

Cable Television Networks Rules, 1994

UNION OF INDIA

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Rule CABLE-TELEVISION-NETWORKS-RULES-1994 of 1994

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Cable Television Networks Rules, 1994 Published vide G.S.R. 729(E), dated 29.9.1994 Last Updated 18th June, 2021 In exercise of the powers conferred by sub-section (1) of section 22 of the Cable Television Networks (Regulation) Ordinance, 1994 (9 of 1994), the Central Government makes the following rules, namely :-

1. Short title and commencement.

(1) These rules may be called The Cable Television Networks Rules, 1994. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) ["Act" means the Cable Television Networks (Regulation) Act, 1995 (7 of 1995); [Inserted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).](aa)"Authority" means the Telecom Regulatory Authority of India established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);(aaa)"Broadcaster" means any person including an individual, group of persons, public or body corporate, firm or any organisation or body who or which is providing programming services and includes his or her authorised distribution agencies;](aaaa)[[Renumbered (a) as (aaaa) by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).] "cable operator" means any person who provides cable service through a cable television network or otherwise controls or is responsible for the management and operation of a cable television networks;(b)"cable service" means the transmission by cables of programmes including re-transmission by cables of any broadcast television signals;(c)"cable television network" means any system consisting of a set of closed transmission paths and associated signals generation, control and distribution equipment, designed to provide cable service for reception by multiple subscribers;(d)"company" means a company defined in section 3 of the Companies Act, 1956;(e)"form" means form appended to these rules;(ee)["Multi-System Operator (MSO)" means a cable operator receives a programming service

from a broadcaster or his authorised agencies and re-transmits the same or transmits his own programming service for simultaneous reception either by multiple subscribers directly or through one or more local cable operators (LCOs), and includes his authorised distribution agencies by whatever name called; [Inserted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).](eee)"Notified area" means any area notified by the Central Government under section 4-A of the Act;](f)"person" means-(i)an individual who is a citizen of India;(ii)an association of individuals or body of individuals, whether incorporated or not, whose members are citizens of India;(iii)a company in which not less than fifty-one per cent. of the paid-up share capital is held by the citizens of India;(g)"programme" means any television broadcast and includes-(i)exhibition of films, features, dramas, advertisements and serials through video cassette recorders or video cassette players;(ii)any audio or visual or audio-visual live performance or presentation; and the expression "programming service" shall be construed accordingly;(h)"registering authority" means the registering authority notified under clause (h) of section 2 of the Cable Television Networks (Regulation) Ordinance, 1994 1 ;(i)"subscriber" means a person who receives the signal of cable television network at a place indicated by him to the cable operator, without further transmitting it to any other person.

3. Application for registration as a cable television network in India.

(1)Every application for registration as a cable television network in India shall be made in writing in Form I and shall be renewable after every twelve months.(2)The application shall be addressed to the Registering Authority and delivered to his office in Form I.(3)(a)Every application for registration or renewal of registration shall be accompanied by-(i)a fee of rupees five hundred only; and(ii)the requisite documents mentioned in Forms 1 and 2.(b)Every application for issue of duplicate certificate of registration shall be accompanied by-(i)a fee of rupees two hundred and fifty only; and(ii)the requisite documents mentioned in Form 1.(4)The amount of fee shall be deposited in the Head Post Office where the application for registration or renewal of registration or issue of duplicate certificate of registration is being made.(5)The amount of the fees shall be deposited under the Head "Un-Classified Receipts (U.C.R.).

4. Examination of Applications.

- On receipt of an application under rule 3 the registering authority shall examine the application having regard to the provisions of section 4 of the Ordinance.

5. Registration.

(1)On being satisfied that the applicant fulfils the provisions of the Act, the registering authority shall issue a registration certificate in Form 3:Provided that where the registering authority is satisfied that the registration cannot be granted to the applicant, he shall inform the applicant in Form 4.(2)On receipt of an application under clause (b) sub-rule (3) of rule 3 for issue of duplicate certificate the Registering Authority shall examine the application having regard to the provisions of rule 3 and shall issue a duplicate Registration Certificate in Form 3-A.

