*, religious leader of the Bohra community in Bhopal, Burhanuddin, said, "It is a custom in Bohra community that not even grain of food is wasted. For this purpose, grain committees are set to teach kids to not waste food. This video is of one such committee where utensils are being cleaned after the meal."

Therefore, a video of Bohra Muslims licking plates and spoons to not 'waste' leftover food has been shared as people from the faction.

Note: The number of positive cases of the novel coronavirus in India is over 1,700. This has caused the government to impose a complete restriction on movement apart from essential services. Globally, more than 8 lakh confirmed cases and close to 42,000 deaths have been reported. There is a growing sense of panic among citizens, causing them to fall for a variety of online misinformation – misleading images and videos rousing fear or medical misinformation promoting pseudoscience and invalid treatments. While your intentions may be pure, misinformation, spread especially during a global pandemic, can take lives. We request our readers to practice caution and not forward unverified messages on WhatsApp and other social media platforms.

Donate to Alt News!

Independent journalism that speaks truth to power and is free of corporate and political control is possible only when people start contributing towards the same. Please consider donating towards this endeavour to fight fake news and misinformation.

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4.3K SHARES



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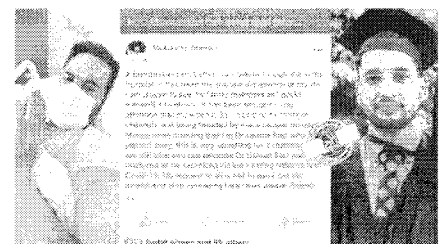
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Coronavirus in broiler chicken? H5N1 bird flu outbreak in China falsely linked with CoV
10th February 2020
In "Science"



Video of Sufi ritual falsely viral as mass sneezing in Nizamuddin mosque to spread coronavirus infection
1st April 2020
In "News"



COVID-19: Video of Pak patient in UK shared as Pak doctor who died after treating patients
26th March 2020
In "Politics"

ITEM NO.1 + 2

COURT NO.0
(VIRTUAL COURT)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).468/2020

ALAKH ALOK SRIVASTAVA

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

(WITH IA No. 48211/2020 - EXEMPTION FROM FILING O.T. AND IA No. 48209/2020 - INTERVENTION APPLICATION AND IA No. 48210/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Writ Petition(s)(Civil) No(s). 469/2020

Date : 31-03-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Petitioners-in-person

For Respondent(s)/ Applicant(s) Mr. Tushar Mehta, Ld. SG
Mr. B.V. Balaram Das, AOR

Ms. Mithu Jain, AOR (Not Present)

UPON hearing the counsel the Court made the following
O R D E R

The petitioners-in-person who are Advocates practising in this Court have filed the instant writ petitions in public interest for redressal of grievances of migrant labourers in different parts of the country.

Validity unknown



Digitally signed by
SANJAY KUMAR
Date: 2023.03.31
20:37:48 +05'30'

As the issues raised in both the writ petitions are similar, we have taken up both the writ petitions together.

In the above writ petitions, the petitioners have highlighted the plight of thousands of migrant labourers who along with their families were walking hundreds of kilometres from their work place to their villages/towns.

The concern of the Petitioners pertains to the welfare of the migrant labourers. They are seeking a direction to the authorities to shift the migrant labourers to government shelter homes/accommodations and provide them with basic amenities like food, clean drinking water, medicines, etc.

The writ petitions were listed on 30.03.2020 when we directed Mr. Tushar Mehta, learned Solicitor General appearing for the respondent - Union of India, to submit the response of the Union of India. A status report has been filed on behalf of Union of India today.

The respondent - Union of India has referred to various steps that were taken to prevent the spread of Corona virus [COVID 19]. Reference is made to the institutional response regarding the management of the spread of the disease scientifically at the highest level. Early steps taken by the Government of India to prevent the spread of Corona Virus have been highlighted in the Status Report. It is mentioned in the Status Report that an expert group has been constituted under Dr. Vinod Paul, Member, NITI Aayog to provide guidance for prevention of the spread of the Virus in the country. Experts from cross sections in the medical field and public health fraternity are members of the said Expert Committee.

Various other measures taken by the Central Government in dealing with the needs of the lower strata of the society by providing basic amenities viz., food, clean drinking water, medicines, etc. have been dealt with in the status report.

Apart from the announcement of the relief package totalling Rs.1.70 lakh crore under Pradhan Mantri Garib Kalyan Yojana, the Status Report refers to other schemes which were formulated to ensure that the persons in need are taken care of.

In the instant writ petitions, we are concerned about the migrant labourers who have started leaving their places of work for their home villages/towns located at distant places. For example, thousands of migrant labourers left Delhi to reach their homes in the States Uttar Pradesh and Bihar, by walking on the highways.

We are informed that the labourers who are unemployed due to lock down were apprehensive about their survival. Panic was created by some fake news that the lock down would last for more than three months.

The initial reaction of the State Governments and the Union Territories was to transport migrant labourers from their borders to their villages. Later, on 29.03.2020 the Ministry of Home Affairs has issued a Circular prohibiting movement as transportation of migrant labourers in overcrowded buses would cause more damage than help to the migrant labourers. The very idea of lock down was to ensure that the virus would not spread. It was felt that transportation of migrant labourers would aggravate the problem of spread of the Virus. In such view, the movement of

migrant labourers was prohibited and a direction was given to the State Governments to stop the migrant labourers wherever they were and shift them to nearby shelter homes/relief camps. A further direction was issued to the District Collectors/Magistrates to ensure that medical tests were done and the migrant labourers be provided with basic amenities like food, clean drinking water, medicines, etc. in the shelter homes.

During the course of hearing, the Solicitor General of India made a statement that the information received by the Control Room today at 2.30 A.M. showed that 21,064 relief camps have been set up by various State Governments/Union Territories where the migrant labourers have been shifted and they are being provided with basic amenities like food, medicines, drinking water, etc. According to the Status Report, 6,66,291 persons have been provided shelters and 22,88,279 persons have been provided food.

The Solicitor General of India made a statement on instructions that at 11 A.M. today, there is no person walking on the roads in an attempt to reach his/her home towns/villages. Advisories issued by the Ministry of Home Affairs on 27.03.2020 and 28.03.2020 have also been mentioned in the Status Report, according to which a direction was given by the Ministry of Home Affairs, to the State Governments/Union Territories to provide adequate facilities for migrant labourers.

The National Disaster Management Authority has also issued an advisory on 28.03.2020 suggesting various measures to be taken by the State and District Emergency Operation Centres. One of the

issues highlighted in the said advisory is that the police and the other administrative authorities have to adopt a humane approach in dealing with migrant workers and stranded tourists.

The Solicitor General of India has also referred to the Status Report to make a submission that the exodus of migrant labourers was triggered due to panic created by some fake/misleading news and social media.

The Status Report refers to an advisory given by the Government of India on 24.03.2020 to the authorities to effectively deal with rumour mongering.

While informing this Court about the steps taken by the Government of India to ensure that the migrant labourers are being shifted to nearby shelters/relief camps from place they were found to be walking and basic amenities being provided to them, the Union of India has sought a direction from this Court to the State Governments and the Union Territories to implement the directions issued by the Central Government. A further direction was sought to prevent fake and inaccurate reporting whether intended or not, either by electronic print or social medial which will cause panic in the society.

Having considered the submissions made by the petitioners-in-person and the learned Solicitor General of India and upon perusal of the Status Report filed on behalf of the respondent - Union of India, we are satisfied with the steps taken by the Union of India for preventing the spread of Corona Virus [COVID 19] at this stage.

As stated above, we are concerned in these writ petitions mainly with the welfare of the migrant labourers. The circular issued by the Ministry of Home Affairs on 29.03.2020 has been implemented by the various State Governments/Union Territories. The mass migration has stopped according to Union of India. All the migrant labourers who were on the road have been shifted to relief camps/shelter homes which are set up at various points in each State/Union Territory. The directions issued by the Union of India and the State Governments/Union Territories to provide all basic amenities like food, drinking water, medicines, etc. to the migrants are being complied with by the concerned District Collectors/Magistrates.

Dr Tedros Adhanom Ghebreyesus, Director General, World Health Organisation (WHO), recently stated as under:

"We are not just fighting an epidemic; we are fighting an infodemic. Fake news spreads faster and more easily than this virus, and is just as dangerous."

The migration of large number of labourers working in the cities was triggered by panic created by fake news that the lock down would continue for more than three months. Such panic driven migration has caused untold suffering to those who believed and acted on such news. In fact, some have lost their lives in the

process. It is therefore not possible for us to overlook this menace of fake news either by electronic, print or social media.

Section 54 of the Disaster Management Act, 2005 provides for punishment to a person who makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic. Such person shall be punished with imprisonment which may extend to one year or with fine.

Disobedience to an order promulgated by a public servant would result in punishment under section 188 of the Indian Penal Code. An advisory which is in the nature of an order made by the public authority attracts section 188 of the Indian Penal Code.

We trust and expect that all concerned viz., State Governments, Public Authorities and Citizens of this country will faithfully comply with the directives, advisories and orders issued by the Union of India in letter and spirit in the interest of public safety.

In particular, we expect the Media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. A daily bulletin by the Government of India through all media avenues including social media and forums to clear the doubts of people would be made active within a period of 24 hours as submitted by the Solicitor General of India. We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments.

It is well known that panic can severely affect mental health. We are informed that the Union of India is conscious of the importance of mental health and the need to calm down those who are in a state of panic.

