

FORM 1

**Application form for permission to
(i) set up uplinking hub/ teleports, (ii) uplink TV Channels (both News & Current Affairs and Non-News & Current Affairs) and (iii) uplink to news agencies.
(One original and four identical copies to be submitted).**

The Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, 'A' Wing,
New Delhi-110 001.

Subject: Application for permission to
(Please mention the purpose of application).

Sir,

I hereby submit the following details in support of the eligibility as prescribed in the guidelines for uplinking, in addition to other particulars:

1. i) Name of Applicant Company: _____
- ii) Particulars of the Directors (starting with CEO/MD):

Sl no	Name/ Parentage	Date of Birth	Nationality	Passport Details, If Any	Position held	Address

(Any change in Board of Directors prior to issue of permission to be informed immediately to the Ministry. The company would have to obtain prior permission from the Ministry in case of change of Directors, after issue of permission.)

2. i) Address (Office)
 - (a) Head Office
 - (b) Regional Office

- ii) Telephone Number (s)
FAX:
e-mail:
- iii) Registration details (enclose Memorandum & Articles of Association)

3. Structure of Equity Capital

i) Authorised share capital: Rs. _____

ii) Paid up share capital: Rs. _____

4. Share-Holding pattern: (Enclose details as per Annexure)

i) Direct investment

(a) Indian _____%

(b) Foreign _____%

Break-up of Foreign Direct Investment

Individual.....%

Company.....%

NRI.....%

OCB.....%

PIO.....%

ii) Portfolio Investments

(a) Indian.....%

(b) Foreign.....%

Break-up of Foreign portfolio Investment

FII's

NRI's

OCB's

PIO's

iii) Total foreign equity in the company (Direct & Indirect)

(Indicate the detailed calculation, including indirect foreign equity as per clause 3.1.3 and enclose SHP of all investing companies.)

5. (i) Net worth:

(Enclose a copy of the audited balance sheet and Profit & Loss Account for the immediate preceding year and certificate of Net Worth on the basis of these documents by a Chartered Accountant **as per format enclosed, in case the networth certificate is on a date different from end of the financial year, it should be supported by certified balance sheet from the statutory auditor on the date of such certification.**)

(ii) Source of funding:

(Enclose a copy of the project report with all technical details, **flow of funds** and source of funding.)

6. Field of activity:

7. (i) Details of transponder(s) for uplinking and downlinking:

Name of satellite(s) proposed to be hired	Orbital location	Type and No. of transponder(s) with bandwidth	Signal strength in primary zone over India	Name of the Company from which the satellite/transponder is to be leased	Uplink & downlink frequencies.

(Enclose lease Agreement & footprint of each satellite proposed to be hired)

(ii) In case of foreign satellite, the **detailed** reasons for not using the capacity on Indian satellite **may be enclosed**.

Additional details in case of application for a teleport.

8. Details of teleport

i) Location of teleport

ii) Capacity of teleport (Proposed)

- (a) No. of channels:
- (b) No. of satellites:
- (c) No. of proposed earth stations constituting teleport
- (d) Approximate date for commissioning the teleport
- (e) Antenna size of the teleport, EIRP

Additional details in case of application for uplinking a TV channel. (For both Non-News & Current Affairs and News & Current Affairs)

9. Details of uplinking hub (Teleport)
- a) Name and address of the company providing the Teleport for uplinking.
 - b) Location of teleport
 - c) Antenna size of teleport, EIRP
 - d) Permission details of the teleport, status of its operationalisation and period of agreement with the Teleport Service Provider .

(Enclose a copy of the agreement with the Teleport Service Provider, in case of a Third Party Teleport.)

10. Number & name of channel (s) to be uplinked indicating the proposed date of commencement of uplinking from proposed hub/ teleports.

Sl.No.	Name of the Channel	Language	Digital or Analog	Free to Air or Encrypted	Proposed date of commencement of uplinking

11. Whether declaration in Form 1A and 1B or 1C enclosed. (Yes/No) and also mention the details.

[Please note that declaration in Form 1A& 1B are required in the case of a News & Current affairs TV channel, whereas declaration in Form 1A & 1C are to be furnished for a Non-news & current affairs TV channel.]

Additional details in case of application for a News & Current Affairs TV Channel.

12. Particulars of the News Editor(s), authority(ies)/body(ies) exercising editorial control over news & current affairs

<i>Sl no</i>	<i>Name/ Parentage</i>	<i>Date Of Birth</i>	Nationality	<i>Passport Details, If Any</i>	Position held	Address

(Any change in the news editor prior to the issue of permission will have to be informed immediately to the Ministry. The company would seek prior clearance from the Ministry in case of such change, after issue of permission.)