6. Programme Code.

(1) No programme should be carried in the cable service which-(a) offends against good taste or decency; (b) contains criticism of friendly countries; (c) contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes; (d) contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths; (e) is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes; (f) contains anything amounting to contempt of Court; (g) contains aspersions against the integrity of the President and Judiciary; (h) contains anything affecting the integrity of the Nation; (i) criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country; (j) encourages superstition or blind itself; (k) denigrates women through the depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals; (l) denigrates children; (m) contains visual or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups; (n) contravenes the provisions of the Cinematograph Act, 1952 (37 of 1952); (o) is not suitable for unrestricted public exhibition: Provided that no film or film song or film promo or film trailer or music video or music albums or their promos, whether produced in India or abroad, shall be carried through cable service unless it has been certified by the Central Board of Film Certification (CBFC) as suitable for unrestricted public exhibition in India. (o) [is not suitable for unrestricted public exhibition [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)] Explanation . - For the purpose of this clause, the expression "unrestricted public exhibition" shall have the same meaning as assigned to it in the Cinematograph Act, 1952 (37 of 1952).] (p) [contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to periodic briefing by an officer designated by the appropriate Government, till such operation concludes. [Inserted by Notification No. G.S.R. 216(E), dated 21.3.2015 (w.e.f. 29.9.1994)] Explanation. - For the purposes of this clause, it is clarified that "anti-terrorist operation" means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists.] (q) [depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animals:] [Inserted by Notification No. G.S.R. 804(E), dated 19.8.2016 (29.9.1994).] (2) The cable operator should strive to carry programmes in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities. (3) [No cable operator shall carry or include in his cable service any programme in respect of which copyright subsists under the] [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)] [Copyright Act, 1957 (14 of 1957)] [Substituted by Notification No. G.S.R. 26(E), dated 18.1.2001 (w.e.f. 29.9.1994)] [unless he has been granted a licence by owners of copyright under that Act in respect of such programme.] [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)] (4) Care should be taken to ensure that programmes meant for children do not contain any bad language or explicit scenes of violence. (5) Programmes unsuitable for children must not be carried in the cable service at times when the largest numbers of children are viewing. (6) [No cable operator shall carry or include in his cable service any television broadcast or channel, which has not been registered by the Central Government for being viewed within the territory of India: [Provided that a cable

operator may continue to carry or include in his cable service any television broadcast or channel, whose application for registration to the Central Government was made on or before 11th May, 2006 and is under consideration, for a period upto 15th June, 2009 or till such registration has been granted or refused, whichever is earlier:] [Inserted by Notification No. G.S.R. 282(E), dated 11.5.2006 (w.e.f. 29.9.1994).] Provided further that channels unlinking from India, in accordance with permission for uplinking granted before 2nd December, 2005, shall be treated as "registered" television channels and can be carried or included in the cable service.](7)[where the Central Government is satisfied that the programme of any channel is not in conformity with the Programme Code, it may, after giving an opportunity of hearing to the cable operator, and by an order in writing, prohibit the transmission or re-transmission of any such channel or programme in accordance with the provisions of section 20 of the Act.] [Inserted by Notification No. G.S.R. 416(E), dated 17.6.2021 (w.e.f. 29.9.1994).]

7. Advertising Code.

(1)Advertising carried in the cable service shall be so designed as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers.(2)No advertisement shall be permitted which-(i)derides any race, caste, colour, creed and nationality;(ii)is against any provision of the Constitution of India;(iii)tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way;(iv)presents criminality as desirable;(v)exploits the national emblem, or any part of the Constitution or the person or personality of a national leader or a State dignitary;(vi)in its depiction of women violates the Constitutional guarantees to all citizens. In particular, no advertisement shall be permitted which projects a derogatory image of women. Women must not be portrayed in a manner that emphasises passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. The cable operator shall ensure that the portrayal of the female form, in the programmes carried in his cable service is tasteful and aesthetic, and is within the well established norms of good taste and decency;(vii)exploits social evils like dowry, child marriage;(viii)[promotes directly or indirectly production, sale or consumption of-] [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)](A)[cigarettes, tobacco products wine, alcohol, liquor or other intoxicants.] [Substituted by G.S.R. 104(E), dated 25.02.2008 (w.e.f. 29-9-1994)] [Provided that a product that uses a brand name or logo, which is also used for cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants, may be advertised on cable service subject to the following conditions that-(i)the story board or visual of the advertisement must depict only the product being advertised and not the prohibited products in any form or manner;(ii)the advertisement must not make any direct or indirect reference to the prohibited products;(iii)the advertisement must not contain any nuances or phrases promoting prohibited products;(iv)the advertisement must not use particular colours and layout or presentations associated with prohibited products;(v)the advertisement must not use situations typical for promotion of prohibited products when advertising the other products:Provided further that-(i)the advertiser shall submit an application with a copy of the proposed advertisement alongwith a certificate by a registered Chartered Accountant that the product carrying the same name as cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants is distributed in reasonable quantity and is available in a substantial number of outlets where other products of the same

