

THE CABLE TELEVISION NETWORKS RULES, 1994¹

In exercise of the powers conferred by sub-section (1) of section 22 of the Cable Television Networks (Regulation) Ordinance, 1994 (9 of 1994), the Central Government makes the following rules, namely:—*

1. Short title and commencement.—(1) These rules may be called the Cable Television Networks Rules, 1994.

(2) They shall come into force on the date² of their publication in the Official Gazette.

3[2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Cable Television Networks (Regulation) Act, 1995 (7 of 1995);

(b) "form" means the form appended to these rules;

1. *Vide* G.S.R. 729(E), dated 29th September, 1994, published in the Gazette of India, Extra., Pt. II, Sec. 3 (i), dated 29th September, 1994.

* Now the Cable Television Networks (Regulation) Act, 1995 (7 of 1995).

2. Came into force on 29-9-1994.

3. Subs. by S.O. 940(E), dated 28th April, 2012, for rule 2(w.e.f. 28-4-2012). Earlier rule 2 was amended by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006). Rule 2, before substitution by S.O. 940(E), stood as under:

"2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Cable Television Networks (Regulation) Act, 1995 (7 of 1995);

(aa) "Authority" means the Telecom Regulatory Authority of India established under sub-section(1) of Section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(aaa) "Broadcaster" means any person including an individual, group of persons, public or body corporate, firm or any organization or body who or which is providing programming service and includes his or her authorized distribution agencies;

(aaaa) "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 networks;

(b) "cable service" means the transmission by cables of programmes including re-transmission 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 section 3 of the Companies Act, 1956;

(e) "form" means form appended to these rules;

(ee) "Multi-System Operator (MSO)" means a cable operator who receives a programming service from a broadcaster or his authorized agencies and re-transmits the same or transmits his own programming service for simultaneous reception either by multiple subscribers directly or through one or more Local Cable Operators (LCOs), and includes his authorised distribution agencies by whatever name called;

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- (c) "Multi-System Operator" means a cable operator who has been granted registration under rule 11C and who receives a programming service from a broadcaster or his authorized agencies and re-transmits the same or transmits his own programming service for simultaneous reception either by multiple subscribers directly or through one or more Local Cable Operators and includes his authorised distribution agencies by whatever name called;
- (d) "Notified area" means the area in respect of which the date has been notified by the Central Government under sub-section (1) of section 4A of the Act;
- (e) "registering authority" means—
 - (i) in relation to a cable operator registered under rule 5, the Head Post Master of a Head Post office of the area within whose territorial Jurisdiction the office of cable operator is situated;
 - (ii) in relation to a Multi-System Operator registered under rule 11C, the Central Government.
- (f) the words and expressions used herein and not defined, but defined in the Act, shall have the meaning assigned respectively to them in the Act.]

¹[2A. Eligibility criteria for cable operators.—The following criteria shall be fulfilled by an applicant who makes an application under rule 3, namely;—

- (a) where the applicant is a person, he shall be a citizen of india and not less than eighteen years of age;

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- (eee) "Notified area" means any area notified by the Central Government under section 4A of the Act;
- (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 clause (h) of section 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."

1. Ins. by S.O. 940(E), dated 28th April, 2012 (w.e.f. 28-4-2012).



- (b) where the Applicant is an association of individuals or body of individuals, whether incorporated or not, the members of such an association or body shall be citizen of India and not less than eighteen years of age;
- (c) where the applicant is a company, Such company shall be a company registered under the Companies Act, 1956 and shall be subject to such condirions relating to foreign direct investment as may be decided by the Central Government;
- (d) the applicant shall not be an un-discharged insolvent;
- (e) the applicant shall not be a person of unsound mind as declared by a competent court;
- (f) the applicant shall not be convicted of any criminal offence.]

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 1 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 of 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.).']

²[***]

³**5. Registration of cable operator.—**(1) On being satisfied that the applicant fulfils eligibility criteria specified under rule 2A and the requirements of rule 3,

1. Subs. by G.S.R. 459(E), dated 8th October, 1996 (w.e.f. 8-10-1996).

2. Rule 4 omitted by S.O. 940(E), dated 28th April, 2012 (w.e.f. 28-4-2012). Rule 4, before omission, stood as under:

"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 section 4 of the Ordinance."

3. Subs. by S.O. 940(E), dated 28th April, 2012, for rule 5 (w.e.f. 28-4-2012) Earlier rule 5 was amended by G.S.R. 459(E), dated 8th October, 1996 (w.e.f. 8-10-1996). Rule 5, before substitution by S.O. 940(E), stood as under:

"5. Registration.—(1) On being satisfied that the applicant fulfils the provisions of the Act, the registering authority shall issue a registration certificate in Form 3:

the registering authority shall, subject to the terms and conditions specified in rule 5A, issue certificate of registration or renewal of registration, as the case may be, in form 3.

(2) Where an application is received for issue of duplicate certificate, the Registering Authority shall, having regard to the requirements of rules 2A and 3, issue a duplicate Registration Certificate in Form 3A.

(3) Where the registering authority is satisfied that registration or renewal of registration cannot be granted, he shall inform the applicant of such refusal within forty-five days of the date of receipt of application in Form 4.]

¹[5A. Terms and conditions for registration.—A person who has been granted certificate under rule 5 shall comply with the following terms and conditions, namely:—

- (a) such person shall comply with all the provisions of the Act and the rules thereunder;
- (b) such person shall comply with the regulations made, and the orders or directions or guidelines issued, by the Authority;
- ²[(ba) such person shall furnish the information under rule 10A within the specified time;]
- (c) such person shall not carry programming service provided on the channel generated at the level of such cable operator which is in violation of the Programme Code Specified in rule 6 and the Advertising Code specified in rule 7.]

¹[5B. Deemed registration for transmission in encrypted in certain cases.—Where, in respect of an area, a cable operator has already been registered and such registration is valid as on the date when such area was notified under subsection(1) of section 4A, he shall be deemed to have been registered in respect of such area for the remaining period of its validity:

Provided that such cable operator—

- (i) transmits or re-transmits programmes of any channels in an encrypted form through a digital addressable system for the remaining period of the validity of registration in such areas; and
- (ii) complies with all the provisions of the Act and the rules made thereunder, and the regulations, orders, directions or guidelines made or issued by the Authority:

Provided further that where such cable operator fails to do so, the registration which is so deemed to have been valid, shall stand cancelled with effect from the date when such area is notified.]

6. Programme Code.—(1) No programme should be carried in the cable service which—

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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 clause (b), sub-rule (3) of rule 3 for issue of duplicate certificate the Registering Authority shall examine the application having regard to the provisions of rule 3 and shall issue a duplicate Registration Certificate in Form 3A.”.

