<u>COMMENTS ON BEHALF OF ALL INDIA DIGITAL CABLE FEDERATION (AIDCF) TO THE DRAFT</u> <u>TELECOMMUNICATION (BROADCASTING AND CABLE SERVICES) (EIGHTH) (ADDRESSABLE SYSTEMS) TARIFF</u> <u>ORDER, 2016</u>

At the outset, the All India Digital Cable Federation (AIDCF) applauds the efforts of the Telecom Regulatory Authority of India (TRAI) in implementing the distribution network model through the proposed Tariff Order, 2016. The same has been made clearly to streamline the broadcasting industry and has taken into consideration the various issues raised by the various stake holders including the AIDCF.

The instant response being submitted by us is limited only to those provisions of the draft Telecommunication (Broadcasting and Cable Services) (Eighth) (Addressable Systems) Tariff Order, 2016 (hereinafter referred to as the Draft Tariff Order) which in our opinion require some modification in order to ensure a level playing field, protect the interests of our member MSOs and would further help in reducing disputes between the stakeholders.

S. No.	Existing Draft Tariff Order	Modification/Addition/Deletion proposed by the AIDCF to the Draft Tariff Order	Detailed Reasons for the proposals by AIDCF
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1.	Clause 2(zh) reads as under:	It is proposed that the Clause 2(zh) should be amended to the following:	It is submitted that the aforementioned change is necessary as various Entertainment Tax departments have
		services, provided by a service provider, at a place indicated by such person without further transmitting it to any other person and each set top box located at such place, for receiving	been consistently misreading the

	constitute one subscriber;	services from the service provider, shall constitute one subscriber;	Services. However, the Departments relying upon the definition given under the Regulations, treat each Set-Top Box as an independent customer, whereas in cases where multiple Set-Top Boxes are installed at an individual customer's premises, they should not be treated as such for the purposes of Entertainment Tax. Various complaints have been received by MSOs from customers on account of the same, as it is the customer who has to pay the tax.
2.	Clause 3 reads as under: 3. Manner of offering channels by broadcasters . – (1) Every broadcaster shall declare (a) the nature of each channel as 'free to air' or 'pay' for different relevant geographical areas as specified in Schedule I; and (b) the maximum retail price, excluding taxes, of each pay channel on a-la-carte basis, to be paid by the subscriber: Provided that the maximum retail price of a pay channel shall be more than 'zero': Provided further that the maximum retail price of a channel in a relevant	It is proposed that Clause 3 should be amended to the following: 3. Manner of offering channels by broadcasters. – (1) Every broadcaster shall declare (a) the nature of each channel as 'free to air' or 'pay'; and (b) the maximum retail price, excluding taxes, of each pay channel on a-la-carte basis, to be paid by the subscriber availing signals in a DAS Phase I, II, III and IV Areas: Provided that the maximum retail price of a pay channel shall be more than 'zero': Provided further that the maximum retail price of a shall be uniform for all	It is submitted that the maximum retail price of a channel or a bouquet of channel should be the same and there should be no price variation on the basis of geographical areas. Also, in terms of the proposed Regulations a subscriber shall only subscribe to those channels which he wants to view, therefore there is no reason as to why a customer in Mumbai may be permitted to pay a higher/ lower rate than a customer in Delhi, when the service being received in both places is identical. For a Broadcaster, the cost of providing signals throughout the country is the same. All Areas falling under DAS Phase I, II III and IV should be considered one contiguous market.

