

Telecom Regulatory Authority of India

FAQs on

New Regulatory framework for
Broadcasting and Cable TV services



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Contents

A.	General Concerns regarding new regulatory framework	1
1.	What was the reason to modify existing framework?	1
2.	How consumers are benefitted in new regulatory framework for broadcasting and Cable Services?	1
3.	Whether the monthly charges to the consumers will be increased by Rs. 200/- or more	1-2
4.	Will there be black-out of existing channels in TV screens after 29 th December, 2018?	2
5.	What if option is not exercised by me, till 31.1.2019?	2
6.	Can a Bouquets be formed by Broadcasters and DPOs or Only A-la-carte channels can be given by DPOs(MSOs, DTH operators and others)?.....	2-3
7.	Does New Regulations favours only big pay Broadcasters?.....	3
8.	Will FTA channels be completely free?	3
9.	Does subscriber has flexibility to choose any channel?.....	3
10.	Is the 100 FTA channels offered to me as basic service tier pack is mandatory to be subscribed by a subscriber.....	4-6
11.	What if annual subscription charges are paid by a subscriber in advance?	6
12.	Whether any service charge is applicable in addition to monthly charge of a cable connection?	6
13.	Does Rs. 130 network capacity fee for 100 channels include only FTA channels.....	7
14.	What will be the Network Capacity Fee (NCF) for additional and subsequent connection in a.....	7
15.	Whether there is a capping on discount while forming the bouquets?	7
16.	How a DTH operator Independent TV (erstwhile Reliance Big TV) is still offering package freedom plan' of old regulatory framework?	7
17.	Will Additional TV connection in a house be costlier?	7
18.	Why Set top box interoperability is not mandated in new regulations?.....	8
19.	Are STBs provided without quality control?	8
20.	Is it true that subscribers are to be provided with payment option on Pre-paid basis only?	8
21.	Pay channels are shown on DD free dish as free, why can't the same be free on cable network?	8
22.	Is it difficult to enter agreements with so many service providers?	8
23.	Can DPOs give discounts on MRP?	8
B.	General understanding about new framework.....	9
24.	What constitute New Regulatory Framework?	9
25.	What were the reasons behind framing of this regulatory framework?	9
26.	Is there any time line for implementation of the New Regulatory Framework?.....	9
27.	What are the benefits for various stakeholders under these regulations?	10-11
28.	What are pay channels?	12
29.	What is MRP of channel? Is it uniform for all distribution platforms?	12
30.	What is network capacity fee?	12
31.	What are Free to Air Channels? Do we have to pay for subscribing only FTA channels?	12
C.	For Broadcasters	13

32	What are the obligations of a Broadcaster under these regulations?	13
D.	For Distributors	14
33	What are the obligations of a Distributor under these regulations?	14
34	Are DPOs to provide additional channels on pro rata basis?.....	14
35	Can a Distributor give a discount on prescribed ceiling of Rs. 130/-?.....	15
36	What is target market?	15
37	Whether DPO's can continue to provide TV Services to their subscribers in old plan up to 31.03.2019 ?.....	15
E.	For LCOs.....	16
38	What should be done if MSOs are not called to have mutual negotiations?	16
39	What if negotiation with MSO is not fruitful? How can we continue providing services to consumers?	16
40	Whether advertisement revenue of a Pay TV Channel can be shared with the DPOs/LCOs?	16
41	Will the Carriage and Placement charges be shared by the MSO with LCO?	16
42	What is the arrangement for revenue share on installation / activation charges?	16
43	Can rates of pay channels vary among cities/towns?	17
44	To whom MRP regime benefit?	17
45	Is new regulatory framework mandates prepaid model?	17
46	Whether LCOs Revenue share will decrease?	17
47	Whether chances of LCOs to become own MSOs have been further reduced?	17
48	Will flexibility of LCOs be further reduced?.....	17
49	Are provisions of MIA/ SIA being modified?.....	18
50	Is it true that there is no clarity about Set Top Box schemes, ownership, repair and its liability?	18
51	Whether LCOs do not get signed copy of agreement from MSOs?	18
F.	For consumers	19
52	I want to subscribe only 10 pay channels. Whether I would be required to pay Network Capacity Fee in addition to price of Pay Channels?	19
53	Whether the prices shown in the Electronic Programme Guide (EPG) are in rupees per month? ...	19
54	What are the provisions for obtaining Cable Service /DTH service?.....	19
55	Is there any Consumer application Form prescribed by TRAI?	20
56	Is there any amount to be paid upfront for getting a new connection?	20
57	What amount we have to pay for CPE to the DTH Operators/ Cable Operators?.....	20
58	Who owns the CPE provided by distributors?	21
59	What is the installation charge prescribed under new regulation?.....	21
60	What is the procedure for maintenance of CPE?	21
61	What are provisions for change in subscription plans of broadcasting services for TV channels? ...	21
62	What are the billing and payment options for consumers?	21
63	What are the provisions of temporary disconnection?	22