1. Ins. by S.O. 940(E), dated 28th April, 2012 (w.e.f. 28-4-2012).

2. Ins. by S.O. 1521(E), dated 6th July, 2012 (w.e.f. 6-7-2012).

- (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) criticises, 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 visual 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 (37 of 1952);

¹[(o) is not suitable for unrestricted public exhibition]:

²[Provided that no film or film song or film promo or film trailer or music video or music albums or their promos, whether produced in India or abroad, shall be carried through cable service unless it has been certified by the Central Board of Film Certification (CBFC) as suitable for unrestricted public exhibition in India.]

¹[*Explanation.*—For the purpose of this clause, the expression “unrestricted public exhibition” shall have the same meaning as assigned to it in the Cinematograph Act, 1952 (37 of 1952).]

³[(p) contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to periodic briefing by an officer designated by the appropriate Government, till such operation concludes.

Explanation.—For the purposes of this clause, it is clarified that “anti-terrorist operation” means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists.]

⁴[(q) depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animals.]

1. Ins. by G.S.R. 710(E), dated 8th September, 2000 (w.e.f. 8-9-2000).

2. Ins. by G.S.R. 459(E), dated 2nd August, 2006 (w.e.f. 3-8-2006).

3. Ins. by G.S.R. 216(E), dated 21st March, 2015 (w.e.f. 23-3-2015).

4. Ins. by G.S.R. 804(E), dated 19th August, 2016 (w.e.f. 19-8-2016).

(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.

¹[(3) No cable operator shall carry or include in his cable service any programme in respect of which copyright subsists under the ²[Copyright Act, 1957 (14 of 1957)] unless he has been granted a licence by owners of copyright under that Act in respect of such programme.]

(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 numbers of children are viewing.

³[(6) No cable operator shall carry or include in his cable service any television broadcast or channel, which has not been registered by the Central Government for being viewed within the territory of India:

⁴[Provided that a cable operator may continue to carry or include in his cable service any television broadcast or channel, whose application for registration to the Central Government was made on or before 11th May, 2006 and is under consideration, for a period up to 15th June, 2009 or till such registration has been granted or refused, whichever is earlier.]

Provided further that channels uplinking from India, in accordance with permission for uplinking granted before 2nd December, 2005, shall be treated as "registered" television channels and can be carried or included in the cable service.]

⁵[***]

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 provision 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;

1. Subs. by G.S.R. 710(E), dated 8th September, 2000 (w.e.f. 8-9-2000).

2. Subs. by G.S.R. 26(E), dated 18th January, 2001.

3. Ins. by G.S.R. 282(E), dated 11th May, 2006 (w.e.f. 11-5-2006).

4. Subs. by G.S.R. 411(E), dated 12th June, 2009, for first proviso (w.e.f. 12-6-2009). Earlier the first proviso was substituted by G.S.R. 413(E), dated 29th May, 2008 (w.e.f. 29-5-2008), by G.S.R. 25(E), dated 10th January, 2008 (w.e.f. 10-1-2008), by G.S.R. 774(E), dated 3rd December, 2007 (w.e.f. 18-12-2007), by G.S.R. 482(E), dated 12th July, 2007 (w.e.f. 12-7-2007), by G.S.R. 286(E), dated 11th April, 2007 (w.e.f. 11-4-2007) and G.S.R. 697(E), dated 11th November, 2006 (w.e.f. 11-11-2006). The first proviso, before substitution by G.S.R. 411(E), stood as under:

"Provided that a cable operator may continue to carry or include in his cable service any television broadcast or channel, whose application for registration to the Central Government was made on or before 11th May, 2006 and is under consideration, for a period up to 31st May, 2008 or till such registration has been granted or refused, whichever is earlier."

5. Rescinded by G.S.R. 719(E), dated 13th September, 2000. Earlier rule 6A was inserted by G.S.R. 597(E), dated 20th August, 1999 (w.e.f. 20-8-1999).

- (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 which projects a derogatory image of women. Women must not be portrayed in a manner that emphasises 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;
- ¹[(viii) promotes directly or indirectly production, sale or consumption of—
²[(A) cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants:]

³[Provided that a product that uses a brand name or logo, which is also used for cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants, may be advertised on cable service subject to the following conditions that—

- (i) the story board or visual of the advertisement must depict only the product being advertised and not the prohibited products in any form or manner;
- (ii) the advertisement must not make any direct or indirect reference to the prohibited products;
- (iii) the advertisement must not contain any nuances or phrases promoting prohibited products;
- (iv) the advertisement must not use particular colours and layout or presentations associated with prohibited products;
- (v) the advertisement must not use situations typical for promotion of prohibited products when advertising the other products:

Provided further that—

- (i) the advertiser shall submit an application with a copy of the proposed advertisement along with a certificate by a registered Chartered Accountant that the product carrying the same name as cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants is distributed in reasonable quantity and is available in a substantial number of outlets where other products of the same category are available and the proposed expenditure on such advertising thereon shall not be disproportionate to the actual sales turnover of the product;

1. Ins. by G.S.R. 710(E), dated 8th September, 2000 (w.e.f. 8-9-2000).

2. Subs. by G.S.R. 104(E), dated 25th February, 2008 (w.e.f. 25-2-2008). Earlier it was amended by G.S.R. 469(E), dated 9th August, 2006 (w.e.f. 10-8-2006).

3. Ins. by G.S.R. 138(E), dated 27th February, 2009 (w.e.f. 27-2-2009).

- (ii) all such advertisements found to be genuine brand extensions by the Ministry of Information and Broadcasting shall be previewed and certified by the Central Board of Film Certification as suitable for unrestricted public exhibition and are in accordance with the provisions contained in sub-clause (i) to (v) of the first proviso, prior to their telecast or transmission or retransmission.]

(B) infant milk substitutes, feeding bottle or infant foods.]

- ¹[(ix) depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animal.]

(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.

²[(3A) No advertisement shall contain references which hurt religious sentiments.]

(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 super-natural 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.

³[(9) No advertisement which violates the Code for self-regulation in advertising, as adopted by the Advertising Standard Council of India (ASCI), Mumbai for public exhibition in India, from time to time, shall be carried in the cable service.]

(10) All advertisements should be clearly distinguishable from the programme 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.

⁴[(11) No programme shall carry advertisements exceeding twelve minutes per hour, which may include up to ten minutes per hour of commercial advertisements, and up to two minutes per hour of a channel's self-promotional programmes.]

1. Ins. by G.S.R. 804(E), dated 19th August, 2016 (w.e.f. 19-8-2016).

2. Ins. by G.S.R. 710(E), dated 8th September, 2000 (w.e.f. 8-9-2000).

3. Subs. by G.S.R. 459(E), dated 2nd August, 2006 for sub-rule (9) (w.e.f. 3-8-2006). Sub-rule (9), before substitution, stood as under:

"(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."

