

# THE CABLE TELEVISION NETWORKS RULES, 1994

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## THE CABLE TELEVISION NETWORKS RULES, 1994

G.S.R. 729 (E), dated the 29th September, 1994.1- In exercise of the powers conferred by sub-section (1) of Sec. 22 of the Cable Television Networks (Regulation) Ordinance, 1994 (Ordinance No. 9 of 1994), the Central Government makes the following rules, namely: –

1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 29th September, 1994.

1. Short title and commencements-

(1) These rules may be called the Cable Television Networks Rules, 1994.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. -In these rules unless the context otherwise requires: –

(a) “Cable operator” means any person who provides cable service through a cable television network or otherwise controls or is responsible for the management and operation of a cable television network;

(b) “Cable service” means the transmission by cables of programmes including retransmission by cables of any broadcast television signals;

(c) “Cable television network” means any system consisting of a set of closed transmission paths and associated signals generation, control and distribution equipment, designed to provide cable service for reception by multiple subscribers;

(d) “Company” means a company defined in Sec. 3 of the Companies Act, 1956;

(e) “Form” means form appended to these rules-

(f) “Person” means: –

(i) An individual who is a citizen of India;

(ii) An association of individuals or body of individuals, whether incorporated or not, whose members are citizens of India;

(iii) A company in which not less than fifty-one per cent of the paid-up share capital is held by the citizens of India;

(g) “Programme” means any television broadcast and includes

(i) Exhibition of films, features, dramas, advertisements and serials through video cassette recorders or video cassette players;

(ii) Any audio or visual or audio-visual live performance or presentation

And the expression “programming service” shall be construed accordingly;

(h) “Registering authority” means the registering authority notified under, Cl. (h) of Sec. 2 of the Cable Television Networks (Regulation) Ordinance, 1994;

(i) “Subscriber” means a person who receives the signal of cable television network at a place indicated by him to the cable operator without further transmitting it to any other person.

3. Application for registration as a cable television network in India. –

(1) Every application for registration as a cable television network in India shall be made in writing in Form I and shall be renewable after every twelve months.

(2) The application shall be addressed to the registering authority and delivered to his office in Form 1.

1[(3) (a) Every application for registration or renewal of registration shall be accompanied by-

(i) A fee of rupees five hundred only; and

(ii) The requisite documents mentioned in Form 1 and Form 2.

(b) Every application for issue of duplicate certificate or registration shall be accompanied by-

(i) A fee of rupees two hundred and fifty only; and

(ii) The requisite documents mentioned in Form 1.

(4) The amount of fee shall be deposited in the Head Post Office where the application for registration or renewal of registration or issue of duplicate certificate of registration is being made.

(5) The amount of the fees shall be deposited under the Head “Un-Classified Receipts (U.C.R.).]

1. Subs. by G.S.R. 459 (E), dated 8th October, 1996 (w.e.f. 8th October, 1996).

4. Examination of applications. -On receipt of an application under rule 3 the registering authority shall examine the application having regard to the provisions of See, 4 of the Ordinance.

5. Registration. –

1[(l) On being satisfied that the applicant fulfils the provisions of the Ordinance, the registering authority shall issue a registration certificate in Form 3:

Provided that where the registering authority is satisfied that the registration cannot be granted to the applicant, he shall inform the applicant in Form 4.

2[On receipt of an application under Cl. (b) of sub-rule (3) of rule 3 for issue of duplicate certificate the Registering Authority shall examine the application having regard to the provision of rule 3 and shall issue a duplicate Registration Certificate in Form 3-A.]

1. Re-numbered by *ibid.*

2. *Ins. by ibid.*

6. Programme code. -No programme should be carried in the cable service which –

(a) Offends against good taste or decency;

(b) Contains criticism of friendly countries;

(c) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;

(d) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half-truths;

(e) Is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;

(f) Contains anything amounting to contempt of Court:

(g) Contains aspersions against the integrity of the President and Judiciary:

(h) Contains anything affecting the integrity of the Nation-,

(i) Criticizes, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;

(j) Encourages superstition or blind belief,

(k) Denigrates women through the depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals;

(l) Denigrates children;

(m) Contains visuals or words which reflect a slandering, ironical -and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups:

(n) Contravenes the provisions of the Cinematograph Act, 1952.