13. Whether the representation on the Board of Directors are proportionate to the shareholding in the company ----- (Yes/ No)

If not, the reasons thereof:

14. PIB accreditation details (enclose certificate)

15. Whether company conforms to Clause (C) of the eligibility criteria (Yes/ No)

(Enclose documents in support of compliance and a certificate to this effect by a Chartered Accountant.)

16. Disclosures about shareholders agreements, loan agreements and such other agreements that are finalized or are proposed to be entered into. (Enclose all the documents):

Additional details in case of application for uplinking to news agencies.

17. PIB accreditation details (enclose certificate)

18. Is the news agency 100% owned by Indians, if so, enclose shareholding pattern with details as per Annexure.

19. Give details of equipment for distribution of news material

- (i) SNG,
- (ii) DSNG,
- (iii) Permanent Earth Station

20. Give details of the equipment to be used for collecting news material

- (i) SNG,
- (ii) DSNG

21. Location(s) at which news gathering/distribution equipment to be installed.

I/We, _____ the applicant(s) do hereby declare that the above facts are correct in all respects.

Place :

(Signature of Applicant)
[Authorized Signatory of the Company]

Date :

Name

Office Address:

Seal

List of Enclosures attached with the Application

Please tick against the following documents enclosed with the application (as applicable):

- (1) Memorandum & Article of Association [point 2(iii).
- (2) Shareholding Pattern as per Table 1 for Applicant Company & Table 2 for investing companies [point 4].
- (3) Calculation Sheet for Foreign Equity in the company (Direct & Indirect) [point 4(iii)] with copy of FIPB approval.
- (4) Audited Balance sheet and Profit & Loss Account for the immediate preceding financial year and Certificate of Net Worth (as per enclosed format with notes) by a Chartered Accountant on the basis of these documents [point 5(i)].
 - (4.1) In case the networth certificate is on a date different from end of the financial year, it should be supported by certified balance sheet from the statutory auditor on the date of such certification.
 - (4.2) In case shares have been allotted on basis of valuation of a property / equipment, then valuation certificate from an approved valuer should also be enclosed.
- (5) Satellite lease agreement and details of footprint [point 7].
- (6) Project Report [point 5(ii)].
- (7) Copy of the agreement with the Teleport Service Provider, in case of a third party teleport [point 9].
- (8) PIB Accreditation Certificate [point 14].
- (9) Certificate by a Chartered Account with all the supporting document in compliance to Clause (C) [point 15].
- (10) Shareholding and Loan Agreements, if any [point 16].
- (11) Affidavits in Form 1A & 1B or 1C point 11].
- (12) Any other:

Place : (Signature of Applicant)

Date : Name

Office Address:

[All pages of the application to be page numbered in reverse order (last page to be numbered 1 and certified by authorised signatory of the company with seal)]

[Note: In case of non furnishing of complete information, the application is liable to be rejected and returned to the company forthwith.]

ANNEXURE TO FORM 1.

**FORMAT FOR SHAREHOLDING PATTERN TO BE FURNISHED ALONG
WITH APPLICATION**

TABLE-1

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SHAREHOLDING PATTERN OF APPLICANT COMPANY

M/s _____ AS ON _____

FACE VALUE OF THE SHARE RS. _____

S.No.	Category of Shareholders.	Share Holding			
		Direct Investment		Portfolio Investment	
		No. of Shares	% of total paid up shares	No. of Shares	% of total paid up shares
1.	Indian individual				
2.	Indian company				
3.	Foreign individual				
4.	Foreign company				
5.	NRI				
6.	OCB				
7.	FII				
8.	PIO				
9.	Any other				

(i) For Indian company (ies), information as per proforma in Table-2 also to be supplied for each company.

(ii) Complete break-up of number of shares of the applicant company held by each Indian company should also be provided.

(iii) In case of FDI enclose copy of FIPB approval.

TABLE-2

DETAILS OF SHAREHOLDING PATTERN OF EACH INDIAN COMPANY HOLDING SHARE IN THE APPLICANT COMPANY AS IN SERIAL NO.2 IN COLUMN (1) OF TABLE-1

i) SHAREHOLDING PATTERN OF COMPANY

M/s _____ AS ON _____

FACE VALUE OF THE SHARE RS. _____

S.No.	Category of Shareholders.	Share Holding			
		Direct Investment		Portfolio Investment	
		No. of Shares	% of total paid up shares	No. of Shares	% of total paid up shares
1.	Indian individual				
2.	Indian company				
3.	Foreign individual				
4.	Foreign company				
5.	NRI				
6.	OCB				
7.	FII				
8.	PIO				
9.	Any other				

ii) - Do -

iii) - Do -

Note: Repeat same information about each Indian company holding share in the applicant company.

FORM-1A

**AFFIDAVIT/UNDERTAKING
(on Rs 20 Stamp Paper & Notarized)**

WHEREAS I, Shri S/o Shri _____ in the capacity of(designation) have applied to the Ministry of Information & Broadcasting on behalf of M/s.....for approval/permission for uplinking of TV channel From (place).