4. Ins. by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006).

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[9. Standard interconnection agreements, tariffs and quality of service standards for the service providers in the areas notified under section 4A of the Act.]—The Authority may, on issue of any notification under section 4A of the Act by the Central Government, take appropriate decisions on the following aspects and duly notify the—

1. Subs. by G.S.R. 452(E), dated 31st July, 2006, for rules 9, 10, 11, 12, 13 and 14 (w.e.f. 31-7-2006). Rules 9, 10, 11, 12, 13 and 14, before substitution, stood as under:

"9. Manner of publicizing the subscription rates of pay channels.—(1) Every cable operator shall publicise, either through advertisements in the print and electronic media or through other means (e.g. printing on the reverse of the receipts, etc.) to the subscribers, the subscription rates and the periodic intervals at which such subscriptions are payable for receiving of the various pay channels provided by such cable operator.

(2) Every cable operator shall, while so publicizing, be required to indicate precisely the following information:—

- (a) rates of subscriptions for each individual pay channel provided by the cable operator and discounts, if any, offered on subscribing to a minimum number of channels or more:

Provided that discounts so offered for subscribing to the minimum number of channels or more shall not be such as to dilute/nullify the choice of subscribing to individual channels:

Provided further that the subscriber shall not be forced to buy more than the channel(s), of his choice through the mechanism of discounted pricing and by grouping of channels in such a way as to render the choice of individual pay channels offered, an illusory one.

10. Submission of report to the Central Government.—(1) Every cable operator shall be required to submit a report to the Central Government in the Ministry of Information and Broadcasting in Form 6.

- (2) Such report shall be submitted periodically in the first week of each quarter:

Provided that the Central Government may, in exceptional cases, or in public interest, require any cable operator to furnish such report within shorter periods.

11. Declaration of channels as "free-to-air" and 'pay'.—In order to inform the public as required under rules 9 and 10 the cable operator shall declare which channel[s] will remain 'pay' and which "free-to-air" and also the rates of the pay channels and discounts, if any, by 15th June, 2003.

12. Responsibility of cable operators in certain cases.—In the event of cable operators not being in a position by 31st August, 2003 to declare whether a channel is "pay" channel or 'free-to-air' channel and the price of any pay channel due to the information not being provided by the broadcaster, the cable operator shall not transmit such channel through its network after the 31st August, 2003.

13. Provisions for Set Top Boxes.—The cable operator shall make provisions for rent and security deposit, or refund thereof as well as warranty, repair and maintenance in the manner notified by the Government.]

14. Manner of making provisions for rent, security deposit, etc. for Set Top Boxes.—(1) The Cable Operator will intimate to each cable subscriber in writing and at least fifteen days before the introduction of 'Conditional Access System', in the specified area of service, the following details of Set Top Boxes:—

- (a) standard interconnection agreement to be used for entering into commercial agreements for distribution in the notified areas, of pay or free-to-air channels among (i) broadcasters and multi-system operators; and (ii) multi-system operators and local cable operators;
- (b) the maximum limits of security deposit and monthly rental for supply, maintenance and servicing of Set Top Boxes of prescribed specifications to the subscribers on rental basis by multi-system operators in the notified areas;
- (c) tariff for the basic service tier along with the minimum number of free-to-air channels to be provided by the multi-system operators or local cable operators to the subscribers in the notified areas;
- (d) regulations for quality of service to be provided by the multi-system operators or local cable operators to the subscribers in the notified areas;]

¹[10. **Obligations of broadcaster, multi-system operator and cable operator.**—Every Broadcaster, Multi-System Operator and cable operator shall comply with the regulations, guidelines and orders as may be made or issued by the Authority.]

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- (a) Type of Set Top Box whether analogue or digital, its Main physical functions and its conformity with the Bureau of Indian Standards.
 - (b) Details of payment schemes, including validity period of the offers on sale, hire purchase, or rent of Set Top Box and amount of refundable security deposit payable by the cable subscriber.
 - (c) Maximum time for refund of security deposit to any cable subscriber who returns the Set Top Box.
 - (d) Details of maintenance facility available with the cable operators.
 - (e) Maximum time to repair/replace the Set Top Box.
 - (f) Period of warranty of the Set Top Boxes.
- (2) The Cable Operator shall also furnish the information required in sub-rule (1) above to the Ministry of information and Broadcasting, duly authenticated by its authorised signatory."
1. Subs. by S.O. 940(E), dated 28th April, 2012, for rule 10 (w.e.f. 28-4-2012). Earlier rule 10 was substituted by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006). Rule 10, before substitution by S.O. 940(E), stood as under:

"10. *Nature and prices of channels.*—(1) Every broadcaster shall declare the nature of each of its channels as 'pay' or 'free-to-air' channel as well as the maximum retail price of each of its 'pay' channels to be charged by the multi-system operators or local cable operators from the subscribers in each of the notified areas.

(2) Every broadcaster shall file his declaration of the nature and prices of channels under sub-rule (1) before the Authority and the Central Government within fifteen days of the date of notification by the Central Government under section 4A of the Act.

(3) If in the opinion of the Authority, the price declared by the broadcaster in respect of any of its pay channels is too high, the Authority may, under section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), fix and declare the maximum retail price of such a pay channel or fix a general maximum retail price for all pay channels within which the broadcasters may declare their individual prices for each pay channel, to be paid by the subscribers in any of the notified areas, and such an order of the Authority shall be binding on the broadcasters and the multi-system operators and local cable operators.

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¹[10A. **Obligation to furnish information.**—(1) Every Multi-System Operator and cable operator shall be bound to give such information as may be sought for by the Central Government or the State Government or any agency authorised by the Central Government or authorised officer, as the case may be, within such period and in such form as may be specified by such Government or agency or officer.

(2) The authorised signatory of the Multi-System Operator or cable operator providing the information sought for under sub-rule (1) shall also be required to affirm as to the correctness and truthfulness of the information so provided.]

²[11. **Grant of permission to multi-system operators to provide cable services with addressable systems in the notified areas.**—(1) No multi-system operator shall provide cable television network services with addressable systems in any one or more notified areas without a valid permission from the Central Government under sub-rule (3) of rule 11.

(2) Every multi-system operator who desires to provide cable television network services with addressable systems in any of the notified areas, shall, within thirty days of the issue of the notifications under section 4A of the Act by the Central Government, apply for permission to the Ministry of Information and Broadcasting in Form 6 annexed to these rules, along with processing fee of rupees ten thousand.

(3) The Ministry of Information and Broadcasting in the Government of India shall, within thirty days of the receipt of the application, grant, or refuse, permission to the applicant to provide addressable systems in the notified areas after considering its suitability or otherwise on the basis of information given in respect of its existing operational area, actual number of subscribers and

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(4) Every broadcaster shall enter into interconnection agreements with multi-system operators in the notified areas as per the standard interconnection agreement, or with any mutually agreed modifications on a non-discriminatory basis, as per the regulations or directions or orders of the Authority.

(5) If a broadcaster fails to declare the price of any of its pay channels within the prescribed time limit under sub-rule (2) or refuses or fails to comply with the direction under sub-rule (3) or refuses or fails to enter into an interconnect agreement with a multi-system operator permitted by the Central Government under sub-rule (3) of rule 11 within the time limit as prescribed by the Authority, then the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals.