Learned Solicitor General of India states that within 24 hours the Central Government will ensure that trained counsellors and/or community group leaders belonging to all faiths will visit the relief camps/shelter homes and deal with any consternation that the migrants might be going through. This shall be done in all the relief camps/shelter homes wherever they are located in the country.

The anxiety and fear of the migrants should be understood by the Police and other authorities. As directed by the Union of India, they should deal with the migrants in a humane manner. Considering the situation, we are of the opinion that the State Governments/Union Territories should endeavour to engage volunteers along with the police to supervise the welfare activities of the migrants. We expect those concerned to appreciate the trepidation of the poor men, women and children and treat them with kindness.

List the matters on 07.04.2020.

(SANJAY KUMAR-II)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER



CORONAVIRUS PANDEMIC

Coronavirus and Nizamuddin: TV news returns to bigotry with a bang

Primetime debates talked up 'corona bombs' and 'Muslim enemies of Modi', completely ignoring the role of the government apparatus.

By Ayush Tiwari

Published on : Apr 1, 2020, 6:10 PM



For two weeks, a strange calm settled on Indian TV news channels. As the novel coronavirus pandemic made inroads into Indian states, primetime slots saw doctors, health experts and policymakers engage with viewers and inform them. The reluctance to question the Narendra Modi government remained, but the high tide of hate-mongering, which had started after the nationwide citizenship law protests, subsided.

On Tuesday, hate returned with a nicotine rush.

Tablighi Jamaat is a transnational Muslim missionary movement headquartered in Delhi's Nizamuddin West, which is now one of 10 "hotspots" of coronavirus in India.

A religious congregation organised by the Jamaat in Delhi between March 13 and 15 became the talk of the town. Eighteen of the 25 cases of coronavirus reported in Delhi on Monday came from South Delhi's Nizamuddin West, the headquarters of the Jamaat and the site of the congregation.

The event was attended by over 2,000 delegates, with reportedly hundreds of them from outside India. At least eight attendees have already died of coronavirus — six in Telangana, one in Maharashtra, and one in Kashmir. Others who returned to different parts of the country after the event have tested positive for Covid-19, including at least 50 in Tamil Nadu.

Several parts of Nizamuddin West have been quarantined; they have been barricaded and are being monitored by drones. Over 150 people in the area have been hospitalised. The Indian government is tracking at least 1,600 people in India and Southeast Asia who might have attended the congregation.

The Delhi Police has filed an FIR against members of the Jamaat under the Epidemic Disease Act of 1897 and various sections of the Indian Penal Code, including criminal conspiracy.

Perfidy on primetime

India TV broadcast a "complete inside story" on the Nizamuddin cluster case. One of the banners it ran during the show was "Corona aaya...Maulana laya", meaning maulana brings coronavirus. The show also talked about a "superspreader maulana" who transmitted the virus to Kashmir, Jammu, Delhi, Telangana, Saharanpur, Deoband, Meerut, and the Andaman and Nicobar Islands.

They were referring to a 65-year-old businessman from Srinagar who tested positive for the virus and died on March 26. *India TV's* claims are doubtful since only four people are known to have been infected by the businessman – all in Kashmir's Bandipora. There are currently no reports of this patient infecting others in Uttar Pradesh or the Andaman and Nicobar Islands. This information can be sourced to the same *Press Trust of India* report that first used the term "super spreader" for the businessman.



'Corona aaya...bimari laya' on India TV on Tuesday.

On *News18 India*, Amish Devgan invited filmmaker Ashoke Pandit to offer his prized opinion on the matter.

Pandit, whose ability to craft fictions extends to the domain of news, said “those responsible” for the spread were “anti-national” and “enemies of the nation”. When another panelist told Pandit that he was stretching it by claiming that Muslims were deliberately spreading the virus across the world, he asked: “What is wrong with that?” The channel switched off his mike.

In another segment, when a Muslim panelist told Devgan that he should not introduce a Hindu-Muslim angle to the issue, the anchor feigned rage and asked him to “shut up and sit down”. This panelist was also muted.

Earlier in the day, the channel showed snippets of a man claiming that “some Muslim extremists” were flouting the lockdown because of their enmity with Prime Minister Narendra Modi. The channel also inexplicably ran a segment on how the Tablighi Jamaat had helped convert Pakistani cricketer Mohammad Yousuf to Islam.



Ashoke Pandit calls Jamaat spokesperson an 'anti-national' on News18 India.

On his Zee News show, Sudhir Chaudhary accused the Jamaat of “lying and betraying the nation in the name of Islam”. Chaudhary’s segment was so replete with anti-Muslim dogwhistling that at one point, he tried to preempt it: “We know we’ll be accused of being communal and bringing religion into the coronavirus discussion,” he said, adding that he was aware that people of “a certain religion” were angry with his channel. “But these are the same people who have problems with Ramayana being broadcast during the pandemic,” Chaudhary exclaimed indignantly.

Chaudhary then speculated on why the Delhi police couldn’t interfere with “those who make a mockery of law and order and the Constitution in the name of religion”. His theory? “There are areas in every city where the police are scared to go. Nizamuddin is one such area. Those who live in Delhi know what it’s like to cross Nizamuddin. It is just like Shaheen Bagh.”



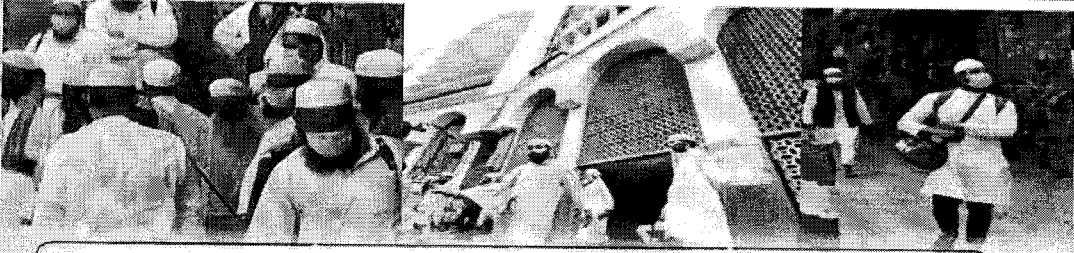
Sudhir Chaudhary's DNA on Zee News on Tuesday. The map shows 'Palestine' but in Africa.

News Nation also used the Shaheen Bagh ploy, but there were more disturbing things in their segment. Their primetime show started by flashing pictures of Muslims. The anchor asked: "Are there corona bombs in your neighbourhood?"

The man who told *News18 India* that the cluster case was a result of "enmity" with Modi found space on *News Nation* too. Here, he went even further, comparing the case with suicide bombing and terrorism. The anchor's running commentary asked if the Jamaat's "corona bombs" were "treasonous".

NEWS
NATION

आंखें खोल देने वाली INVESTIGATION



**क्या आपके
गली मोहल्ले में है 'कोरोना बम'**

खबर CUT to CUT

अब क्यों छिप रहे हैं

News Nation's primetime show on Tuesday.

On *Republic Bharat*, Arnab Goswami launched into a spiel accompanied by repeating visuals of Muslims in Nizamuddin. "Is this being done deliberately? Is this a conspiracy to turn Delhi to Italy?" he asked. The show claimed the whole nation was paying for one mistake, and that the entire process had begun at Shaheen Bagh.

A good portion of the remaining show, which stretched over 45 minutes, had Goswami shouting at Jamaat members, including once when he asked them if they were part of India or a separate nation altogether.

Navin Kohli, a BJP spokesperson who joined the show as a panelist, pursued *Republic's* line of questioning (or vice versa). "Is this a conspiracy? What is the source of funding?" Kohli asked.



The primetime debate on Republic Bharat on Tuesday.

On Republic TV, Goswami said, "We have seen people die in traffic jams because of Shaheen Bagh and now Tablighi is spreading coronavirus deliberately in India".

No one died in traffic jams because of the Shaheen Bagh protest.

BJP IT cell chief Amit Malviya, probably sleepless after witnessing Goswami beat him at his own game, tweeted around 2 am. He grouped the cluster case with the anti-CAA protests and called it an "Islamic insurrection of sorts". "It needs a fix!" he declared.



Amit Malviya
@amitmalviya

Delhi's dark underbelly is exploding! Last 3 months have seen an Islamic insurrection of sorts, first in the name of anti-CAA protests from Shaheen Bagh to Jamia, Jaffrabad to Seelampur. And now the illegal gathering of the radical Tablighi Jamaat at the markaz. It needs a fix!

13.9K 1:48 AM - Apr 1, 2020

6,665 people are talking about this

Some questions

The central and state governments will not walk into our newsrooms and present the shortcomings of their pandemic strategy. The shortcomings will have to be revealed through

questions and investigations by the media.

The negligence involved in the Tablighi Jamaat congregation could have been avoided had Delhi's government and police gone beyond cramming bureaucratic decrees down the throats of their citizens. The Aam Aadmi Party government issued two orders between March 13 and March 16. The first was a vaguely worded 50-word order prohibiting "sports gathering/conferences/seminars" with over 200 people.

The second order came on March 16, a day after the congregation ended. It banned all social, political, religious and academic gatherings with more than 50 people. It also ordered the closing of gyms, clubs and spas.

