

MINISTRY OF INFORMATION & BROADCASTING

NOTIFICATION

New Delhi, the 31st July 2006

S.O. 1231 (E). ---- WHEREAS sections 4A of the Cable Television Networks (Regulation) Act 1995 (7 of 1995) (hereinafter referred to as the Act) envisages “transmission of programme through an addressable system” [hereinafter referred to as the Conditional Access System (CAS)];

AND WHEREAS the Government of India in the Ministry of Information and Broadcasting, by Notification vide number S.O. 39 (E) dated the 14th January 2003 made it obligatory for the cable operators in the whole of Chennai and Kolkata metropolitan area and the areas covered by the Municipal Council of greater Mumbai and the National Capital Region of Delhi to transmit or re-transmit programmes of every pay channel through an addressable system within a period of six months from 15th January 2003;

AND WHEREAS the Government of India, In the Ministry of Information & broadcasting, by notifications vide number S.O. 792 (E) dated 10th July 2003, revised the notified areas to certain specified areas in the Chennai and Kolkata metropolitan areas and the areas covered by Municipal Council of Greater Mumbai and the National Capital Region of Delhi in supersession of the notification number S.O. 39 (E) dated 14th January 2003, to transmit or re-transmit programmes of every pay channels through an addressable system within a period of six months from 1st march 2003;

AND WHEREAS the Government of India, In the Ministry of Information & broadcasting, by notifications vide number S.O. 271 (E) dated 27th February 2004, suspended the operation of the notification number 39 (E) dated the 14th January 2003 read with notification number 792 (E) dated the 10th July 2003;

AND WHEREAS the Hon'ble High Court of Delhi passed an order dated the 10th march 2006 in CWP No. 14464-66 of 2004 filed by M/s Hathway Cables & Datacom Pvt. Ltd. and others directing the Central Government to implement Conditional Access System in the areas notified vide notifications number S.O. 792 (E) dated the 10th July 2003 by Government of India in the Ministry of information & Broadcasting within four weeks;

AND WHEREAS the Hon'ble High Court of Delhi passed an order dated the 20th July 2006 in LPA No. 985/2006 & CMs 6660/2006 directing the Government of India to implement Conditional Access System by 31st December 2006 in the notified areas vide number S.O. 792 (E) dated the 10th July 2003 by the Government of India in the Ministry of Information & Broadcasting in terms of the order passed by the learned single judge dated the 10th March 2006 for which necessary notification shall be issued by 31st July 2006;

NOW THEREFORE, in exercise of the powers conferred by sub-sections (1) of the sections 4A, read with section 9 of the Cable Television Networks (Regulation) Act 1995 (7 of 1995), the Central Government, having been satisfied that it is necessary in the public interest so to do, and having regard to the aforesaid order dated 20th July 2006 of the Hon'ble High Court of Delhi hereby notifies 31st December 2006 as the date from which it shall be mandatory for every cable operator to transmit or re-transmit programmes of every pay channel through an addressable system in the areas notified by the Government of India in the Ministry of Information & Broadcasting vide number S.O. 792 (E) dated the 10th July 2003.

[F.No. 9/16/2004-BP&I (Vol-IV)]

N.BAIJENDRA KUMAR, Jt. Secy.