(6) In the event of non-compliance by the broadcaster of the directions issued by the Authority under sub-rule (5), the Central Government may, on the recommendations of the Authority, suspend the permission granted to the broadcaster under uplinking or downlinking guidelines as the case may be, to broadcast that channel in the country or any part thereof.

(7) Every declaration filed by the broadcaster under sub-rule (1) or maximum retail price fixed by the Authority under sub-rule (3) shall normally remain valid for a period of one year from the date of such declaration or fixation, as the case may be, subject to the condition that every broadcaster will be free to revise the price of any channel or convert a pay channel to free-to-air or a free-to-air channel to a pay channel by giving one month's notice to the multi-system operator and subscribers:

Provided that no increase in price beyond the individual limit, if any specified by the Authority, shall be valid without prior approval of the Authority:

Provided further that no such price increase shall be valid beyond the general maximum retail price for all channels fixed by the Authority."

1. Ins. by S.O. 1521(E), dated 6th July, 2012 (w.e.f. 6-7-2012).

2. Subs. by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006).

addresses of its local cable operators in each of the notified areas, commercial arrangements with the broadcasters and local cable operators, if any, financial strength, management capability, security clearance and preparedness to supply and maintain adequate number of Set Top Boxes for its subscribers, installation of its subscriber management system and compliance with all other quality of service standards as may be specified by the Authority.

(4) The Central Government may lay down such terms and conditions of permission under sub-rule (3) as may be deemed necessary and desirable to ensure compliance with the provisions of this Act and the regulations, directions and orders made by the Authority.

(5) No multi-system operator shall continue to provide any cable television network services in the notified areas after the date notified therein, without obtaining prior permission from the Central Government.

(6) In the event of a multi-system operator who fails or refuses to enter into an interconnection agreement with a broadcaster of a pay channel or an adequate number of local cable operators in the notified areas or who violate the terms and conditions of the permission granted to it under sub-rule (3), within the time limit as prescribed by the Authority, the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals.

(7) In the event of violation by a multi-system operator of one or more of the terms and conditions of the permission granted under sub-rule (3), the Central Government may suspend or revoke such permission for such period and for such notified areas as it deems fit:

Provided that no such order of suspension or revocation shall be made without giving a reasonable opportunity to the multi-system operator to explain its position.]

***1[11A. Application for registration as a multi-system operator.—**(1) For the purpose of operation of cable television network services with digital addressable system in a notified area, a person who desires to provide such service shall make an application for registration as Multi-System Operator to the registering authority in Form 6.

(2) Every application under sub-rule (1) shall be accompanied by—

- a processing fee of rupees one lakh;
- declaration in Form 2.]

***1[11B. Eligibility criteria for multi-system operator.—**The following criteria shall be fulfilled by an application who makes an application under rule 11A, namely:—

- (a) where the applicant is a person, he shall be a citizen of India and not less than eighteen years of age;
- (b) where the applicant is an association of Individuals of body of individuals, whether incorporated or not, the members of such an association or body shall be citizens of India and not less than eighteen years of age;
- (c) where the applicant is a company, such company shall be a company registered under the Companies Act, 1956 and shall be subject to such conditions relating to foreign direct investment as may be decided by the Central Government;

* Ed. As per the Gazette Notification rule 11A to 11F are to be substituted whereas they ought to be inserted.

1. Ins. by S.O. 940(E), dated 28th April, 2012 (w.e.f 28-4-2012).

- (d) the applicant shall not be an undischarged insolvent;
- (e) the application shall not be a person of unsound mind as declared by a competent court;
- (f) the applicant shall not be convicted of any criminal offence.]

***1[11C. Registration as multi-system operator.**—(1) On being satisfied that the applicant fulfils the eligibility criteria specified under rule 11B and the requirements of rule 11A, the registering authority shall, subject to the terms and conditions specified in rule 11D and the security clearance from the Central Government, issue certificate of registration.

(2) Where the registering authority is satisfied that registration cannot be granted, it shall inform the applicant in writing giving reasons for such refusal.]

***1[11D. Terms and conditions for registration as multi-system operator.**—A person who has been granted certificate under rule 11C shall comply with the following terms conditions, namely:—

- (a) such person shall comply with all the provisions of the Act and rules made thereunder;
- (b) such person shall comply with the regulations, orders, directions or guidelines made or issued by the Authority;
- ²[(ba) such person shall furnish the information under rule 10A within the specified time;]
- (c) such person shall have the capacity to carry minimum number of television channels specified by the Authority;
- (d) such person shall not carry programming service provided on the channel generated at the level of such Multi-System Operator which is in violation of the Programme Code specified in rule 6 and the Advertising Code specified in rule 7.]

***1[11E. Provisional registration.**—Where an application has been made under rule 11A and the registering authority considers that pending registration, it is necessary to grant provisional registration, it may, after preliminary scrutiny of such application, grant a provisional registration:

Provided that such provisional registration shall not confer any right to the applicant to claim regular registration:

Provided further that where regular registration is refused to be granted by the registering authority, the provisional registration so granted shall stand cancelled.]

***1[11F. Deemed registration of multi-system operator in certain cases.**—No Multi-System Operator providing cable television network services in area as on the date when such areas are notified under sub-section (1) of section 4A shall, with effect from the date specified in that notification, continue to provide such services in such areas unless such operator is granted registration under section 11C:

Provided that a Multi-System Operator who has been permitted to operate in areas notified prior to the coming into force of the Cable Television Networks (Regulation) Amendment Act, 2011 (21 of 2011) shall be deemed to have been registered under rule 11C in respect of such areas for the remaining period of the validity of such permission:

* Ed. As per the Gazette Notification rule 11A to 11F are to be substituted whereas they ought to be inserted.

1. Ins. by S.O. 940(E), dated 28th April, 2012 (w.e.f. 28-4-2012).

2. Ins. by S.O. 1521(E), dated 6th July, 2012 (w.e.f. 6-7-2012).

Provided further that such operator shall be required to furnish an undertaking to the registering authority at least thirty days prior to the notified date for operation of Digital Addressable System, namely:—

- (a) such operator shall transmit or re-transmit channels only in an encrypted form through a digital addressable system in the notified areas;
- (b) such operator shall comply with the provisions of the Act and the rules made thereunder and the regulations, orders, directions or guidelines made or issued by the Authority; and
- (c) such operator shall deposit the processing fee with the registering authority as prescribed in rule 11A:

Provided also that where such operator fails to do so, the permission which is deemed to have been valid, shall, with effect from the date when such areas is notified, stand cancelled.]