category are available and the proposed expenditure on such advertising thereon shall not be disproportionate to the actual sales turnover of the product;(ii)all such advertisements found to be genuine brand extensions by the Ministry of Information and Broadcasting shall be previewed and certified by the Central Board of Film Certification as suitable for unrestricted public exhibition and are in accordance with the provisions contained in sub-clause (i) to (v) of the first proviso, prior to their telecast or transmission or retransmission;](B)[infant milk substitutes, feeding bottle or infant foods.] [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)](ix)[depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animal.] [Inserted by Notification No. G.S.R. 804(E), dated 19.8.2016 (29.9.1994).](3)No advertisement shall be permitted the objects whereof are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end.[(3-A) No advertisement shall contain references which hurt religious sentiments.] [Inserted by Notification No. G.S.R. 710(E), dated 8.9.2000 (w.e.f. 29.9.1994)](4)The goods or services advertised shall not suffer from any defect or deficiency as mentioned in Consumer Protection Act, 1986.(5)No advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult of being proved.(6)The picture and the audible matter of the advertisement shall not be excessively "loud" .(7)No advertisement which endangers the safety of children or creates in them any interest in unhealthy practices or shows them begging or in an undignified or indecent manner shall not be carried in the cable service.(8)Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements.(9)No advertisement which violates the Code for self-regulation in advertising, as adopted by the Advertising Standard Council of India (ASCI), Mumbai for public exhibition in India, for time to time, shall be carried in the cable service.(10)All advertisements should be clearly distinguishable from the programme and should not in any manner interfere with the programme, viz. , use of lower part of screen to carry captions, static or moving alongside the programme.(11)[No programme shall carry advertisements exceeding twelve minutes per hour, which may include up to ten minutes per hour of commercial advertisements, and up to two minutes per hour of a channel's self-promotional programmes.] [Inserted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).](12)[where the Central Government is satisfied that the advertisement of any channel is not in conformity with the Advertising Code, it may, after giving an opportunity of hearing to the cable operator, and by an order in writing, prohibit the transmission or re-transmission of any such channel or programme in accordance with the provisions of section 20 of the Act.] [Inserted by Notification No. G.S.R. 416(E), dated 17.6.2021 (w.e.f. 29.9.1994).]

8. Register.

- Each cable operator shall maintain a register in Form 5 for each month of the year for which the registration is granted.

9. [Standard interconnection agreements, tariffs and quality of service standards for the service providers in the areas notified under section 4-A of the Act. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f.

29.9.1994).]

- The Authority may, on issue of any notification under section 4-A of the Act by the Central Government, take appropriate decisions on the following aspects and duly notify the-(a)standard interconnection agreement to be used for entering into commercial agreements for distribution in the notified areas, of pay or free-to-air channels among (i) broadcasters and multi-system operators; and (ii) multi-system operators and local cable operators;(b)the maximum limits of security deposit and monthly rental for supply, maintenance and servicing of set top boxes of prescribed specifications to the subscribers on rental basis by multi-system operators in the notified areas;(c)tariff for the basic service tier alongwith the minimum number of free-to-air channels to be provided by the multi-system operators or local cable operators to the subscribers in the notified areas;(d)regulations for quality of service to be provided by the multi-system operators or local cable operators to the subscribers in the notified areas.]

10. [Nature and prices of channels. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).]

(1)Every broadcaster shall declare the nature of each of its channels as "pay" or "free-to-air" channel as well as the maximum retail price of each of its "pay" channels to be charged by the multi-system operators or local cable operators from the subscribers in each of the notified areas.(2)Every broadcaster shall file his declaration of the nature and prices of channels under sub-rule (1) before the authority and the Central Government within fifteen days of the date of notification by the Central Government under section 4-A of the Act.(3)If in the opinion of the Authority, the price declared by the broadcaster in respect of any of its pay channels is too high, the Authority may, under section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), fix and declare the maximum retail price of such a pay channel or fix a general maximum retail price for all pay channels within which the broadcasters may declare their individual prices for each pay channel, to be paid by the subscribers in any of the notified areas, and such an order of the Authority shall be binding on the broadcasters and the multi-system operators and local cable operators.(4)Every broadcaster shall enter into interconnection agreements with multi-system operators in the notified areas as per the standard interconnection agreement, or with any mutually agreed modifications on a non-discriminatory basis, as per the regulations or directions or orders of the Authority.(5)If a broadcaster fails to declare the price of any of its pay channels within the prescribed time limit under sub-rule (2) or refuses or fails to comply with the direction under sub-rule (3) or refuses or fails to enter into an interconnect agreement with a multi-system operator permitted by the Central Government under sub-rule (3) of rule 11 within the time limit as prescribed by the Authority, then the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals.(6)In the event of non-compliance by the broadcaster of the directions issued by the Authority under sub-rule (5), the Central Government may, on the recommendations of the Authority, suspend the permission granted to the broadcaster under uplinking to downlinking guidelines as the case may be, to broadcast the channel in the country or any part thereof.(7)Every declaration filed by the broadcaster under sub-rule (1) or maximum retail price fixed by the Authority under sub-rule (3) shall normally remain valid for a period of one year from the date of such declaration or fixation, as the case may be, subject to the condition that every broadcaster will