But if the Delhi government took the Jamaat event as seriously as it's projecting – Chief Minister Arvind Kejriwal called it a "criminal act" – then why did its governance reach only as far as the papers and not the streets of Delhi? Organisations such as Tablighi Jamaat did not flout the order because of some larger conspiracy, but because they could get away with organising a big function while the state machinery was missing in action. The local police station and the AAP government did not do anything to deter the thousands who crammed into a dense Delhi neighbourhood.

The Delhi police's directive to evacuate the mosque came only on March 24. Their public relations officer, Mandeep Singh Randhawa, has claimed that the guilty would be punished.

On Tuesday, the Delhi police released a video showing the station house officer of Nizamuddin West police station scolding members of the Jamaat for not evacuating the Markaz mosque. He dismisses them when they pose their problems, and even shouts at one of them for not having the phone number of the sub-divisional magistrate.



A screenshot from the video released by the Delhi police.

But problems like these could be nipped in the bud if the media were in the habit of questioning governments instead of ordinary countrymen.

The Jamaat has offered a half-hearted defence that it did not flout the law and tried to evacuate its delegates. They also claimed that the body cooperated with the police.

The Jamaat is right to point out that the lockdown disrupted its evacuation process. The migrant exodus across North India, the street celebrations in Indian cities after the janta curfew, and the bustling vegetable markets in metropolitan centres emanate from a common error: blaring decrees that are either ill-conceived or not enforced.

With inputs from Jigyasa Agarwal

Also Read: Jamia shooting: Know the companies that brought you Republic TV's misinformation campaign

Also Read: TV anchors in times of a pandemic: Is Taimur missing the paparazzi?

Coronavirus

Pandemic

Bigotry

Primetime news

Lockdown

Nizamuddin West

Tablighi Jamaat

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NEWS NATION आंखें खोल देने वाली **INVESTIGATION**

क्या आपके गली मोहल्ले में है 'को'?

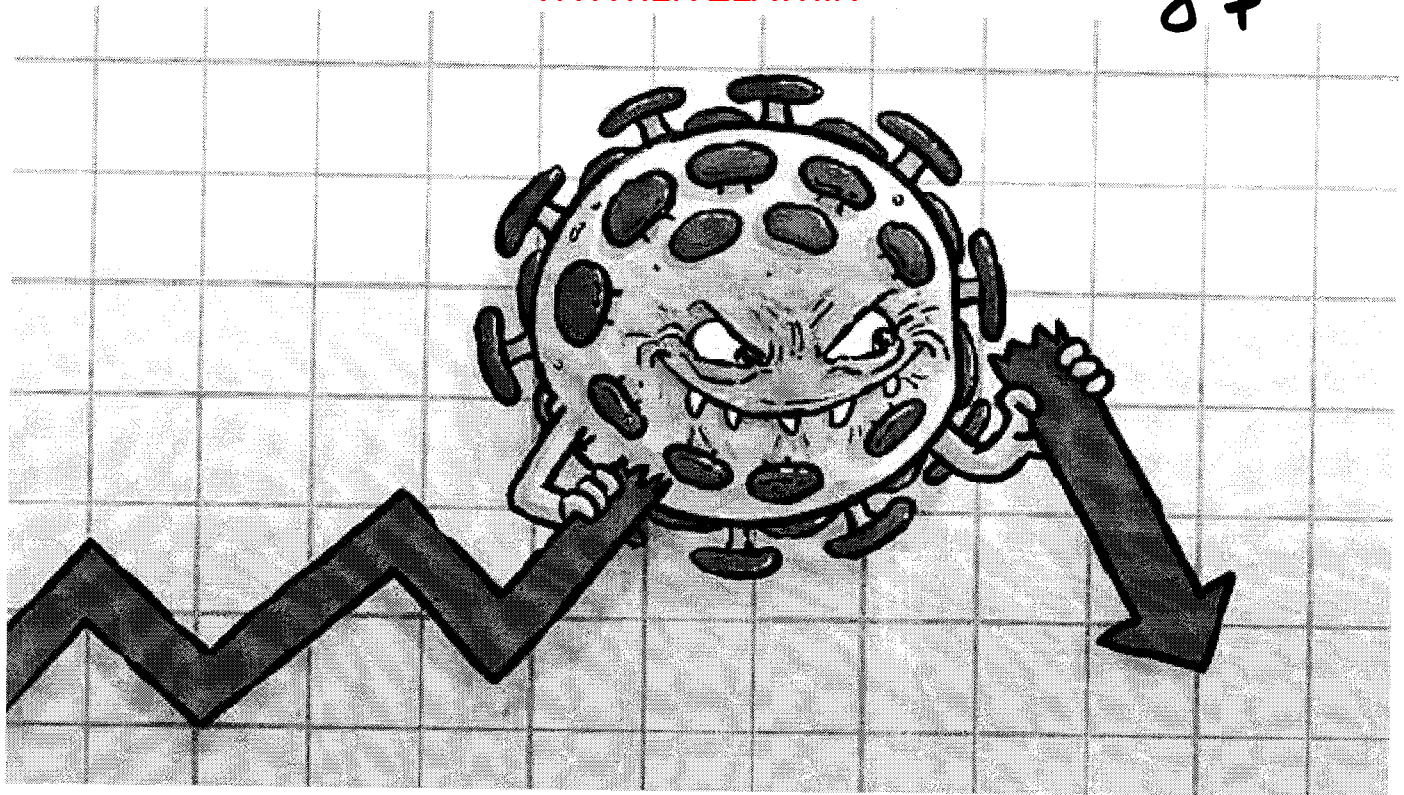
खबर **CUT to CUT**

अब क्यों छिप रहे हैं

SECURITY MATTERS

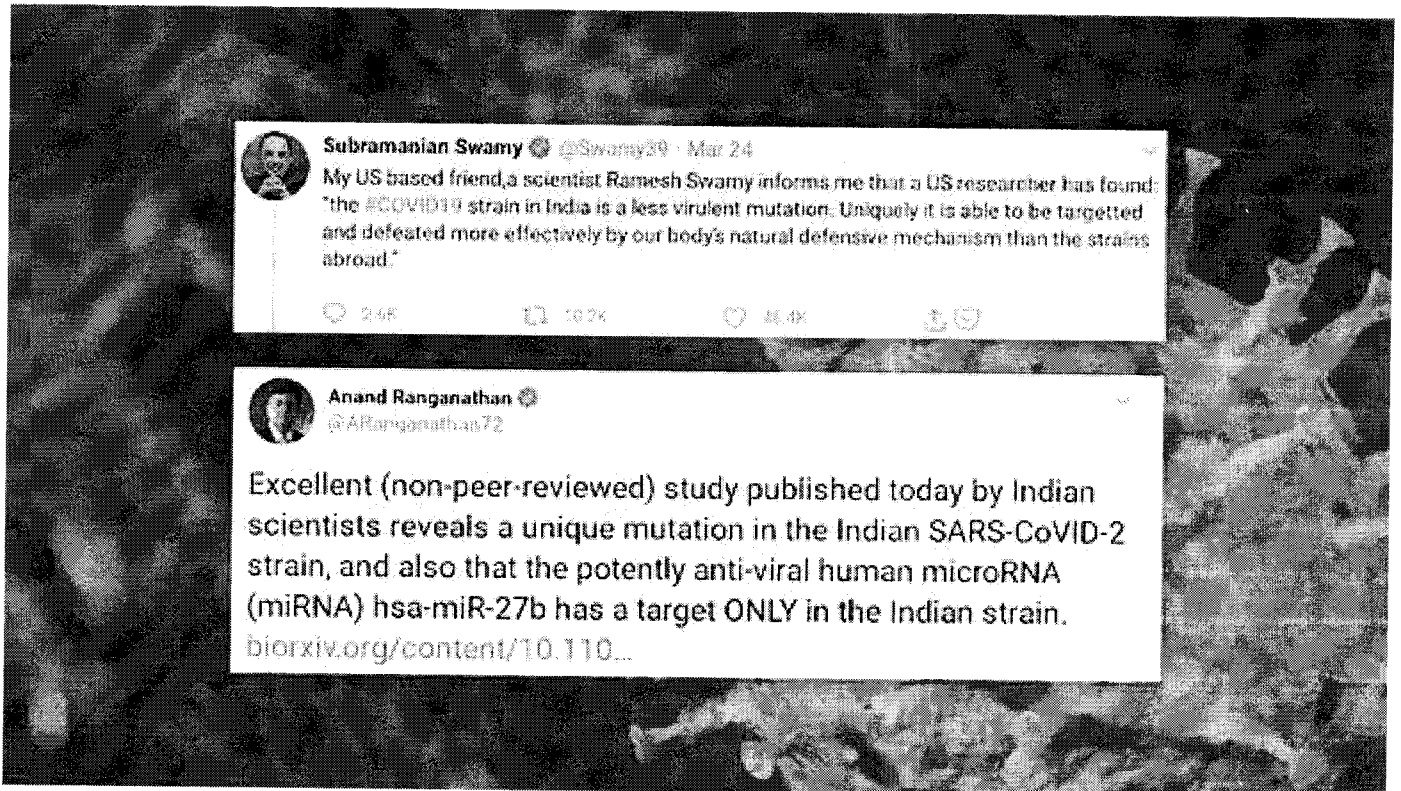
Here's what most TV news anchors are not telling you about the Tablighi Jamaat

David Devadas



The end of the lockdown won't bring life back to normal. Here's how the Covid-19 economic crisis is likely to spread

Vivek Kaul



No, the milder 'Indian strain' of coronavirus doesn't exist

Ronak Borana





Fact check: Video from 2018 circulated as 'Muslims spreading coronavirus'

Prateek Goyal

1 Comment

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POST



Himani Jain Yesterday at 6:37 PM

good

Like

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ANNEXURE P – 9

PUBLIC WARNING

It is hereby stated to the public in general that, at the Tablighi Jamaat Markaz situated at Delhi, from the period of 13th March to 24th March, 2020, around 2500 local and foreign Corona positive Muslims were gathered and a terrorist activity was undertaken whereby they were sent to various states within India so as to spread the Corona virus. Thereby, each citizen is cautioned that, no purchase should be done from Muslim vegetable, fruit, etc. vendors that come in your area. Moreover, they are undertaking Jihadi activity by spitting in the Hindu areas. Therefore, we should remain cautious and each Hindu brother should consider it as his priority to share this post in as many WhatsApp groups as possible so that the Hindus can remain cautious...

