

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

UNSTARRED QUESTION NO:4675
ANSWERED ON:23.04.2013
ILLEGAL TV CHANNELS
Saha Shri Anup Kumar

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

- (a) the details of banned/blacklisted TV channels in the country;
- (b) whether there are several loopholes in the Cable Television Network (Regulation) Act, 1995 that hampers effective regulation of local TV channels/ cable operators, operating/ functioning in the country;
- (c) if so, the details thereof and the reaction of the Government thereto alongwith the number of cases/instances that have come to the notice of the Government regarding telecasting of illegal/banned news and non-news TV channels by such cable operators and the action taken thereon during each of the last three years and the current year, channel and State/UT-wise;
- (d) whether the Government has requested the Telecom Regulatory Authority of India (TRAI) to put in place a comprehensive set of provisions to regulate them and to bring about reforms in the cable TV sector; and
- (e) if so, the details thereof and the recommendations made by TRAI along with the other steps taken by the Government to control/check illegal/ banned news and non-news TV channels operated by the cable operators?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI MANISH TEWARI)

(a): Security agencies had identified a list of foreign channels not permitted for downlinking in India in 2009. Details of these channels are at Annexure.

(b) to (d): The Cable Television Networks Regulation Act, 1995 does not provide a framework for regulation of local or ground based television channels. With a view to bring in place a regulatory mechanism for these channels, the Ministry has sought recommendations of the Telecom Regulatory Authority of India (TRAI) on 17.01.2013. Among other things, recommendations of TRAI have been sought on the following:

Definition of local or ground based channels and their area of operation.

Registering authority and registration mechanism including eligibility requirements, fee, terms and conditions etc.

Monitoring mechanism.

Requirement of security clearance.

Transmission of local channels in the Digital Addressable regime etc.

The Cable Operators are regulated as per the provisions of the Cable Television Networks (Regulation) Act, 1995 and the rules framed thereunder. The Scheme of enforcement envisaged under this Act and Rules is primarily through the authorized officers who are District Magistrate, Sub Divisional Magistrate and the Commissioner of Police of the State Government. Whenever a complaint is brought to the notice of the Ministry, they are sent to the authorized officers. The statistical data in this regard is not centrally monitored.

(e): This Ministry has proposed certain amendments in the Cable Television Networks (Regulation) Act 1995 to address the problem of illegal Telecast of foreign channels. These amendments, inter alia, include making transmission of illegal channels a cognizable offence and enhancing the existing financial penalties in the Act with a view to discourage Cable Operator from transmitting illegal channels. The Cable Television Networks (Regulation) Second Amendment Bill, 2011 containing these amendments was introduced in the Lok Sabha on the 15th of December 2011 and has been referred to the Standing Committee on IT for examination. The Standing Committee has since submitted its report to both Houses of Parliament and the recommendations of the Standing Committee on IT are under examination in the Ministry.