

Government of India
Ministry of Information and Broadcasting
'A' Wing, Shastri Bhawan, New Delhi- 110001

No. 1503/21/2017-TV(I)

Dated: 9th November, 2022

ORDER

In pursuance of the Cabinet decision taken on 28th September, 2022 regarding amendments in the Policy Guidelines for Uplinking and Downlinking of Television Channels, the "Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022" is enclosed herewith.

Encl: As above.


(Sanjiv Shankar)
Joint Secretary to the Government of India
Tel: 23384453

Copy to:

1. Cabinet Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi
2. Prime Minister's Office, South Block, New Delhi
3. Secretary, Department of Economic Affairs, Ministry of Finance, North Block, New Delhi
4. Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi
5. Secretary, Department of Expenditure, Ministry of Finance, North Block, New Delhi
6. Secretary, Ministry of Home Affairs, North Block, New Delhi
7. Secretary, Department of Legal Affairs, Shastri Bhawan, New Delhi
8. Secretary, Department of Telecommunications, Sanchar Bhawan, New Delhi
9. Secretary, Ministry of External Affairs, New Delhi
10. Secretary, Ministry of Corporate Affairs, Shastri Bhawan, New Delhi
11. Secretary, Department of Space, Antariksh Bhawan, New BEL Road, Bengaluru - 560231
12. Secretary, Telecom Regulatory Authority of India (TRAI), New Delhi
13. Niti Aayog, New Delhi
14. All Broadcasters through the Broadcast Seva Portal.

No.1503/21/2017-TV(I)
Government of India
Ministry of Information and Broadcasting
Broadcasting Wing

New Delhi, dated the 9th November, 2022

**POLICY GUIDELINES FOR UPLINKING AND DOWNLINKING OF
TELEVISION CHANNELS**

PART I

PRELIMINARY

1 Short title, extent and commencement – (1) These may be called the Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022 (hereinafter referred to as Guidelines).

(2) It extends to the whole of India.

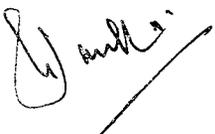
(3) It shall come into effect from 9th November, 2022.

2. Definitions – In these Guidelines, unless the context otherwise requires, -

- (a) ‘Broadcast Seva’ means the online portal of the Ministry for receiving, processing and transmitting applications and communication received therein, for making communication with applicants, Government organizations and other persons;
- (b) ‘company’ means a company as defined under the Companies Act, 2013 (18 of 2013);
- (c) ‘designated partner’ means a person as defined in clause (j) of section 2 of the Limited Liability Partnership Act, 2008 (6 of 2009);
- (d) ‘devotional channel’ means a TV channel, which predominantly broadcasts devotional/spiritual/yoga content, as identified by the Ministry;
- (e) ‘Director’ of a company means a Managing Director, Wholtime/ Executive Director but does not include an Independent Director, as mentioned in Chapter XI of the Companies Act, 2013 (18 of 2013);



- (f) 'DSNG/SNG' means Digital Satellite News Gathering and refers to a satellite based electronic technology/equipment that allows a TV channel/Teleport/Teleport hub to broadcast from remote locations outside of a TV studio;
- (g) 'ENG' services means Electronic News Gathering and refers to electronic technologies that allows a TV Channel/Teleport/Teleport Hub/news reporter to broadcast from remote locations outside the TV studio using cellular network/internet/leased line or any other medium/equipment (including bag pack), other than by DSNG/SNG;
- (h) 'financial year' in relation to any company or body corporate, means the period ending on the 31st day of March every year, and where it has been incorporated on or after the 1st day of January of a year, the period ending on the 31st day of March of the following year, in respect whereof financial statement of the company or body corporate is made up;
- (i) 'key managerial personnel' means a person defined under sub-section (51) of section 2 of the Companies Act, 2013;
- (j) 'LLP' means a Limited Liability Partnership registered under the Limited Liability Partnership Act, 2008 (6 of 2009)
- (k) 'Ministry' means the Ministry of Information & Broadcasting, Government of India;
- (l) 'national channel' means a TV channel other than a regional channel or a devotional channel;
- (m) 'News channel' means a private satellite TV channel which predominantly telecasts news and current affairs content programmes;
- (n) 'Non-news channel' means a private satellite TV channel other than a news channel;
- (o) 'NOCC' means Network Operations Control Centre, Department of Telecommunications;
- (p) 'Non-operational channel' means a channel whose signal is not being uplinked and/ or downlinked in India for a continuous period of sixty days, other than for reasons of suspension by the Ministry;
- (q) 'programme code' means the Programme Code laid down under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder;



- (r) 'regional channel' means a TV channel, not being a devotional channel, which is broadcast in an Indian language, other than English or Hindi language;
- (s) 'Shareholding pattern' means the number of equity shares of a company held by different investors;
- (t) 'Teleport' means an earth station facility from where multiple TV channels carrying audio, video content can be uplinked to a geostationary satellite on permitted frequency band, with due approval of WPC;
- (u) 'Teleport Hub' means set-up of teleports for uplinking of TV channels where multiple antennas are installed for different satellites, and for each antenna for each satellite, Wireless Operating License from WPC is required to be obtained;
- (v) 'WPC' means Wireless Planning and Coordination, Department of Telecommunications;
- (w) "Working journalist" shall have the same meaning as assigned to it under the Occupational Safety, Health and Working Conditions Code, 2020.

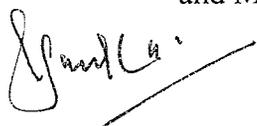
PART II

TELEPORT/TELEPORT HUB

3. Furnishing of Application – (1) A company or an LLP may apply online on Broadcast Seva on payment of processing fees specified in **Appendix I** for setting up a Teleport/teleport hub subject to fulfillment of the following conditions:

- (a) It has a minimum net worth of an amount specified in **Appendix II** as on the closing day of the financial year immediately preceding the year in which the application is made, as reflected in its Audited/unaudited Balance Sheet of that financial year;
- (b) Foreign Direct Investment in the company/LLP is in accordance with the Foreign Direct Investment (FDI) Policy of the Government of India, as notified by the Department for Promotion of Industry and Internal Trade (DPIIT), from time to time;

(2) The online application shall be processed from the view point of eligibility conditions, and shall be subjected to clearance and approval by the Department of Space and Ministry of Home Affairs (MHA).



(3) If considered necessary, for reasons to be recorded in writing, the Ministry may cause inspection of the physical premise/location, to ascertain the veracity of the claims made in the application.

