

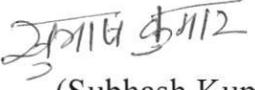
F. No. 45001/8/2019-DAS
Government of India
Ministry of Information & Broadcasting

Shastri Bhawan, New Delhi
Dated: 29/12/2021

ORDER

Subject: Guidelines for sharing of infrastructure by Multi System Operators.

Consequent upon acceptance of TRAI recommendations on "Sharing of Infrastructure in Television Broadcasting Distribution Sector" dated 29/03/2017 by the competent authority, the sharing of infrastructure by Multi-System Operators is permitted as per the enclosed guidelines.

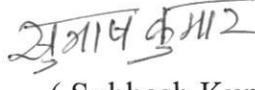

(Subhash Kumar)
Deputy Secretary to the Government of India)

Copy to,

1. TRAI – w.r.t. to their above quoted recommendations.
2. NIC – for posting on MIB website
3. All MSOs
4. AIDCF

Copy for information to :

1. Addl. PS to HMIB
2. PPS to Secretary (I&B)
3. PPS to AS(I&B)
4. PPS to JS (B)
5. PPS to JS(P&A)
6. PS to Director (BP&L)


(Subhash Kumar)
Deputy Secretary to the Government of India)

Guidelines for Sharing of Infrastructure by Multi-System Operators

1. Wherever technically feasible, the MSO may share infrastructure with another MSO on voluntary basis. While sharing the infrastructure with another MSO, the responsibility of compliance to the relevant Acts/ rules/ regulations/ license/ orders/ directions/ guidelines would continue to be of each MSO independently.
2. The existing condition of MSO's permission / registration "You shall have an independent digital head-end of your own and shall provide digital addressable cable TV services for all channels, satellite or local, only from your own head-end" is deemed to be modified to the extent to allow sharing of head-end as follows : "In case, the head-end and other infrastructure i.e. CAS and SMS hardware is shared, on voluntary basis, with the other MSO, the guidelines issued by MIB regarding sharing of infrastructure shall be followed".
3. Each MSO should undertake to ensure encryption of signals and addressability of subscribers in all circumstances; and to provide access of the all the systems and the networks, used to provide broadcasting distribution network services, to the concerned broadcasters for the purpose of audit as per the regulations and the authorized officers of the Governments and their representatives whenever demanded.
4. On voluntary basis, sharing of head-end used for Cable TV services & transport streams transmitting signals of TV channels, among MSOs, is permitted
5. MSO, willing to share its transport stream of TV channels with another MSO, should ensure that the latter MSO has valid written interconnection agreements with concerned broadcasters for distribution of pay TV channels to the subscribers.
6. MSOs may share the common hardware for their SMS applications. The details of such arrangements should be reported to the MIB, the TRAI, and the concerned broadcasters, 30 days in advance.

7. MSOs may share the common hardware for their CAS applications. The details of such arrangements should be reported to the MIB, the TRAI, and the concerned broadcasters, 30 days in advance.

8. Each MSO shall be accountable for ensuring the integrity and security of the CAS and the SMS data pertaining to such distributor.

9. Each MSO shall maintain the backup of transaction logs and data of the CAS and the SMS, on near real time basis, for at least past two years, at any point of time, on a secondary storage device.

10. Each MSO shall undertake to provide access of the CAS and the SMS, used to provide broadcasting distribution network services, to the concerned broadcasters for the purpose of audit as per the regulations and the authorized officers of the Governments and their representatives whenever demanded.

11. Each MSO sharing its infrastructure and transport streams of TV channels with other MSO, should set up systems and processes which ensure that the broadcasters are able to exercise their right of disconnection of signals in case of default of payment or due to any other reason, in terms of the interconnection agreement entered into between the broadcaster and the distributor and the relevant regulations in place.

12. MSOs sharing the infrastructure, should put in place necessary technical arrangements for detecting the specific pirate in the unlikely event of any such incidence, and satisfy the broadcaster's reasonable concerns at the time of initial audit itself.

13. For infrastructure sharing the new applicant and existing licensee will jointly submit a detailed proposal for infrastructure sharing giving details of the infrastructure proposed to be shared and in the manner infrastructure is proposed to be shared as well as roles and responsibilities of each to Min. of I&B. The proposal should contain:

- Acceptance from all concerned stakeholders for sharing the infrastructure.
- Copies of the Agreements between the parties sharing the infrastructure with conditions stipulated in the guidelines.
- An undertaking by both the parties proposing to share the infrastructure that under the sharing arrangement proposed, there will not be any violation of the underlying terms and conditions of the license granted.

14. To ensure continuity of service to subscribers in the event of any disaster, the operator should have arrangement of sharing disaster recovery system in hot-standby mode.

15.. MSO providing DAS service using the shared infrastructure with another operator can establish, maintain and operate its own MSO/DAS platform at a later stage within the license validity period, following due procedures.

16. The adherence and compliance to all the provisions of the rules and guidelines issued by MIB for grant of license to the MSO operator will be the responsibility of the existing operator and the new applicant proposing to share the infrastructure to the extent as may be required / applicable individually.

17. Compliance to TRAI regulation pertaining to CAS/SMS, finger printing, STB as per Schedule III of the regulation will be the responsibility of the respective operator individually to ensure proper reporting of subscriber's base, checking unauthorized distribution and piracy.
