

No. 45001/1/2020-DAS
Government of India
Ministry of Information & Broadcasting

Shastri Bhawan, New Delhi
Dated, the 30th November, 2022

ORDER

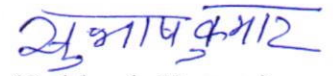
Subject: Guidelines for Platform Services offered by Multi System Operators.

The Cable Television Networks Rules, 1994, permit Multi-System Operators to transmit their own programming service, either directly to their own subscribers or through one or more Local Cable Operators. These own programming services referred to as 'Platform Services (PS)', which also include most 'local-channels', are exclusive programming services being generated at local level offered by Multi-System Operators. Ministry of Information & Broadcasting has decided to prescribe guidelines, as enclosed, for registration / regulation of Platform Services offered by Multi-System operators.

2. Now, all the Multi-System Operators providing Platform Services channel(s) and those desirous of providing such PS channel(s) are required to apply for registration of their PS channel(s) with MIB on www.new.broadcastseva.gov.in Portal and are to comply with the enclosed guidelines within time prescribed therein.

3. This is issued with the approval of Competent Authority.

Encl: As above.



(Subhash Kumar)

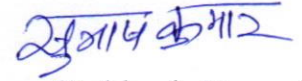
Deputy Secretary to the Government of India)

Copy to,

1. TRAI – w.r.t. to TRAI recommendations on Platform Services.
2. NIC – for posting on MIB website
3. All MSOs
4. AIDCF

Copy for information to:

1. PS to HMIB
2. Sr. PPS to Secretary (I&B)
3. Sr. PPS to AS(I&B)
4. PPS to JS(P&A)
5. PPS to JS(B-I)



(Subhash Kumar)

Deputy Secretary to the Government of India)

Government of India
Ministry of Information & Broadcasting

(Enclosure to MIB Order No. F. No. 45001/1/2020-DAS, dated 30th November, 2022)

Guidelines for Regulation of Platform Services offered by Multi-System Operators

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| 1. | <p>Definition of Platform Services</p> <p><i>“Platform services (PS) are programs transmitted by Distribution Platform Operators (MSOs) exclusively to their own subscribers and does not include Doordarshan channels and registered TV channels. PS shall not include foreign TV channels that are not registered in India.”</i></p> <p><i>Registered TV channels or television channels means a channel, which has been granted downlinking permission by the Central Government under the policy guidelines issued or amended by it from time to time and reference to the term “channel” shall be constructed as a reference to “television channel”.</i></p> |
| 2. | <p>What constitutes Non News and Current Affairs</p> <p><i>In so far as carrying local news and current affairs bulletins on PS is concerned, the following categories will be treated as non-news and current affairs broadcast (i.e. local news and current affairs) and will, therefore, be permissible:</i></p> <ul style="list-style-type: none"><i>(i) Information about local events and other local affairs sourced locally and not obtained from news agencies or from broadcast news channels/ sources;</i><i>(ii) Information pertaining to sporting events, excluding live coverage. However, live commentaries of sporting events of local nature may be permissible, if broadcasting rights for the same are not held by anyone else;</i><i>(iii) Information pertaining to Traffic and Weather;</i><i>(iv) Information pertaining to and coverage of cultural events, festivals;</i><i>(v) Coverage of topics pertaining to examinations, results, admissions, career counselling;</i><i>(vi) Availability of employment opportunities; and</i><i>(vii) Public announcements pertaining to civic amenities like electricity, water supply, natural calamities, health alerts etc. as provided by the local administration.</i> |

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| 3. | <p>Registration and Validity</p> <p>a) All MSOs shall register their PS channels online with the MIB on BroadcastSeva Portal.</p> <p>b) A onetime registration fee of ₹1000 per PS channel shall be charged.</p> <p>c) The registration is non-transferrable.</p> <p>d) The validity of registration of the PS channels shall be coterminous with the registration of the MSO. Extension of the registration / period of the MSO would simultaneously extend the validity of the registered PS channels offered; consequently, there is no renewal requirement for the registration of PS channels.</p> <p>Further, before discontinuation or effecting any change in the details about a PS channel, the MSO concerned shall cancel or amend online the registration obtained for that channel.</p> |
| 4. | <p>Security clearance</p> <p>All MSOs are required to be security cleared for offering PS channels. If at any time before the MIB obtains the security clearance, it is determined that the programming service offered on PS and which has been registered on the online system is inimical to India's national security or to the public interest, MIB may require the MSO to withdraw from distribution of the PS Channel or the programming service and/ or cancel the registration.</p> <p>Security clearance will also be required whenever there is change in ownership control of MSO entity.</p> |
| 5. | <p>Incorporation as a company</p> <p>MSOs desirous of providing local news and current affairs as PS or are already providing such services, must be incorporated as a company under the Indian Companies Act, 2013 and the rules framed thereunder. To promote ease of doing business, MSOs which are not registered as company but desirous of providing local news and current affairs as PS or already providing such services should file application with Ministry of Corporate Affairs for conversion into company within three months of issue of these guidelines.</p> |
| 6. | <p>Compliance of Programme and Advertising Codes</p> <p>MSOs providing platform services shall make full disclosure on ownership status and comply to the Programme and Advertising codes prescribed under the Cable Television Network Rules, 1994.</p> |