-In the interest of public in general

Take help of police by dialing 100, if you find any such suspicious person.

// TRUE AND TRANSLATED COPY //

ANNEXURE P – 10

ADDITIONAL POLICE COMMISSIONER
SPECIAL BRANCH
SHAHIBAUG, AHMEDABAD

NO. V.S./OS/100/2020
Add. Police Commissioner,
Special Branch Office, Ahmedabad.
Date: 01/04/2020

CONFIDENTIAL

EMAIL MESSAGE/BROADCAST

TO,

- 1) All Police stations, Ahmedabad city
- 2) Assistant Police commissioner A to N Division,
Ahmedabad City
- 3) Deputy Police Commissioner,
Zone 1 to 7 and Crime and Traffic, SOG,
Cyber Crime, Control room, Ahmedabad city.

INFORMATION:

- 1) Special Police Commissioner, crime branch, Ahmedabad
- 2) Joint Police commissioner, Sector-1, 2 and Traffic,
Ahmedabad.

Subject: With regard to taking precautions in reference to the
message viral by WhatsApp.

Details:-

It is hereby stated for the above mentioned subject and
reference that, a message is viral through WhatsApp in the form

of public warning. It is mentioned therein that, “It is hereby stated to the public in general that, at the Tablighi Jamaat Markaz situated at Delhi, from the period of 13th March to 24th March, 2020, around 2500 local and foreign Corona positive Muslims were gathered and a terrorist activity was undertaken whereby they were sent to various states within India so as to spread the Corona virus. Thereby, each citizen is cautioned that, no purchase should be done from Muslim vegetable, fruit, etc. vendors that come in your area. Moreover, they are undertaking Jihadi activity by spitting in the Hindu areas. Therefore, we should remain cautious and each Hindu brother should consider it as his priority to share this post in as many WhatsApp groups as possible so that the Hindus can remain cautious...” Thereby such details are mentioned in the writing and this message is viral in WhatsApp groups. Therefore, it is required to take care in your police station area so that no unwanted incident occurs.

“By the order of the Add. Police Commissioner, Special Branch”

Sd/- illegible
Police Inspector
On behalf of OS Section
Special Branch
Ahmedabad

To,
Police inspector
Control room, Ahmedabad

To email the above mentioned officers and inform them by
Broadcast.

Send Email,
Sd/- illegible
01/04/2020 (23:14)

// TRUE AND TRANSLATED COPY //

Video of Sufi ritual falsely viral as mass sneezing in Nizamuddin mosque to spread coronavirus infection

Pooja Chaudhuri Pratik Sinha 1st April 2020

4.2K
SHARES

Facebook

Twitter

A video is massively viral on social media with the claim that people mass sneezed in Delhi's Hazrat Nizamuddin mosque to spread coronavirus infection. Below is a Facebook post by one Anita Saxena which has drawn 24,000 views and 1,700 shares.

The same clip has also been shared on Twitter.



nithin

@nithin42349592

#NizamuddinIdiots they are not idiots like Kanika Kapoor they have hidden agenda What are they practicing here



175 14:33 - 1 Apr 2020

132 people are talking about this

Unrelated video of a ritual in Sufism

Alt News found that the video was earlier circulating in the Pakistani social media ecosystem with the coronavirus claim. This tweet is from January 30. A YouTube channel from

Pakistan uploaded it a day earlier on January 29. It's likely that the video is older because Alt News was unable to trace the original. The first case of coronavirus in India was reported on January 30.

A further reverse-image search of keyframes of the video led us to a March 4 tweet in Urdu. The English translation of the text revealed the words "Sufi madness".



مساعِد المدلج
@MuALmedlij

الحمد لله الذي هدانا للإسلام ولمنهج السلف الصالح ،،
جنون الصوفية كيف يفعل بأتباعه !!

هل يذكرون الله كما يزعمون أم يتبادلون مرض الكورونا بعطاسهم الجماعي !!!؟ #كورونا
##الإسلام_السياسي



111 00:06 - 4 Mar 2020

199 people are talking about this

During our research, we made certain observations about the clip:

1. It is unlikely that people can voluntarily sneeze together so rapidly in coordination.

2. It looks like they are loudly inhaling and exhaling air.

Based on this and the above tweet, we performed a Google search with the keywords 'Sufi breathing' which led us to several videos mentioning the word 'Zikr'.

The website of Sufi organisation Ansari Qadiri Rifai Tariqa defines 'zikr' as a practice where devotees remember God in unison. It can be performed in several ways including "a traditional order in which Allah's Names are mentioned in zikr, and each one is repeated several, often hundreds of times in unison by the group. Certain movements, such as swaying back and forth or turning from right to left, are incorporated into the activity during the intonations, and are likewise performed in unison. In some tariqas a prayerful rotation of the whole body, arms extended while pivoting on one foot, is traditional."

Below is a video where people can be seen bending back and forth in a similar manner as in the viral video while chanting 'Allah'.

Similarly, in the video viral on social media, people are repeatedly taking Allah's name. Readers are advised to wear earphones and listen to the audio in loops, especially post the first 40 seconds.

Speaking with Alt News, Dr Hamid Akbar, a professor of Urdu at KBN University in Karnataka's Gulbarga said, "In the main four *silsila* (orders) of Sufism such zikr is performed but it's more sophisticated than this [viral video]. The sound you hear, is *saas ka zikr* or *zikr e-anfas* which basically means taking Allah's name with your breath. If you listen closely, you can hear that they are chanting 'Allahu' [in the video]."

Mosque in the viral video is neither Nizamuddin mosque nor the Nizamuddin Dargah

Dr Akbar added that he has never seen any ritual, as witnessed in the viral video, practised in Tablighi Jamaat congregations which focus mainly on the importance of namaz (Islamic prayers) and roja (fasting). The Tablighi Jamaat meet is organised in Nizamuddin mosque which is also known as Tablighi Markaz or Bangle Wali Masjid.

Qawwalis (Sufi devotional music) are sung in the courtyard of Nizamuddin Dargah which is about half a kilometre away from the mosque. However, the Dargah had earlier distanced itself from Tablighi Jamaat when *Aaj Tak* had falsely claimed that 33 people sent for quarantine attended a program at the Dargah. “It is clarified that the News is about Nizamuddin Tablighi Markaz and not of Dargah,” read the tweet.



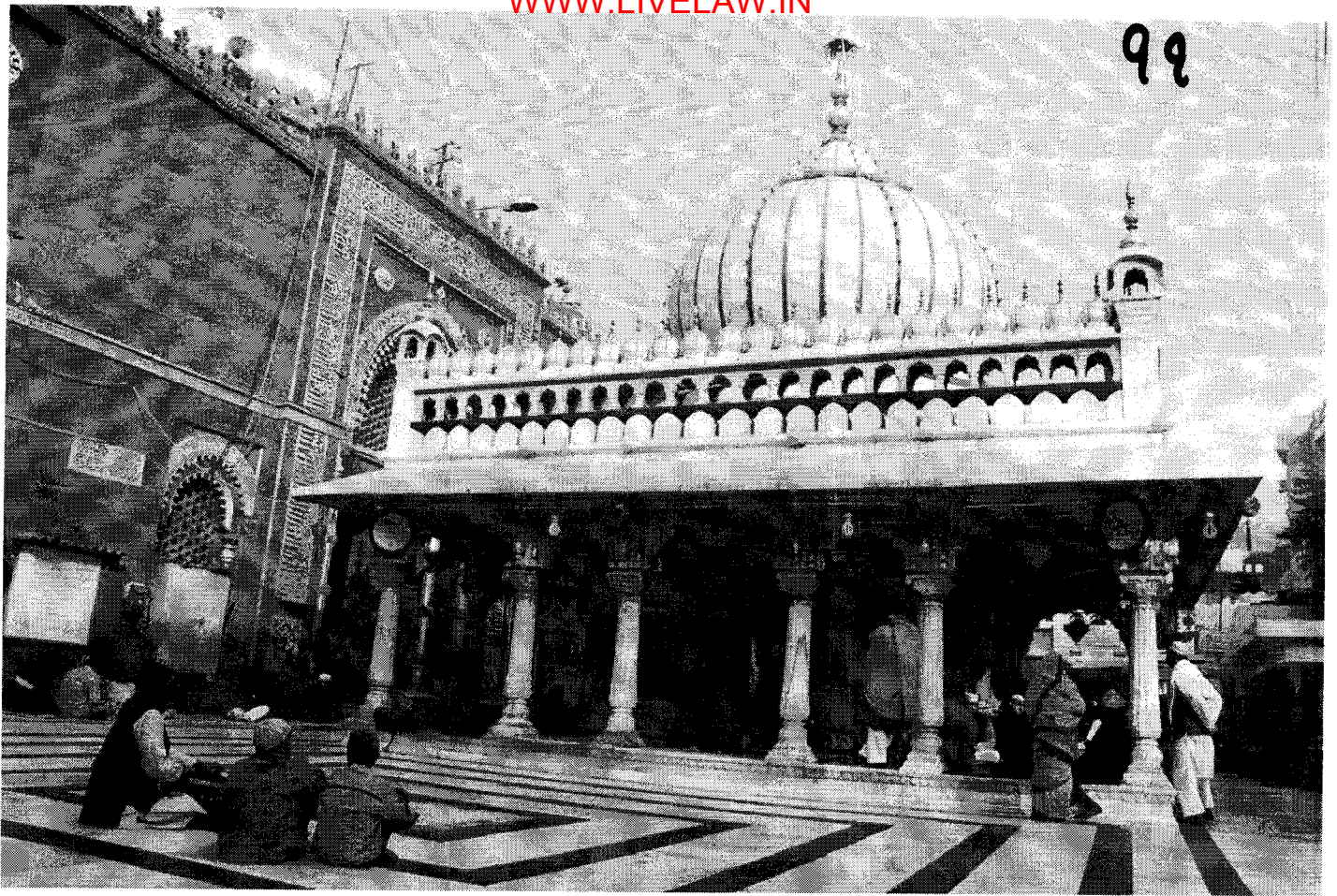
Dargah Hazrat Nizamuddin
@SufiCulturalOrg

