

Government of India
Ministry of Information and Broadcasting
Shastri Bhawan, New Delhi-110001

Date- 17th Nov 2019
Camp : Srinagar

Subject: - Transmission of un-authorized channels by some cable operators (LCOs and MSOs) – Action by authorised officers of State Government/UT-reg.

This is to draw your attention to reports of broadcast of unauthorised channels by LCOs/MSOs in the Union Territory of Jammu and Kashmir, which are not permitted by this Ministry for being broadcast into the country.

2. Sub Rule 6(6) of the Cable TV Rules specifies that no cable operator/MSO 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. List of the private satellite TV channels permitted by this ministry is available on the web site of the Ministry at www.mib.gov.in.

3. Transmission or re-transmission of any channel in violation of the Section 5 of the Cable TV Act read with Rule 6(6) by any cable operator is an offence which attracts action against the operators by the authorized officers. As per cable TV Act, if any authorized officer has reasons to believe that various provisions of the Act including the programme code are violated by any operator, he has the following powers to take against that operator;

- (i) Seizure of equipment under Section 11.
- (ii) Punishment for contravention of provisions of the Act under Section 16.

4. As per Section 2 of the cable TV Act, the "authorized officer", within his local limits of jurisdiction means:

- (i) a District Magistrate, or
- (ii) a Sub-divisional Magistrate, or
- (iii) a Commissioner of Police,

and includes any other officer notified in the Official Gazette, by the Central Government or the State Government, to be an authorized officer for such local limits of jurisdiction as may be determined by that Government. Subsequently as per the Gazette Notification number 539 of 7th March 2016, issued by the Ministry of Information & Broadcasting, Additional District Magistrates have also been declared as the Authorised officers.

5. It has come to the notice of this Ministry that some private channels which are not permitted by this Ministry are being transmitted by some cable operators on their networks. This is a clear violation of the sub-rule 6(6) of the Cable TV Rules under Programme code and needs to be acted upon immediately. Reference in this regard is also made to Advisory issued by the Ministry of Information and



Broadcasting to all District Magistrates and MSOs vide letter no. 9/213/2016-DAS dated 8th July, 2016.

6 All MSOs and Cable operators are hereby directed to fully comply with the provisions of the Cable TV Regulations Act, 1995 and the Rules made thereunder and ensure that under no circumstances shall they broadcast any channel which is not authorised by the Central Government under the Act. Failure to comply with these directions would invite penal action by the Central Government and the State Government/UT including withdrawal of license/permission and confiscation of equipment.

7 The UT Administration/District Administration may ensure that no TV channel, which are not permitted, are transmitted in your District by any cable operator. In case of violations, necessary and prompt action must be taken by the authorized officers in the District against the defaulters to stop transmission of these channels.



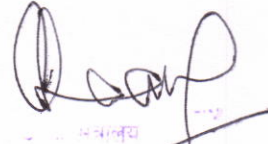
(Vikram Sahay)
Joint Secretary

Ministry of I&E

स.स. सरकार, शोधिका (जम्मू एवं कश्मीर)
Ministry of India, Shriharipur HQ, Srin (J&K)

To
All MSOs and LCOs of Jammu and Kashmir
District Collectors/ Magistrate/Additional District Magistrate, Union Territory, Jammu
& Kashmir

Copy for information to:
Divisional Commissioner, Kashmir/Jammu
PPS to Secretary, MIB
PPS to AS, MIB



Ministry of I&E

स.स. सरकार, शोधिका (जम्मू एवं कश्मीर)
Ministry of India, Shriharipur HQ, Srin (J&K)