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geograp	hical area shall be uniform for	distribution platforms in that area:	Also, the option given to a Broadcaster
all distri	bution platforms in that area:	Provided further that it shall be open	to declare a channel either pay or free-
Provide	d further that it shall be open	for a broadcaster to declare any pay	to-air as per geographical location,
for a b	roadcaster to declare any pay	channel as a premium channel.	leads to a very anomalous situation
channel	as a premium channel.	(2) Every broadcaster shall offer all	wherein customers in some areas will
(2) Eve	ry broadcaster shall offer all	channels on a-la-carte basis to the	be made to pay for availing services of a
channel	s on a-la-carte basis to the	subscriber.	particular channel and in other areas
subscrib	er.	(3) It shall be open for a broadcaster to	the same channel is available for free.
(3) It sh	all be open for a broadcaster to	offer pay channels in the form of	The Broadcaster can take a uniform
offer p	ay channels in the form of	bouquet(s) and declare the maximum	choice as to whether a channel should
bouque	(s) and declare the maximum	retail price, excluding taxes, of such	be pay or free-to-air.
retail p	rice, excluding taxes, of such	bouquet(s) to be paid by the subscriber	It is also proposed that once the Goods
	(s) to be paid by the subscriber:	availing signals in a DAS Phase I, II III	and Service Tax is rolled out the
	d that it shall be open for a	and IV Areas:	maximum retail price declared by a
	ster, while making a bouquet of	Provided that it shall be open for a	Broadcaster should be inclusive of all
	nnels, to combine pay channels	broadcaster, while making a bouquet of	taxes.
	ubsidiary company or holding	pay channels, to combine pay channels	
-	y or subsidiary company of the	of its subsidiary company or holding	Furthermore, is the aforementioned
holding	company, which has obtained,	company or subsidiary company of the	suggestion of removal of geographical
in its	,	holding company, which has obtained,	areas is accepted, all the Schedules to
-	ion for its television channels,	in its name, the downlinking	the instant Regulation will have to be
	ne Government, after written	permission for its television channels,	renumbered accordingly as Schedule 1
	ation by them, and declare	from the Government, after written	would have been removed. Also,
	m retail price for such bouquet	authorization by them, and declare	references made to relevant
1 5	nannels:	maximum retail price for such bouquet	geographical area and corresponding
	d further that the maximum	of pay channels:	changes to other clauses of the
-	rice of such bouquet of pay	Provided further that the maximum	Regulations would also have to be made
	s shall not be less than eighty	retail price of such bouquet of pay	to bring the same in conformity.
-	cent of the sum of maximum	channels shall not be less than eighty	
-	prices of the a-la-carte pay	five percent of the sum of maximum	
	s forming part of the bouquet:	retail prices of the a-la-carte pay	
Provide	d further that the maximum	channels forming part of the bouquet:	

retail price of such bouquet of pay channels in a relevant geographical area shall be uniform for all distribution platforms in that area:Provided further that such bouquet distribution platforms in that area:Provided further that such bouquet shall not contain any free to air channel: Provided further that such bouquetProvided further that such bouquet shall not contain any free to air channel: Provided further that such bouquet	
area shall be uniform for all distribution platforms in that area:channels shall be uniform for all distribution platforms in that area:Provided further that such bouquet shall not contain any free to air channel:Provided further that such bouquet shall not contain any free to air channel:	
platforms in that area:distribution platforms in that area:Provided further that such bouquetProvided further that such bouquetshall not contain any free to air channel:shall not contain any free to air channel:	
Provided further that such bouquet shall not contain any free to air channel: shall not contain any free to air channel:	
shall not contain any free to air channel: shall not contain any free to air channel:	
Provided further that such bouquet Provided further that such bouquet	
shall not contain high HD and SD shall not contain high HD and SD	
variants of the same channel: variants of the same channel:	
Provided also that such bouquet shall Provided also that such bouquet shall	
not contain any premium channel. not contain any premium channel.	
Explanation: For the purpose of these Explanation: For the purpose of these	
regulations, the definition of regulations, the definition of	
"subsidiary company" and "holding "subsidiary company" and "holding	
company" shall be the same as assigned company" shall be the same as assigned	
to them in the Companies Act, 2013 (18 to them in the Companies Act, 2013 (18	
of 2013). of 2013).	
(4) The maximum retail price of a pay (4) The broadcaster shall not increase	
channel or a bouquet of pay channels the maximum retail price of a pay	
may vary for different relevant channel or a bouquet of pay channels	
geographical areas. for a period of six months from the date	
(5) The broadcaster shall not increase of declaration of maximum retail price	
the maximum retail price of a pay of such pay channel or bouquet of pay	
channel or a bouquet of pay channels channels.	
for a period of six months from the date (5) No broadcaster shall change the	
of declaration of maximum retail price nature of a channel as declared under	
of such pay channel or bouquet of pay section (a) of sub clause (1) of clause 3	
channels. for a period of six months from the date	
(6) No broadcaster shall change the of such declaration:	
nature of a channel as declared under Provided that a broadcaster, before	
section (a) of subclause (1) of clause 3 making any change in the nature of any	
for a period of six months from the date channel, shall at least ninety days prior	