4. Grant of permission – (1) The Ministry shall, preferably within 30 days of receiving clearance and approval of Ministry of Home Affairs and other authorities, and after satisfying itself that the applicant company/LLP is fit for grant of permission, issue a Letter of Intent (LOI) requesting the company/LLP to pay the permission fees for the first year, furnish the Performance Bank Guarantee (PBG) as mentioned in **Appendix III** and Security Deposit as mentioned in **Appendix IV** within the stipulated period.

(2) After making the payment of the first year permission fee and furnishing the PBG and Security Deposit, the Ministry shall, preferably within 15 days of receipt of such payment and furnishing of the PBG, grant permission for ten years by an order in writing, to the company/LLP for setting up the teleport.

(3) The Grant of permission to a company/LLP under sub-para (1) shall be subject to the following conditions:

- (a) It signs an agreement titled 'Grant of Permission Agreement' with the Ministry;
- (b) It pays the annual permission fees as stipulated in **Appendix I**, along with interest for late payment, for the time period for which permission is granted
- (c) It pays the applicable fees/ royalty to the WPC for use of spectrum and abide by all the terms and conditions laid down for the purpose by the Department of Space and WPC;
- (d) It uplinks from the permitted teleport only those TV channels which have been permitted/ approved by the Ministry, and stops uplinking a TV channel as soon as permission/ approval for such channel is withdrawn or suspended by the Ministry, or on specific order of the Ministry to stop such uplinking for such time period as may be specified in that order;
- (e) It follows the roll out obligation with regard to operationalization of the teleport as laid down in **Appendix III**.

(4) The Ministry may, for reasons to be recorded in writing, refuse to grant permission.

Provided that every such refusal shall be communicated to the company/LLP along with reasons for refusal.

(5) The Company/LLP shall as soon as the teleport becomes operational, inform the Ministry regarding its operational status.



5. Renewal of permission- (1) A company/ LLP which is given permission under para 4 may apply for renewal of permission at least three months prior to the end of the month in which the initial permission is due to expire, on the Broadcast Seva portal on payment of processing fees specified in **Appendix I**.

(2) The permission for renewal will be for a period of ten years and shall be subject to conditions similar to that required for permission under paras 3 and 4.

PART III

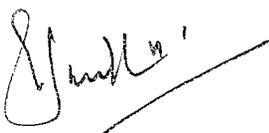
UPLINKING OF TELEVISION CHANNEL

6. Furnishing of Application – (1) A company or an LLP may apply online on Broadcast Seva on payment of processing fees specified in **Appendix I**, separately for uplinking a news TV channel and uplinking a non-news TV channel from a teleport (s) and satellite (s), as may be specified in the application, subject to fulfillment of the following conditions:

- (a) It has a minimum net worth of an amount specified in **Appendix II** as on the closing day of the financial year immediately preceding the year in which the application is made, as reflected in its Audited/ unaudited Balance Sheet of that financial year;
- (b) It furnishes, along with the application, the proposed name and logo of the channel along with the Trade Marks Registration certificate regarding the ownership of the name and logo, or the application furnished for such certificate.

Provided that if the proposed name and logo are not owned or applied for by the company/LLP, then a No Objection Certificate (NOC) from the registered trademark owner, or from a person who has been using the trademark in any class for a continuous period of at least one year immediately prior to the date of NOC and has made an application for registration of the trademark in the relevant class for broadcast, shall be furnished by the company/LLP.

- (c) It fulfills all the terms and conditions laid down in the Foreign Direct Investment (FDI) Policy of the Government of India, as notified by the Department for Promotion of Industry and Internal Trade (DPIIT), from time to time;
- (d) It makes disclosure in its application of all its Shareholders, Loan Agreements and such other Agreements that are finalized.



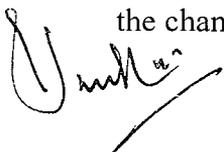
- (e) It intimates the names, address and details of a person, not being resident of India, who are proposed to be inducted in the Board of Directors of the company.
- (f) It discloses the name, address and details of any foreigner/ NRI to be employed/ engaged in the company/LLP either as a Consultant or by any other designation for more than 60 days in a year, or, as a regular employee.
- (g) Majority of the Directors on the Board of Directors of the company and key managerial personnel and editorial staff of the entity are resident Indians.
- (h) The company/ LLP has complete management control, operational independence and control over its resources and assets and must have adequate financial strength to operate the channel;
- (i) In respect of a news and current affairs channel, the management and control of the applicant company/LLP shall be in Indian hands and its Chief Executive Officer (CEO), and/ or Head of the channel known by any designation, shall be a resident Indian.

(2) The online application shall be processed from the standpoint of eligibility conditions, and shall be subject to clearance and approval by the Department of Space and Ministry of Home Affairs, and wherever considered necessary, by other authorities.

(3) If considered necessary, for reasons to be recorded in writing, the Ministry may cause inspection of the physical premise/location, to ascertain the veracity of the claims made in the application.

7. Grant of permission – (1) The Ministry shall, preferably within 30 days of receiving clearance and approval of Ministry of Home Affairs and other authorities, and after satisfying itself that the applicant company/LLP is fit for grant of permission, issue a Letter of Intent (LOI), requesting the company/LLP to pay the permission fees for the first year, furnish the Performance Bank Guarantee (PBG) as specified in **Appendix III** and Security Deposit as mentioned in **Appendix IV** within the stipulated period.

(2) After making the payment of the first year permission fee and furnishing the PBG and Security Deposit, the Ministry shall, preferably within 15 days of receipt of such payment and furnishing of the PBG, grant permission by an order in writing, to the company/LLP for uplinking of the channel for ten years from end of the month in which the channel becomes operational.



(3) The Grant of permission to a company/LLP under sub-para (2) shall be subject to the following conditions :

- (a) It pays the annual permission fees as stipulated in **Appendix I**, along with interest for late payment, for the time period for which permission is granted;
- (b) It follows the roll out obligation with regard to operationalization of the TV channel as laid down in **Appendix III**.
- (c) It complies with the special conditions laid down in para 8.

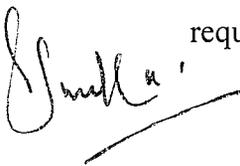
(4) The Ministry may, for reasons to be recorded in writing, refuse to grant permission.

Provided that every such refusal shall be communicated to the company/ LLP along with reasons for refusal.

(5) The company/ LLP shall, on operationalisation of the TV channel, inform the Ministry regarding the operational status and provide all its technical parameters to the Ministry or its specified agency.

