

Procedure for registration as a Multi-System Operator

(As per Ministry of Information & Broadcasting Notification S.O. 940(E) dated 28th April 2012)

(Abstracts from Cable Rules 2012)

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;

11B. Eligibility criteria for Multi-System Operator.— The following criteria shall be fulfilled by an applicant 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 or 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;

(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.

11C. Registration as Multi-Systems 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.

11D. Terms and conditions for registration as Multi-Systems Operator.— A person who has been granted certificate under rule 11C shall comply with the following terms and conditions, namely:--

(a) such person shall comply with all the provisions of the Act and the rules made thereunder.

(b) such person shall comply with the regulations, orders, directions or guidelines made or issued by the Authority;

(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.

For FORM 2, a new Form shall be substituted , namely,
FORM- 2

(See rule 3(3) and Rule 11A(2))

I/We ----- the applicant(s) (individual/firm/company/association of person/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 4 A 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.

- 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.

- I/we have not been convicted for a criminal offence.

- I/we are not of unsound mind as declared by a competent court;

- I/we are not an undischarged insolvent

- 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).

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

For FORM 6, a new Form shall be substituted , namely,

FORM-6

[See Rule 11 A]

(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 & 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 individual/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
 - Name of the Post Office with which registered
 - Registration No./Validity up to
 - Copy of the Registration Certificate (enclose)
 5. Complete Postal Address with Telephone/Fax No. /E-mail ID
 - Corporate Office/Head Office
 - Registered Office
 - Regional Offices
 - 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. Authorized Share Capital, (ii) Paid-up Share Capital, (iii) Net worth (enclose a copy of the audited Balance Sheet and Profit & 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.
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F.No.9/88/2014-BP&L
Government of India
Ministry of Information and Broadcasting
BP&L(DAS Section)

Dated 12-09-2014

NOTICE

Sub: Registration as MSO to operate in DAS notified areas of Cable TV - Streamlining of procedure for obtaining Security Clearance from MHA.

Ministry of Home Affairs (MHA) has devised a new format for furnishing details in respect of applicant MSO Companies and Directors/Key Executives of their companies **as attached herewith** for providing the requisite Security Clearance.

2. Since the final grant of permission to MSO applicants by this Ministry for operation in DAS notified areas is based on the Security Clearance or otherwise received from MHA, all MSO applicants, including those who are yet to get the necessary permission, are requested henceforth to furnish the information as per the revised format prescribed by MHA.

3. In this connection, it is also informed that as per MHA guidelines the approval/permission/license granted will also be liable to be cancelled in the event of withdrawal of Security Clearance by MHA.

4. All MSO applicants are, therefore, requested/advised to adhere to the above.

5. For any clarification or enquiry, applicant companies are requested to participate/ attend the Open House Meetings being organized by this Ministry on every Tuesday at 11.00 hours in the Room of Director (BP&L) in Room No.662, A Wing 6th Floor Shastri Bhavan, New Delhi by confirming their participation through sending an email at sobpandl@gmail.com or at das.mib@gmail.com by Friday of every week.


(Shanker Lal)

Deputy Secretary(DAS)
Telephone:23387373

