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# What mechanism do you have against fake news, SC asks govt.

'Create one if an authority doesn't exist or we'll give the job to an outside agency'

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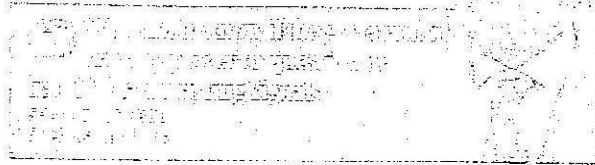
The Supreme Court on Tuesday asked the Centre to explain its "mechanism" against fake news and bigotry on air, and to create one if it did not already exist.

Inability on the government's part may well see the job go to an "outside agency," the court said.

"Why should we ask private entities like NBSA, etc., when you have the authority? If such an authority does not exist, create one... If you cannot, then we will hand it over to an outside agency," Chief Justice of India Sharad A. Bobde told Solicitor General Tushar Mehta, appearing for the Centre.

Chief Justice Bobde, head-

We are disappointed with your affidavit... We want to know how you are employing the Cable TV Act. We want to know the quantum of applicability of the Act... What is the legal remedy when there are complaints?



ing a three-judge Bench, said the court was "disappointed" with the contents of the latest government affidavit, filed by Information and Broadcasting Secretary Amit Khare, in the Tablighi Jamaat case. The case is based on petitions, including by Ja-

miat Ulama-i-Hind, against the communal colour given by certain sections of the electronic media to the holding of a Tablighi Jamaat event in the National Capital during the lockdown.

The affidavit said media coverage "predominantly

struck a balanced and neutral perspective" in the past few months. It explained that as a "matter of journalistic policy, any section of the media may highlight different events, issues and happenings across the world as per their choice." It was for the viewer to choose from the varied opinions offered by different media outlets.

Mr. Khare said the petitions in the court contained vague assertions against the media based on "fact-checking news reports".

Besides, the government had already blocked 743 social media accounts and URLs spreading fake news on COVID-19.

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## What mechanism do you have against fake news: SC

The court rejected the affidavit as inadequate. "We are disappointed with your affidavit... It does not contain a whisper about what you have done under the Cable TV Act... We are not satisfied... We want to know how you are employing the Cable TV Act. We want to know the quantum of applicability of the Act... What is the legal remedy when there are complaints?" Chief Justice Bobde asked Mr. Mehta.

### Court's poser

For the past two months, the court has been asking the government to give a clear answer to whether the regulatory provisions of the Cable TV Network (Regulation) Act of 1995, meant for cable networks, would apply to TV broadcasts.

"We want to know if the government has any power

to question or ban TV broadcasting signals," Chief Justice Bobde had asked the government in the previous hearing in October.

Mr. Mehta referred to the power to prohibit transmission of certain programmes under Section 19 of the 1995 Act.

### 'Elaborate affidavit'

However, he agreed to file an "elaborate" affidavit, which would be the third in a row from the government side.

The CJ had termed the first one, filed by an under-secretary, "evasive" and even "nonsensical."

The Jamiat petitions has sought a direction from the court to the Ministry to identify and take strict action against sections of the media that communalised the Tablighi incident.