be free to revise the price of any channel or convert a pay channel to free-to-air channel or a free-to-air channel to a pay channel by giving one month 's notice to the multi-system operator and subscribers: Provided that no increase in price beyond the individual limit, if any, specified by the Authority, shall be valid without prior approval of the Authority: Provided further that no such price increase shall be valid beyond the general maximum retail price for all channels fixed by the Authority.] [Inserted by Notification No. G.S.R. 138 (E) dated 27.2.2009 (w.e.f. 29.9.1994)]

11. [Grant of permission to multi-system operators to provide cable services with addressable systems in the notified areas. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).]

(1) No multi-system operator shall provide cable television network services with addressable systems in any one or more notified areas without a valid permission from the Central Government under sub-rule (3) of rule 11. (2) Every multi-system operator who desires to provide cable television network services with addressable systems in any of the notified areas, shall, within thirty days of the issue of the notifications under section 4-A of the Act by the Central Government, apply for permission to the Ministry of Information and Broadcasting in Form 6 annexed to these rules, along with processing fee of rupees ten thousand. (3) The Ministry of Information and Broadcasting in the Government of India shall, within thirty days of the receipt of the application, grant, or refuse, permission to the applicant to provide addressable systems in the notified areas after considering its suitability or otherwise on the basis of information given in respect of its existing operational area, actual number of subscribers and addresses of its local cable operators in each of the notified areas, commercial arrangements with the broadcasters and local cable operators, if any, financial strength, management capability, security clearance and preparedness to supply and maintain adequate number of set top boxes for its subscribers, installation of its subscriber management system and compliance with all other quality of service standards as may be specified by the Authority. (4) The Central Government may lay down such terms and conditions of permission under sub-rule (3) as may be deemed necessary and desirable to ensure compliance with the provisions of this Act and the regulations, directions and orders made by the Authority. (5) No multi-system operator shall continue to provide any cable television network services in the notified areas after the date notified therein, without obtaining prior permission from the Central Government. (6) In the event of a multi-system operator who fails or refuses to enter into an interconnection agreement with a broadcaster of a pay channel or an adequate number of local cable operators in the notified areas or who violate the terms and conditions of the permission granted to it under sub-rule (3), within the time limit as prescribed by the Authority, the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals. (7) In the event of violation by a multi-system operator of one or more of the terms and conditions of the permission granted under sub-rule (3), the Central Government may suspend or revoke such permission for such period and for such notified areas as it deems fit: Provided that no such order of suspension or revocation shall be made without giving a reasonable opportunity to the multi-system operator to explain its position.]

12. [Public awareness campaign about Conditional Access System scheme. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).]

(1) Every multi-system operator granted permission under sub-rule (3) of rule 11 shall create public awareness among the subscribers in the notified areas for a period of thirty days from the to be specified by the Authority, either through advertisements in the print and electronic media or through other means (e.g. , leaflets, printing on the reverse of the receipts, personal visits, group meetings with subscribers or consumer groups, etc.) the salient features of the Conditional Access System scheme as approved by the Authority for implementation, by the multi-system operator, in the notified areas, and in particular the following:-(a) A-la-carte subscription rates and the periodic intervals at which such subscriptions are payable for receiving the various pay channels;(b) the refundable security deposit and the daily or monthly rental payable for the set-top box and its detailed specifications such as make, model, technical specifications, user manuals and maintenance centers, etc.:(c) the number and names of free-to-air channels that the multi-system operator will provide to the subscribers and specific placement of each channel in the prime or non-prime bands;(d) the prescribed monthly service charge to be paid by each subscriber for receiving the basic service tier fixed by the Authority and the number of additional free-to-air channels, if any, offered by the multi-system operator;(e) the Quality of Service Standards specified by the Authority and the arrangements made by the multi-system operator to comply with these standards;(f) the Subscriber Management System established by the multi-system operator to demonstrate the functioning of the Set Top Boxes and interact with the subscribers to explain the various financial, logistic and technical aspects of the system for its smooth implementation;(g) the subsisting arrangements for resolution of disputes between the multi-system operator and local cable operators and the subscribers in respect of the quality of service standards, payments and refunds, etc.(2) The Authority may also arrange public awareness activities in the notified areas either directly or through authorised officers or consumer organisations, etc.]