WHEREAS as a condition precedent to above approval/permission, I am required to abide by the Programme & Advertising Codes prescribed under the cable Television Network (Regulation) Act, 1995 and the rules passed thereunder.

WHEREAS I have read the abovementioned Programme & Advertising Codes.

WHEREAS I understand that the permission/approval so granted can be withdrawn, if I fail to abide by the said Programme & Advertising Codes.

Now, therefore, I hereby undertake as follows:

- i) I undertake to abide by the Programme & Advertising Codes laid down by the Ministry of Information & Broadcasting, Government of India from time to time.
- ii) I undertake to furnish periodic information relating to public complaints, programme contents and any other information in respect of above-mentioned TV channels as may be laid down/asked for by the Ministry of Information & Broadcasting from time to time.
- iii) I undertake to provide the necessary equipment and facility for continuous monitoring of the broadcaster service at my own cost and preserve the recordings of broadcasting materials for a period of 3 months from the date of broadcast and produce the same to Ministry of Information & Broadcasting or to its authorized representative as and when required.

Signature

Name
Designation

Seal of Company

Place :

Date :

FORM-1B [for news & current affairs TV channels]

AFFIDAVIT/UNDERTAKING
(on Rs 100 Stamp Paper & Notarized)

WHEREAS M/s _____ have applied to the Ministry of Information & Broadcasting for approval/permission for uplinking of a TV channel _____.

WHEREAS information have been provided in Form 1 supported by affidavit in Form 1A and declarations in Table I and Table II.

WHEREAS I understand that the information given in the application and in Form 1A, 1B and Table I and Table II form a composite part of this permission.

I do hereby undertake that I will abide by all the terms and conditions applicable to uplinking of News & Currents Affairs TV Channels at all times.

For and on behalf of
M/s _____

Company Secretary.
Seal of the Company

Date:
Place:

FORM- 1C

AFFIDAVIT/UNDERTAKING

[For Non-News & Current Affairs TV Channel]
(on Rs 100 Stamp Paper & Notarized)

WHEREAS M/s.-----have applied to the Ministry of Information & Broadcasting for approval/permission for uplinking of a TV channel -----.

WHEREAS information have been provided in Form 1 supported by affidavit in Form 1A and declarations in Table I and Table II along with other related documents (i.e. Memorandum and Articles of Association, project report, satellite lease agreement, etc.)

WHEREAS we understand that the information given in the application and in Form 1A 1C and Table I & II and other related documents form a composite part of this permission.

We submit that the channel is purely an entertainment channel and does not have any news or current affairs based programme.

We hereby undertake that in accordance with the guidelines for uplinking of TV channels, we will seek fresh permission from the Govt., should there be a change in the Programme content of the channel to include news/current affairs along with a change in the ownership pattern to include any element of foreign equity/management control and that prior information of any such proposed change shall be given to the Government.

We also undertake to supply information, in the format as prescribed by the Govt. from time to time.

For and on behalf of
M/s.-----

Authorized Signatory
Seal of the Company

Date :
Place:

Format for the Certificate of Net Worth by the Statutory Auditors

We have audited the Books of Accounts of M/s. _____ for the financial year ended March 31,20__/ period ended dd/mm/year and certify that the Net Worth of M/s. _____ as on March 31,20__/as at dd/mm/year is Rs. _____ (Rupees in words _____)

We further certify that the Networth of M/s. _____ (Name of the company) is computed as follows.

Sl.No.	Particulars	Amount in Rs.lacs
1.	Book Value of assets	
2.	Book value of fictitious and intangible assets	
3.	Liabilities other than owner's funds	
4.	Net Worth {1-(2+3)}	

Notes

1. “**Net Worth**” has been defined in the Companies Act under section 2(29A) as follows. ‘net worth means the sum total of the paid-up capital and free reserves after deducting the provisions or expenses as may be prescribed. Explanation for the purpose of this clause, “free reserves” means all reserves created out of the profits and share premium account but *does not include reserve created out of revaluation of assets, write back of depreciation, provisions and amalgamations.*

2. Networkth

The excess of the book value of assets (other than fictitious assets) of an enterprise over its liabilities.

“Book value of assets”

The amount at which an item appears in the books of account or financial statements. It does not refer to any particular basis on which the amount is determined. Eg. Cost, replacement value etc.

“Fictitious Assets”

Items grouped under the assets in a balance sheet which has no real value (eg. The debit balance of the profit and loss account)

“Liabilities”

The financial obligation of an enterprise other than owner's funds.

Owner's funds means paid-up capital and free reserves

Explanation for the purpose of this clause, “free reserves” means all reserves created out of the profits and share premium account but does not include reserve created out of revaluation of assets, write back of depreciation provisions and amalgamations.

(This note should not be deleted from the certificate submitted)