¹[12. **Public awareness, information on channels, price of channels, quality standards and grievance redressal.**—(1) Every broadcaster, multi-system operator and cable operator shall create public awareness among, and provide information to, the subscribers in the notified areas from a period at least thirty days prior to the date such areas are notified, either through advertisements in the print and electronic media or through such other means including leaflets,

1. Subs. by S.O. 940(E), dated 28th April, 2012, for rule 12 (w.e.f. 28-4-2012). Earlier rule 12 was substituted by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006). Rule 12, before substitution by S.O. 940(E), stood as under:

"12. Public awareness campaign about Conditional Access System scheme.—(1) Every multi-system operator granted permission under sub-rule (3) of rule 11 shall create public awareness among the subscribers in the notified areas for a period of thirty days from the date to be specified by the Authority, either through advertisements in the print and electronic media or through other means (e.g. leaflets, printing on the reverse of the receipts, personal visits, group meetings with subscribers or consumer groups etc.) the salient features of the Conditional Access System scheme as approved by the Authority for implementation, by the multi-system operator, in the notified areas, and in particular the following:—

- (a) A-la-carte subscription rates and the periodic intervals at which such subscriptions are payable for receiving the various pay channels;
- (b) the refundable security deposit and the daily or monthly rental payable for the set-top box and its detailed specifications such as make, model, technical specifications, user manuals and maintenance centers etc.;
- (c) the number and names of free-to-air channels that the multi-system operator will provide to the subscribers and specific placement of each channel in the prime or non-prime bands;
- (d) the prescribed monthly service charge to be paid by each subscriber for receiving the basic service tier fixed by the Authority and the number of additional free-to-air channels, if any, offered by the Multi-system Operator;
- (e) the Quality of Service Standards specified by the Authority and the arrangements made by the Multi-System Operator to comply with these standards;
- (f) the Subscriber Management System established by the multi-system operator to demonstrate the functioning of the Set Top Boxes and interact with the subscribers to explain the various financial, logistic and technical aspects of the system for its smooth implementation;
- (g) the subsisting arrangements for resolution of disputes between the multi-system operator and local cable operators and the subscribers in respect of the quality of service standards, payments and refunds etc.

(2) The Authority may also arrange public awareness activities in the notified areas either directly or through authorized officers or consumer organizations etc."

printing on the reverse of the receipts, personal visits, group meetings with subscribers or consumer groups, cable service and website, containing salient features of the Digital Addressable Cable System as approved by the Authority and in particular, the following information, namely:—

- (a) A-la-carte subscription rates and the periodic intervals at which such subscriptions are payable for receiving the various channels;
- (b) the refundable security deposit and the daily or monthly rental payable for the set-top box and its detailed specifications such as make, model, technical specifications, user manuals and maintenance centres;
- (c) the number and names of free-to-air channels that the multi-system operator shall provide to the subscribers;
- (d) the monthly service charge to be paid by each subscriber for receiving the basic service tier fixed by the Authority and the number of additional free-to-air channels, if any, offered by the multi-system operator;
- (e) the Quality of Service Standards specified by the Authority and the arrangements made by the multi-system operator to comply with these standards;
- (f) the Subscriber Management System established by the multi-system operator to demonstrate the functioning of the Set Top Boxes and to interact with the subscribers to explain the various financial, logistic and technical aspects of the system for its smooth implementation;
- (g) the subsisting arrangements for resolution of disputes between the multi-system operator and local cable operators and the subscribers in respect of the quality of service standards, payments and refunds.

(2) Every cable operator and multi-system operator shall devise a mechanism for grievance redressal of subscribers in respect of the services offered by them in such manner as may be specified by the Authority and inform the details thereof, to the subscribers through the cable service or the website or any other appropriate means and such information shall also include the address and telephone number where a subscriber can file a complaint and the time period within which grievances are to be addressed, the manner of communication of the redressal to a subscriber and the feedback thereon from the subscriber.

(3) The Central Government or the Authority, as the case may be, may arrange public awareness activities in the notified areas either directly or through agencies authorized including consumer organizations.]

¹[13. Supply and installation of Set Top Boxes.—(1) Every subscriber in the notified areas who is desirous of receiving one or more channels may approach

1. Subs. by S.O. 940(E), dated 28th April, 2012, for rule 13 (w.e.f. 28-4-2012). Earlier rule 13 was substituted by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006). Rule 13, before substitution by S.O. 904(E), stood as under:

"13. Supply and installation of Set Top Boxes.—(1) Every subscriber in the notified areas who desires to receive one or more pay channels shall, during the public awareness campaign under rule 12 or within fifteen days after its expiry, apply to any one of the

any one of multi-system operators who has been registered under rule 11C, either directly or through any of his linked local cable operators, to supply and installation of one or more Set Top Boxes in his premises and deliver the requisite channels through the same:

Provided that every subscriber shall be free to buy a Set Top Box of approved quality from the open market, if available, which is technically compatible with the system of the multi-system operator and the multi-system operator or the cable operator shall not force any subscriber to buy or to take on rent the Set Top Box from him alone.

(2) Every multi-system operator shall procure, supply and install the required number of set top boxes in the premises of every subscriber who approaches such operator under sub-rule (1) in accordance with the quality standards as may be determined by the Authority by any regulation or order and transmit the requisite channels through the same or through the set top box of approved quality acquired by the subscriber on his own, as the case may be.

(3) Every multi-system operator shall set up and operationalise its subscriber management system within a time frame as may be determined by the Authority by regulation or order, for ensuring efficient and error-free service to the

Contd. from Previous page

multi-system operators granted permission under sub-rule (3) of rule 11 either directly or through any of his linked local cable operators, to supply and install one or more Set Top Boxes in his premises as per the scheme approved by the Authority and deliver the requisite channels through the same:

Provided that every subscriber shall be free to buy a Set Top Box of approved quality from the open market, if available and technically compatible with the multi-system operator's system, and no multi-system operator or cable operator shall force any subscriber to buy or to take on rent the Set Top Box from him only.

(2) Every subscriber in the notified areas who desires to receive one or more pay channels, and who failed to apply within the period prescribed under sub-rule (1) may at any time either buy a Set Top Box of approved quality from the open market, if available and technically compatible with the multi-system operator's system, or apply to any one of the multi-system operators granted permission under sub-rule (3) of rule 11 either directly or through any of his linked local cable operators, to supply and install one or more Set Top Boxes in his premises as per the scheme approved by the Authority and deliver the requisite channels through the same or through the Set Top Box of approved quality acquired by the applicant on his own, as the case may be.

(3) Every multi-system operator shall procure, supply and install the required number of Set Top Boxes of approved quality in the premises of every applicant under sub-rule (1) or sub-rule (2) within a period as may be determined by regulation or order by the Authority from the date of receipt of such application, and transmit the requisite pay channels through the same or through the Set Top Box of approved quality acquired by the applicant on his own, as the case may be.

(4) Every multi-system operator shall set up and operationalise its subscriber management system within a time frame as may be determined by regulation or order by the Authority, for ensuring efficient and error-free service to the subscribers by recording and providing individualized preferences for pay channels, billing cycles, refunds etc..