13. [Supply and installation of Set Top Boxes. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).]

(1) Every subscriber in the notified areas who desires to receive one or more pay channels shall, during the public awareness campaign under rule 12 or within fifteen days after its expiry, apply to any one of the multi-system operators granted permission under sub-rule (3) of rule 11 either directly or through any of his linked local cable operators, to supply and install one or more set top boxes in his premises as per the scheme approved by the Authority and deliver the requisite channels through the same: Provided that every subscriber shall be free to buy a Set Top Box of approved quality from the open market, if available and technically compatible with the multi-system operator 's system, and no multi-system operator or cable operator shall force any subscriber to buy or to take on rent the set top box from him only.(2) Every subscriber in the notified areas who desires to receive one or more pay channels, and who failed to apply within the period prescribed under sub-rule (1) may at any time either buy a set top box of approved quality from the open market, if available and technically compatible with the multi-system operator 's system, or

apply to any one of the multi-system operators granted permission under sub-rule (3) of rule 11 either directly or through any of his linked local cable operators, to supply and install one or more set top boxes in his premises as per the scheme approved by the Authority and deliver the requisite channels through the same or through the set top box of approved quality acquired by the applicant on his own, as the case may be.(3)Every multi-system operator shall procure, supply and install the required number of set top boxes of approved quality in the premises of every applicant under sub-rule (1) or sub-rule (2) within a period as may be determined by regulation or order by the Authority from the date of receipt of such application, and transmit the requisite pay channels through the same or through the set top box of approved quality acquired by the applicant on his own, as the case may be.(4)Every multi-system operator shall set up and operationalise its subscriber management system within a time frame as may be determined by regulation or order by the Authority, for ensuring efficient and error-free service to the subscribers by recording and providing individualised preferences for pay channels, billing cycles, refunds, etc.(5)In the event of the failure of any multi-system operator to supply and install a set top box each in the premises of one or more applicants under sub-rule (1) or to operationalise subscriber management system within the time limit as determined by regulation or order by the Authority, then the Authority may, so as to protect the interests of the subscribers, take interim measures to ensure supply of signals.]

14. [Dispute Resolution Mechanism. [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).]

- Every multi-system operator shall be obliged to maintain the quality of service as per the standards, including the arrangements for handling complaints and redressal of grievances of the subscribers, as may be determined by regulation or order by the Authority. The Authority may look into the efficacy of such arrangements and issue necessary directions to the concerned parties for compliance.]

15. [Complaint redressal structure. [Inserted by Notification No. G.S.R. 416(E), dated 17.6.2021 (w.e.f. 29.9.1994).]

(1)To ensure observance and adherence to the Programme Code and the Advertising Code by the broadcaster and to address the grievance or complaint, if any, relating thereto, there shall be a three-level structure as under:(i)Level I - A self-regulation by broadcasters;(ii)Level II - Self-regulation by the self-regulating bodies of the broadcasters; and(iii)Level III - Oversight mechanism by the Central Government.

16. Filing and processing of grievance or complaint.

(1)Any person aggrieved by the content of a programme of a channel as being not in conformity with the Programme Code or the Advertising Code may file his complaint in writing to the broadcaster:Provided that where such complaint relates to Advertising Code laid down by the Advertising Standards Council of India, such complaint may be addressed to the said Council and that Council shall deal with such complaint in accordance with the procedure laid down by

it: Provided further that Advertising Standards Council of India shall take a decision on the complaint within sixty days of its receipt, and communicate the same to the broadcaster and the complainant. (2) The broadcaster shall, within twenty-four hours of complaint being filed, generate and issue an acknowledgement to the complainant for his information and record. (3) Every complaint shall be dealt with in the following manner, namely: - (a) the broadcaster shall dispose of the complaint and inform the complainant of its decision within fifteen days of receipt of such complaint; (b) if the decision of the broadcaster is not communicated to the complainant within the stipulated period of fifteen days, or if the complainant is not satisfied with the decision of the broadcaster, he may prefer an appeal to the self-regulating body of which such broadcaster is a member, within fifteen days therefrom; (c) the self-regulating body shall dispose of the appeal within sixty days of receipt of appeal and convey its decision in the form of a guidance or advisory to the broadcaster, and inform the complainant of such decision within a period of fifteen days; (d) where the complainant is not satisfied with the decision of the self-regulating body, he may, within fifteen days of such decision, prefer an appeal to the Central Government for its consideration under the Oversight Mechanism referred to in rule 19.