(2) The cable operator should strive to carry programmes in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities.

(3) Programmes meant for adults should normally be carried in the cable service after 11 p.m. and before 6 a.m.

(4) Care should be taken to ensure that programmes meant for children do not contain any bad language or explicit scenes of violence.

(5) Programmes unsuitable for children must not be carried in the cable service at times when the largest number of children are viewing.

#### 7. Advertising Code. –

(1) Advertising carried in the cable service shall be so designed as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers.

(2) No advertisement shall be permitted which:

(i) Derides any race, caste, colour, creed and nationality,

(ii) Is against any provisions of the Constitution of India;

(iii) Tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way;

(iv) Presents criminality as desirable;

(v) Exploits the national emblem, or any part of the Constitution or the person or personality of a national leader or a State dignitary;

(vi) In its depiction of women violates the constitutional guarantees to all citizens. In particular, no advertisement shall be permitted image of women. Women must not be portrayed in a manner that emphasizes passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. The cable operator shall ensure that the portrayal of the female form, in the programmes carried in his cable service is tasteful and aesthetic, and is within the well-established norms of good taste and decency;

(vii) Exploits social evils like dowry, child marriage.

(3) No advertisement shall be permitted ' the objects whereof are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end.

(4) The goods or services advertised shall not suffer from any defect or deficiency as mentioned in Consumer Protection Act, 1986.

(5) No advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or supernatural property or quality which is difficult of being proved.

(6) The picture and the audible matter of the advertisement shall not be excessively 'loud'.

(7) No advertisement which endangers the safety of children or creates in them any interest in unhealthy practices or shows them begging or in an undignified or indecent manner shall not be carried in the cable service.

(8) Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements.

(9) No advertisement which violates the standards of practice for advertising agencies as approved by the Advertising Agencies Association of India, Bombay from time to time shall be carried in the cable service.

(10) All advertisements should be clearly distinguishable from the programmes and should not in any manner interfere with the programme viz, use of lower part of screen to carry captions, static or moving alongside the programme.

8. Register. -Each cable operator shall maintain a register in Form 5 for each month of the Year for which the registration is granted.

1[FORM 1

[See rule 3 (1)]

(To be submitted in duplicate)

Form of application for registration/renewal of registration/issue of duplicate certification of registration as a cable operator.

1. Subs. by G.S.R. 459 (E), dated 8th October, 1996 (w.e.f. 8th October, 1996).

To

The Head Postmaster

Head Post Office

.....

Application for registration/renewal of registration/issue of duplicate certificate of registration as cable operator./issue of duplicate.

1. (a) Name of applicant (individual/firm/company/association of persons/body of individuals)

2. (a) Address (office)

(b) Telephone number (if any)

3. (a) Nationality for individual applicants/body of individuals)

(b) By birth/domicile

4. (a) Amount of fee for 'registration/renewal/issue of duplicate certificate Rs.....

(b) Name of Head Post Office.....

Area in which cable television network is working/proposed to be setup.....

6. Date from which the cable television network is operating/proposed to be set up.....

7. Number of channels being provided/proposed to be provided (with names).....

8. (a) Whether using Television Receive Only (TVRO) Yes/No

(b) If yes, number and size of TVRO.....

(c) Location.....

9. Names of Doordarshan satellite channels included in cable service

10. Copy of earlier registration certificate enclosed Yes/No (To be filled in only for renewal o registration)

11. (a) State reasons for issue of duplicate certificate of registration.....

(Attach mutilated or defaced certificate of registration/copy of report made to the policy in case of theft or loss of the original certificate).

(b) Period of validity of the original Registration Certificate for which the duplicate Registration Certificate is being sought

12. Declaration in Form 2. enclosed Yes/No

(To be filled in for (registration/renewal of registration only)

(To be filled in only for issue of duplicate Registration Certificate).

I/We.....the applicants) (individual/fir-n/company/association of persons/body of individuals) do hereby declare that the above facts are correct in all respects.

Signature of Applicant.

\*(individual/firm/company/association of persons/body of individuals)

Place:

Name.....

Date:

Address.....

\*Score out the word or words which are not applicable".)