	of such declaration: Provided that a broadcaster, before making any change in the nature of any channel, shall at least ninety days prior to the scheduled change (a) inform the Authority; (b) inform the distributors of television channels; and	 to the scheduled change (a) inform the Authority; (b) inform the distributors of television channels; and (c) inform the subscribers by running scroll on the channel. (6) Every broadcaster, before making any change, in the maximum retail price 	
	 (c) inform the subscribers by running scroll on the channel. (7) Every broadcaster, before making any change, in the maximum retail price of a pay channel or a bouquet of pay channels or in the nature of a channel, as the case may be, shall follow the provisions of the Regulations including but not limited to the publication of Reference Interconnection Offer. 	of a pay channel or a bouquet of pay channels or in the nature of a channel, as the case may be, shall follow the provisions of the Regulations including but not limited to the publication of Reference Interconnection Offer.	
3.	Clause 6 reads as under: 6. Manner of offering of channels by	It is proposed that Clause 6 should be amended to the following: 6. Manner of offering of channels by	It is submitted that it should be mandated that each distributor of television channels shall charge a fixed amount of Rs. 130/- excluding taxes per
	the distributor of television	the distributor of television	month per set-top box from a
	channels: (1) No distributor of	channels: (1) A distributor of television	subscriber, rather than a maximum
	television channels shall charge a rental	channels shall charge a rental amount	ceiling being prescribed. Once the
	amount exceeding rupees one hundred	of rupees one hundred and thirty,	rental amount is fixed there would be
	and thirty, excluding taxes, per month	excluding taxes, per month per set top	no scope for unfair trade practices,
	per set top box from a subscriber for providing a capacity so as to enable the	box from a subscriber for providing a capacity so as to enable the subscriber	predatory pricing and/ or any restrictive trade practice. It would also
	subscriber to receive the signals of up	to receive the signals of up to one	ensure that all subscribers are assured

to one hundred SD channels:	hundred SD channels:	parity in rental amounts and each
Provided that one HD channel shall be	Provided that one HD channel shall be	subscriber irrespective of areas would
treated equal to two SD channels for the	treated equal to 3 SD channels for the	be assured of services at a constant
purpose of calculating capacity of one	purpose of calculating capacity of one	price without fear of change. It would
hundred channels offered to the	hundred channels offered to the	also reduce the changes of distributors
subscriber.	subscriber.	of TV channels trying to enter into anti-
(2) Every distributor of television	(2) Every distributor of television	competitive agreements, so as to
channels shall offer all the channels	channels shall offer all the channels	subvert the regulations.
available on its network on a-la-carte	available on its network on a-la-carte	C C
basis and declare retail prices of pay	basis and declare retail prices of pay	Secondly, it is proposed that one HD
channels payable by the subscriber.	channels payable by the subscriber.	Channel should be treated equal to 3 SD
(3) It shall be open for a distributor of	(3) It shall be open for a distributor of	Channels, rather than 2. Most
television channels to offer a-la-carte	television channels to offer a-la-carte	distributor of TV channels have already
pay channels of one or more	pay channels of one or more	installed a large number of MPEG2 Set-
broadcasters in the form of bouquet(s)	broadcasters in the form of bouquet(s)	Top Boxes and as per the compression
and declare the retail price of such	and declare the retail price of such	standards available on the said Set-Top
bouquet(s) to be paid by the subscriber:	bouquet(s) to be paid by the subscriber:	Boxes/ Equipment one HD Channel
Provided that the retail price of such	Provided that the retail price of such	takes about 3.4-3.5 times the
bouquet of pay channels shall not be	bouquet of pay channels shall not be	bandwidth of a SD Channel. Therefore,
less than eighty five percent of the sum	less than eighty five percent of the sum	the Regulation should be amended
of retail prices of the a-la-carte pay	of retail prices of the a-la-carte pay	accordingly to reflect the bandwidth
channels forming part of the bouquet:	channels forming part of the bouquet:	utilization of a HD Channel.
Provided further that such bouquet	Provided further that such bouquet	
shall not contain any free to air channel:	shall not contain any free to air channel:	Once the rental charge of Rs. 130/-
Provided further that such bouquet	Provided further that such bouquet	excluding taxes per month per set-top
shall not contain HD and SD variants of	shall not contain HD and SD variants of	box from a subscriber is fixed, there is
the same channel:	the same channel:	no need for a price increase clause and
Provided further that such bouquet	Provided further that such bouquet	hence, sub-clause (11) has been
shall not contain any premium channel.	shall not contain any premium channel.	deleted.
Explanation: For the removal of doubt it	Explanation: For the removal of doubt it	
is hereby clarified that a distributor of	is hereby clarified that a distributor of	
television channels while forming	television channels while forming	