17. Self-Regulation by broadcasters.

(1) A broadcaster shall - (i) establish a grievance or complaint redressal mechanism and appoint an officer to deal with the complaints received by it; (ii) display the contact details related to its grievance redressal mechanism, the name and contact details of its Grievance officer at an appropriate place on its website or interface, as the case may be; (iii) ensure that such Officer takes a decision on every grievance or complaint received by it within fifteen days and communicate the same to the complainant within the stipulated time; (iv) be a member of a self-regulating body and abide by its terms and conditions. (2) The Officer referred to in sub-rule (1) shall - (i) be the contact point for receiving any grievance or complaint relating to Programme Code and Advertising Code; (ii) act as the nodal point for interaction with the complainant, the self-regulating body and the Central Government. (3) The broadcaster shall comply with every advisory, guidance, order or direction issued under this rule by the self-regulating body or by the Central Government, as the case may be.

18. Self-regulation by the self-regulating body of broadcasters.

(1) There may be one or more self-regulatory body of broadcasters, being an independent body constituted by the broadcasters or its association: Provided that every such self-regulating body shall be constituted by a minimum of forty broadcasters. (2) Every self-regulating body referred to in sub-rule (1) shall be headed by a retired judge of the Supreme Court or of a High Court or an independent eminent person from the field of media, broadcasting, entertainment, child rights, human rights or such other relevant fields, and shall have other members, preferably not exceeding six, being independent experts in the field of media, broadcasting, entertainment, child rights, human rights and such other relevant fields. (3) The self-regulating body shall, after its constitution in accordance with sub-rule (2), register itself with the Central Government within a period of thirty days from the date of publication of these rules, or within thirty days from the date of its constitution, whichever is earlier: Provided that before granting registration to the self-regulating

body, the Central Government shall satisfy itself that the self-regulating body has been constituted in accordance with sub-rule (2) and has agreed to perform the functions specified in sub-rules (4) and (5). (4) The self-regulating body shall perform the following functions, namely: - (i) oversee and ensure the alignment and adherence by the broadcaster to the Programme Code and the Advertising Code; (ii) provide guidance to the broadcaster on various aspects of the Programme Code and the Advertising Code; (iii) dispose of grievances which have not been disposed of by the broadcaster within the specified period of fifteen days; (iv) hear appeals filed by the complainant against the decision of the broadcaster; (v) issue such guidance or advisories to a broadcaster, including those specified in sub-rule (5), for ensuring compliance to the Programme Code and the Advertising Code. (5) A self-regulating body while disposing complaint or an appeal referred to in sub-rule (4) may issue the following guidance or advisories to the broadcaster, namely: - (i) advisory, warning, censure, admonish or reprimand; or (ii) an apology to be telecast by the broadcaster; or (iii) include a warning card or a disclaimer; or (iv) in case of any content where it is satisfied that there is a need for taking action to delete or modify content, refer it to the Central Government for the consideration of the oversight mechanism referred to in rule 19 for appropriate action. (6) Where the self-regulating body is of the opinion that there is no violation of the Programme Code or the Advertising Code, it shall convey such decision to the complainant and the broadcaster. (7) Where the broadcaster fails to comply with the guidance or advisory of the self-regulating body within the time specified in such guidance or advisory, the self-regulating body shall refer the matter to the Oversight Mechanism referred to in rule 19 within fifteen days of expiry of the stipulated period.

19. Oversight Mechanism.

(1) The Central Government shall coordinate and facilitate the adherence to the Programme Code and the Advertising Code by the broadcaster, develop an Oversight Mechanism, and perform the following functions, namely: - (i) publish a charter for self-regulating bodies, including Codes of Practices for such bodies; (ii) establish an Inter-Departmental Committee for hearing grievances or complaints; (iii) refer to the Inter-Departmental Committee grievances or complaints arising out of the decision of the self-regulating body under rule 17, or if no decision has been taken by the self-regulating body within the stipulated time, or on receipt of such other complaints or references relating to violation of Programme Code or Advertising Code as it may consider necessary; (iv) issue appropriate guidance and advisories to broadcasters; (v) issue appropriate orders and directions to broadcasters for maintenance and adherence to the Programme Code and the Advertising Code; (vi) take action for non-compliance of its orders or directions and that of the self-regulating body.

