



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA

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सत्यमेव जयते

Dated: 4th November, 2015

DIRECTION

Subject: Direction to Multi System Operators under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 and sub-regulation (20) of regulation 5 of the Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) Regulations, 2012.

No. 17-40/2015-B&CS--- Whereas the Telecom Regulatory Authority of India [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997, has been entrusted with discharge of certain functions, inter-alia, to regulate the telecommunication services; to fix the terms and conditions of interconnectivity between the service providers; ensure technical compatibility and effective interconnection between service providers; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect interest of the consumers of telecommunication service;

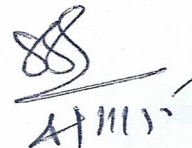
2. And whereas the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunications), vide its notification No.39,---

(a) issued in exercise of powers conferred upon the Central Government by the proviso to clause (k) of sub-section (1) of section 2 of the TRAI Act, and

(b) published under notification number S.O.44(E) dated the 9th January, 2004 in the Gazette of India, Extraordinary, Part III, Section 4,---

has notified broadcasting services and cable services to be telecommunication services;

3. And whereas the Authority has, in exercise of powers conferred by the TRAI Act, 1997, read with notification of the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunication) No.39, made the Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) Regulations, 2012(No. 9 of 2012) dated the 30th April, 2012 (hereinafter referred to as the regulations);


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4. And whereas the sub-regulation (20) of regulation 5 of the regulations reads as under:-

"(20) It shall be the responsibility of every multi system operator to hand over a copy of signed interconnection agreement who enters into an interconnection agreement with a linked local cable operator/s to hand over a copy of signed interconnection agreement to such cable operator and obtain an acknowledgement in this regard within a period of 15 days from the date of execution of the agreement."

5. And whereas the Authority convened several meetings with MSOs and LCOs in various parts of the country to increase the awareness amongst service providers regarding the regulatory framework laid down by the Authority for Digital Addressable Cable TV systems;

6. And whereas during these meetings, the local cable operators made representations to the Authority alleging that the copy of signed interconnection agreement is generally not handed over by the MSOs to the local cable operators;

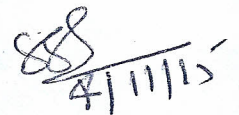
7. And whereas, regulation 8 of the regulations reads as under:-

"8. Intervention by the Authority .- The Authority may, in order to protect the interest of the consumer or service provider or to promote and ensure orderly growth of the broadcasting and cable sector or for monitoring and ensuring compliance of these regulations, by order or direction, intervene, from time to time."

8. Now, therefore, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and sub-regulation (20) of regulation 5 and regulation 8 of the regulations, hereby directs all the multi system operators to provide to the cable operators a copy of the interconnection agreement,:-

(a) within fifteen days, in respect of all interconnection agreement entered into, prior to the date of issue of this direction and obtain an acknowledgement thereof;

(b) which may be entered into after the issue of this direction within fifteen days of signing the agreement and obtain acknowledgement thereof and furnish compliance report within twenty one days of issue of this direction.



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To

1. All MSOs registered for providing cable TV services through DAS.
2. Website of TRAI.