bouquet under this clause shall include only a-la-carte channels of	5	
broadcasters.	broadcasters.	
(4) Every distributor of television		
channels shall offer its subscribers each	channels shall offer its subscribers each	
bouquet of channels formed by the	bouquet of channels formed by the	
broadcasters, and which are available	broadcasters, and which are available	
on its platform, without any alteration	on its platform, without any alteration	
and declare the retail price for such	and declare the retail price for such	
bouquet(s) payable by the subscriber.	bouquet(s) payable by the subscriber.	
(5) No distributor of television channels		
shall charge any amount, other than the	shall charge any amount, other than the	
rental amount, from its subscribers for	rental amount, from its subscribers for	
subscribing to free to air channels or	subscribing to free to air channels or	
bouquet(s) of free to air channels.	bouquet(s) of free to air channels.	
(6) Within the capacity of one hundred	(6) Within the capacity of one hundred	
SD channels, as referred to in sub-	SD channels, as referred to in sub-	
clause (1), in addition to channels		
notified by the Central Government to	notified by the Central Government to	
be mandatorily provided to subscribers,	be mandatorily provided to subscribers,	
a subscriber shall be free to choose any	a subscriber shall be free to choose any	
free to air channel(s), pay channel(s),	free to air channel(s), pay channel(s),	
premium channel(s) or bouquet(s) of	premium channel(s) or bouquet(s) of	
channels offered by the broadcasters or	channels offered by the broadcasters or	
bouquet(s) of channels offered by the	bouquet(s) of channels offered by the	
distributor of television channels:	distributor of television channels:	
Provided that if a subscriber opts for	Provided that if a subscriber opts for	
pay channels or premium channels or	pay channels or premium channels or	
bouquet of pay channels, he shall be		
liable to pay retail price for such		
channels or bouquets separately.	channels or bouquets separately.	
(7) Every distributor of television	(7) Every distributor of television	

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	channels shall offer at least one	channels shall offer at least one	
	bouquet, referred to as basic service	bouquet, referred to as basic service	
	tier, of one hundred free to air channels	tier, of one hundred free to air channels	
	including all the channels notified by	including all the channels notified by	
	the Central Government to be	the Central Government to be	
	mandatorily provided to the	mandatorily provided to the	
	subscribers and such bouquet shall	subscribers and such bouquet shall	
	contain at least five channels of each	contain at least five channels of each	
	genre as referred to in the sub-clause	genre as referred to in the sub-clause	
	(1) of clause 4:	(1) of clause 4:	
	Provided that in case sufficient number	Provided that in case sufficient number	
	of free to air channels of a particular	of free to air channels of a particular	
	genre is not available on the network,	genre is not available on the network,	
	the distributor of television channels	the distributor of television channels	
	shall be free to include the channels of	shall be free to include the channels of	
	other genres.	other genres.	
	(8) Subject to the availability of	(8) Subject to the availability of	
	capacity on its network, each	capacity on its network, each	
	distributor of television channels shall	distributor of television channels shall	
	offer additional capacity to a subscriber	offer additional capacity to a subscriber	
	in the slabs of twenty five SD channels	in the slabs of twenty five SD channels	
	each, beyond initial one hundred	each, beyond initial one hundred	
	channels capacity referred to in sub-	channels capacity referred to in sub-	
	clause (1), at an amount not exceeding	clause (1), at an amount not exceeding	
	rupees twenty, excluding taxes, per	rupees twenty, excluding taxes, per	
	such slab per set top box per month for	such slab per set top box per month for	
	such capacity:	such capacity:	
	Provided that the subscriber shall also	Provided that the subscriber shall also	
	be liable to pay the retail price of the	be liable to pay the retail price of the	
	pay channels subscribed within these	pay channels subscribed within these	
	twenty five channels.	twenty five channels.	
	(9) The retail price payable by a	5	
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	subscriber to a distributor of television channels for subscribing to a pay channel or a premium channel or a bouquet of pay channels formed by the broadcaster shall in no case exceed the maximum retail price declared by the broadcasters for such pay channel or premium channel or bouquet of pay channels. (10) The retail price of a bouquet of pay channels offered by a distributor of television channels in no case shall exceed the sum of a-la-carte maximum retail prices of the pay channels forming the bouquet. (11) A distributor of television channels shall not increase the rental amount for a period of six months from the date of subscription by the subscriber.	subscriber to a distributor of television channels for subscribing to a pay channel or a premium channel or a bouquet of pay channels formed by the broadcaster shall in no case exceed the maximum retail price declared by the broadcasters for such pay channel or premium channel or bouquet of pay channels. (10) The retail price of a bouquet of pay channels offered by a distributor of television channels in no case shall exceed the sum of a-la-carte maximum retail prices of the pay channels forming the bouquet.	
4.	Clause 7 reads as under: 7. Reporting requirement. (1) Every broadcaster shall furnish the following information to the Authority, namely: - (a) names, genre, language and relevant geographical area of all free to air channels offered by the broadcaster; (b) name, maximum retail price, genre, language and relevant geographical area of each pay channel offered by the	It is proposed that Clause 7 should be amended to the following: 7. Reporting requirement. (1) Every broadcaster shall furnish the following information to the Authority, namely: - (a) names, genre and language of all free to air channels offered by the broadcaster; (b) name, maximum retail price, genre and language of each pay channel offered by the broadcaster;	The references made to relevant geographical area of sub-clause (1) have been removed, as also changes made to bring the same in conformity to the proposed Clause 3. In the first proviso to sub-clause (1) the time period to declare the maximum retail price by the Broadcaster has been changed to January, 2017 instead of March, 2017 as only once the