20. Inter-Departmental Committee.

(1) The Central Government shall constitute an Inter-Departmental Committee, chaired by the Additional Secretary in the Ministry of Information and Broadcasting, and consisting of representatives from the Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of Electronics and Information Technology, Ministry of External Affairs, Ministry of Defence, and representatives of such other Ministries and Organisations, including experts, as the Central Government may decide. (2) The Inter-Departmental Committee shall devise its own

procedure for hearing grievances or complaints.(3)The Committee shall meet periodically and hear complaints regarding violation or contravention of the Programme Code and the Advertising Code that may -(i)arise out of appeal against the decisions taken at the Level I or Level II, as the case may be, or where no such decision is taken within the specified time;(ii)be referred to it by the Central Government.(4)The Inter-Departmental Committee shall examine complaints or grievances received by it and make any of the following recommendations to the Central Government, namely: -(i)advising, warning, censuring, admonishing or reprimanding such broadcaster; or(ii)requiring an apology of such broadcaster; or(iii)requiring such broadcaster to include a warning card or a disclaimer; or(iv)requiring such broadcaster to delete or modify content or take the channel or a programme off-air for a specified time period where it is satisfied that such action is warranted, for reasons to be recorded in writing.(5)The Central Government may, after taking into consideration the recommendations of the Committee, issue appropriate orders and directions under sub-section (3) of section 20 of the Act for compliance by the broadcaster.

21. Disclosure of Information.

(1)A self-regulating body and a broadcaster shall make true and full disclosure of all grievances or complaints received by it, the manner in which the complaints are disposed of, the action taken on such complaints, the reply sent to the complainant, the orders or directions received by it and action taken on such orders or directions.(2)The information referred to in sub-section (1) shall be placed in public domain, and updated quarterly.(3)Subject to any law for the time being in force, the broadcaster shall preserve record of the content telecast by it for a minimum period of ninety days and make it available to the self-regulating body or the Central Government, or any other Central Government agency as may be requisitioned by it.][FORM 1][See rule 3(1)](To be submitted in duplicate)Form of application for *registration/renewal of registration/issue of duplicate certificate of registration as a cable operator.ToThe Head PostmasterHead Post Office.....Application for *registration/renewal of registration/ issue of duplicate certificate of registration as a cable operator.

1. (a) Name of Applicant (individual/firm/company/association of persons/body of individuals)*

(b)Age/Date of establishment/ Date of incorporation.

2. (a) Address (Office)

(b)Telephone number (if any).

3. (a) Nationality (for individual applicants/body of individuals)

(b)By birth/ domicile

4. (a) Amount of fee paid for *registration/ renewal/ issue of duplicate certificate Rs.....

(b) Name of Head Post Office (Attach copy of challan vide which the fees have been deposited)

5. Area in which cable television network is working/ proposed to be set up.

6. Date from which the cable television network is operating /proposed to be set up

7. Number of channels being provided /proposed to be provided (with names).

8. (a) Whether using Television Receive Only (TVRO)

(b) If Yes, number and size of TVRO (c) Location
.....'

9. Names of Doordarshan satellite channels included in cable service.....

10. Copy of earlier registration certificate enclosed. Yes/No (To be filled in only for renewal of registration).

11. (a) State reasons for issue of duplicate certificate of registration

(Attach mutilated or defaced original certificate of registration /copy of report made to the police in case of theft or loss of the original certificate) (b) Period validity of the original Registration Certificate for which the duplicate Registration Certificate is being sought..... (To be filled in only for issue of duplicate Registration Certificate)

12. Declaration if Form 2 enclosed. Yes/No

I/We.....the applicant(s) *(individual/firm/company/association of persons/body of individuals) do hereby declare that the above facts are correct in all respects.....Signature of Applicant*(individual/firm /company/association of persons/body of individuals)NamePlaceAddress.....Date *Score out the word or words which are not applicable.] FORM 2[See rule 3(1-3)] I / Wethe applicant(s) (individual/ firm /company/association of persons/ body of individuals)* for registration as a cable operator/ renewal of registration as a cable operator do hereby declare that: (i) I/We shall ensure that my/our cable television network shall run in accordance with the provisions of the Cable Television Networks (Regulation) Act, 1995 at all

times.(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.....Signature of Applicant(individual/ firm/company/association of persons body of individuals)NamePlaceAddressDate*Score out the word or words which are not applicable.FORM 3(See rule 5)Government of IndiaHead Post OfficeREGISTRATION CERTIFICATE NUMBERSShri/Shrimati/M/sresident of.....is registered as a cable operator (individual, firm, company, association of persons or body of individuals)* for running a cable television network at the following address.....in the city/ town of.....for a period of twelve months with effect from.....His Registration Number is

2. This Certificate is only valid for the premises stated above.

3. This Registration Certificate is not transferable.

4. The Certificate shall remain valid for the period indicated above or till the holder carries on the cable service or where the surrender of the certificate is accepted by the competent authority.

