

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:3960

ANSWERED ON:20.04.2010

ILLEGAL /UNAUTHORISED TV CHANNELS

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Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government has received complaints that Cable Networks, empowered by a cable service providers license are illegally showing news subterfuged as local highlights;
- (b) if so, the number of such complaints received by the Government during the past five years;
- (c) the details of the action taken by the Government against such illegal channels and their promoters and the number of such illegal cable news showing channels have been taken off air;
- (d) whether the Government has any monitoring mechanism to ensure that these illegal channels do not commence operations;
- (e) if so, the details thereof and if not, the reasons therefor;
- (f) whether cable service providers license is issued by Department of Telecommunications but the cable television networks (Regulation) Act, 1955 is maintained by Information and Broadcasting Ministry leading to an inherent conflict of interest and overlapping of jurisdictions; and
- (g) if so, the corrective measures taken in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI C. M. JATUA)

(a) to (e) : Registered cable operators are providing the local cable channels which also carry news per the provisions of Section 2(g) of the Cable Act. All such channels run by cable operators are, however, required to comply with the provisions of the Cable Act including the programme and advertisement codes. The Government has been receiving complaints from time to time about unauthorized carriage of news by the cable operators and violations of programme and advertisement codes. Since the authorized officer under the Cable Act are competent to take action such complaints as and when received are forwarded to authorized officers for appropriate action. No statistics of such complaints received or action taken by the authorized officers has been maintained. The authorized officers i.e. D.M. or SDM or Commissioner of Police who are responsible for enforcement of provisions of the Cable Act are sufficiently empowered to take action against the cable operator. They have powers to initiate action in case of violations including seizure of equipments of cable operators under Section 11, prohibition of certain programmes or channels under Section 19 and filing of complaints in competent courts for trial of the offence. The Government has also issued an order to the State Governments on 19.2.2009 seeking constitution of District and State Level monitoring committees for monitoring content being transmitted by cable operators. The Government has, from time to time, issued instructions to the State Chief Secretaries for ensuring proper implementation of the provisions of the Cable Act. Last such instructions were issued on 27.1.2010 to the Chief Secretaries of the States in the context of reports of illegal transmission of certain satellite TV channels.

(f) : Section 4 of the Cable Act provides for registration of cable operators. The Government vide its notification S.O. No. 781(E) dated 29.9.1994 has notified Head Post Master of the Head Post Office of the area, within whose territorial jurisdiction the office of cable operator is situated, as the registering authority for registering cable television networks in the said area. There is no inherent conflict of interest and overlapping of jurisdiction in view of the fact that the all legal issues including administrative issues except the registration of cable operator by the above mentioned registering authority are being administered by the Ministry of Information and Broadcasting as per the provisions of the Cable Act.

(g) : Does not arise.