A wrong new is being circulated on AajTak that 33 corona suspects sent for quarantine who attended a programme at Dargah Hazrat Nizamuddin. It is clarified that the News is about Nizamuddin Tablighi Markaz and not of Dargah. Complaint has been made at 'Aajtak' in this regard.

2,288 13:26 - 30 Mar 2020

971 people are talking about this

Below is a picture of the dargah where qawwali singers can be spotted sitting in the courtyard.



Therefore, a video of people practising a ritual in Sufism was falsely shared as intentional sneezing inside Delhi's Nizamuddin mosque to spread the coronavirus infection. Earlier, a video of Bohra Muslims practising the ritual of licking utensils to not waste leftover food was also shared with the same claim.

Nizamuddin has been identified as a coronavirus hotspot after several preachers of Tablighi Jamaat tested positive in three different locations across the country. The organisation led a congregation at its headquarters (Markaz) Banglewali Masjid in Delhi's Nizamuddin area in mid-March, for which the Delhi government has now filed an FIR against a mosque preacher. Tablighi Jamaat maintains that its gathering was not illegal because

it was held before Prime Minister Modi announced the first lockdown (Janata curfew) on March 22. However, the Delhi government claims that its order banning large gatherings, issued on March 13, was violated. Ironically, this was the same day when the Union Health Ministry declared that COVID-19 was not a health emergency. The March 13 order, however, did not extend to religious gatherings and only a subsequent order passed on March 16 did. If reports are to be believed, the congregation was held between March 8 to 15.

Note: The number of positive cases of the novel coronavirus in India is over 1,700 and more than 50 deaths have so far been reported. The government has imposed a complete restriction on movement apart from essential services to tackle the pandemic. Globally, more than 8 lakh confirmed cases and over to 44,000 deaths have been reported. There is a growing sense of panic among citizens, causing them to fall for a variety of online misinformation – misleading images and videos rousing fear or medical misinformation promoting pseudoscience and invalid treatments. While your intentions may be pure, misinformation, spread especially during a pandemic, can take lives. We request our readers to practice caution and not forward unverified messages on WhatsApp and other social media platforms.

Independent journalism that speaks truth to power and is free of corporate and political control is possible only when people start contributing towards the same. Please consider donating towards this endeavour to fight fake news and misinformation.

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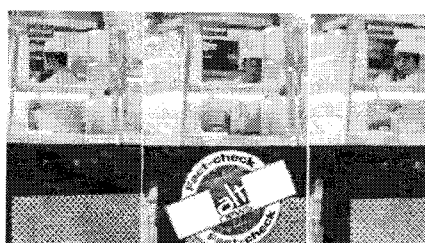
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Old, unrelated video shared as Muslims licking utensils to spread coronavirus infection
30th March 2020
In "Religion"

Old video falsely viral as Muslim man spitting on food at Indian restaurant in the backdrop of coronavirus pandemic
2nd April 2020
In "Religion"

Coronavirus: Video of an undertrial in Mumbai falsely viral as Nizamuddin markaz attendee spitting at cop
2nd April 2020
In "News"

THE DAILY FIX

Scapegoating Muslims for Covid-19 is communal – and hobbles India’s battle against the pandemic

Top BJP leaders have described the incident as an ‘Islamic insurrection’ as well as ‘Corona terrorism’.

Shoaib Daniyal

Apr 02, 2020 · 10:34 am



Shashi Tharoor via Twitter.

On March 30, the Nizamuddin area in Delhi city was sealed. The reason: an event of the Muslim religious organisation called the Tablighi Jamat that was held in the neighbourhood early in March had been attended by a number of people carrying the novel coronavirus.

Given the Tabligh's strong India-wide network (this event itself had people from 15 states), this led to a large number of cases of Covid-19 in several parts of the country being traced back to this congregation.

The Tabligh claims that it followed all the guidelines after the Union government called for a lockdown on March 22. However, things get more complicated when we look at Delhi government rules. Based on claims made by the Aam Aadmi Party that rules Delhi, the organisers failed to follow its directive on March 13 banning gatherings of more than 200 people and to quarantine people with a history of travelling to or from coronavirus-affected countries. Whether or not the Tabligh fell foul of the letter of the law, it is clear that the organisation was reckless in inviting people from coronavirus-hit countries such as Thailand.

To remedy this, a singular effort to trace everyone around India who visited the centre and quarantine them has become urgent. However, this intricate exercise has hit a communal maelstrom. The Tabligh's Muslim identity led to it being attacked on communal grounds on social media, the press and by politicians. One TV channel that supports the Union government even went so far as to label this act of terrible negligence as "corona jihad". Another opinion piece addressed "Muslims" as a whole as it went on to criticise the Tabligh.

Since then, top Bharatiya Janata Party leaders have described the incident as an "Islamic insurrection" as well as "corona terrorism". A BJP MP has even called for the use of sedition laws – the colonial-era provision that penalises "disaffection" against the government.

Holding India's 200 million Muslims collectively responsible for this incident is simply a form of bigotry. The communal distraction means large parts of the media is not taking the Union government and Delhi state to task on how they allowed this and other gatherings to take place even after it became clear that Covid-19 was a threat.

Apart from letting the administration off the hook, this constant demonisation of 200 million Indians makes the country's fight against Covid-19 even more difficult. Given India's poverty and weak public health infrastructure, the country is severely hobbled when tackling a pandemic of this scale. For the country to fail to come together to tackle this grave crisis and continue to squabble on communal lines is to shoot itself in the foot.

In this specific case, for example, the avalanche of hate means that contact tracing will become more difficult for the authorities, since people who attend the Tabligh event will be hesitant to identify themselves.

It Was Already Dangerous to Be Muslim in India. Then Came the Coronavirus



A man in a protective suit prepares to meet people who took part in a Muslim congregation hit by the coronavirus, on March 31, 2020 in New Delhi, India. Ajay Aggarwal/Hindustan Times via Getty Images—2020 Hindustan Times

BY BILLY PERRIGO

APRIL 3, 2020

The Islamophobic hashtags began circulating shortly after the news broke in late March.

Indian authorities had linked dozens of cases of COVID-19 to a Muslim missionary group that held its annual conference in Delhi in early March, and health officials were racing to track down anyone who had contact with the participants. Coronavirus fears and religious tension were already at a fever pitch in India, and it didn't take long for the two forces to intermingle.

Videos falsely claiming to show members of the missionary group spitting on police and others quickly went viral on social media, exacerbating an already dangerous atmosphere for Muslims. “Islamophobia has been transposed onto the coronavirus issue,” says Amir Ali, an assistant professor of political science at Jawaharlal Nehru University in Delhi.

Since March 28, tweets with the hashtag #CoronaJihad have appeared nearly 300,000 times and potentially seen by 165 million people on Twitter, according to data shared with TIME by Equality Labs, a digital human rights group. Equality Labs activists say that many of the posts are in clear violation of Twitter’s rules on hate speech and coronavirus, but have yet to be taken down. “We are committed to protect and serve the public conversation as we navigate this unprecedented global public healthcare crisis,” reads a statement Twitter provided to TIME. “We continue to remain vigilant.”

Coming just weeks after religious pogroms conducted by Hindu nationalists left 36 Muslims dead in Delhi, the surge in hateful tweets demonstrates how anxieties over the coronavirus have merged with longstanding Islamophobia in India, at a time when the Muslim minority — 200 million people in a nation of 1.3 billion — feels increasingly targeted by the ruling Hindu nationalists. “One of the key features of anti-Muslim sentiment in India for quite a long time has been the idea that Muslims themselves are a kind of infection in the body politic,” says Arjun Appadurai, a professor of media, culture and communication at New York University who studies Indian politics. “So there’s a kind of affinity between this long-standing image and the new anxieties surrounding coronavirus.”