8. Special conditions for uplinking a satellite TV channel – (1) The company/LLP which is granted permission to uplink a TV channel under para 7 shall, in addition to the conditions laid down therein, also comply with the following:-

- (a) Uplinking may be done in the Frequency Band specified by the applicant, after due approval of the Ministry and other concerned authorities, subject to the further condition that uplinking in any band (other than C band) shall only be in encrypted mode;
- (b) Adherence to the Programme & Advertising Codes, as laid down in the Cable Television Networks (Regulation) Act, 1995 and the Rules framed there under.
- (c) Adherence to any other Code/ Standards, guidelines/ restrictions prescribed by the Ministry for regulation of content on TV channels from time to time.
- (d) Keep record of the content uplinked for a period of 90 days and produce the same before any agency of the Government, as and when required.
- (e) Furnish such information, as may be required by the Ministry of Information & Broadcasting from time to time.
- (f) Provide necessary monitoring facility, at its own cost, for monitoring of programmes or their content by the representatives of the Ministry of Information & Broadcasting or any other Government agency as and when required.



(g) The terms and conditions laid down by Department of Space and WPC Wing, Ministry of Communications including payment of applicable fees/royalty to WPC Wing for use of spectrum.

(2) The Ministry may, for reasons to be recorded in writing, inspect the physical facilities of satellite TV channel, and verify its facilities and documents, and the company/LLP shall allow such inspection.

9. Renewal of permission – (1) A company/ LLP which is given permission under para 7 may apply, for renewal of permission at least three months prior to the end of the month in which the initial permission is due to expire, online on the Broadcast Seva portal on payment of processing fees specified in **Appendix 1**.

(2) The permission for renewal will be for a period of ten years and shall be subject to conditions similar to that required for a permission under paras 6, 7 and 8 and to the further condition that the channel is not found guilty of violation of terms and conditions of permission, including the violation of Programme Code or Advertisement Code on five or more occasions during the period of permission.

PART IV

DOWNLINKING OF A SATELLITE TV CHANNEL

10. Furnishing of Application – (1) A company or an LLP may apply online on the Broadcast Seva on payment of processing fees specified in **Appendix I** for downlinking a TV channel, subject to fulfillment of the following conditions:

- (i) It has a minimum net worth of an amount specified in **Appendix II** as on the closing day of the financial year immediately preceding the year in which the application is made, as reflected in its Audited/unaudited Balance Sheet of that financial year;
- (ii) It has a commercial presence in India with its principal place of business in India;
- (iii) It must either own the channel, or must enjoy, for the territory of India, exclusive marketing/ distribution rights for the same, inclusive of the rights to the advertising and subscription revenues for the channel and must submit proof at the time of application.

Provided that where the company/LLP has exclusive marketing/ distribution rights, it should also have and habitually exercise in India, an authority to

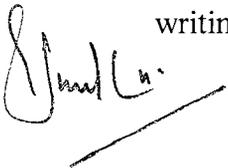


conclude contracts on behalf of the owner of the channel or habitually conclude contracts or habitually play the principal role leading to conclusion of contracts by the owner of the channel and contracts are –

- a) In the name of the owner of the channel; or
 - b) For the transfer of the ownership of, or for the granting of the right to use, property owned by the owner of the channel or that the owner of the channel has the right to use; or
 - c) For the provision of services by the owner of the channel.
- (iv) It fulfills all the terms and conditions laid down in the Foreign Direct Investment (FDI) Policy of the Government of India, as notified by the Department for Promotion of Industry and Internal Trade (DPIIT), from time to time;
 - (v) It provides names and details of all the Directors of the Company and its Key managerial personnel;
 - (vi) It furnishes technical details such as Nomenclature, Make, Model, Name and Address of the Manufacturers of the equipments/ instruments to be used for downlinking and distribution, the Block schematic diagram of the downlinking and distribution system and also demonstrate the facilities for monitoring and storing record for 90days.
 - (vii) It has not been disqualified from holding such permission under these Guidelines, or the Guidelines of 2011 or of 2005 relating to downlinking of TV channels;
 - (viii) The downlinked channel must be licensed or permitted for being broadcast by the regulatory or licensing authority of the country of transmission, proof of which would have to be submitted at the time of application.

(2) The online application shall be processed from the standpoint of eligibility conditions, and shall be subject to clearance and approval by the Ministry of Home Affairs, and wherever considered necessary, of other authorities.

11. Grant of permission – (1) The Ministry shall, preferably within 30 days of receiving clearance and approval of Ministry of Home Affairs and other authorities, and after satisfying itself that the proposed channel is suitable for public viewing in India and the applicant company/LLP is fit for approval, grant permission by an order in writing, to the company/LLP for downlinking a TV channel.

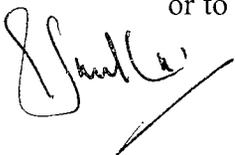


(2) Permission under this para for downlinking a channel, which is uplinked from other countries, shall be for ten years from end of the month in which the permission is issued.

Provided that in respect of a TV channel that has been uplinked from India, the permission for downlinking will be co-terminus with the permission for uplinking of the TV channel granted under para 7.

(3) The Grant of permission to a company/ LLP shall be subject to the following conditions:

- (a) It pays the Annual permission fees from the year in which the TV channel becomes operational, of an amount specified in **Appendix I**, including interest on late payment of the fees, as specified in **Appendix I**, and operationalises the channel within one year of the permission. It shall also furnish Security Deposit as mentioned in **Appendix IV** within specified period.
- (b) The company/LLP seeking permission to downlink channels, uplinked from other countries, into India under these guidelines shall also pay a one time registration fee of an amount as specified in **Appendix I** at the time of grant of permission, and where such a channel is a news and current affairs channel, such channel (i) is not designed specifically for Indian audience; (ii) is a standard international channel; and (iii) is permitted to be telecast in the country of its uplinking by the regulatory authority of that country;
- (c) It shall comply with the Programme and Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995.
- (d) It shall ensure compliance to the provisions of Sports Broadcasting Signals (Mandatory sharing with Prasar Bharati) Act, 2007 (11 of 2007) and the Rules, Guidelines, Notifications issued thereunder;
- (e) It shall adhere to any other Code/ Standards, guidelines/ restrictions prescribed by the Ministry for regulation of content on TV channels from time to time.
- (f) It shall provide Satellite TV Channel signal reception decoders to MSOs/Cable Operators registered under the Cable Television Networks (Regulation) Act 1995 or to a DTH operator registered under the DTH guidelines issued by Government