(5) In the event of the failure of any multi-system operator to supply and install a Set Top Box each in the premises of one or more applicants under sub-rule (1) or to operationalise subscriber management system within the time limit as determined by regulation or order by the Authority, then the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals."

subscribers by recording and providing individualized preferences for pay channels, billing cycles or refunds.

(4) Upon a subscriber leaving the service area of the multi-system operator, he shall be allowed to surrender his set top box and be given full refund of the security deposit, if any, made on the set top box and in the case—

- (a) where the set top box was purchase by the subscriber from that multi-system operator, such operator shall buy-back the set top box after making deduction in accordance with the conditions specified to the subscribed at the time of purchase of the set top box;
- (b) in the case of the subscriber shifting his premise within the service area of such operator, he shall be given a transfer voucher for provisioning of a new set top box on the same terms and conditions at the new address:

Provided that a subscriber, who is not satisfied with the services provided by such operator or his linked cable operator, shall be free to opt out of the network of that operator and in the case where the subscriber wishes to opt out, the multi-system operator and his linked cable operator shall allow the subscriber to surrender the set top box provided by it, after making deductions in accordance with the conditions specified to the subscribed at the time of installation of the set top box]

¹[14. Dispute resolution mechanism.—Every multi-system operator shall be obliged to maintain the quality of service as per the standards, including the arrangements for handling complaints and redressal of grievances of the subscribers, as may be determined by regulation or order by the Authority. The Authority may look into the efficacy of such arrangements and issue necessary directions to the concerned parties for compliance.]

²[***]

1. Subs. by G.S.R. 452(E), dated 31st July, 2006 (w.e.f. 31-7-2006).

2. Rules 15 omitted by S.O. 940(E), dated 28th April, 2012 (w.e.f. 28-4-2012), Rule 15, before omission, stood as under:

"15. Transition to addressable systems.—(1) Immediately on operationalisation of the subscriber management system and the installation of the Set Top Boxes under rule 13, every multi-system operator shall start transmitting the pay channels in encrypted as well as unencrypted form for a period of not less than fifteen days to test out the quality of service, remove any technical or operational snags and enable the subscribers to become familiar with the operation of addressable systems at their end.

(2) Before the start of the transition period under sub-rule (1), the Authority may call for progress or compliance reports from the service providers in the Forms appended to these rules, and at intervals, as may be specified by it to satisfy itself that all the multi-system operators permitted under sub-rule (3) of rule 11 have completed all the necessary arrangements to switch over to transmission of pay channels through addressable systems in the whole of the notified area by the date notified by the Central Government under section 4A of the Act.

(3) In the event of satisfactory completion of all arrangements, every multi-system operator in the notified area shall start transmitting pay channels only through addressable systems from the date notified by the Central Government under section 4A of the Act.

(4) In the event of the Authority coming to a conclusion that the arrangements made by the multi-system operators are not adequate and the switch over to transmission of pay channels through addressable systems is likely to be against the interests of a substantial

Contd. on next page

¹[FORM 1]

[See rule 3(1)]

(To be submitted in duplicate)

**FORM OF APPLICATION FOR REGISTRATION/RENEWAL OF
REGISTRATION/ISSUE OF DUPLICATE CERTIFICATE OF
REGISTRATION AS A CABLE OPERATOR OTHER THAN
MULTI-SYSTEM OPERATOR**

To

The Head Postmaster
Head Post Office

.....

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

1. (a) Name of Applicant (individual/firm/company/association of persons/body of individuals)
- (b) Age/Date of establishment/Date of incorporation
2. (a) Address (Office)
- (b) Telephone number (if any)
3. (a) Citizenship (for individual applicants/body of individuals)
- (b) Details of incorporation in case of company
4. (a) Amount of fee paid for registration/renewal/issue of duplicate certificate Rs.....
- (b) Name of Head Post Office.....
- (Attach copy of challan *vide* which the fees have been deposited)
5. Area in which cable television network is working/proposed to be set up
6. Address of Premise from where service will be provided

Contd. from Previous page

portion of the subscribers in any notified area, the Authority may recommend to the Central Government an extension of the notified date by such period as in its opinion is the minimum required for the satisfactory completion of the necessary arrangements by the multi-system operators.

(5) On receipt of a recommendation from the Authority under sub-rule (4), and before the expiry of the notified date, the Central Government may, if it is satisfied that it is not in public interest to switch over to addressable systems on the notified date and that circumstances so warrant to extend the notified date to protect the interests of a substantial portion of subscribers in the notified area, issue another notification indicating the revised date under section 4A of the Act:

Provided that the power to issue notification in respect of the areas already notified by the Government of India in the Ministry of Information and Broadcasting under section 4A of the Act *vide* number S.O. 792(E), dated the 10th July, 2003 shall be subject to the orders and final outcome of the LPA No. 985/2006 & CMs 6660/2006 and 6658/2006 pending in the High Court of Delhi.

(6) Every multi-system operator shall complete the remaining arrangements within such extended period and start transmitting the pay channels only through addressable systems from such revised date as notified under sub-rule (5)."

1. Subs by S.O. 940(E), dated 28th April 2012, for Form 1 (w.e.f. 28-4-2012). Earlier Form 1 was substituted by G.S.R. 459(E), dated 8th October, 1996 (w.e.f. 8-10-1996).

7. (a) Date from which the cable television network is operating/proposed to be set up
- (b) Names of Doordarshan and Parliament satellite channels included in cable service
- (c) Number of channels being provided/proposed to be set up
8. (a) Whether using Television Receive Only (TVRO) Yes/No
- (b) If Yes, number and size of TVRO.....
- (c) Location.....
9. Copy of earlier registration certificate enclosed Yes/No
(To be filled in only for renewal of registration)
10. (a) State reasons for issue of duplicate certificate of registration
(Attach mutilated or defaced original certificate of registration/copy of report made to the police 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.....
11. Documents to be attached:
 - (A) In case of an individual
 - (i) ID Proof
 - (ii) Proof of residence
 - (iii) PAN number
 - (iv) Copy of current Income Tax Return, if any
 - (v) Copy of Income Tax, Service Tax and Entertainment Tax in case of renewal of registration
 - (B) In case of association or body of individuals
 - (i) Document by which the association or body of individuals has come into existence, including address and details of office bearers
 - (ii) PAN number
 - (iii) Copy of current tax returns for Income-Tax, Service Tax, and entertainment tax, if any
 - (iv) Copy of Income Tax, Service Tax and Entertainment Tax in case of renewal of registration
 - (C) In case of companies
 - (i) A copy of the certificate of incorporation of the company alongwith copies of Memorandum of Association and Articles of Association, details of Board of Directors, Chief Executives & shareholding pattern
 - (ii) PAN number
 - (iii) Copies of current tax returns for Income-Tax, Service Tax, and Entertainment Tax, if any
(If these numbers are not available at the time of application, the same can be allowed to be submitted within two months. Applicant shall be required to file an affidavit to this effect along with the application for grant of registration)
 - (iv) Copy of Income Tax, Service Tax and Entertainment Tax in case of renewal of registration

[Note.—In case of any change in the above, same shall be intimated to the Registering authority within a month such changes taking place.]