One of the most popular false #CoronaJihad tweets claims to show a Muslim man from the Delhi congregation intentionally coughing on somebody. The tweet referred to Muslims as “such vile minded people” and listed hashtags including #CoronaJihad and #TablighiJamatVirus, a reference to the religious group that met in Delhi. But the video featured in the viral tweet was actually filmed in Thailand, not India, and there is no proof that the man was a member of the Delhi congregation. Nevertheless, the tweet was still online as of April 3, with more than 4,200 retweets and 503 replies. Another video shared on both Facebook and Twitter purporting to show Muslims intentionally sneezing on each other was debunked by the fact-checking organization AltNews.

Another tweet, which had around 2,000 retweets before it was removed for violating Twitter's rules, featured a cartoon of a caricatured Muslim man labeled "Corona Jihad" trying to push a Hindu off a cliff. "Corona jihad is this new idea that Muslims are weaponizing the coronavirus to target Hindus," says Thenmozhi Soundarajan, executive director of Equality Labs. The tweet has since been removed for violating Twitter's rules, but several other cartoons linking Muslims to the coronavirus, shared by the same account with more than 15,000 followers, were still online as of April 3.

In India, where the politically dominant Hindu nationalist Bharatiya Janata Party (BJP) has increasingly launched dogwhistle attacks on Muslims since being reelected with a massive majority in April last year, the coronavirus is just "one more opportunity to cast the Muslim as the other, as dangerous," says Ali, the professor.

"People are talking about 'bio jihad' and 'corona jihad,'" Ali says. "These are just the latest in a series of different forms of 'jihad' that the media has talked about, that have been spread on social media, and that people are gleefully accepting." Population jihad, for example, is a common trope in Hindu nationalist messaging, claiming that Muslims are trying to turn India into a Muslim nation by reproducing at a faster rate than Hindus. Love jihad is the idea that Muslim men are tricking Hindu women into romantic relationships in order to convert them to Islam. "Corona jihad is the most outrageous one so far, because people are really being infected and dying," Ali says.

Social media companies have struggled with hate speech for years, embroiling the platforms in a difficult tangle in which freedom of speech runs up against the companies' responsibility to protect minorities. In the world's first social media pandemic, hate speech related to the virus is spreading online almost as fast as the virus itself. But recent history demonstrates that inaction on the platforms' part can allow hate speech to turn into violence. Myanmar's 2017 genocide perpetrated by Buddhist nationalists against Rohingya Muslims was preceded by a campaign of dehumanizing hate speech on Facebook. Equality Labs' Soundarajan says social media companies cannot feign ignorance on the issue because her group and others are flagging troublesome content. "They're aware of it," says Soundarajan. "Whether they allow it to go viral is

now their own responsibility.” (Facebook did not immediately respond to a request for comment from TIME.)

SPOTLIGHT STORY

Italy Appears to be Flattening the Curve. What Did the Country Do Right?

The latest figures are promising. Can other countries learn from Italy?

Although this pandemic is uncharted territory when it comes to predicting the impact of virus-related hate speech, public health officials have warned against stigmatizing minority groups. Because COVID-19 originated in Wuhan, China, some — including the U.S. President — have called it the “China virus” or the “Wuhan virus,” a name that appears to be linked to an uptick in global violence against Asians. In February, the World Health Organization (WHO) announced the then-unnamed coronavirus would henceforth be known officially as COVID-19 — a name which purposely did not include a reference to China. “Having a name matters to prevent the use of other names that can be inaccurate or stigmatizing,” WHO Director-General Tedros Adhanom Ghebreyesus said at the time.

Some are working to prevent fears over the virus from becoming entangled with religious divisions. Sam Brownback, the U.S. ambassador-at-large for international religious freedom, is calling on governments to push back “aggressively” against the rising incidents of “blaming of religious minorities for the COVID virus,” including the rise in usage of #CoronaJihad and other hashtags trending in India. “The governments really should put this down, and say very clearly that this is not the source of the Coronavirus,” he said in a conference call with reporters on Thursday. “We know where this virus originated. We know it’s a pandemic the whole world is being subjected to. It’s not something from religious minorities. But unfortunately we are seeing that sort of blame game getting started up in different places around the world.”

In India, activists fear the stigmatization of Muslims could exacerbate the coronavirus crisis. “Launching a witch hunt against the attendees of the Nizamuddin congregation will be counterproductive from the public health point of view,” said several Indian intellectuals in an open letter published Thursday, referring to the area of Delhi where the conference was held. “The attendees should be identified without criminalizing them and put into quarantine as per norms.” The virus, they said, does not care about religious or national differences. “The solution will not come through the pursuit of divisive agendas but through scientific endeavors and human solidarity.”

A final irony of the Tablighi Jamaat controversy — which escalated on April 3 when the Indian government announced some members of the group would be charged under India’s National Security Act for violating quarantine — is that it was just one of myriad religious groups that continued to meet after India unexpectedly announced its coronavirus lockdown, yet it has drawn the vast majority of attention.

“They are no different from any other people in India and around the world who have pushed the envelope in terms of good sense,” Appadurai says of the Tablighi Jamaat congregation. “But of course, India is a very dangerous place for Muslims even apart from the coronavirus. It was asking for just the kind of thing that has now happened.”

— WITH REPORTING BY KIMBERLY DOZIER/WASHINGTON D.C.

MOST POPULAR ON TIME

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- 3 How Coronavirus Is Spreading in Your State

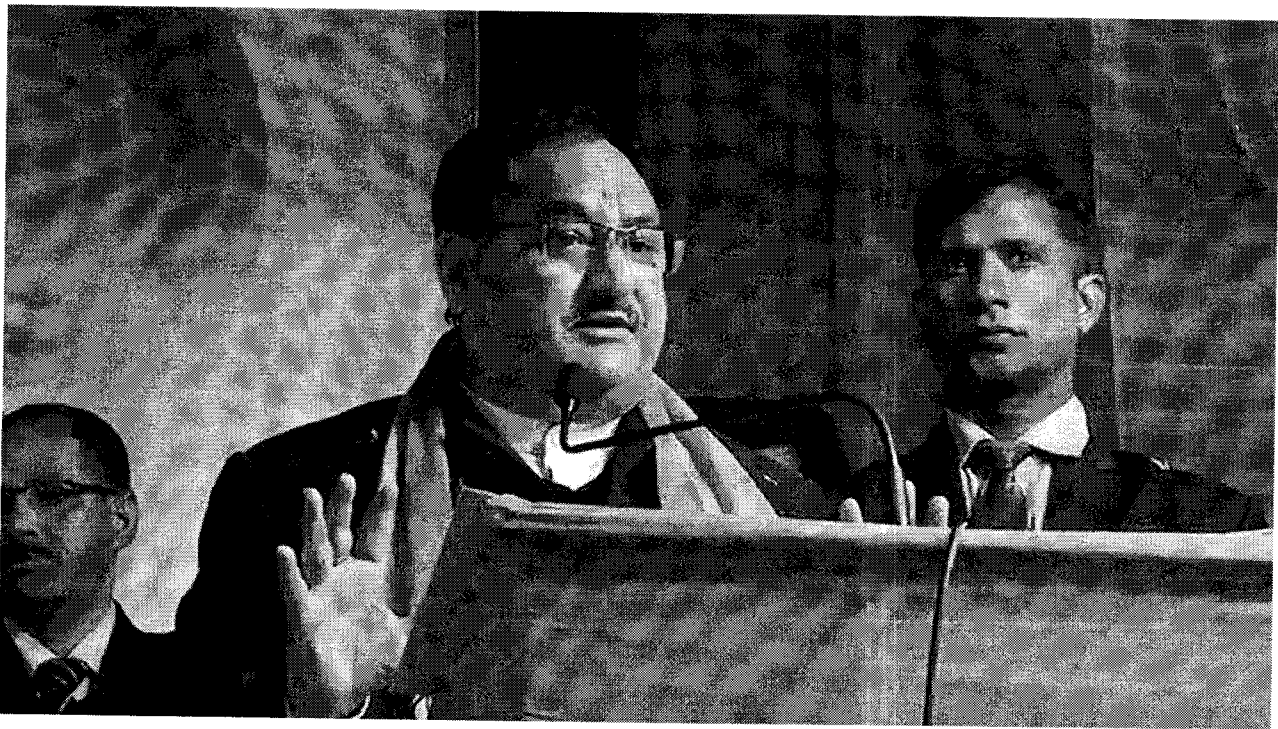
The Coronavirus Brief.

Everything you need to know about the global spread of COVID-19

BJP chief Nadda cautions party leaders: Don't give coronavirus a communal twist

In a meeting with national office bearers Thursday evening, BJP President J P Nadda is said to have told them that no party leader should make any provocative or divisive remark but support the efforts of the Prime Minister.

Written by **Liz Mathew** | New Delhi | Updated: April 4, 2020 8:49:48 am



The virus and the disease have made everyone vulnerable across the world, of all faiths, no one should issue any statements or remarks that are provocative," said a senior leader who participated in the meeting.

BJP President J P Nadda is learnt to have urged his party leaders to refrain from giving any "communal colour" or create any "division or differences" over the Covid-19 outbreak.

This comes after more than 400 positive cases and 15 corona deaths have been reported across the country which, officials said, can be traced back to a Tablighi Jamaat gathering in Nizamuddin

in Delhi in mid-March.