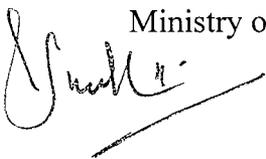


of India or to an Internet Protocol Television (IPTV) Service Provider duly permitted under their existing Telecom License or authorized by Department of Telecommunications or to a HITS operator duly permitted under the policy guidelines for HITS operators issued by the Ministry;

- (g) It shall obtain prior approval of the Ministry before undertaking any upgradation, expansion or other changes in the downlinking and distribution system/network configuration.
 - (h) It shall ensure that any of its channels, which is unregistered or prohibited from being telecast or transmitted or re-transmitted in India, under the Cable Television Networks (Regulation) Act 1995 or the DTH guidelines or any other law for the time being in force, cannot be received in India through encryption or any other means.
 - (i) It shall adhere to the norms, rules and regulations prescribed by any regulatory authority set up to regulate and monitor the broadcast services in the country.
 - (j) It shall keep a record of programmes downlinked for a period of 90 days and produce the same before any agency of the Central Government as and when required.
 - (k) It shall provide the necessary monitoring facility at its own cost for monitoring of programmes or content by the representative of the Ministry or any Central Government agency, as and when required.
 - (l) In the event of any war, calamity/national security concerns, the Central Government shall have the power to prohibit for a specified period the downlinking/ reception/ transmission and re-transmission of any or all channels.
- (4) The Ministry may, for reasons to be recorded in writing, refuse to grant permission.

Provided that every such refusal shall be communicated to the company/LLP along with reasons for refusal.

- (5) The company/LLP shall, on operationalization of the TV channel, inform the Ministry regarding the operational status and provide all its technical parameters to the Ministry or its specified agency.



12. Renewal of permission – (1) A company/ LLP which is granted permission under para 11 may apply for renewal of permission, at least three months prior to the end of the month in which the initial permission is expiring, online on the Broadcast Seva portal on payment of processing fees specified in **Appendix I**.

(2) The permission for renewal shall be for a period of ten years and shall be subject to conditions similar to that required for a permission under para 11, and to the further condition that the channel is not found guilty of violation of terms and conditions of permission, including the violation of Programme Code or Advertisement Code on five or more occasions during the period of permission.

PART V

NEWS AGENCY

13. Furnishing of Application – (1) A company or an LLP may apply online on the Broadcast Seva on payment of processing fees specified in **Appendix I** for setting up a news agency for being uplinked to a TV channel subject to fulfillment of the following conditions:

- (a) The company/ LLP has working journalists employed by it who are accredited with the Press Information Bureau (PIB) on behalf of the company/LLP;
- (b) Foreign Direct Investment in the company/LLP is in accordance with the Foreign Direct Investment (FDI) Policy of the Government of India, as notified by the Department for Promotion of Industry and Internal Trade (DPIIT), from time to time;
- (c) The control and management of the company/LLP shall be in Indian hands.

(2) The online application shall be processed from the standpoint of eligibility conditions.

14. Grant of permission – (1) The Ministry shall, preferably within one month of receiving clearance/approval of the Ministry of Home Affairs and after satisfying itself that the company/ LLP is fit for approval, grant permission, by an order in writing, to the company/ LLP for a news agency for five financial years from end of the month in which the permission is granted.



(2) The Grant of permission to a company/ LLP under sub-para (1) shall be subject to the following conditions:

- (a) The company/ LLP shall use uplinking for news-gathering and its further distribution to other news agencies/broadcasters only.
- (b) The company shall not uplink TV programmes/channels for direct reception by public.
- (c) The company/ LLP shall abide by the terms and conditions laid down by Department of Space and WPC Wing, Ministry of Communications including payment of applicable fees/royalty to WPC Wing for use of spectrum.
- (d) The Company/LLP continues to have accreditation of PIB during the period of permission,

Provided that if at any time the company/LLP ceases to have PIB accreditation, the permission to the news agency under these Guidelines shall be cancelled forthwith.

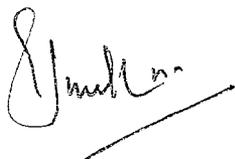
(3) The permission granted to a news agency may be renewed for a period of five years, on application made by the company/ LLP on the Broadcast Seva portal on payment of the processing fees specified in **Appendix I**, subject to fulfilment of the usual conditions for grant of initial permission.

PART VI

PURCHASE AND HIRING OF DSNG/SNG EQUIPMENT

15. Purchase and use of DSNG/SNG equipment – (1) The following entities are eligible for purchase of DSNG/ SNG equipment and its use after due permission of the Ministry:

- (i) Company/ LLP having permission of the Ministry for operating a teleport, for the period of such permission;

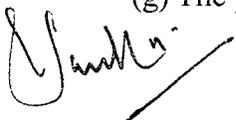


- (ii) Company/ LLP having permission of the Ministry for uplinking a news channel, for the period of such permission;
- (iii) Company/ LLP having permission by the Ministry of a news agency, for the period of such permission

(2) An entity referred to in sub-para (1) may, for the purpose of seeking permission for purchase of a SNG/ DSNG equipment, apply online on the Broadcast Seva portal along with documents specified therein on payment of processing fee as specified in **Appendix I.**

(3) The Ministry shall, after satisfying itself that the application is in order and the proposal is otherwise fit for approval, preferably within 15 days of the receipt of the application, grant permission to the entity for purchase of the equipment, subject to the following conditions:

- (a) The DSNG/SNG signals should only be transmitted to the permitted teleport of the permission holder and uplinked for broadcasting through permitted satellite through that teleport only.
- (b) The company/ LLP shall follow the roll out obligations as specified in **Appendix III.**
- (c) The use of DSNG/ SNG would be permitted only in those areas/regions/States which are not specifically prohibited by Ministry of Home Affairs.
- (d) The company/ LLP would submit the purchase documents of DSNG/SNG terminals and inform the Ministry about placement of these terminals at the various locations.
- (e) The company/LLP permitted to use DSNG/SNG shall apply to WPC for frequency authorization.
- (f) The permitted company/LLP shall maintain a daily record of the location and the events which have been covered and uplinked by DSNG/SNG terminals and down linked at their main satellite earth station and produce the same before the licensing authority or its authorized representative, which will include officers of Ministry of Home Affairs, as and when required.
- (g) The permitted company/LLP shall not enter defence installations.