Head Post MasterHead Post Office.....(town/city)PlaceDateTO BE DISPLAYED PROMINENTLY ON THE PREMISES OF THE CABLE OPERATOR.[FORM 3-A[See rule 5(2)]Government of IndiaHead Post OfficeDUPLICATE REGISTRATION CERTIFICATE

1. Shri/Shrimati/M/sresident of.....is registered as a cable operator (individual/firm/company/association of persons or body of individuals)* for running a cable television network at the following addressin the city/town offor a period of twelve months with effect from (date from which the original Registration Certificate was valid).His Registration Number is

2. This Certificate is valid only for the premises stated above.

3. This Registration Certificate is not transferable.

4. The Certificate shall remain valid for the period indicated above or till the holder carries on the cable service or where the surrender of the certificate is accepted by the competent authority.

Head Post MasterHead Post Officer.....(town/city)PlaceDate
TO BE DISPLAYED PROMINENTLY ON THE PREMISES OF THE CABLE
 OPERATOR. *Tick whichever is appropriate]FORM 4[See proviso to rule
 5(3)]To.....Sir,Reference to your application datedfor registration as a
 cable operator.The necessary registration cannot be granted to you for the following
 reasons(s):- (i)Application is incomplete.(ii)Registration fee has not been tendered.(iii)Applicant is
 not a citizen of India.(iv)Less than fifty-one per cent. of the paid-up share capital of the applicant
 company is held by citizens of India.Head Post MasterHead Post
 OfficePlace.....Date.....FORM 5(See rule 8)Form of register to be maintained by
 each cable operator.

SL No.	Encrypted channel/ Programme	Duration from to	Date	Month	Year
(1)	(2)	(3)	(4)	(5)	(6)

[FORM 6] [Substituted by Notification No. G.S.R. 452(E) dated 31.7.2006 (w.e.f. 29.9.1994).][See
 rule 11(2)](To be submitted in duplicate)Form of Application For Grant of Permission to
 Multisystem Operators to Provide Cable Television Network Services With Addressable System In
 Any One or More Notified AreaToThe SecretaryMinistry of Information & Broadcasting"A" Wing,
 Shastri Bhawan,New Delhi-110 001.Subject: Application for grant of permission to multi system
 television network services with addressable system in any operators to provide cable or more
 notified areas.Sir,I hereby submit the following details for grant of permission.

1. (a) Name of the Applicant (individual/firm/company/association of persons/body of individuals)**

(b)Age/Date of establishment/Date of Incorporation.

2. (a) Nationality (for individual applicants/body of individuals

(b)By birth/domicile)

3. Details of payment of Processing Fee

4. Details of Registration as a Cable Operator

(a) Name of the Post Office with which registered (b) Registration No./Validity up to (c) Copy of the Registration Certificate (enclose)

5. Complete Postal Address with Telephone/Fax No. /E_mail ID

(a) Corporate Office/Head Office (b) Registered Office (c) Regional Offices (d) Address of Correspondence

6. Name of authorised 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 alongwith 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 alongwith details as in above

10. Authorised Share Capital, (ii) Paid-up Share Capital, (iii) Net worth (enclose a copy of the audited Balance Sheet and Profit and 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 (sufficient proof to be enclosed).

12. (i) Present Area of Operation (if in more than one city, city-wise details to be given).

(ii) CAS 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 in unencrypted from (own/broadcasters) (give names separately for own channels and broadcasters channel).**
- 14. Other value added services being provided (Details alongwith their copies of licenses).**
- 15. 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.)**
- 16. Details of past experience/field of activity.**
- 17. 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).**
- 18. Number of Agreements signed with broadcasters to supply their channels under CAS scheme (Give names of broadcasters and their channels for which agreements signed alongwith copies of agreements to substantiate your claim).**
- 19. What arrangements have been made/proposed to be made to give wide publicity to CAS scheme in each of the notified areas, as approved by the Authority. (Give full details).**

I/We the applicant(s) *(individual/ company/association of persons/body of individuals) do hereby declare that the above facts are correct in all respects.I/ We hereby undertake to abide by all the conditions/directions/orders that the Central Government or the Authority may lay down/issue for the smooth implementation and operation of CAS scheme in the areas.....Signature of Applicant/Authorised person

7. Advertising Code *(individual/firm/company/association

of persons/body of individuals)PlaceNameDateAddress.....*To be given in case applicant is a company/Firm.**Score out the word or words which are not applicable.