In a meeting with national office bearers Thursday evening, Nadda is said to have told them that no party leader should make any provocative or divisive remark but support the efforts of the Prime Minister as well as that of state governments irrespective of which party is in power there, said a source.

READ | ‘Wrong to blame religious minorities over origin of COVID-19’: US to govts

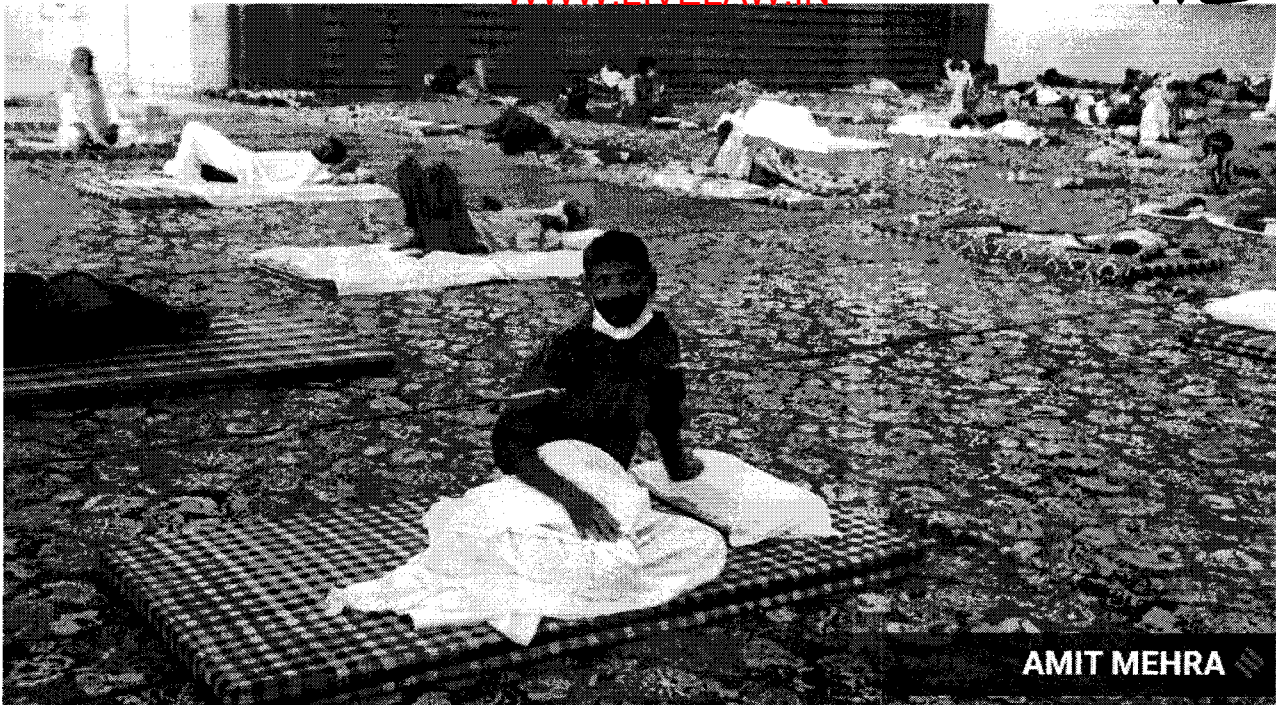
“There was already a direction that we have a great responsibility of leading the nation. The virus and the disease have made everyone vulnerable across the world, of all faiths, no one should issue any statements or remarks that are provocative,” said a senior leader who participated in the meeting.

“This was reiterated when the Tablighi issue came up. There is a directive that no one should make it a communal issue. Only leaders of the minority community can comment on that if they wish to. We have to be united in our fight against the virus,” the leader added.

Read | Gathering of migrant workers, Tablighi Jamaat meet setback to control COVID-19: President Kovind

This is significant given that many supporters of the party, especially on social media, cited the outbreak to fuel campaigns like “CoronaJihad,” and “Markaz Conspiracy.”

On April 1, BJP IT cell head Amit Malviya tweeted: “Delhi’s dark underbelly is exploding! Last 3 months have seen an Islamic insurrection of sorts, first in the name of anti-CAA protests from Shaheen Bagh to Jamia, Jaffrabad to Seelampur. And now the illegal gathering of the radical Tablighi Jamaat at the markaz. It needs a fix!”



At the Yamuna Sports Complex auditorium in Delhi, Friday. It houses the homeless and migrants stopped by police. (Photo: Amit Mehra)


Tweeted Union Minister and BJP leader Mukhtar Abbas Naqvi: “Talibani Crime by Tablighi Jamaat. This is not a negligence. It’s a serious criminal act. When the entire country is fighting united against Corona, such a sin is unpardonable.”

Goa Chief Minister and BJP leader Pramod Sawant said that “the outfit (Tablighi Jamaat) had damaged India.”

At Nadda’s meeting, the party took a stand that a “united front” was needed in the fight against corona.

“State units have been asked to support the efforts made by the respective governments and follow instructions issued by them instead of violating them,” said another source. “For example, Kerala is ruled by our bitter rivals, but the instruction given to the state unit is to cooperate with the CPM-led government,” a source added.

This calibration comes in the wake of protests against the Citizenship Amendment Act and the National Register of Citizens and the communal riots in north-east Delhi during the visit of US President Donald Trump which dented the government’s image. The party leadership, sources said, did not want the current “human crisis” to take any such divisive or political turn.

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EXPRESSION OF GRAVE CONCERN, BY LAWYERS, ON THE DISSEMINATION OF FAKE NEWS ABOUT THE SPREAD OF COVID-19, BY SECTIONS OF THE MEDIA

We the undersigned advocates practicing in various courts in Delhi, express our grave concern about the, the fake news, being spread by certain sections of the media and social media, concerning the spread of the corona pandemic in India.

We would, at the outset, like to applaud the solidarity that all Indians have shown in co-operating with the lock down and in distributing food and giving other assistance to the daily wagers and migrant labour who were stranded in cities. We have all stood against this pandemic as Indians and would continue to do so.

Some news channels have been spreading the false narrative that the minority community is responsible for the spread COVID-19. Some fake videos have also been circulating on social media. The unfortunate spread of infection, to some persons, consequent to the congregation of persons from different parts of the world at a religious event in the first half of March, is being referred to as "corona jihad", "Islamic insurrection", "corona terrorism" and various other hurtful and inflammatory terms against an entire community.

The same is without any factual basis, amounts to hate speech and out of fear many victims may go into hiding instead of seeking treatment. The Supreme Court of India has strongly deprecated the spreading of fake news, while the Country is fighting a pandemic and has asked the State to take action under the Disaster Management Act, against those spreading such rumours.

We urge the Press Council, the Editors Guild and the Government to strongly deprecate peddling of such fake news and to issue advisories to all channels and social media groups who are trying to vitiate the atmosphere. We urge the Ministry of Health to make a clear statement that the corona virus has not originated in India and no community can be blamed for this.

We also urge the Ministry of Health to share the road map proposed by the Government of India, after the lock down to combat COVID-19; and to publicise the State's medical preparedness. We would also be obliged if a timely press release is issued which lets us know if & what lifestyle and professional changes are expected from us as citizens, so we have time to put them in place.

We also join other citizens in urging the government to announce a comprehensive recovery package for the most vulnerable which includes setting up of long term shelter homes, distribution of rations and declaration of a universal basic income to all citizens, urban and rural. These measures would give people confidence and energy to fight COVID-19.

We urge our fellow citizens to understand the seriousness of this pandemic and observe social distancing and adopt a scientific approach to protect themselves in this time of the pandemic.

Delhi High Court Concerned Women Lawyers:

Geeta Luthra Snr. Advocate,
Kirti Singh Advocate,
Anuradha Dutt Advocate,
Anu Narula Advocate,
Sunita Kapil Advocate,
Nandita Rao Advocate,
Ekta Kapil Advocate,
Ruchi Singh Advocate,
Radhika Kulluru Advocate,
Swaty Singh Mallik Advocate,
Sunita Kapil Advocate,
Warisha Farasyat Advocate,
Arundhati Katju Advocate,
Fozia Rahman Advocate
P. V. Surendernath Sr. Adv. (General Secretary - All India Lawyers Union)
Som Dutt Sharma Advocate (Convener - Lawyers for Democracy)
Chandrashekhhar Parasher Advocate (Convener - Lawyers for Saving the Constitution)
M.M. Qayam-ud-din Advocate,
Sikander Siddiqui Advocate,
Aquib Advocate,
Faisal Adovcate,
M.M. Kashyap Advocate
Sayed Mansor Ali Arizvi Advocate

4-4-2020

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I. A. NO. _____ OF 2020

IN

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:-

JAMIAT ULAMA-I-HIND & ANR. ... APPLICANTS/
PETITIONERS

-VERSUS-

UNION OF INDIA & ANR. ... RESPONDENTS

APPLICATION FOR INTERIM EX-PARTE STAY

To,
Hon'ble the Chief Justice of India
and his companion judges of the
Supreme Court of India

The humble application of the above
named Applicants/Petitioners:

MOST RESPECTFULLY SHEWETH :

1. The Applicants/Petitioners herein have filed the present Writ Petition under Article 32 of the Constitution in the nature of a Public Interest Litigation to seek directions from this Hon'ble Court to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print and electronic media.

2. That the Applicants/Petitioners submit that the grounds of the accompanying Writ Petition be taken to be a part of the present application and the said grounds are not being repeated herein for the sake of brevity.

