

No.17-1/2006 –B&CS
Telecom Regulatory Authority of India
B &CS Division

Dated: 18th September 2006

To

[All Multi System Operators permitted to provide Cable Service in CAS notified Areas]

Subject: Direction under Section 13 read with sub-clause (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) to Multi System Operators (MSOs) permitted under sub-rule (3) of Rule 11 of the Cable Television Networks Rules, 1994 (as amended), to conduct public awareness campaign in notified CAS areas.

WHEREAS, in compliance with the directions issued by the Hon'ble High Court of Delhi in their orders dated 10.3.2006 (Single Bench) and 20.07.2006 (Division Bench) directing that Conditional Access System (CAS) be implemented in the notified areas of the three Metropolitan cities of Mumbai, Kolkata and Delhi by 31st December, 2006, the Central Government has notified certain areas under sub-section (1) of section 4A of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995), vide notification no. S.O. 1231(E) dated 31.7.2006;

2. WHEREAS the Hon'ble Delhi High Court, in their order dated 20.7.2006, also directed all the co respondents to assist the Appellant (Union of India) in the implementation of CAS;

3. WHEREAS Rule 12 of the Cable Television Networks Rules, 1994 [as amended by the Cable Television Networks (Second Amendment) Rules, 2006] (hereinafter referred to as 'amended Cable Rules') provide for public awareness campaigns about the Conditional Access System scheme by the multi-system operators granted permission under sub-rule (3) of Rule 11 of the amended Cable Rules for creation of public awareness among the subscribers in the notified areas for a period of thirty days from a date to be specified by the Authority;

4. WHEREAS in exercise of the powers conferred upon it under section 36 and sub-clause (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 No.39 [No.S.O. 44(E) and 45 (E) dated 9th January, 2004], issued from file No.13-1/2004–Restg. by the Government of India under clause (d) of sub-section(1) of section 11 and proviso to clause (k) of sub-section(1) of section 2 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India has notified the Standards of Quality of Service (Broadcasting and Cable Services) (Cable Television–CAS Areas) Regulation, 2006 (8 of 2006) (hereinafter referred to as 'QOS Regulation') on 23rd August, 2006;

5. WHEREAS in terms of clause 10 of the QOS Regulation, every MSO who has been given permission under sub-rule (3) of Rule 11 of the amended Cable Rules to provide cable service in a CAS notified area, shall conduct a public awareness campaign about the salient features of the provisions contained in the QOS Regulation, in CAS areas and that the public awareness campaign shall start from a date as may be specified through a direction by the Authority (TRAI);

6. NOW, THEREFORE, in exercise of the powers vested under Section 13 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), for the discharge of functions under section 11 (1)(b) of the TRAI Act, 1997 read with the Standards of Quality of Service (Broadcasting and Cable Services) (Cable Television – CAS Areas) Regulation, 2006 (8 of 2006), the Telecom Regulatory Authority of India hereby directs all multi-system operators who are granted permission under sub-rule (3) of Rule 11 of the amended Cable Rules, to:-

- (i) commence a public awareness campaign in accordance with sub-rule(1) of Rule 12 of the amended Cable Rules read with the QoS Regulation, not later than 15th October 2006 covering a period of 30 days. The campaign should be such as to educate the public in CAS areas about the scheme of CAS implementation with emphasis on rights of the consumers as provided in the Cable Rules and in the order and regulation of the Authority, apart from the commercial schemes of MSOs;
- (ii) file the first report of compliance within 2 days from the date of start of the campaign, indicating the date of start of campaign and details of the plans of action on the mode and method of campaign; and
- (iii) file a final report within two days of the end of public awareness campaign of thirty days, indicating full details of the campaign.

7. This issues with the approval of the Authority.

(R.N. Choubey)
Advisor (B&CS) - II