broadcaster;	(c) list of all bouquets of pay channels	Broadcaster has declared the maximum
(c) list of all bouquets of pay channels	offered by the broadcaster with	retail price can the distributor of TV
offered by the broadcaster with	maximum retail prices of each bouquet,	channels formulate the packages and
maximum retail prices of each bouquet,	indicating the names of all the pay	publish the same and start its consumer
indicating the names of all the pay	channels contained therein;	awareness programs. Since, the
channels contained therein;	(d) name, maximum retail price and	Regulation is to come into effect from
(d) name, maximum retail price,	language of each premium channel	April, 2017 a minimum period of 2
language and relevant geographical	offered by the broadcaster;	months' prior thereto is required for
area of each premium channel offered	(e) advertisement revenue for the last	the creating consumer awareness
by the broadcaster;	financial year;	regarding the changes. Furthermore,
(e) whether the pay channels are pay	(f) any other information relevant to	the distributor of TV channels also
channels in whole of the country or	free to air channels, pay channels,	requires some time to formulate
only in part of the country. (relevant	premium channels, maximum retail	packages and thereafter circulate the
geographical market(s) must be	prices and bouquets offered by a	publicity material etc. In the case of
specified if a channel is a pay channel in	broadcaster as called for by the	MSOs, they also need to hold meetings
part of the country);	Authority from time to time:	with LCOs and educate them regarding
(f) advertisement revenue for the last	Provided that the first such report,	the changes in the packaging etc., who
financial year;	containing maximum retail prices	in turn would have to educate the end
(g) any other information relevant to	effective from April 1, 2017, shall be	consumer/ subscriber.
free to air channels, pay channels,	submitted to the Authority by January	
premium channels, maximum retail	1, 2017 and, thereafter, any changes in	In the first proviso to sub-clause (2) it
prices and bouquets offered by a	such rates	has been added that any information
broadcaster as called for by the	(a) shall be reported to the Authority	with regard to introduction or
Authority from time to time:	thirty days prior to the change; and	conversion or discontinuation or
Provided that the first such report,	(b) shall also be published on the	change of a channel should also be
containing maximum retail prices	website of the broadcaster.	furnished to the distributor of TV
effective from April 1, 2017, shall be	Provided further that every broadcaster	channels and the subscribers. The
submitted to the Authority by March 1,	shall provide to the Authority the	providing of such information to the
2017 and, thereafter, any changes in	advertisement revenue for each	distributor of TV channels is essential
such rates	financial year within ninety days of the	as only once the same has come to the
(a) shall be reported to the Authority	end of that financial year,	knowledge of the distributor can it
thirty days prior to the change; and	(2) Every broadcaster who, after the	formulate packages and/ or modify its

