

File Number N-45011/38/2020-DAS

GOVERNMENT OF INDIA

Ministry of Information & Broadcasting

Dr Rajendra Prasad Road, Shastri Bhawan
New Delhi, Delhi – 110 001

Dated 8 June 2021


To

- I) All MSOs/LCOs
- II) AIDCF

Subject: Prohibition of broadcasting one Non-News and Current Affairs TV Channel
"HOPE TV" from 09.06.2021 to 08.07.2021.

The undersigned is directed to enclose a copy of this Ministry's Order Number 1601/33/2008-TV (I) dated 08.06.2021 whereby broadcast of the channel "HOPE TV" permitted to M/s Noida Software Technology Park Limited (NSTPL) is prohibited for a period of 30 days from 09.06.2021 (00:00 hours midnight) to 08.07.2021 (00:00 hours midnight) under the extant Policy guidelines for uplinking and downlinking of Private Satellite TV Channels in India, 2011.

2. 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.


(Vijay Sachdeva)

Under Secretary to the Government of India

Copy to

- 1. Director (BC)
- 2. US (TV-I)

No. 1601/33/2008-TV (I)
Government of India
Ministry of Information and Broadcasting
'A' Wing, Shastri Bhawan
New Delhi-110001

Dated: 8th June, 2021

ORDER

Whereas, Ministry of Information and Broadcasting granted permission to M/s. Noida Software Technology Park Limited (NSTPL) for downlinking of one Non-News and Current Affairs TV Channel, namely, "HOPE TV" on 11.11.2009 under the policy guidelines for Downlinking, 2005. The permission was further renewed upto 10.11.2024 vide this Ministry's letter dated 01.03.2017 under the policy guidelines, 2011.

2. Whereas, company has to abide by the terms and condition of permission letter and provisions of policy guidelines of downlinking of private satellite TV channels amended from time to time by this Ministry.

3. Whereas, policy guidelines, 2011 for downlinking of TV channels stipulates as under:

3.1. Whereas, Clause 4.2.2 & 4.2.3 of policy guidelines downlinking of TV channels provide that, "The company shall pay a permission fee at the rate of Rs. 15 lakhs per channel per annum for uplinking from abroad and after being held eligible, the applicant company shall pay the permission fee for the first year before the issuance of permission. The succeeding year's permission fee will have to be deposited 60 days before such fee becomes due."

3.2. Whereas, Clause 5.13 of Policy Guidelines for Downlinking provides that "The company shall furnish such information, as may be required by the Ministry of Information & Broadcasting, from time to time."

3.3. Whereas, Clause 5.5 of Policy Guidelines for Downlinking provides that "the applicant company shall obtain prior approval of the Ministry of Information and Broadcasting before undertaking any upgradation, expansion or any other changes in the downlinking and distribution system/network configuration."

3.4. Whereas, Clause 9 of the downlinking guidelines contains necessary provisions for renewal of permission/registration of downlinking permission.

4. Whereas, this Ministry issued a Show Cause Notice No. 1601/13/2007-TV (I) dated 27.08.2020 to M/s. Noida Software Technology Park Ltd. which inter-alia mentioned use of unauthorized logo i.e. Hope channel India (instead of Hope Channel). However, the company had not furnished reply of the Show Cause Notice. Another Show Cause Notice dated 20.10.2020 was again issued to the company which inter-alia mentioned the use of unauthorized logo for "Hope TV". However, the company failed to furnish reply to the said show cause notice.

5. Whereas, this Ministry vide letter of even number dated 24.12.2020 has requested the company to furnish evidence for valid exclusive marketing/rights for the territory of India, in respect of "Hope TV" and also furnish clarifications regarding use of unauthorized logo of "Hope TV". The company was also requested to deposit annual permission fee for only downlinking TV channels "Hope TV" for the period from 22.12.2020 to 21.12.2021. However, this Ministry has not received any response from the company so far. Therefore, the company has violated Clauses 4.2.2, 4.2.3, and 5.13 of the Policy Guidelines for Downlinking of TV channels.

6. Whereas, the company was asked to show cause, within 15 days, vide this Ministry's final notice dated 11.05.2021 as to why the permission of downlinking for the TV channel namely, "Hope TV" should not be cancelled for using of unauthorized logo and non-deposition of outstanding fee for the period from 22.12.2020 to 21.12.2021. However, the company did not reply. Hence, the company has violated the Clause 5.5 of downlinking guidelines.

7. Now, therefore, broadcast of the channel "HOPE TV" permitted to M/s. Noida Software Technology Park Limited is prohibited for a period of 30 days from 09.06.2021 (00:00 hrs. midnight) to 08.07.2021 (00:00 hrs. midnight) under the extant Policy Guidelines for uplinking and downlinking of Private Satellite TV Channels in India, 2011. The company is directed to remove the unauthorized logo and pay the outstanding dues of Rs. 15 lakhs as annual permission fee under intimation to this Ministry and submit Bharat Kosh receipts. The company is further directed to submit copy of valid distribution partner agreement with M/s. Adventist Television Network, USA to downlink and distribute the channel for viewing in the territory of India beyond the period 30.07.2014.

8. In the event the company fails to address the defaults mentioned at para 7 above, within a period of 30 days, further punitive action may be initiated against the company.

Vijay Kaushik
(Vijay Kaushik)

Under Secretary to the Govt. of India
Tel: 23386199

To,

The Managing Director,
M/s. Noida Software Technology Park Limited
M/s. Scindia Villa, Sarojani Nagar,
Ring Road, New Delhi-110023
E-mail ID- sales@nstpl.co.in

Copy to: -

- I. 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.
- II. 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.
- III. Ministry of External Affairs, Joint Secretary (AMS Division), South Block, New Delhi-110001, E-mail ID- jsams@mea.gov.in
- IV. Network Operations Control Centre, Sh. A.K Choubey. DDG (NOCC), Dept. Of Telecom, Room No. 214, 2nd Floor, Eastern Court Complex, Janpath, New Delhi-110001
- V. Director, SATCOM-PO, Satellite & Communication & Navigation Programme Office, ISRO Headquarters, Antariksh Bhawan, New Bel Road, Bangalore-560094
- VI. ADG, EMMC, 10th floor, Soochna Bhawan, CGO Complex, Lodhi Road, New Delhi-for monitoring the above stated channels and sending report to this Ministry.
- VII. Director (IS-I), Sh. Mukesh Mangal, Ministry of Home Affairs, North Block, New Delhi.
- VIII. Deputy Director (Security), Sh. A.S. Purty, Ministry of Home Affairs, North Block, New Delhi

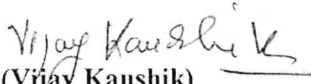
Vijay Kaushik
(Vijay Kaushik)

Under Secretary to the Government of India

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

- 93
- 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)

Under Secretary to the Government of India