

File Number N-45006/1/2021-DAS
GOVERNMENT OF INDIA
Ministry of Information & Broadcasting

“A” Wing, Shastri Bhawan
New Delhi, Delhi – 110001

Dated the 23rd November, 2021

ORDER

Whereas, this Ministry (Ministry of Information & Broadcasting) had granted provisional registration of Multi-System Operator (MSO) to M/s Bhusawal Cable Network Pvt. Ltd. for operating as MSO in Digital Address System in the State of Maharashtra and Madhya Pradesh as notified vide Notification Number 2534 (E) dated 11.11.2011 under Cable Television Networks (Amendment) Rules, 2021 vide its communication number 9/111/2014-BP&L dated 04.11.2015;

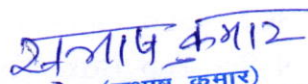
2. And whereas, M/s Bhusawal Cable Network Pvt. Ltd. was subsequently given PAN India registration of MSO vide this Ministry's Circular Number 2/108/2015-DAS dated 27.01.2017 and subsequently treated to have a regular registration of MSO vide this Ministry's Office Memorandum Number 9/406/2016-DAS dated 06.03.2017;

3. And whereas, registration of MSO granted to M/s Bhusawal Cable Network Pvt. Ltd. by this Ministry was subject to adherence and compliance of certain terms and conditions;

4. And whereas, clause 4 (i) of the terms and conditions of registration of MSO granted to M/s Bhusawal Cable Network Pvt. Ltd. bound it to comply with all the provisions of the Cable Television Networks (Regulation) Act, 1995 and the Rules made thereunder, as amended from time to time;

5. And whereas clause 4 (ii) of the terms and conditions of registration of MSO granted to M/s Bhusawal Cable Network Pvt. Ltd. provided that it should abide by the rules/regulations/orders/directions/guidelines etcetera issued by the regulatory authority or by this Ministry from time to time;

6. And whereas, clause 6 of the terms and conditions of registration of MSO granted to M/s Bhusawal Cable Network Pvt. Ltd. cautioned it beforehand that it should ensure its continued eligibility as applicable throughout the period of the


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permission and adhere to all the terms and conditions, failing which its permission shall be liable to be terminated/cancelled forthwith without giving any notice;

7. And whereas, pursuant to a complaint received in this Ministry against M/s Bhusawal Cable Network Pvt. Ltd. regarding taking feed from DD Free dish and re-transmitting on its network, the Ministry requested the authorized officer (AO) concerned prescribed under the Cable Television Networks (Regulation) Act, 1995 to inquire into the matter and submit his report to this Ministry;

8. And whereas, the AO vide his report dated 20/09/2021 has confirmed the use of DD Free Dish by M/s Bhusawal Cable Network Pvt. Ltd. for re-transmission of certain mandatory and private satellite channels with incontrovertible video evidence, establishing violation of Section 8 of the Cable Television Networks (Regulation) Act, 1995 read with Appendix thereto and Rule 6 (3) of the Cable Television Networks Rules, 1994;

9. And whereas, this Ministry, nevertheless, gave opportunity to M/s Bhusawal Cable Network Pvt. Ltd. by serving it a show cause notice dated 24.09.2021, demanding for an explanation as to why non-compliance of the terms and conditions laid down in its MSO registration should not entail terminated/cancellation of its registration;

10. And whereas, M/s Bhusawal Cable Network Pvt. Ltd. vide its reply dated 25/09/2021 and 29/09/2021 failed to give any satisfactory reply with documentary support in favour of its denial of all the charges levelled against it and it rather blamed its competitor trying to oust it of business.

11. And whereas, this Ministry, gave final opportunity to M/s Bhusawal Cable Network Pvt. Ltd. on 07/10/2021, for submitting its reply on facts and merits and also provided BCN with an option to watch the video recording in Collector Jalgaon's office;

12. And whereas, M/s Bhusawal Cable Network Pvt. Ltd. availed the opportunity to watch the video recording on 09/11/2021 and submitted its reply to this Ministry on 12/11/2021. M/s Bhusawal Cable Network Pvt. Ltd. in its reply while casting doubt on genuineness of the video recording, however, failed to provide any evidence to counter the same. The video recording clearly shows the presence of DD Free Dish Logo and 'BCN' logo simultaneously on the output screens of certain channels from BCN Set Top Box. There is no reason to disbelieve or doubt the genuineness of video recording as the same has been reported by the responsible government officer authorized under the Cable

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