

Dated 22nd February, 2013

DIRECTION

Subject: Direction to M/s _____ under Section 13 of the Telecom Regulatory Authority of India Act, 1997, for implementation of Digital Addressable Cable TV Systems (DAS).

No.16-2/2012-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 and entrusted with discharge of certain functions, inter alia, to regulate the telecommunication services, lay-down the standards of quality of service to be provided by the service providers and to 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 had in exercise of powers conferred by section 36, 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), read with notification of the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunication) No.39, notified the “Standards of Quality of Service (Digital Addressable Cable TV Systems) Regulations, 2012 (12 of 2012)” (herein after referred to as the Standards of Quality of Service Regulations) on 14th of May 2012.

4. And whereas regulation 20 of the Standards of Quality of Service Regulations, provides as under: -

“20. Setting up and operationalisation of subscriber management system.- Every multi system operator shall, before providing cable services through Digital Addressable System, establish, set up and operationalise its subscriber management system and such subscriber management system shall comply with the digital addressable cable TV system requirements as mentioned in the Telecommunication (Broadcasting and Cable Services) Interconnection (Digital Addressable Cable Television Systems) Regulations, 2012, for ensuring efficient and error-free service to the subscribers by recording and providing individualized preferences for channels, billing cycles or refunds”;

5. And whereas for seeking compliance with the aforesaid regulation 20 of the Standards of Quality of Service Regulations, a notice dated 14.02.2013 was issued to M/s _____ wherein M/s _____ was required to submit its compliance report with respect to regulation 20 by 20.02.2013;

6. And whereas no reply to the aforesaid notice dated 14.02.2013 referred to in para 5 above has been received from M/s_____;

7. Now, therefore, the Telecom Regulatory Authority of India, in exercise of the powers conferred upon it under section 13, read with sub-clause (i) and (v) of clause (b) of subsection (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), directs M/s. _____to comply with the provisions of regulation 20 of the “Standards of Quality of Service (Digital Addressable Cable TV Systems) Regulations, 2012”, and submit to the Authority its compliance report within 7 days of the issue of this direction.

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To

All MSOs operating in the notified areas of 1st Phase of DAS