3. It is submitted that if the print and electronic media are not immediately prevented from reporting the Nizamuddin Markaz incident with a communal angle, then it will lead to creating a communal divide in the society which is already undergoing a communally tense period post the riots in February, 2020 in Delhi. Further, it will lead to victimization and loss of dignity of Muslim persons, all of whom are being demonized in general as a result of this venom being spread by communal reporting.

4. In such circumstances, it is important to stay all such reporting of the Nizamuddin Markaz incident which gives it a communal angle and demonizes the Muslim Community as a whole, so as to prevent any perpetration of hatred.

5. That the present application is being filed *bonafide* and in the interests of justice.

6. That the Applicants/Petitioners therefore, most respectfully pray that:

PRAYER

- a) stay the reporting of the Nizamuddin Markaz incident with a communal twist by the print and/or electronic media during the pendency of the present Writ Petition ; and/or
- b) pass such other / further order as it may deem fit and proper in the facts and circumstances of the present case.

**AND FOR THIS ACT OF KINDNESS THE APPLICANTS/
PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.**

Filed by:-



EJAZ MAQBOOL

Advocate for the Applicants/Petitioners

New Delhi

Dated: 06.04.2020

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I. A. NO. _____ OF 2020

IN

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:-

JAMIAT ULAMA-I-HIND & ANR. ... APPLICANTS/
PETITIONERS

-VERSUS-

UNION OF INDIA & ANR. ... RESPONDENTS

APPLICATION FOR EXEMPTION FROM FILING
OFFICIAL TRANSLATION

To,
Hon'ble the Chief Justice of India
and his companion judges of the
Supreme Court of India

The humble Application of the above
named Applicants/Petitioners:

MOST RESPECTFULLY SHEWETH :

1. The Applicants/Petitioners herein have filed the present Writ Petition under Article 32 of the Constitution in the nature of a Public Interest Litigation to seek directions from this Hon'ble Court to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print and electronic media.

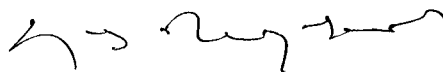
2. That the Applicants/Petitioners submit that Annexures P-9 & P-10 which are being filed along with the present Writ Petition were originally in Gujarati and the Applicants/Petitioners have gotten it translated into English privately as the official translation would have taken a long time.
3. The Applicants/Petitioners state that the present Application is being filed *bona fide* and in the interests of justice.
4. That the Applicants/Petitioners therefore, most respectfully prays that this Hon'ble Court be pleased to:-

PRAYER

- a) exempt the Applicants/Petitioners from filing official translation of Annexures P-9 & P-10; and/or
- b) pass such other and further order(s) as this Hon'ble Court may deem just and appropriate in the facts and circumstances of the case.

**AND FOR THIS ACT OF KINDNESS THE APPLICANTS/
PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.**

Filed by:-



EJAZ MAQBOOL

Advocate for the Applicants/Petitioners

New Delhi

Dated: 06.04.2020

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I. A. NO. _____ OF 2020

IN

WRIT PETITION (CIVIL) NO. _____ OF 2020

IN THE MATTER OF:-

JAMIAT ULAMA-I-HIND & ANR. ... APPLICANTS/
PETITIONERS

-VERSUS-

UNION OF INDIA & ANR. ... RESPONDENTS

APPLICATION FOR URGENT HEARING

To,
Hon'ble the Chief Justice of India
and his companion judges of the
Supreme Court of India

The humble application of the above
named Applicants/Petitioners:

MOST RESPECTFULLY SHEWETH :

1. The Applicants/Petitioners herein have filed the present Writ Petition under Article 32 of the Constitution in the nature of a Public Interest Litigation to seek directions from this Hon'ble Court to prevent the communalization of the Nizamuddin Markaz issue by certain sections of the print and electronic media.
2. That the Applicants/Petitioners submit that the grounds of the accompanying Writ Petition be taken to be a part of the present

application and the said grounds are not being repeated herein for the sake of brevity.

SYNOPSIS OF EXTREME URGENCY

3. It is submitted that the reporting of the Nizamuddin Markaz issue with a communal angle has led to the demonization and victimization of all Muslim persons. It is submitted that such victimization is affecting their dignity and livelihood in these testing times of the global pandemic. One such example is of a leaflet doing the rounds in Gujarat exhorting all Hindus to boycott Muslim hawkers and shopkeepers as they are on a mission to spread the Coronavirus. On April 1, 2020, the Ahmedabad Police Commissioner took cognizance of this leaflet and has asked all police stations in Ahmedabad to ensure that no untoward situation arises. While this instance is particular to Ahmedabad, Gujarat, there are thousands of such messages doing the rounds on social media which are a clear consequence of the demonization of Muslims by the media.

4. Thus, if the print and electronic media are not immediately prevented from reporting the Nizamuddin Markaz incident with a communal angle, then it will lead to creating a communal divide

in the society which is already undergoing a communally tense period post the riots in February,2020 in Delhi.

5. In such circumstances, it is important that the present matter is taken up for hearing by this Hon'ble Court urgently.

**DETAILS OF AOR, CONSENT FOR VIDEO
CONFERRING AND UNDERTAKING TO PAY
DEFICIT COURT FEES**

6. That the contact details of the Advocate on Record as follows:-

EJAZ MAQBOOL

AOR CODE:- 180

C-13, Sector - 20,

Noida - 201 301 (INDIA)

Police Station: Sector -20,Noida

Phone Nos.: +91-120-2558881, +91-120- 2530486

Fax No. : +91-120-2552334

Mobile : +91 98-110-52710

E-mail : emaqbool@gmail.com, emaqbool@yahoo.com

7. That the Petitioners/Applicants undertake to pay the deficit court fees subsequently.

8. The Petitioners/Applicants give their consent for the matter to be taken up through the Video -Conferencing mode. The Petitioners/ Applicants state that the hearing through Video-

Conferencing will be done by their Advocate on Record either on the Vidyo App or in the alternative by the following modes:-

i. FACETIME

Contact Details:- +91 9811952710

ii. WHATSAPP

Contact Details:- +91 9811952710

9. That the Applicants/ Petitioners state that their Advocate on Record, Mr. Ejaz Maqbool would link through his own desktop/mobile for the said hearing through Video-conferencing mode and would not be using the VC link facility available at the premises of this Hon'ble Court.

10. That the present application is being filed *bonafide* and in the interests of justice.

11. That the Applicants/Petitioners therefore, most respectfully pray that:

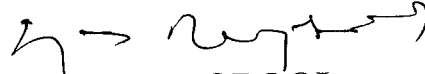
PRAYER

- a) present Writ Petition be listed urgently before this Hon'ble Court; and/or
- b) filing of duly affirmed affidavit be exempted in the prevailing circumstances; and/or

- c) pass such other / further order as it may deem fit and proper
in the facts and circumstances of the present case.

**AND FOR THIS ACT OF KINDNESS THE APPLICANTS/
PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.**

Filed by:-



EJAZ MAQBOOL

Advocate for the Applicants/Petitioners

New Delhi

Dated: 06.04.2020

VAKALATNAMA

IN THE SUPREME COURT OF INDIA
CIVIL / CRIMINAL / ORIGINAL / APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL/CRIMINAL) NO. OF 2020
WRIT PETITION (CIVIL) / (CRIMINAL) NO. OF 2020
CIVIL/CRIMINAL APPEAL NO. OF 2020
TRANSFER PETITION (CIVIL / CRIMINAL) NO. OF 2020

JAMIAT ULAMA-I-HIND E AMIL APPLICANT(S) /
PETITIONER(S) / APPELLANT(S)

VERSUS

Union of India E AMIL RESPONDENT(S) /
DEFENDANT(S)

WE, GULZAR AHMED HOOR AHMAD AZMI
Petitioner(s)/Respondent(s) in the above Petition/Suit/Appeal/Reference do hereby
appoint and retain

EJAZ MAQBOOL, ADVOCATE

To act and appear for me/us in the above Petition/Suit/Appeal/Reference and on my/our
behalf to conduct and prosecute or defend the same and all proceedings that may be taken
in respect of my application/petition connected with the same or any decree or order
passed therein, including proceedings in taxation and applications for review, to file and
obtain return of documents and to deposit and receive money on my/our behalf in the said
Suit/Appeal/Petition/Reference and applications of Review and to represent me/us and to
take all necessary steps on my/our behalf in the above matter. I/We agree to ratify acts
done by the aforesaid advocate in pursuance of this authority.

Dated this the ... day of ...

ACCEPTED

[Signature]
(EJAZ MAQBOOL)
Advocate

[Signature]

Applicant(s)/Petitioner(s)/Respondent(s)
Appellant(s)



MEMO OF APPEARANCE

To,
The Registrar,
Supreme Court of India,
New Delhi - 110001

Dear Sir,

Please enter my appearance on behalf of the Applicant(s)/Petitioner(s)/Appellant(s)/
Respondent(s) in the above mentioned matter(s).

Dated 6/4/2020

[Signature]
EJAZ MAQBOOL
Advocate, Supreme Court

The address of service of the said Advocate is as under:-
C-13, Sector - 20,
Noida - 201301
Phone Nos.: 0120-2558881, 0120-2536486, Fax No. : 0120-2552334, Mobile : 098-110-52710
E-mail IDs: emaqbool@gmail.com, emaqbool@yahoo.com