(b) shall also be published on the	commencement of the	offerings to the consumers. The
website of the broadcaster.	Telecommunication (Broadcasting and	distributor would also in the case of
Provided further that every broadcaster	Cable) Services (Eighth) (Addressable	new channels require time to decide
shall provide to the Authority the	Systems) Tariff Order, 2016 (of 2016),	whether or not it wishes to subscribe to
advertisement revenue for each		the same.
financial year within ninety days of the	(a) introduces any new pay channel or	
end of that financial year,	free to air channel or premium channel;	In sub-clause (a) of the first proviso to
(2) Every broadcaster who, after the	or	sub-clause (4) the time period to report
commencement of the	(b) converts any pay channel or	changes to the Authority has been
Telecommunication (Broadcasting and	premium channel into free to air	reduced from 90 days to 30 days. The
Cable) Services (Eighth) (Addressable	channel; or	same has been done as the Broadcaster
Systems) Tariff Order, 2016 (of 2016),-	(c) converts any free to air channel into	has been given a period of 90 days to
	pay channel or premium channels; or	give information regarding the
(a) introduces any new pay channel or	(d) converts any premium channel into	introduction or conversion or
free to air channel or premium channel;	free to air channel or pay channel; or	discontinuation or change of a channel.
or	(e) discontinues any free to air channel	Once the Distributor of TV channels has
(b) converts any pay channel or	or pay channel or premium channel; or	received such information from the
premium channel into free to air	(f) introduces any new bouquet or	Broadcaster, it would have to change its
channel; or	discontinues any bouquet or changes	offerings i.e. bouquets etc. Therefore, in
(c) converts any free to air channel into	rate of existing bouquet; or	order to provide some time to the
pay channel or premium channels; or	(g) changes genre, language, name etc.	distributor of TV channels to modify its
(d) converts any premium channel into	of any existing channel, shall, ninety	offerings the time period has been
free to air channel or pay channel; or	days prior to such introduction or	reduced.
(e) discontinues any free to air channel	conversion or discontinuation or	
or pay channel or premium channel; or	change, furnish to the Authority and to	In sub-clause (5) the time period of 90
(f) introduces any new bouquet or	the Distributor of TV channels and	days given to a distributor of TV
discontinues any bouquet or changes	subscribers, the following information,	channels in the event of introduction or
rate of	namely:-	conversion or discontinuation or
existing bouquet; or	(i) name of the channel to be	S , 1
(g) changes genre, language, name etc.	introduced, converted or discontinued,	reduced to 30 days. There is a two-fold
of any existing channel, shall, ninety	(ii) the date on which the new channel	reason for the same. Firstly, the
days prior to such introduction or	is to be introduced, converted or	Broadcaster has been given a period of

	conversion or discontinuation or	discontinued;	90 days to give information regarding
	change, furnish to the Authority, the	(iii) the maximum retail price of the pay	the introduction or conversion or
	following information, namely:-	channel if it is a newly introduced or	discontinuation or change of a channel.
	(i) name of the channel to be	converted pay channel;	Only once, the Broadcaster gives such
	introduced, converted or discontinued,	(iv) the maximum retail price of the	information can the distributor of TV
	(ii) the date on which the new channel	premium channel if it is a newly	channels take a decision with regard to
	is to be introduced, converted or	introduced or converted premium	the same. Secondly, in the event of
	discontinued;	channel	discontinuation of a channel due to
	(iii) the maximum retail price of the pay	(v) composition of new bouquet or	non-payment of carriage fees etc., the
		bouquets to be introduced along with	
	channel if it is a newly introduced or	1 0	proposed and extant Interconnect Regulations provide for a notice of 21
	converted pay channel;	maximum retail price for each such new	0 1
	(iv) the maximum retail price of the	bouquet;	days. A period of 90 days in such situations is excessively long.
	premium channel if it is a newly	(vi) in the case of a new channel, the	5 0
	introduced or converted premium	genre and language of the new channel;	Therefore, the reduced time frame of 30
	channel	(vii) changed maximum retail price of	days is required.
	(v) composition of new bouquet or	the existing bouquet;	
	bouquets to be introduced along with	(viii) changed maximum retail price,	
	maximum retail price for each such new	genre, language, name etc. of the	
	bouquet;	existing	
~	(vi) in the case of a new channel, the	channel.	
-	genre and language of the new channel;	(3) Every broadcaster shall display on	
	(vii) changed maximum retail price of	its website the information furnished	
	the existing bouquet;	under sub-clauses (1) and (2), except	
~	(viii) changed maximum retail price,	the information specified under sub	
-	genre, language, name etc. of the	clause (f) of clause (1), simultaneously	
	existing	with its submission to the Authority.	
-	channel.	(4) Every distributor of television	
~	(3) Every broadcaster shall display on	channels shall furnish the following	
	its website the information furnished	information to the Authority, namely:-	
	under sub-clauses (1) and (2), except	(a) monthly rental amount charged	
	the information specified under sub	from subscribers	
C	clause (f) of clause (1), simultaneously	(b) list of all pay, free to air and	

