

TRAI releases recommendations on “renewal of Multi-System Operators (MSOs) registration”

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The Telecom Regulatory Authority of India (TRAI) has today issued its recommendations on “Renewal of Multi-System Operators (MSOs) Registration”.

Digitalization of the Indian broadcasting sector began in year 2012 and was completed across the country by March 2017. Ministry of Information & Broadcasting (MIB) issued first of new registrations to Multi System Operators (MSOs) during the DAS implementation in June 2012, which became due for renewal/extension in June 2022. The Cable Television Networks Rules, 1994, however, do not mention provision about renewal of MSO registrations. In view of this, the Authority has received a reference from MIB seeking recommendations on the issues pertaining to MSO Renewal procedure.

In this regard, TRAI had issued consultation paper on ‘Renewal of Multi-System Operators (MSOs) Registration’ on 20th July 2022 for seeking comments of all the stakeholders. The last date of submission of comments was 10th August 2022 and counter-comments was 17th August 2022, which were extended up to 24th August 2022 and 31st August 2022 respectively, on request of some stakeholders. TRAI received comments on consultation paper from 10 stakeholders and no counter comment has been received. These comments are available on TRAI website. In this regard, an Open House Discussion was also held on 19th October 2022 through online mode.

After considering all comments/counter-comments received from stakeholders during consultation process and further analysis of the issues, the Authority has finalised its recommendations. The salient features of the recommendations are given below:

- 1. The renewal of MSO registration should be done for a period of 10 years.*
- 2. The Authority recommends that at the time of renewal, the processing fee should be kept as Rs. 1Lakh.*
- 3. The Authority recommends that:*
 - Window for applying for renewal of registrations should open not earlier than 7 months from the date of expiry and not later than 2 months prior to the date of expiry.*
 - MIB should maintain the list of MSOs with due date of expiry on its website starting from the latest due date.*

- An automated communication, as a reminder of due date of expiry, should be sent by MIB at least 7 months prior to the date of expiry to the respective MSOs.
 - In case, the applicant applies within two months of impending expiry, MIB may decide whether to entertain such application for renewal on consideration of cause of such delayed application.
 - No application for renewal may be entertained by MIB if made on or after the date of expiry of existing registration.
4. 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's registration, should be deemed to expire after 8 months from the date of implementation of the rules/guidelines for renewal.
5. The Authority recommends that list of all the MSOs whose applications that are pending with MIB for renewal should be available on portal in public domain. Further, that if an application by an MSO is under consideration (pending for decision), then such MSO should get deemed provisional extension till a final decision.
6. The Authority recommends that:
- Extant guidelines for uplinking and downlinking of television channels be appropriately amended to ensure that Broadcasters do not provide signals to such MSOs whose registration has expired.
 - MIB should publish the list of such MSOs, who have not applied for renewal within the prescribed time period with their due date of expiry, on its website.
 - The registration status of such MSO shall be deemed to be cancelled, post the expiry date.
7. The Authority recommends that:
- The application process for renewal shall be made end-to-end online with facility to upload all the documents in digital mode via single point facility i.e., Broadcast Seva Portal.
 - All the documents enlisted on the Broadcast Seva Portal which are necessary for registration as an MSO shall also be required for renewal of such registration.
 - While applying for renewal, an MSO should inform the area of operations (state-wise and district-wise within the states). This will enable the licensor/regulator to have exact information of the area of operation of an MSO at the time of renewal.
 - Self-declaration shall be submitted certifying that the concerned MSO is complying to the orders and regulations stipulated by the Authority and that the MSO has got its systems audited as per extant regulations up to the previous year.
 - 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, then the compliance from regulator may be considered as deemed confirmation.

Full text of the recommendations is available on the TRAI's website www.traigov.in.