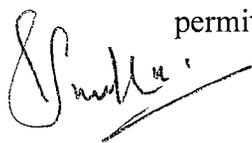
- (h) The equipment should not be taken in the areas cordoned off from security point of view.
- (i) The company/LLP/channel desiring to use DSNG/SNG would give an undertaking that it would be used for live newsgathering and footage collection for captive use only.
- (j) Violations of any of the aforementioned terms and conditions would lead to revocation/ cancellation of the permission to use the DSNG/SNG.
- (k) The permitting authority may modify the conditions laid down or incorporate new conditions, as and when considered necessary.
- (l) The permitted company/ LLP shall abide by the terms and conditions laid down by Department of Space and WPC Wing, Ministry of Communications including payment of applicable fees/royalty to WPC Wing for use of spectrum.
- (m) The permitted company/LLP will provide a suitable hardware and software solution to the agency specified by the Ministry to view live, the location of all permitted DSNG/ SNG/ ENG terminals.

16. Use of DSNG/SNG Equipment – (1) The use of DSNG/SNG would be permitted to News and Current Affairs channels uplinked from India for live news/ footage collection and point-to-point transmission.

(2) A News agency having permission under para 14 can use DSNG/SNG for collection/ transmission of news/ footage.

(3) A company/LLP having a permitted non-news channel which is uplinked from its own permitted teleport, can use DSNG/SNG equipment for their approved channels, for transfer of video feeds to the permitted teleport.

(4) Only teleport operators/ channel owners permitted by the Ministry and Doordarshan may hire SNG/ DSNG equipment/ infrastructure to other broadcasters who are permitted to uplink from India.



(5) The uplinking should be carried in encrypted mode, so as to be receivable only in closed user group. The signal should only be downlinked at the permitted teleport of the licensee and uplinked for broadcasting through permitted satellite through that teleport only.

(6) Any unauthorised usage/ hiring of DSNG/SNG, either by a non-permitted entity or by a permitted channel owner shall be deemed to be a violation under these Guidelines.

(7) A non-news or a foreign channel may use the services of a permitted DSNG/SNG equipment for the purposes mentioned in Part VII of the Guidelines.

PART VII

LIVE COVERAGE OF EVENTS

17. Live telecast by a news and current affairs channel- (1) A news channel which is given permission under these Guidelines may uplink content by using the SNG/DSNG equipment permitted to it, or by hiring such equipment from any other permitted entity, and shall register such hiring of the equipment with the Ministry on the Broadcast Seva.

(2) A News channel may also use an ENG service for uplinking content, and shall register such service with the Ministry on the Broadcast Seva.

18. Live uplinking of an event by a non-news and current affairs channel: (1) A permitted non-news and current affairs channel may, for the purpose of uplinking an event Live in/from India, register itself online on the Broadcast Seva on payment of such fees as specified in **Appendix I**, at least 15 days preceding the first date of a live event, and furnishing such details and documents as may be specified in the application, including the following :

(a) Date, time, venue and name of the event;



- (b) channel's/ teleport's willingness to broadcast/ uplink the proposed programme/ event;
- (c) due authorization of the event owner along with specific dates and timings of the proposed programme/ event.
- (d) A valid WPC license issued to the teleport operator, where a DSNG/SNG equipment or any such technology is used requiring WPC license.
- (e) Where an ENG service is used, detailed specifications thereof.

Provided that if a non-news channel uplinks an event Live without registering itself, it would be liable for penal action under the Guidelines.

Provided further that a non-news channel shall not telecast any event Live which is in contravention of the Programme Code laid down in the Cable Television Network Rules, 1994.

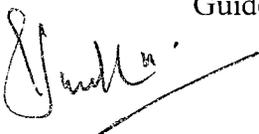
(2) Registration on Broadcast Seva under sub-para (1) will enable the company/LLP to seek approval/NOC of other concerned authorities for broadcasting the event live, and no separate permission need be granted by the Ministry.

(3) Decision as to whether the event being uplinked Live is of the nature of news and current affairs or not will be that of the Ministry and shall be binding on the entity.

(4) The company/ LLP shall abide by the terms and conditions laid down by Department of Space and WPC Wing, Ministry of Communications including payment of applicable fees/royalty to WPC Wing for use of spectrum.

19. Uplinking of Live event by a Foreign channel: (1) A Foreign channel/entity may be granted permission up to 12 months at a time for Live uplinking of an event from time to time through a pre-designated permitted teleport, by way of an application made in this behalf online on the Broadcast Seva Portal, subject to the following conditions:

- a) The applicant has a binding agreement with a teleport permitted under these Guidelines for the period of permission.



- b) The applicant pays a processing fee of ₹ one lakh per day of Live telecast.
- c) The news/footage so uplinked shall be primarily for the usage abroad by the foreign channel/news agency and shall not be broadcast in India without downlinking permission and registration of the channel.

(2) Permission under sub-para (1) shall be subject to approval by the Ministry of External Affairs and Ministry of Home Affairs.

PART VIII

CHANGE OF NAME & LOGO/SATELLITE/ TELEPORT/OPERATIONAL STATUS

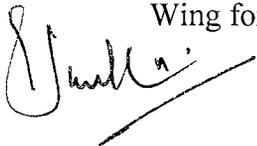
20. Name and logo of a TV Channel – (1) A company/ LLP shall display on the permitted TV channel only that name and logo which has been approved by the Ministry.

Provided that display of name/ logo other than that permitted or display of dual logo would be treated as a violation of the Guidelines inviting penal action.

(2) A company/ LLP may apply for change of name and logo to the Ministry online on the Broadcast Seva portal by payment of processing fees specified in **Appendix I**, along with the requisite documents.

(3) The Ministry shall, preferably within 15 days of receipt of the application, grant permission for the change applied for, after being satisfied that the application is in order in all respects.

(4) The permitted company/ LLP shall pay the applicable amendment fees to WPC Wing for amending the Wireless Operating License.



21. Change of satellite/ teleport: (1) The company/ LLP having permission for uplinking a channel shall apply for change of satellite/ teleport on the Broadcast Seva portal by payment of processing fees specified in **Appendix I**, along with a valid agreement with the satellite/ teleport service provider.

(2) The application shall be transmitted online on the portal to the Department of Space for its processing.

(3) The Ministry shall, preferably within 15 days of receiving clearance to the proposed change from the Department of Space, grant permission to the company/LLP for the proposed change.

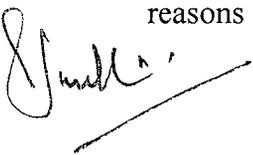
(4) In respect of change in satellite or teleport of the downlinked channel the company/LLP having permission for downlinking the channel may furnish an intimation of change on the Broadcast Seva portal.

