

No. N-45011/38/2020-DAS
Government of India
Ministry of Information and Broadcasting
A Wing, Shastri Bhawan, New Delhi-110001

Date: 27th October, 2022

To

- i) All MSOs/LCOs
- ii) AIDCF

Subject: Stopping distribution of TV Channels namely "Mangalam" and "Whistle TV"-reg.

Sir/Madam,

Ministry of Information and Broadcasting vide its Order No. 1404/53(ii)/2009-TV(I) dated 26/10/2022 (copy enclosed) whereby broadcast of the channels "Mangalam" and "Whistle TV" permitted to M/s G.N. Infomedia Private Limited is prohibited for a period of 30 days w.e.f 26/10/2022 under the extant Policy guidelines for downlinking of Private Satellite TV Channels in India, 2011.

2. Rule 6(6) of the Cable Television Network Rules 1994 specifies that no cable operator 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.

3. In view of the above, all the MSOs/LCOs are directed not to carry the above-mentioned channel on their network during its prohibition period, failing which appropriate/suitable action will be initiated against the defaulter(s) as per the relevant clause(s) of the Cable Television Network (Regulation) Act, 1995 and rules framed thereunder.

Encl: As above.


(Kirti Gupta) 27/10

Under Secretary (DAS)

220

No.1404/53(ii)/2009-TV (I)
Government of India
MINISTRY OF INFORMATION & BROADCASTING
'A' wing, Shastri Bhawan,
New Delhi-110 001

Dated: 26.10.2022

ORDER

The Ministry of Information and Broadcasting vide letter dated 27.10.2010 had granted permission to M/s. **GN Infomedia Private Limited** to Uplink and Downlink a News & Current Affairs TV channel namely '**Mangalam**' and a Non-News and Current Affairs TV channel namely '**Whistle TV**' for a period of 10 years. The permission granted to M/s. G. N. Infomedia Private Limited has already expired on 26.10.2020.

2. Clause 5.4 of Uplinking guidelines 2011, provides that *"The Company shall furnish such information, as may be required by the Ministry of Information & Broadcasting, from time to time."*
3. Clause 5.8 of Uplinking guidelines 2011, provides that *"The company shall ensure its continued eligibility as applicable throughout the period of permission and adhere to all the terms and conditions of the permission, failing which the company will be liable for penalty as specified."*
4. As per **Clause 2.1.2 & 3.1.13** of Policy Guidelines for Uplinking of Television Channels from India, 2005, the required net worth for the aforementioned 02 channels is Rs. 4.50 Crore.
5. The company has to abide by the terms and conditions of permission letter and provisions of Uplinking/downlinking Guidelines at all times.
6. As per this Ministry's Notice no. 1401/06/2016-TV(I) dated 19.12.2016, the company willing to get the permission renewed beyond its initial permission is required to apply for the same 6 months prior to the date of expiry of the permission period.

7. This Ministry vide SCN dated 14.01.2022 informed the company to apply for 10 years renewal for the channel namely, 'Mangalam' and 'Whistle TV'. The company in response to the SCN vide letter dated 19.01.2022 sought extension of time. Accordingly, the company was informed to apply for 10 years renewal latest by 28.02.2022. However, the company did not apply within the prescribed time frame. Therefore, another SCN dated 14.03.2022 was issued to the company. The company in response vide letter dated 28.03.2022 again sought extension of time. Accordingly, the company was informed to apply for 10-years renewal by 31.07.2022 but the company in response to SCN has again sought extension of time. It is mentioned that, the permission of both the TV channels namely, 'Mangalam' & 'Whistle TV' expired on 26.10.2020 and the company to get the permission renewed was required to apply for the same 6 months prior to the date of expiry of the permission period. However, the company has still not applied for 10-year renewal for its two channels despite a considerable lapse of time. The company has therefore violated clause 5.4 & 5.8 of uplinking guidelines, 2011.

8. This Ministry vide letter dated 06.05.2022 had also requested the company to furnish copy of successful transaction (Transaction Ref. No.- 1803220003800) of Bharat Kosh receipt amounting to Rs. 05.00 lakh (as annual fee for downlinking) to this Ministry. However, the company has not submitted the same so far. Therefore, the company has violated clause 5.4 of uplinking guidelines, 2011.

