

ORDER

**In the matter of complaints against the Pakistani programme
'Waqt Ne Kiya Kya Haseen Sitam' aired on Zindagi channel for
episodes of 08/04/2015, 09/04/2015 and various other episodes**

This Council has received several complaints from viewers as well as complaints forwarded by the Ministry of Information & Broadcasting against various episodes of the programme '**Waqt Ne Kiya Kya Haseen Sitam**' telecast on Zindagi channel.

The complainants allege that the programme has several anti-India dialogues, is derogatory to Indians and presents a lopsided account of the history of Partition. The complainants allege that the programme is communal in nature. It shows a Pakistani Muslim girl having been kidnapped by an Indian Sikh who cheats her with the promise of an early return to her family in Pakistan. The girl is made to work as a maid and the Sikh protagonist assaults and rapes her. She is made to convert to Sikhism. The girl is shown to be pregnant and gives birth to a child who subsequently wears the Sikh turban. The programme has the potential of provoking enmity between India and Pakistan and jeopardizing mutual relationship between the two countries.

The complaints range from the channel showing a biased Pakistani perspective to the mass tragedy during Partition in which Sikhs or Indians have been depicted as demons or perpetrators of genocide and the Muslim community has been displayed as one at the receiving end or victim. The BCCC has also received complaints alleging the show to be anti-Indian and portraying Hindus and Sikhs negatively. The complainants have wondered how such a lopsided programme has been shown on Indian television. Some complaints allege that the channel, through this programme, has perpetrated a biased view of historical events, demonising particular communities and creating an adversarial image of these communities in India.

CIN- U74899DL1999NPL101705

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After examining the episodes of the serial *Waqt Ne Kiya Kya Haseen Sitam* in its 45th Meeting on 22 April 2015, the Council issued a Notice to the channel with a direction to attend a Hearing on 22 May 2015.

In its written submission, the channel stated that the serial *Waqt Ne Kiya Kya Haseen Sitam*, whose original name was *Dastaan*, is a Pakistani drama of a young girl named Bano from a close-knit Muslim family living in Ludhiana (in undivided Punjab) in the pre-Partition era. The story revolves around Bano and Hasan as they face their share of trials and turbulence caused by Partition.

The channel claimed that it has suitably edited the programme and removed all such parts which could have been considered sensitive by Indian audiences. The channel stated that wherever necessary, it has used voice-overs to change the narrations and removed all such dialogues wherever Partition is discussed.

The focus of the programme, the channel stated, is not to explore the politics and reasons for Partition but to depict a love story set in the backdrop of Partition. The channel submitted that edited versions of some episodes of the serial have been certified by the Censor Board of Film Certification "as it is", that is, without any further/additional cuts/deletions, as 'U/UA'.

The channel cited the judgment of the Hon'ble Supreme Court in *Ramesh Chotalal Dalal Vs Union of India* (AIR 1988, SC 775) which dealt with a similar subject relating to the serial '*Tamas*', which had depicted Hindu-Muslim riots and Sikh-Muslim tensions during the Partition period. The judgment had held that the Cinematograph Act contains several provisions to ensure that any film, which is likely to offend the religious susceptibilities of the people, is not screened for public exhibition, and that the procedure for grant of certification to a film is quite elaborate and must be given full weight. The judgment also held that the correct approach in judging the effect of exhibition of a film or of reading a book is to judge from the standards of ordinary reasonable man.

This Council considered the channel's contention that the serial *Waqt Ne Kiya Kya Haseen Sitam* is intended to show the beautiful tale of love between Bano and Hasan which has its own share of trials and tribulations.

The channel's representatives appeared before the Council on 22 May 2015 and made their arguments, extended on the basis of the written

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submission. They informed the Council that the channel does not have the right to display the serial over social networking sites like YouTube and what is shown on the Pakistani channel Zindagi is the edited and modified version of the programme suitable for Indian audiences. They also informed that the telecast of the serial had come to an end.

After hearing the submissions of the channel's representatives, this Council makes the following points:

- a) That the Pakistani channel Zindagi airs a host of other women-oriented programmes which are refreshingly different from the normal stable of serials shown on Indian channels;
- b) That through its serials, the channel has usually advocated people-to-people contact and has been successful in creating an atmosphere where art and culture of both the countries co-exist and flourish;
- c) That the Pakistani serial *Waqt Ne Kiya Kya Haseen Sitam*, however, has the potential of causing unrest because the theme seems to be inimical to Indian interests and the serial should not have been shown.

The Council also cautions and directs the channel not to repeat the episodes of the Pakistani serial *Waqt Ne Kiya Kya Haseen Sitam* under any circumstances again.

For & on behalf of
Broadcasting Content Complaints Council


Justice (Retd.) Mukul Mudgal
Chairperson



02 June 2015
New Delhi