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| 7. | <p>Number of PS Channels</p> <p><i>MSOs shall ensure that no registered TV channel is waitlisted for want of carrying capacity at their level. Subject to this condition, the total number of permitted PS for MSO shall be capped to 5% of the total channel carrying capacity of the MSO including PS of LCOs. If an LCO intends to provide its PS channels, then the same must be inserted at the level of MSO and such channels must be registered by its MSO and it will be the responsibility of the MSO to register such platform channels. To enable the sufficient number of PS catering to the specific needs of local language and culture, this cap of 5% will be computed at the level of State/Union Territory. Further, MSOs are allowed to telecast two additional PS Channels at each District level.</i></p> |
| 8. | <p>Exclusivity of PS Channel</p> <p>a) <i>The programme transmitted by the MSO as a platform service shall be exclusive and the same shall not be permitted to be shared directly or indirectly with any other Distribution Platform Operator (DPO). However, sharing of live feed taken from religious places like Temples, Gurudwaras etc. among DPOs shall be allowed.</i></p> <p>b) <i>Programme transmitted by the MSO as a platform service shall not directly or indirectly include any registered TV channel or Doordarshan channel or foreign TV channel. Time-shift feed of registered TV channels (such as +1 services) shall not be allowed as a platform service.</i></p> <p>c) <i>MSO shall ensure and provide an undertaking to the Ministry in the format prescribed by the Ministry that the programme transmitted is exclusive to their platform and not shared directly or indirectly with any other DPO.</i></p> <p>d) <i>In case the same programme is found available on the PS of any other DPO, MIB/TRAI may issue direction to immediately stop the transmission of such programme. MIB also reserves the right for cancellation of registration of such PS of the MSO.</i></p> |
| 9. | <p>Categorisation of PS Channel</p> <p>a) <i>The platform services channels shall be categorised under the genre 'Platform Services' in the Electronic Programmable Guide (EPG) subject to orders/directions/regulations issued by TRAI from time to-time.</i></p> <p>b) <i>A caption as 'Platform Services' should be placed to distinguish the platform services from the linear channels. The size of the caption should be such as visually readable by the consumers.</i></p> |

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| 10. | <p>Display of MRP</p> <p><i>The respective maximum retail price (MRP) of the platform service shall be displayed in the EPG against each platform service subject to orders/directions/regulations issued by TRAI from time-to-time.</i></p> |
| 11. | <p>Option of activation / deactivation</p> <p><i>The MSO shall provide an option of activation/deactivation of platform services as prescribed in the orders/directions/regulations issued by TRAI from time-to-time.</i></p> |
| 12. | <p>Record of PS channels</p> <p><i>Any MSO offering PS retain, with itself, a recording of all PS channel programs for a period of 90 days; a written log/ register should also be maintained about such program for a period of 1 year from the date of broadcast. The recording and the register can be examined by the Authorised Officer prescribed under the CTN Act, 1995, and the State/ District Monitoring Committee appointed by the MIB as and when and if required.</i></p> |
| 13. | <p>FDI Limits</p> <p><i>There is no change in the existing FDI limits and Net-worth requirements for MSOs offering PS.</i></p> |
| 14. | <p>Penalty for violation of Guidelines.</p> <p><i>The first violation of the PS Guidelines shall lead to prohibition on transmission of the PS channel for a period of up to 30 days; for the second violation, the prohibition on transmission of the PS channel shall be for a period of up to 90 days; for the third violation the registration of the PS shall be revoked and the channel concerned shall not be transmitted. Consequently, the number of PS channels that the MSO can transmit thereafter will be appropriately reduced.</i></p> |
| 15. | <p>Timeline for compliance with Guidelines</p> <p><i>Without prejudice to the provisions of any law, Rules, Regulations, Guidelines, Orders etc. in force, MSOs offering PS are to comply with the above regulatory framework/ guidelines within a period of 12 months from the date of issue of these guidelines.</i></p> |

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