9. As per MGT-7 Form filed by the company for the Financial Year 2018-19, the net worth of the company is Rs. 1.66 Crore, which is not sufficient against the required net worth of Rs. 4.50 Crore. Hence, the company has violated the **Clause 2.1.2 and Clause 3.1.13** of the Uplinking Guidelines, 2005.

10. The TV channel 'Whistle TV' is non-operational. Since there is no provision in uplinking guidelines that permits the channel to remain non-operational, therefore, the company has violated clause 5.8 of uplinking guidelines, 2011.

11. NOW THEREFORE, **M/s. G.N. Infomedia Private Limited** is found to be in contravention of Clause 2.1.2, 3.1.13, 5.4 & 5.8 of uplinking Guidelines. Accordingly, the telecast of the TV channels 'Manglam' and 'Whistle TV' is prohibited for a period of 30 days with immediate effect with the direction to the company to pay outstanding dues and fulfil regulatory compliances as mentioned at para 7-9 above failing which further action will be taken. However, if the company applies for 10-years renewal for the two channels and takes necessary step to remove the other violations of the policy guidelines for uplinking of TV channels, 2011, during the period of prohibition, the permission to the channel may be considered for restoration.

Vijay Kaushik
26/10/2022
(Vijay Kaushik)

Under Secretary to the Government of India
Tele # 23073134

To,

- (i) **The Managing Director**
M/s G. N. Infomedia Pvt. Ltd.
903, 9th Floor, Inderparkash Building
Bhrakhamba Road, Connaught Place,
New Delhi-110001
- (ii) **The Managing Director**
M/s. G. N. Infomedia Pvt. Ltd.
26/12, 23/13 Mangalam Building,
Aristo Junction, Thampanoor,
Thiruvananthapuram
Kerala- 695001

Copy to:-

- I. M/s Indiasign Private Limited, A-49, Hartron Complex, Electronic City, Sector 18, Gurugram, Haryana 122015 **for necessary action and sending compliance report for the same to this Ministry.**
- II. Electronic Media Monitoring Center (EMMC), 10th Floor, Soochna Bhawan, CGO Complex, Lodhi Road, New Delhi **for necessary action and sending compliance report for the same to this Ministry.**
- III. Network Operations Control Centre, Sh, A. K. Choubey, Department of telecom, Room No. 214, 2nd floor, Eastern Court Complex, Janpath, New Delhi-110001.

9/17

- IV. Wireless Adviser, WPC Wing, Room No. 501, Ministry of Communications, Sanchar Bhawan, New Delhi.
- V. Director (BP&L), Room No. 663, 6th floor, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi for directing DTH operators for stopping the distribution of the above stated channel.
- VI. Deputy Secretary (DAS), Room No. 132, 1st floor, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi for directing MSOs for stopping the distribution of the above state channel.

Vijay Kaushik
26/10/2022

(Vijay Kaushik)

Under Secretary to Govt. of India

Tel: 23386199

Copy is also enclosed to the following DTH operators for immediately stopping the distribution of TV channel namely "HOPE TV" which is running with unauthorized logo.

- I. Managing Director, M/s. Dish TV India Limited, FC-19, Sector- 16A, Film City, Noida, Uttar Pradesh. -mail ID- pawan_r@dishtv.in
- II. Managing Director, M/s. Independent TV Limited, 3rd floor, B-Wing, Reliance Center, Maharaja Ranjit Singh Marg, New Delhi- 110002, E-mail ID arun.s.bhardwaj@relianceada.com, vinay.kwatra@independenttv.in
- III. Managing Director, M/s. Bharti Telemedia Limited, Airtel Center, Plot No. 16, 6th floor, Udyog Vihar, Phase-IV, Gurugaon, Haryana- 122015, Email ID- daneshwar.dubey@airtel.com, tarun.chitkara@airtel.com
- IV. Managing Director, M/s. Sun Direct TV Private Limited, Murasoli Maran Towers, 73, MRC Nagar, Main Road, Chennai, Tamil Nadu- 600028, Email ID- girish.v@sundirect.in, girishvarghese@gmail.com
- V. Managing Director, M/s. Tata Sky Limited, Regional office North, Mandi Road, Chhattarpur, New Delhi, Email ID- joby.george@tatasky.com

Vijay Kaushik
26/10/2022

(Vijay Kaushik)

Under Secretary to Govt. of India

Tel: 23386199