with its submission to the Authority.	premium channels available to	
(4) Every distributor of television	subscribers on its network	
channels shall furnish the following	(c) list of all the bouquets of pay	
information to the Authority, namely:-	channels and bouquets of free to air	
(a) monthly rental amount charged	channels available to subscribers on its	
from subscribers	network	
(b) list of all pay, free to air and	(d) retail price for pay channels,	
premium channels available to	premium channels and bouquets of pay	
subscribers on its network	channels available to subscribers on its	
(c) list of all the bouquets of pay	network	
channels and bouquets of free to air	(e) all terms and conditions, associated	
channels available to subscribers on its	with the supply of set top boxes to the	
network	subscribers	
(d) retail price for pay channels,	(f) all the platform services and their	
premium channels and bouquets of pay	rates	
channels available to subscribers on its	Provided that the first such report,	
network	containing monthly subscription	
(e) all terms and conditions, associated	charges and retail prices effective from	
with the supply of set top boxes to the	April 1, 2017, shall be submitted to the	
subscribers	Authority by March, 2017 and,	
(f) all the platform services and their	thereafter, any changes in such rates	
rates	(a) shall be reported to the Authority	
Provided that the first such report,	<u>thirty</u> days prior to the change; and	
containing monthly subscription	(b) shall also be published on the	
charges and retail prices effective from	website of the distributor of television	
April 1, 2017, shall be submitted to the	channels:	
Authority by March, 2017 and,	Provided further that every such	
thereafter, any changes in such rates	distributor of television channels who	
(a) shall be reported to the Authority	commences its services after coming	
ninety days prior to the change; and	into force of this Tariff Order shall	
(b) shall also be published on the	submit to the Authority such reports	
website of the distributor of television	before commencement of its services	

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channels:	and thereafter any changes in the rates	
Provided further that every such	shall be reported thirty days prior to	
distributor of television channels who	the change.	
commences its services after coming	(5) Every distributor of television	
into force of this Tariff Order shall	channels who, after the commencement	
submit to the Authority such reports	of the Telecommunication	
before commencement of its services	(Broadcasting and Cable) Services	
and thereafter any changes in the rates	(Eighth) (Addressable Systems) Tariff	
shall be reported thirty days prior to	Order, 2016 (of 2016),	
the change.	(a) introduces any new pay channel or	
(5) Every distributor of television	free to air channel or premium channel	
channels who, after the commencement	on its network; or	
of the Telecommunication	(b) discontinues any free to air channel	
(Broadcasting and Cable) Services	or pay channel or premium channel	
(Eighth) (Addressable Systems) Tariff	from its network; or	
Order, 2016 (of 2016),	(c) introduces any new bouquet or	
(a) introduces any new pay channel or	discontinues any bouquet or changes	
free to air channel or premium channel	rate of existing bouquet;	
on its network; or	shall, <u>thirty</u> days prior to such	
(b) discontinues any free to air channel	introduction or conversion or	
or pay channel or premium channel	discontinuation or change, furnish to	
from its network; or	the Authority, the following	
(c) introduces any new bouquet or	information, namely:-	
discontinues any bouquet or changes	(i) name of the channel to be	
rate of existing bouquet;	introduced or discontinued,	
shall, ninety days prior to such	(ii) the date on which the new channel	
introduction or conversion or	is to be introduced or discontinued;	
discontinuation or change, furnish to	(iii) retail price of the pay channel or	
the Authority, the following	premium channel if it is a newly	
information, namely:-	introduced;	
(i) name of the channel to be	(iv) composition of new bouquet or	
introduced or discontinued,	bouquets to be introduced along with	

			[]
	(ii) the date on which the new channel	retail price for each such new bouquet;	
	is to be introduced or discontinued;	(v) changed retail price of the existing	
	(iii) retail price of the pay channel or	bouquet;	
	premium channel if it is a newly	(6) Every distributor of television	
	introduced;	channels shall display on its website the	
	(iv) composition of new bouquet or	information furnished under sub-	
	bouquets to be introduced along with	clauses (4) and (5), simultaneously	
	retail price for each such new bouquet;	with its submission to the Authority.	
	(v) changed retail price of the existing		
	bouquet;		
	(6) Every distributor of television		
	channels shall display on its website the		
	information furnished under sub-		
	clauses (4) and (5), simultaneously		
	with its submission to the Authority.		
5.	Clause 8 reads as under:	It is proposed that Clause 8 should be	The time period of 30 days in sub-
		amended to the following:	clause (1) has been increased to 60
	8. Appointment of compliance officer	8. Appointment of compliance officer	days, as in most cases new hiring would
	and his obligations (1) Every	and his obligations (1) Every	have to be done by the service
	service provider shall, within thirty	service provider shall, within <u>sixty</u> days	providers in terms of the Regulations.
	days from the date of commencement	from the date of commencement of this	Any new hiring in an organization
	of this order, appoint a compliance	order, appoint a compliance officer:	would be difficult to manage within a
	officer:	Provided that nothing contained in this	period of 30 days.
	Provided that nothing contained in this	sub-clause shall apply to a distributor	
	sub-clause shall apply to a distributor	of television channels having average	The time period of 10 days in sub-
	of television channels having average	subscribers base, over the immediately	clause (4) has been increased to 30
	subscribers base, over the immediately	preceding calendar quarter, less than	days. The same is on account of the fact
	preceding calendar quarter, less than	two lakh or such other number of	that in the event of any change in the
	two lakh or such other number of	subscribers which may be prescribed	compliance officer, 10 days is not
	subscribers which may be prescribed	by the Authority through direction from	sufficient to recruit a replacement.
	by the Authority through direction from	time to time:	Furthermore, at times employees can