22 Intimation for change of language, mode of transmission, etc. (1) A company/LLP having permission under the Guidelines for uplinking/downlinking a channel may furnish intimation on the Broadcast Seva to the Ministry for the following:

- (a) Change in language of transmission;
- (b) Change in mode of transmission;
- (c) Change in address and such other relevant particulars of the company/LLP
- (d) Resignation of a Director/Designated Partner/Chief Executive Officer

23. Operational Status of a permitted TV Channel – (1) A TV channel is required to remain operational during the currency of the permission.

(2) Where a TV channel is unable to remain operational for a continuous period of more than 60 days, the company/LLP shall inform the Ministry of the status along with reasons for the channel remaining non-operational.



Provided that failure to inform the Ministry regarding non-operational status of a channel beyond a continuous period of 60 days will be deemed to be a violation under the Guidelines.

Provided further that the channel shall not remain non-operational for a continuous period exceeding 90 days.

PART IX

PENALTIES FOR VIOLATION

24. Consequences of violation of Programme and Advertisement Codes – (1) Where a channel is found to have broadcast a content which is in violation of the Programme Code and Advertising Code under the Cable Television Networks Regulation Act, 1995, it shall be liable for penal action, including one or more of the following:

- i. Advisory, to be communicated in writing to the entity;
- ii. Warning, to be communicated in writing to the entity;
- iii. An apology scroll, to be run on the channel;
- iv. A statement of apology to be read out by the Director/CEO of the entity on the channel;
- v. Directing the channel to be off-air for specified number of hours/days;
- vi. Suspension/revocation of permission

(2) For the purpose of sub-para (1), the Ministry shall take action under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder.

25. Consequences of violation of other terms and conditions : (1) Where a permission holder is found to be violating any of the terms and conditions of the permission or any other provisions of these guidelines, other than violation referred to in para 24 (1), the Ministry shall have the right to take action, as under:

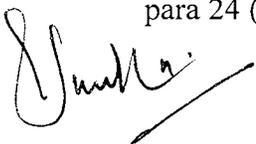


TABLE : ACTION FOR VIOLATION

Sl. No.	Violation	Penal Action for violation
(i)	Delay in intimation regarding change in shareholding pattern of the company	Warning
(ii)	Appointment of a Chief Executive Officer or Director/Designated Partner without prior permission of the Ministry	Warning, with the condition that the Chief Executive Officer or Director shall not function in that capacity till such time the appointment is approved by the Ministry.
(iii)	Non-removal of Chief Executive Officer or Director/Designated Partner who has been denied security clearance	Prohibition of broadcast up to 30 days; suspension of permission in case of continued default
(iv)	Showing dual logo/ logo or name not permitted by the Ministry	Order directing removal of the dual logo/unpermitted logo; Prohibition of broadcast for up to 30 days for non-compliance
(v)	Not maintaining the stipulated net worth for at least two consecutive financial years	Warning
(vi)	In respect of a channel, for being non-operational continuously for more than 60 (but less than 90) days, without intimating the Ministry.	Warning
(vii)	In respect of a channel, for being non-operational for a continuous period exceeding 90 days	Suspension; revocation of permission for continued default
(viii)	Non-payment of annual permission fees beyond a period of one year from the due date	Prohibition of broadcast up to 30 days; Suspension of channel for continued default

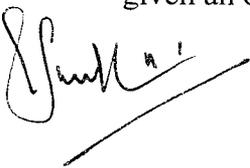
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(ix)	Non-registration for telecast of a Live event by a non-news and current affairs channel	Warning and/or stoppage of live broadcast; Prohibition of broadcast upto 10 days, debarment from live broadcast for a period upto six months;
(x)	Telecast of an event Live by a non-news channel, content of which is in contravention of the Programme Code	Stoppage of live broadcast; prohibition of broadcast upto 10 days
(xi)	Usage of non-permitted SNG/DSNG equipment	Prohibition of broadcast upto 30 days; Suspension/cancellation of permission for continued default
(xii)	Transfer of a channel without permission of the Ministry	Suspension/cancellation of permission
(xiii)	Uplinking of a non-permitted / suspended / cancelled TV channel by a teleport Operator	Forfeiture of Security Deposit. The teleport would be required to furnish fresh Security Deposit as mentioned in Appendix IV within 15 days of forfeiture; Suspension/cancellation of permission for continued default

(2) In case of continued default of any one or more of the violations specified in the aforementioned table, the Ministry may impose a higher degree of penal action.

(3) Contravention of any of the terms and conditions of permission, other than those specified in sub-para (1), may invite one or more of the penal action mentioned in sub-para (1) having regard to the nature and gravity of contravention.

(4) No penal action shall be taken under this para, unless the company/LLP has been given an opportunity of being heard.



26. Powers of the Central Government : (1) In exercise of the powers conferred under section 20 of the Cable Television (Networks) Regulation Act, 1995, the Central Government may, by order, regulate or prohibit the operation of any programme or channel, and the company/LLP shall immediately comply with any such order.

(2) The Ministry shall have the right to suspend the permission of a channel for a specified period or cancel its permission in public interest or in the interest of national security to prevent its misuse, including where the company/LLP is found to have misused the permission by authorizing or enabling or contracting out to any other person the operations or other core functions/activities of the channel through any explicit or implicit agreement or arrangement, or there is a substantive change in ownership of the company/LLP leading to complete change in management and control over the company/LLP without prior permission of the Ministry, and the company or the LLP shall immediately comply with such directives.

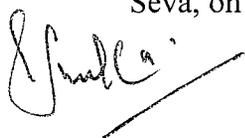
(3) Where a permitted channel or a teleport or a DSNG/SNG is found to be used for transmitting or uplinking any objectionable unauthorized content, messages, or communication inconsistent with public interest or national security, or fails to comply with the directives referred to in this para, the permission granted shall be revoked and the company/LLP may be disqualified to hold any such permission for a period of five years, apart from the punishment under other applicable laws.

(4) The Central Government may, from time to time, issue general advisory for adherence to the Programme Code and Advertising Code and the various provisions of the Cable Television Network (Regulation) Act, 1995 and Rules made there under, and such other advisory in relation to the Guidelines, and the channel shall comply with such advisory.

PART X

MISCELLANEOUS

27. Change of category of a channel - (1) Where a permission holder intends to change the category of the channel, from non-news and current affairs to news and current affairs or *vice-versa*, it may apply for the same to the Ministry on the Broadcast Seva, on payment of the requisite fee as in **Appendix I**.



(2) The Ministry shall process the application from the viewpoint of eligibility and other conditions and grant permission for change of category, specifying the conditions of such permission, preferably within 30 days of the receipt of such application and receiving clearance or No Objection from the Ministry of Home Affairs, wherever required.