FORM 2

Declaration for registration renewal as a cable operator



[See rule 3 (1-3)]

I/We.....The applicant(s) (individual/firm/company/association of persons/body of individuals)\*for registration as a cable operator/renewal of registration as a cable of operator do hereby declare that-

- (i) I/We shall ensure that my/our cable television network shall be run in accordance with the provisions of the Cable Television Networks (Regulation) Ordinance, 1994 at all times.
- (ii) I/We shall not permit/associate any person who is not eligible to run cable television network under the Cable Television Networks (Regulation) Ordinance, 1994 to r-un/with the running of my/our cable television network.
- (iii) I/We shall strive to the best of my/our ability to provide cable service to the satisfaction of the subscriber(s) of my/our cable television network.
- (iv) I/We shall strive to the best of my/our ability to ensure that my/our cable television network is not used for any unlawful purpose.
- (v) I/We shall obtain the necessary approval/clearance from the relevant authority for the running of my/our cable television network.
- (vi) I/We shall abide by any direction issued by the Central Government in respect of the running of a cable television network within India.

Signature of Applicant

(individual/firm/company/association  
of persons/body of individuals)

Name.....

Address.....

Date :

Place :

\*Score Out the word or words which are not applicable.

FORM 3

[See rule 5]

Government of India

Head Post Office

Registration Certificate Number

Shri/Shrimati/M/s..... resident of .....is registered as a cable operator (individual, fin-n, company, association of persons or body of individuals)\* for running a cable television network at the following address... .. in the city/town of.....for a period of twelve months with effect from.....His Registration Number is.....

- 2. This Certificate is only valid for the premises stated above.
- 3. This Registration Certificate is not transferable.
- 4. The Certificate shall remain valid for the period indicated above or till the holder carries on the cable service or where the surrender of the certificate is accepted by the competent authority.

Head Post Master

Head Post Office

Place.....

Date.....(town/city)

TO BE DISPLAYED PROMINENTLY ON THE PREMISES

OF THE CABLE OPERATOR

\*Tick whichever is appopriate.

1 [FORM 3-A

[See Rule 5 (2)]

Government of India

Head Post Office

Duplicate Registration Certificate

1. Ins. by G.S.R. 459 (EI, dated 8th October, 1996 (w.e.f. 8th October, 1996).

1. Shri/Shrimati/M/s..... resident of.....is registered as a cable operator (individual/firm/company/association of persons or body of individuals) for running a cable television network at the following address ..... in the city/town of ..... for a period of twelve months with effect from.....(date from which the original Registration Certificate was valid).

His Registration Number is.....

2. This Registration Number is.....

3. This Registration Certificate is not transferable.

4. The Certificate shall remain valid for the period indicated above or till the holder carries on the cable service or where the surrender of the certificate is accepted by the competent authority.

Place.....

Head Post Master

Head Post Office

Date.....(town/city)

To be displayed prominently on the premises of the cable operator

\*Tick whichever is appropriate.]

FORM 4

[See proviso to rule 5 (3)]

Intimation for non-registration

To

.....

Sir

Reference your application dated.....for registration as a cable operator.

The necessary registration cannot be granted to you for the following reason(s)

- (i) Application is incomplete.
- (ii) Registration fee has not been tendered.
- (iii) Applicant is not a citizen of India.
- (iv) Less than fifty-one per cent. of the paid-up share capital of the applicant company is held by citizens of India.

Head Post Master

Head Post Office

Place.....

Date.....

FORM 5

(See rule 8)

Form of register to be maintained by each cable operator.

Sl. No.

Encrypted channel/Programme

Duration

Date

Month

Year

From

To

- 1
- 2
- 3
- 4
- 5
- 6
- 7

Signature of Cable Operator.

#### NOTIFICATION

[29th September, 1994]

S.O. 718 (E).-In exercise of the powers conferred by Cl. (h) of Sec. 2 of the Cable Television Networks (Regulation) Ordinance 19941, the Central Government hereby notifies the Head Post Master of a Head Post Office, of the area within whose territorial jurisdiction the office of the Cable Operator is situated, as the Registering Authority for dregistering cable television networks in the said area for the purposes of the said Ordinance.

1. Now the Cable Television Networks (Regulation) Act, 1955.