

No. 8/7/2020-BP&L
Government of India
Ministry of Information & Broadcasting

Shastri Bhawan, New Delhi
Dated, the 30th December, 2020

ORDER

Subject: Guidelines for obtaining License for Providing Direct-To-Home (DTH) Broadcasting Services in India – regarding.


The Government of India had notified the Guidelines for obtaining License for providing Direct-To-Home (DTH) Broadcasting Services in India vide order No.8/1/99-PBC.(Vol.II) dated 15.03.2001 and certain amendments therein have been notified vide Order No.8/3/2004-BP&L dated.01.06.2005, Order No.8/3/2004-BP&L dated 11.05.2006, Order No.8/12/2006-BP&L dated 31.07.2006, Order No.8/12/2006-BP&L dated 29.05.2007, Order No.8/12/2006-BP&L dated 10.09.2007 and Order No.8/12/2006-BP&L dated 06.11.2007.

2. The Government of India has decided to further amend the DTH Guidelines which shall come into effect immediately. Accordingly, the amendments to the guidelines are notified herewith. The consolidated operational guidelines along with the amendments will be issued in due course. These shall be applicable to all licenses issued hereinafter.

3. The existing licensees are required to apply afresh to get License for providing DTH Services in India.

4. The issue of fresh license to the existing Licensees will be subject to their clearing all dues and fulfilling all obligations under the terms and conditions of existing license as well as those arising out of legal cases pending before various Courts of Law.

Encl: As above.


(Neerja Sekhar)
Additional Secretary to the Government of India
Tele:011-23387558

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Copy to:-

1. Cabinet Secretary, Cabinet Secretariat.
2. Secretary, Ministry of Home Affairs.
3. Secretary, Department of Telecommunications.
4. Secretary, Department of Expenditure.
5. Secretary, Department of Economic Affairs.
6. Secretary, Department of Revenue.
7. Secretary, Department of Space.
8. Secretary, Department of Commerce.
9. Secretary, Department of Promotion of Industry and Industrial Trade (DPIIT).
10. Secretary, Ministry of Corporate Affairs.
11. Secretary, Ministry of Electronics and Information Technology (MeitY)
12. Secretary, Department of Legal Affairs.
13. Secretary, Telecom Regulatory Authority of India, Mahanagar Doorsanchar Bhawan (next to Zakir Hussain College), Jawaharlal Nehru Marg (Old Minto Road), New Delhi-110 002.
14. CEO, Prasar Bharati.
15. Wireless Advisor, Wireless Planning Coordination, Department of Telecommunication, Ministry of Communication, 20 Ashoka Road, New Delhi.
16. Dy. Director General, Network Operational & Control Centre, Department of Telecommunication, Room No.212-214, Eastern Court, Janpath, New Delhi.
17. All DTH Operators.

Copy for information to:

1. PS to HMIB
2. Sr. PPS to Secretary (I & B)
3. Sr. PPS to SS & FA, M/o I & B
4. Sr. PPS to AS (I & B)
5. PPS to JS(P&A), M/o I & B
6. PPS to JS(Films), M/o I & B
7. PS to Economic Advisor, M/o I & B


(Neerja Sekhar)

Additional Secretary to the Government of India
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MINISTRY OF INFORMATION & BROADCASTING
AMENDMENTS TO GUIDELINES FOR OBTAINING LICENSE FOR PROVIDING DIRECT
TO HOME SERVICES IN INDIA

(Enclosed with Order No.8/7/2020-BP&L dated 30.12.2020)

1. Eligibility Criteria:

- 1.1 Applicant Company shall be an Indian Company, registered under the Indian Companies Act, 1956 or 2013.
- 1.2 The FDI policy of Government of India shall be followed as notified from time to time.

2. Period of License:

License will be valid for a period of 20 years from the date of issue of wireless operational license by Wireless Planning and Coordination Wing of Ministry of Communications. License may be renewed by 10 years at a time. However, the license can be cancelled/suspended by the Licensor at any time in the interest of Union of India.

3. Vertically Integrated Entity: Reserving of Operational Channel Capacity:

A vertically integrated entity will not reserve more than 15% of the operational channel capacity for its vertically integrated operator. The rest of the capacity is to be offered to the other broadcasters on a non-discriminatory basis.

4. Entry Fee :

No entry fee will be charged from the DTH Operators holding license on the date of notification of these guidelines.

5. Bank Guarantee :

The Licensee will have to submit a Bank Guarantee from any Scheduled Bank to the Ministry of Information and Broadcasting for an amount of Rs.5 crores for the first two quarters, and, thereafter, for an amount equivalent to estimated sum payable, equivalent to License fee for two quarters and other dues not otherwise securitised. For existing DTH Operators, Bank Guarantee from any Scheduled Bank for an amount equivalent to the estimated sum payable, equivalent to License Fee for two quarters and other dues not otherwise securitized. Further, the Bank Guarantee shall be valid for a year which should be renewed on year-on-year basis in such a manner that the Bank Guarantee remains valid during the entire license period.

6. License Fee:

- 6.1 The Licensee shall pay an annual fee equivalent to 8% of its Adjusted Gross Revenue, calculated by excluding GST from Gross Revenue (GR) as reflected in the audited accounts of the Company for that particular financial year.
- 6.2 The minimum annual license fee shall be subject to 10% of the Entry Fee.
- 6.3 The license fee is to be paid on a quarterly basis, the quantum thereof to be equal to the actual License Fee payable for the preceding quarter. The annual settlement of the License Fee shall be done at the end of the financial year.
- 6.4 The licensor will have the right to modify the license fee as a fixed percentage of AGR during the validity of license period.

7. Platform Service:


- 7.1. The DTH operator would be permitted to operate Platform Services (PS) channels i.e. DTH operators' own channels exclusively available to its subscribers, to a maximum of 5% of its total channel carrying capacity.
- 7.2 A one-time non-refundable registration fee of ₹ 10,000 per PS channel shall be charged from the DTH operator.

8. Sharing of Infrastructure:

- 8.1 DTH operators willing to share DTH platform and transport stream of TV channels, on voluntary basis would be allowed to do so, wherever technically feasible.
- 8.2 The common hardware for their Subscriber Management System (SMS) and Conditional Access System (CAS) applications can also be voluntarily shared.

9. Set Top Box

Set Top Boxes offered by a DTH Service Provider shall have such specifications as laid down by the Bureau of Indian Standards (BIS) from time to time.


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