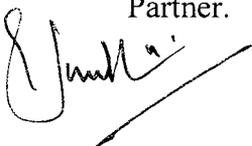
28. Appointment of a new Chief Executive Officer/Director – (1) A company/ LLP having permission under these Guidelines shall not appoint a new person as a Chief Executive Officer (by whatever name called), Director or Designated Partner, without prior approval of the Ministry.

Provided that in case of a company having only two Directors or of a LLP having only two Designated Partners, the new Director or Designated partner may be appointed, and intimation sent to the Ministry along with all details required for security clearance by the Ministry of Home Affairs (MHA) within 15 days of such appointment, under the condition that in the event that security clearance is denied by MHA, such person shall be removed forthwith from the post of Director or Designated partner, as the case may be, by the permission holder.

(2) For the purpose of appointing a person as a Chief Executive Officer or Director/Designated Partner, the company/LLP shall furnish all relevant details to the Ministry for enabling it to seek security clearance from the Ministry of Home Affairs.

(3) The Ministry of Information and Broadcasting shall convey its permission to the company/LLP, preferably within 7 days of receiving clearance from the Ministry of Home Affairs, and upon such conveyance, the person may be appointed as Chief Executive Officer or, Director/Designated Partner.

Provided that where the Ministry of Home Affairs denies security clearance, such person shall not be appointed as a Chief Executive Officer or Director/Designated Partner.

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29. Intimation regarding change in shareholding pattern and Foreign Direct Investment – (1) Subject to the provisions of para 26(2), a company/ LLP having permission under these Guidelines shall, within 30 days of change of its shareholding pattern or partnership pattern or FDI pattern, intimate the same to the Ministry, along with details of the revised pattern and names/details of all the investors/partners in requisite proforma on Broadcast Seva.

Explanation: Change in shareholding/partnership pattern shall include change involving 10% or more in the equity holding/partnership share by any individual or an entity.

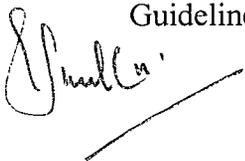
(2) Every change in the FDI pattern has to conform to the FDI Policy of the Government of India, including, wherever required, prior approval of the Central Government.

30. Furnishing of information and documents - The Ministry may, from time to time, call for such information and documents from the company/LLP as it may require for implementation of the Guidelines.

31. Remittance of foreign exchange – (1) Where a company/ LLP is required to remit foreign exchange under the RBI Instructions to a foreign entity for transaction relating to permission under these Guidelines, it may seek permission of the Ministry by applying online on Broadcast Seva.

(2) Every such application shall be processed by the Ministry in accordance with the extant Instructions of the Reserve Bank of India and permission granted accordingly.

32. Transfer of Permission of a Television Channel or teleport – (1) A TV Channel or a teleport may be transferred by a company/LLP, granted permission under these Guidelines, to another company/LLP only with prior approval of the Ministry.



(2) Transfer under sub-para (1) shall be permitted only under the following situations:

- (a) merger/demerger/amalgamation is duly approved by the Court/Tribunal in accordance with the provisions of the Companies Act, 2013 or the Limited Liability Act, 2008, and the company/ LLP files a copy of the order of the Court/Tribunal sanctioning the said scheme;
- (b) transfer of business or undertaking in accordance with the provisions of applicable law, and the company/ LLP files a copy of the agreement/ arrangement executed between itself and the transferee company/LLP;
- (c) transfer within Group Company, and the company files an undertaking stating that the transfer is within the Group Companies.

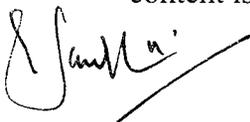
Explanation 1: "Group Company" in relation to a company means a company, which is under the same management and/or has the same promoters as the other company or over which that other company exercises significant influence or control and shall also include an associate company, subsidiary company, holding company or a joint venture company.

Explanation 2 : For the purpose of this clause significant influence means control of at least 20% of the total paid up share capital or having the right to appoint at least one third of the Board of Directors by way of agreement or otherwise.

(3) The transfer of channel shall be subject to fulfillment of following conditions:

- (a) The new entity is eligible as per the eligibility criteria under these Guidelines, including the net worth and the entity and its Directors/Designated Partners are security cleared.
- (b) The new entity undertakes to comply with all the terms and conditions of permission so granted.
- (c) There shall be lock-in period of one year from the date of operationalization of a channel, during which the channel cannot be transferred to another unrelated entity.

33. Television channels for viewing only in foreign Countries – (1) A TV channel operating in India and uplinked from India but meant only for foreign viewership is required to ensure compliance of the rules and regulations of the country for which content is being produced and uplinked.



Provided that the uplinked content should not contain anything which is against the sovereignty, integrity and national security of India as well as its friendly relations with other countries, and for monitoring purposes the channel shall preserve record of the content for a minimum period of 90 days.

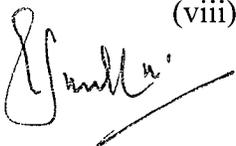
(2) A channel owned by a foreign company/ entity may be allowed to uplink its content for being downlinked and viewed outside India by using the facility of a permitted teleport operator by way of an online application on Broadcast Seva furnished on its behalf by the concerned teleport operator.

Provided that permission for use of such facility shall be granted only after clearance from Ministry of Home Affairs, Ministry of External Affairs and Department of Space.

34. Mandatory technical and operational requirements – In respect of uplinking of satellite TV channels/ Teleports/ DSNG/ SNG, technical and operational requirements will be in accordance with the extant Indian Standards as published by Telecommunication Engineering Centre (TEC), Department of Telecommunications, Ministry of Communications and the permission holder may inform the Ministry regarding change in technical parameters such as satellite transponder, frequency bands, polarization, etc. during the permitted period of operation.

35. Obligation of public service broadcasting – (1) As airwaves/frequencies are public property and need to be used in the best interest of the society, a company/LLP having permission under these guidelines for uplinking a channel and its downlinking in India (other than foreign channels only downlinked in India) may undertake public service broadcasting for a minimum period of 30 minutes in a day on themes of national importance and of social relevance, including the following, namely –

- (i) education and spread of literacy;
- (ii) agriculture and rural development;
- (iii) health and family welfare;
- (iv) science and technology;
- (v) welfare of women;
- (vi) welfare of the weaker sections of the society;
- (vii) protection of environment and of cultural heritage; and
- (viii) national integration



(2) The channels may, for the purpose, appropriately modulate their content to fulfil the obligation referred to in sub-para (1), except where it may not be feasible, such as in the case of sports channels, etc.

