

IMPLEMENTATION OF DIGITAL ADDRESSABLE CABLE TV SYSTEMS

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TRAI released the recommendations on *Implementation of Digital Addressable Cable TV Systems in India* and the framework of implementation by December 2013. TRAI's recommendation discusses the nature and limitations of the broadcasting sector, different types of cable TV systems viz. analogue, hybrid and fully digital systems along with the inherent features and limitations of the analogue cable TV system. It further analyses various issues connected with the implementation of digitization with addressability in the cable TV sector, including the basic need for digitization, technology/standards, investment involved, incentives to stakeholders for implementing digital addressable systems, required amendments to the Cable TV Act, licensing of MSOs/LCOs and the need for an awareness programme for education of stakeholders. It further describes the roadmap for implementing digitization with addressability in a phased manner.

PSA view – Digital addressable systems will enable consumers to watch high quality digital television channels of their choice on a-la-carte basis. Also digital systems have the capacity to deliver many more channels to the consumers than analogue cable. In fact, the capacity crunch and the non-addressable nature of analogue cable TV systems is coming in the way of orderly growth of the cable TV sector in India.

Blackberry versus Intelligence Bureau

In the last month, RIM and the security agencies had numerous discussions over allowing surveillance, retrieval and interception of the e-mail and chat messages sent from Blackberry handsets in India. Recently, the security agencies in India provided an ultimatum to RIM to allow access to e-mails and messages sent by using the Blackberry Enterprise Service and the Blackberry messenger. The Security agencies have provided RIM with a deadline till the end of August, failing which its services will be discontinued. RIM has made an offer of providing the requisite information with a 10 day delay, and the same has been rejected by the security agencies in India. The security agencies in India have asked RIM to allow access since the encryption of messages and e-mails sent from Blackberry handhelds is quite strong and they do not possess the requisite technological capabilities to intercept the same, without RIM providing access.

PSA view – The move by the security agencies follows concerns over communication channels available to terrorists and criminals which cannot be intercepted or traced. On the other hand, the main appeal RIM's Blackberry services have with corporate customers is the strong encryption and security features it offers. With the lack of legislation on data sharing with security agencies, and the security agencies lacking technical capabilities, where RIM succumbs to the demands of the government, there is a possibility of increase in cases of data theft. The government and RIM must consider an approach wherein data protection and authenticity is not compromised and adequate surveillance can be carried out to avoid abuse of telecom

networks and data services for organizing criminal activity. In India, data protection laws mainly covered by the Information Technology Act, 2000 have proven once again to be inadequate. With demands being made by the security agencies and the government, service providers are facing the dilemma of compromising the security and safety of information and data of its customers.

Guidelines for up-linking and down-linking of channels released

In view of the rapid increase in the number of channels, the Ministry of Information & Broadcasting (“**MIB**”) decided to re-visit the conditions of the present policy for up-linking and down-linking of channels including the eligibility criteria and other terms and conditions of permission. Vide its letter No. D.O. No. 1501/34/2009-TV(I) dated October 08, 2009, the MIB sought the recommendations of the TRAI regarding modifications in the up-linking and down-linking guidelines. The MIB has broadly raised the following issues: (1) Maximum number of satellite TV channels possible, (2) Cap on Number of Channels, (3) Eligibility criteria & process of granting Permission, (4) Minimum period of operation, (5) Revocation of permission of TV channels, (6) Renewal of permission, (7) Policy for transfer of permission; and (8) Proposed changes in the guidelines to develop the country into a teleport/hub for up-linking/turnaround of TV channels which are not meant for viewing in India.

PSA view – Guidelines for up-linking and down-linking of channels were issued by the MIB in the year 2005. There has been since a rapid growth of TV channels. As on date, the Ministry has given permission to around 550 TV channels and a number of applications are pending consideration. The MIB formulated the policy guidelines, for down-linking of satellite television channels downlinked/received/transmitted and re-transmitted in India for public viewing, on November 11, 2005. Similarly, the guidelines for Uplinking of television from India were notified on December 2, 2005. These guidelines contained a liberal approach towards granting permissions. Pursuant to the guidelines, there was an exponential growth of television channels, especially during the last few years.

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