12. Declaration in Form 2 on a stamp paper of Rs. 10 enclosed Yes/No
(To be filled in for *registration/renewal of registration only)

I/We the applicant(s) *(individual/firm/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.]

¹FORM 2

[See rule 3(3) and rule 11A(2)]

I/We.....the applicant(s) (individual/firm/company/association of persons/body of individuals) for registration as a cable operator/multi-system operator renewal of registration as a cable operator/multi-system 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) Act, 1995, and the rules made thereunder, regulations, orders, guidelines or the directions issued by the Central Government or the Authority from time to time.
- (ii) I/We shall not permit/associate any person who is not eligible to run a cable television network under the Cable Television Networks (Regulation) Act, 1995 to run/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.
- (vii) I/We shall transmit or re-transmit channels in the area notified under section 4A of the Act in an encrypted form through a digital addressable system and in the event of failure to do so, our existing registration is liable to be cancelled.
- (viii) I/We shall not carry programming service provided on the channel generated at the my/our level, which is in violation of the Programme & Advertising Codes prescribed in Rules 6 and 7.

- (ix) I/we have not been convicted for a criminal offence;
- (x) I/we are not of unsound mind as declared by a competent court;
- (xi) I/we are not an undischarged insolvent;
- (xii) I/We have submitted all the documents as prescribed in Form 1 (in case of cable operators) and Form 6 (in case of Multi-System Operator).

Place.....
Date.....

.....
Signature of Applicant
*(individual/firm/company/
association of persons/
body of individuals)
Name.....
Address.....
.....

* Score out the word or words which are not applicable.]

[FORM 3
[See rule 5(1)]
Government of India
Head Post Office

REGISTRATION CERTIFICATE NUMBER

Shri/Shrimati/M/s.....resident of...../the Company named,
..... 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.....

The Registration Number is.....

- 2. This Certificate is only valid for the premises stated above.
- 3. This Certificate is subject to the condition that the applicant shall not carry any
programme in a programming service provided on the channel generated at the level of
such cable operator, which is in violation of the Programme and Advertising Code laid
down in Rules 6 and 7 respectively of the Cable Television Networks Rules, 1994.
- 4. This Registration Certificate is not transferable.
- 5. 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.....(town/city)

Place.....
Date.....

**TO BE DISPLAYED PROMINENTLY ON THE PREMISES OF THE CABLE
OPERATOR.**

* Tick whichever is appropriate.]

1. Subs. by S.O. 940(E), dated 28th April, 2012, for Form 3 (w.e.f. 28-4-2012).

¹[FORM 3A]

[See rule 5(2)]

Government of India
Head Post Office**DUPLICATE REGISTRATION CERTIFICATE**

1. Shri/Shrimati/M/s.....resident of.....the company namedis 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 Certificate is valid only for the premises stated above.

3. This Certificate is subject to the condition that the applicant shall not carry any programme in a programming service provided on the channel generated at the level of such cable operator, which is in violation of the Programme and Advertising Code laid down in Rules 6 and 7 respectively of the Cable Television Network Rules, 1994.

4. This Registration Certificate is not transferable.

5. 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.....(Town/city)

Place.....

Date.....

TO BE DISPLAYED PROMINENTLY ON THE PREMISES OF THE CABLE OPERATOR

* Tick whichever is appropriate].

²[FORM 4
[See rule 5(3)]

To

Sir,

Reference to 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 for the following reasons:

(a)

(b)

(c)

(ii) Registration fee has not been tendered.

(iii) Applicant is not a citizen of India.

(iv) any other reason

.....
Head Post Master

Head Post Office.....

Place.....

Date.....

1. Subs. by S.O. 940(E), dated 28th April, 2012, for Form 3A (w.e.f. 28-4-2012).
2. Subs. by S.O. 940(E), dated 28th April, 2012, for Form 4 (w.e.f. 28-4-2012).

**FORM 5**

(See rule 8)

FORM OF REGISTER TO BE MAINTAINED BY EACH CABLE OPERATOR

Sl. No.	Encrypted channel/ programme	Duration from to	Date	Month	Year
1	2	3	4	5	6

.....
Signature of Cable Operator

¹FORM 6

[See rule 11A]

(To be submitted in duplicate)

To

The Secretary
Ministry of Information & Broadcasting,
'A' Wing, Shastri Bhawan,
New Delhi-110001.

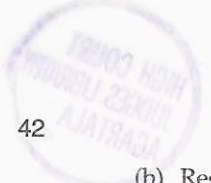
Subject:—Application for grant of registration to multi-system operators to provide cable television network services with digital addressable system in any or more notified areas.

Sir,

I hereby submit the following details for grant of registration—

1. (a) Name of the Applicant (individual/firm/company/association of persons/body of individuals)**
 (b) Age/Date of establishment/Date of Incorporation
 (c) Address of the premise from where the service will be offered
2. (a) Citizenship (for individual applicants/body of individuals)
 (b) Details of incorporation in case of Company
3. (a) Bank Draft of Rs. 1,00,000 in favour of Pay and Accounts Officer, Ministry of Information & Broadcasting
 (b) PAN Number
 (c) Copy of current Income Tax, Service Tax and Entertainment Tax returns. If not available, the reasons therefor
 (d) Service Tax Registration Number of individuals/firm/company/association of persons/ body of individuals. (If the number is not available at the time of application, the same can be allowed to be submitted within two months. Applicant shall be required to file an affidavit to this effect along with the application for grant of license)
 (e) Entertainment Tax Registration Number
4. Details of existing Registration as a Cable Operator
 (a) Name of the Post Office with which registered