time to time:	Provided further that this sub-clause	resign at very short notice period and
Provided further that this sub-clause	shall also not apply to a free to air	therefore, sufficient time is required to
shall also not apply to a free to air	broadcaster and a local cable operator.	appoint a replacement.
broadcaster and a local cable operator.	(2) Every service provider which is a	app
(2) Every service provider which is a	company shall, within ten days from the	
company shall, within ten days from the	date of appointment of the compliance	
date of appointment of the compliance	officer under sub-clause (1), furnish to	
officer under sub-clause (1), furnish to	the Authority, the name, complete	
the Authority, the name, complete	address, contact number and e-mail	
address, contact number and e-mail	address of the compliance officer along	
address of the compliance officer along	with authenticated copy of the board's	
with authenticated copy of the board's	resolution authorizing the appointment	
resolution authorizing the appointment	of such compliance officer.	
of such compliance officer.	Explanation: For the purpose of this	
Explanation: For the purpose of this	order, the definition of "company" shall	
order, the definition of "company" shall	be the same as assigned to it in the	
be the same as assigned to it in the	Companies Act, 2013(18 of 2013).	
Companies Act, 2013(18 of 2013).	(3) Every service provider which is not	
(3) Every service provider which is not	a company shall, within ten days from	
a company shall, within ten days from	the date of appointment of the	
the date of appointment of the	compliance officer under sub- clause	
compliance officer under sub- clause	(1), furnish to the Authority the name,	
(1), furnish to the Authority the name,	full address, contact number and e-mail	
full address, contact number and e-mail	address of the compliance officer along	
address of the compliance officer along	with authenticated copy of the	
with authenticated copy of the	authorization letter authorizing the	
authorization letter authorizing the	appointment of such compliance officer.	
appointment of such compliance officer.	(4) In the event of any change in the	
(4) In the event of any change in the	name of the compliance officer so	
name of the compliance officer so	appointed under subclause (1), the	
appointed under subclause (1), the	same shall be reported to the Authority	
same shall be reported to the Authority	by the service provider within thirty	

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by the service provider within ten days	days from the date of occurrence of	
from the date of occurrence of such	such change along with authenticated	
change along with authenticated copy	copy of board's resolution or	
of board's resolution or authorization	authorization letter, as the case may be.	
letter, as the case may be.	(5) In the event of any change in the	
(5) In the event of any change in the	address or contact number or email	
address or contact number or email	address of the compliance officer, the	
address of the compliance officer, the	same shall be reported to the Authority	
same shall be reported to the Authority	by the service provider within ten days	
by the service provider within ten days	from the date of occurrence of such	
from the date of occurrence of such	change.	
change.	(6) The compliance officer shall be	
(6) The compliance officer shall be	responsible for-	
responsible for-	(a) ensuring conformity with the	
(a) ensuring conformity with the	provisions of this order applicable to	
provisions of this order applicable to	the service	
the service	provider.	
provider.	(b) reporting to the Authority, with	
(b) reporting to the Authority, with	respect to compliance with this order	
respect to compliance with this order	and other	
and other	directions of the Authority issued under	
directions of the Authority issued under	this order.	
this order.	(c) ensuring that proper procedures	
(c) ensuring that proper procedures	have been established and followed by	
have been established and followed by	the service provider that would result	
the service provider that would result	in the correctness, authenticity and	
in the correctness, authenticity and	completeness of the information,	
completeness of the information,	statements and reports filed by the	
statements and reports filed by the	service provider under this order.	
service provider under this order.		

In conclusion, AIDCF would request the TRAI to consider the aforementioned proposed amendments/deletions and/or additions for the Draft Tariff Order to bring about a new and reformed era for the broadcasting sector wherein disputes between the service providers are minimized and the actual goal of providing good quality uninterrupted services and choice to the customer is achieved as well as the business interests of all the tiers of the distribution chain are protected.