



सत्यमेव जयते

भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार / Government of India



F.No. C-1/2/(2)/2021-B AND CS(2)

Date: 27th June, 2023

To

The Secretary
Ministry of Information and Broadcasting,
Room No. 655, A Wing Shastri Bhawan
New Delhi-110001

Subject: TRAI's response to Ministry of Information and Broadcasting back reference on TRAI's Recommendations on 'Renewal of Multi-System Operators (MSOs) Registration' – regarding.

Your Ref: Letter No. 1486/2023/GA dated 27th April 2023

This is with reference to the above reference letter as regards the TRAI recommendations on 'Renewal of Multi-System Operators (MSOs) Registration' dated 29-12-2022.

2. TRAI response to the MIB letter is as per table below:

S. No.	TRAI's Recommendation at para 44 of Chapter 2	Comments/Suggested modification at para 44 of Chapter 2 by MIB	TRAI Response
1.	"The Authority recommends that all such registrations, which have either expired or about to expire within the next 8 months from the date of implementation of decision of MIB w.r.t renewal of MSO registrations, should be deemed to expire after 8 months from the date of implementation of rules/guidelines for renewal."	<i>The issue of extension of validity of registration of MSOs which have either expired or about to expire till decision on "Renewal Procedure" is implemented was duly considered in the Ministry. To ensure continuity of services offered by the MSOs, it has been decided by the Competent Authority that MIB may seek details like number of subscribers to check whether the MSO is operational and filled in security clearance form to get necessary security inputs from M/O Home Affairs and may grant temporary extension, subject to compliance of terms and conditions of MSO registration and receipt of security clearance from M/o Home Affairs. Accordingly,</i>	TRAI accepts the suggested model. However, MIB May ensure that all the MSOs concerned are informed well before the expiry of their registration for the renewal process while seeking requisite details. The communication to the MSOs must clearly mention that if the requisite details are not submitted in the specified time, it will be presumed that the MSO concerned is not seeking renewal of registration and that their registration will expire.

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		<p><i>the above details were sought from MSOs who were expecting the expiry of their MSO registration. Only those MSOs who had either furnished the above details or made a request before MIB for renewal of registration were granted temporary extension subject to relevant necessary compliance and security clearance from M/o Home Affairs. The MSO Registrations of those who had not furnished above details or made any request for renewal were allowed to expire. At present Ministry has granted temporary extension till 30-06-2023 on the applicable cases.</i></p>	
S.No.	TRAI's Recommendation at sub para (e) of para 79 in Chapter 2	Comments/Suggested modification at sub para (e) of para 79 in Chapter 2 by MIB	TRAI Response
2.	<p>“Every renewal application shall be referred to the Authority for confirmation to compliance of extant rules and regulations. The process of seeking confirmation of compliance may be online through Broadcast Seva Portal. The Authority will provide explicit instances of non-compliance if such is the case within fifteen days of online referral. For the purposes of transparency and clarity, TRAI shall release a detailed circular on its website which shall contain the specifics of the review process and grounds of such review by TRAI. If the Authority does not respond within fifteen days of such referral, than the compliance from regulator may be considered as deemed confirmation.”</p>	<p><i>The renewal of registration of an MSO under the CTN Act, 1995 is a quasi-judicial process. The Registering Authority is required to grant the opportunity of being heard before denying registration. The decision of Registering Authority is appealable before Central Government. The compliance to TRAI regulation, guidelines and orders are part of terms and conditions of registration granted to an MSO. Hence, TRAI may share instances of non-compliance at any point of time and MIB may take action as per the provisions of CTN Act and Rules. It is suggested that the process of TRAI sharing the details of defaulter MSOs with MIB for necessary action should continue to be followed and the same should not be mixed specifically with the process of renewal of registration.</i></p>	<p>TRAI accepts MIB response. TRAI will continue to send the details of non-compliance of MSOs at regular intervals.</p>

3. Further, MIB in its back reference has not commented on any of the remaining recommendations. Therefore, it is presumed that MIB has accepted remaining recommendations on 'Renewal of Multi-System Operators (MSOs) Registration'.

5. Keeping in view the prevalent practice, a copy of MIB letter, along with the TRAI response, is being placed on the website of TRAI www.traigov.in.

This letter is issued with the approval of the Authority.


(V. Raghunandan)
Secretary, TRAI