1. Subs. by S.O. 940(E), dated 28th April 2012, for Form 6 (w.e.f. 28-4-2012).

- 
- (b) Registration No./ Validity up to
- (c) Copy of the Registration Certificate (enclose)
- (5) Complete Postal Address with Telephone/Fax No./E-mail ID
- (a) Corporate Office/ Head Office
- (b) Registered Office
- (c) Regional Offices
- (d) Address of Correspondence
6. Name of authorized contact person, his designation and Telephone/Fax No./ E-mail ID.
7. *Registration detail under Companies Act, 1956: Incorporation No. and Date (Attach a copy of Certificate of Incorporation and Memorandum and Article of Associations).
8. *Board of Directors (Attach list of Directors along with bio-data of each Director giving date of birth, place of birth, parentage, nationality, permanent address, residential address, official address, passport No. (if any), qualification, experience, etc.
9. *Attach list of key executives including CEO/MD along with details as in 8 above.
10. (i) Authorized Share Capital, (ii) Paid-up Share Capital, (iii) Net worth (enclose a copy of the audited Balance Sheet and Profit and Loss Account for the immediate preceding year and certificate of Net Worth on the basis of these documents by a Chartered Accountant).
11. Details of availability/arrangement of funds for operation of cable service as MSO (sufficient proof to be enclosed).
12. (i) Present Area of Operation (if in more than one city, city-wise details to be given).
- (ii) DAS notified Area or Areas proposed to be covered by the applicant (if in more than one city, then city-wise details should be given).
13. No. of channels being provided (own/broadcasters') (give names separately for own channels and broadcasters' channels).
14. Whether the capacity to carry minimum number of channels specified by the Authority is available- Yes/ No
15. Other value added services being provided (details along with their copies of licenses).
16. Total No. of each of local cable operators and subscribers covered (attach list of local cable operators with their Telephone Nos./Fax Nos./E-mail IDs and the number of subscribers each of the cable operators has with him).
17. Details of past experience/field of activity.
18. Preparedness to supply and maintain adequate number of Set Top Boxes for the subscribers and installation of subscriber management system (give details to substantiate your claim including No. of Set Top Boxes already available/ orders placed/network of authorized persons/agents to supply and provide after sales service).
19. Number of Agreements signed with broadcasters to supply their channels under Digital Addressable System(DAS) scheme (Give names of broadcasters and their channels for which agreements signed along with copies of agreements to substantiate your claim).

20. What arrangements have been made/proposed to be made to give wide publicity to DAS scheme in each of the notified areas, as approved by the Authority. (Give full details).

21. Undertaking on a stamp paper of Rs. 10 as per Form 2.

I/We....., the applicant(s) ^{**}(individual/firm/company/association of persons/body of individuals) do hereby declare that the above facts are correct in all respects.

I/We hereby undertake to abide by all the conditions/directions/orders that the Central Government or the Authority may lay down/issue for the smooth implementation and operation of DAS scheme in the notified areas.

.....
Signature of Applicant/Authorized person
^{**}(individual/firm/company/association
of persons/body of individuals)

Place.....

Name.....

Date.....

Address.....

* To be given in case applicant is a Company/Firm.

** Score out the word or words which are not applicable.]

- (13) सा.का.नि. 286(अ), तारीख 11 अप्रैल, 2007 ।
- (14) सा.का.नि. 482(अ), तारीख 12 जुलाई, 2007 ।
- (15) सा.का.नि. 774(अ), तारीख 3 दिसंबर, 2007 ।
- (16) सा.का.नि. 104(अ), तारीख 25 फरवरी, 2008 ।
- (17) सा.का.नि. 413(अ), तारीख 29 मई, 2008 ।
- (18) सा.का.नि. 138(अ), तारीख 27 फरवरी, 2009 ।
- (19) सा.का.नि. 411(अ), तारीख 12 जून, 2009 ।
- (20) का.आ. 940(अ), तारीख 28 अप्रैल, 2012 ।
- (21) का.आ. 1521(अ), तारीख 6 जुलाई, 2012 ।
- (22) सा.का.नि. 216(अ), तारीख 21 मार्च, 2015 ।
- (23) सा.का.नि. 804(अ), तारीख 19 अगस्त, 2016 ।
- (24) सा.का.नि. 416(अ), तारीख 17 जून, 2021 ।
- (25) सा.का.नि. 121, तारीख 18 सितंबर, 2023 ।

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

New Delhi, the 3rd October, 2023

G.S.R. 719(E).—In exercise of the powers conferred by sub-section (1) and (2) of section 22 of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995), the Central Government hereby makes the following rules further to amend the Cable Television Networks Rules, 1994, namely:-

1. (1) These rules may be called the Cable Television Networks (Second Amendment) Rules, 2023.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Cable Television Networks Rules, 1994, in rule 2,-

(I) after clause (a), the following clause shall be inserted, namely :-

‘(aa) “designated officer” means-

(i) in relation to local cable operator, the District Magistrate of the area within whose territorial jurisdiction the registered office of the local cable operator is situated;

(ii) in relation to the multi-system operator, the District Magistrate of the area within whose territorial jurisdiction the registered office of the multi-system operator is situated, in so far as it relates to the following, namely :-

(A) for contravention of Programme Code specified under section 5 and Advertisement Code specified under section 6 of the Act in relation to platform services;

(B) for contravention of maintenance of register under section 7 of the Act; and

(iii) in relation to any other case, an officer not below the rank of Deputy Secretary to the Government of India;’;

(II) after clause (b), the following clause shall be inserted, namely :-

‘(ba) “local cable operator” means the cable operator registered under rule 5;’;

(III) after clause (d), the following clauses shall be inserted, namely:-

‘(da) “Platform Services” means the programmes transmitted by a Multi-System Operator exclusively to his own subscribers and does not include Doordarshan channels, registered television channels and foreign television channels which are not registered in India;

(db) “Registered Office” means the office of a person registered in the records maintained by the registering authority;’.

[F. No. N-45011/23/2020-DAS (Vol. I)-Part (I)]

SANJIV SHANKAR, Jt. Secy.

Note: The Principal rules were published in the Gazette of India, Extraordinary Part-II, Section 3, Sub-section (i) *vide* number G.S.R. 729(E), dated the 29th September, 1994 and were subsequently amended *vide*:-

- (1) G.S.R 453 (E), dated 29th May, 1995.
- (2) G.S.R 820 (E), dated 29th December, 1995.
- (3) G.S.R. 459(E), dated the 8th October, 1996.
- (4) G.S.R 597 (E), dated 20th August, 1999
- (5) G.S.R. 710(E), dated the 8th September, 2000.
- (6) G.S.R. 719(E), dated the 13th September, 2000.
- (7) G.S.R. 26(E), dated the 18th January, 2001.
- (8) G.S.R. 282(E), dated the 11th May, 2006.
- (9) G.S.R. 452(E), dated the 31st July, 2006.
- (10) G.S.R. 459(E), dated the 2nd August, 2006.
- (11) G.S.R. 469(E), dated the 9th August, 2006.
- (12) G.S.R. 697(E), dated the 11th November, 2006.
- (13) G.S.R. 286(E), dated the 11th April, 2007.
- (14) G.S.R. 482(E), dated the 12th July, 2007.
- (15) G.S.R. 774(E), dated the 3rd December, 2007.
- (16) G.S.R. 104(E), dated the 25th February, 2008.
- (17) G.S.R. 413(E), dated the 29th May, 2008.
- (18) G.S.R. 138(E), dated the 27th February, 2009.
- (19) G.S.. 411(E), dated the 12th June, 2009.
- (20) S.O. 940(E), dated the 28th April, 2012.
- (21) S.O. 1521(E), dated the 6th July, 2012.
- (22) G.S.R. 216(E), dated the 21st March, 2015.
- (23) G.S.R. 804(E), dated the 19th August, 2016.
- (24) G.S.R. 416(E), dated the 17th June 2021.
- (25) G.S.R. 121, dated the 18th September 2023.