(3) The Central Government may, from time to time, issue general advisory to the channels for telecast of content in national interest, and the channel shall comply with the same.

36. Applicability of the Guideline on existing permissions - The various terms and conditions laid down in this Guideline shall automatically apply to all permissions and approvals granted by this Ministry under the 'Policy Guidelines for Uplinking of Television Channels' and 'Policy Guidelines for Downlinking of Television Channels' dated 5th December, 2011, and the Guidelines of 2005, and all new permissions/renewals will be governed by this Guideline.

37. Residual Clause - For any other permission/ matter related to uplinking and downlinking of satellite TV channels, news agencies, DSNGs/SNGs and teleports not specifically mentioned in the guidelines, or for removal of any difficulty in implementing these Guidelines, Secretary, Ministry of Information & Broadcasting, shall be the competent authority.



(Sanjiv Shankar)

Joint Secretary to the Government of India

Tele # 23387823#

Appendix I to Guidelines

I. Processing Fee

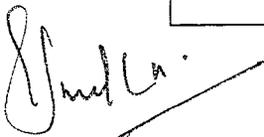
Applicant company/LLP shall pay processing fee as under:

Sr. No.	Type of Permission	Amount of fee (in ₹)
1.	Teleport	Ten Thousand
2.	TV Channel	Ten Thousand
3.	News Agency	Ten Thousand
4.	Change of category of a channel	Ten Thousand
5.	Change of satellite/teleport	Ten Thousand
6.	Purchase of DSNG/SNG equipment	Ten Thousand
7.	Renewal of permission of channel/teleport/news agency	Ten Thousand
8.	Change of name/logo	One lakh

II. Annual Permission Fee

Permission holding companies shall pay Annual Permission Fee as prescribed below:

Sr. No.	Type of Permission	Annual Permission Fee (in ₹)
1.	Teleport	Two lakh per Teleport
2.	Uplinking of TV Channel	Two Lakh per Channel
3.	Downlinking of TV Channel from India	Five Lakh per Channel



4.	Downlinking of a channel from outside India	Fifteen lakh per channel
5.	Uplinking of a foreign channel from Indian teleport	Two lakh per channel

III Registration fee for downlinking TV Channels uplinked from other countries:

One time Registration Fee – ₹ 10 Lakh.

IV Schedule of Payment:

(1) After being held eligible, the Company/LLP shall pay the permission fee for the first year before after the issuance of the Letter of Intent (LOI), only after which permission letter would be issued. The due date for the succeeding year's permission fee would be one year from the date of operationalization of the Teleport/ TV Channel and would have to be deposited 60 days before such fee becomes due.

(2) Annual fee paid after the due date shall attract late fee charges levied at simple interest rate of 1% per month. Incomplete month shall be considered as one month for the purpose of late fee calculation.

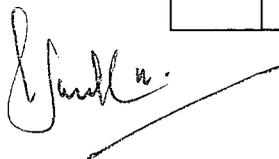
V Fees for Live telecast of an event by a non-news channel :

- (i) National channel : Rs 1 lakh per channel per day;
- (ii) Regional Channel : Rs 50,000 per channel per day
- (iii) Devotional channel : No fees for a devotional/spiritual/yoga content



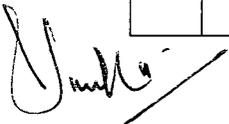
Minimum Networth Requirement

Sr. No.	Item	Minimum Net Worth (In ₹ crore)
1.	For first Teleport	3.00
2.	For each additional Teleport	1.00
3.	For first Non-news & Current Affairs TV Channel	5.00
4.	For each additional Non-news & Current Affairs TV Channel	2.50
5.	For first News & Current Affairs TV Channel	20.00
6.	For each additional News & Current Affairs TV Channel	5.00



Roll Out Obligations and Performance Bank Guarantee

Sl. No	Type of Permission	Roll Out Obligations
1.	Teleport	<ul style="list-style-type: none"> • After being held eligible, the applicant company/LLP shall furnish a Performance Bank Guarantee (PBG) for ₹ 25 lakh for each teleport, before issuance of permission letter, in the format as specified by the Ministry for fulfilling the rollout obligation stipulated above, from any scheduled bank in favour of the Ministry of Information and Broadcasting. • The company/LLP shall operationalise the teleport within one year from the date of obtaining all necessary clearances from WPC and NOCC. • If the teleport is not operationalised within the stipulated period the permission would be liable to be cancelled and the PBG would be liable to be forfeited.
2.	TV Channel	<ul style="list-style-type: none"> • After being held eligible, the applicant company/LLP shall furnish a Performance Bank Guarantee (PBG) of ₹ 1 crore (for Non-news & Current Affairs channel)/ ₹ 2 crore (for News and Current Affairs Channel) from any scheduled bank for each News/ Non-News and Current Affairs channel, before issuance of permission letter, in the format as specified by the Ministry for fulfilling the rollout obligation. • The applicant company/LLP shall operationalize the permitted TV Channel within one year from the date of obtaining all necessary clearances from WPC and NOCC. • If the channel is not operationalized within the stipulated period, the permission will be liable to be cancelled and the PBG will be liable to be forfeited.
3.	SNG/ DSNG	<ul style="list-style-type: none"> • After being held eligible, the applicant company/LLP shall furnish a Performance Bank Guarantee (PBG) for ₹ 10 lakhs from any scheduled bank for each SNG/ DSNG van, before issuance of permission letter, in the format as specified by the Ministry for fulfilling the rollout obligation as stipulated above in favour of the Ministry of Information and Broadcasting.



	<ul style="list-style-type: none"> • The applicant company/LLP shall operationalise the SNG/ DSNG within six months from the date the permission is granted by the Ministry of Information and Broadcasting. • If the SNG/ DSNG van is not operationalised within six months, the permission would be liable to be cancelled and the PBG would be liable to be forfeited.
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Appendix IV to Guidelines

Security Deposit

After being held eligible, the applicant company/LLP shall furnish the security deposit as prescribed below:

Sr. No.	Type of Permission	Security Deposit (in ₹)
1.	Teleport	Four lakhs per Teleport
2.	Uplinking of TV Channel	Four Lakhs per Channel
3.	Downlinking of TV Channel from India	Ten Lakhs per Channel
4.	Downlinking of a channel from outside India	Thirty lakhs per channel
5.	Uplinking of a foreign channel from Indian teleport	Four lakhs per channel

The Security Deposit will be refunded to the applicant due to expiration, withdrawal, cancellation or termination of permission after adjustment of outstanding dues, if any.