64	Can a DTH operator change the channels or bouquet of channels in a package?	22
65	What if my DTH operator discontinues the channels subscribed and paid in advance by me?	22
66	What are the provisions for closure of DTH subscription?	22
67	Is compliance officer of a broadcaster/distributor also authorized to resolve subscriber's grievances?	22
68	What can we do if my DTH operator does not provide me channels on a-la carte rate and force me to subscribe bouquet?	22
69	Has TRAI provided any regulations for complaint redressal under new regulations?.....	23
70	What are the time limits specified for redressal of complaint raised by consumers?	23
71	What is the role of the Nodal officer in the redressal of the complaint of the subscriber?	23
72	To what extent my personal information/data shared with distributors/ Local Cable operators are safe?.....	23
73	Consumers can select 100 SD Channels of their choice as basic tier services for a sum of Rs. 130/- per month. What if, any LCO/distributor does not have sufficient channels on its platform to meet the demand of consumer's choice?.....	24
74	Will there be any discount in a-la-carte?.....	24
75	What amount I have to pay, if I opt for only 2 Pay channels of my choice?	24
76	Whether the price of bouquet will be made publically available by the Broadcasters/distributors for consumers?.....	24
77	What amount we would pay if I take one more (second) connection for another TV in my house from the same distributor?	25

G. Consumer Education Initiatives of TRAI

List of Acronyms

Contact Details of TV Service Providers

Important Websites

A General Concerns regarding new regulatory framework

1. What was the reason to modify existing framework?

Consequent to digitization of cable TV networks in March 2017, there was an urgent need to further improve transparency as many stakeholders are not providing the choice to consumers. Further, in order to create a conducive environment for the growth, there was a need to ensure non-discrimination, maintain level playing field among stakeholders, and bring in competition in the sector. Accordingly new regulatory framework has been introduced after due consultative process that lasted more than one and a half year.

2. How consumers are benefitted in new regulatory framework for broadcasting and Cable Services?

A consumer becomes real decision maker in the new regulatory framework. A consumer will have complete freedom to choose what he/she wishes to watch and pay only for that. The framework mandates that every channel will be offered on a-la-carte basis and the MRP has to be displayed on TV screen through the Electronic Program Guide (EPG). In addition to a-la-carte choice, the broadcasters and Distributors can offer bouquets of channels as prescribed. The price of bouquet is also required to be published transparently. The consumer can choose pay channels of her/his choice on a-la-carte basis or in form of bouquets made by Broadcasters as-well-as by the distributors. The new framework provides for complete transparency on Pay Channel pricing structure whereby no distributor can charge above the MRP declared by a broadcaster. All the free to air channels will now be available to subscribers free of cost.

The framework stipulates a network capacity fee with upper ceiling of Rs. One hundred and thirty (Rs. 130/-) for one hundred (100) channels. Any subscriber who opts for more than 100 channels (a rare choice of less than 10-15 % consumers) can choose additional channels in each slab of 25 channels with at a maximum price of @Rs. 20 per slab.

3. Whether the monthly charges to the consumers will be increased by Rs. 200/- or more

Presently the consumers are being provided a large number of TV channels, some of which may not be watched by consumers at all. This practice utilizes the TV channel carrying capacity of the distribution platform un-necessarily, thereby blocking new TV channels from coming-up on platform. The new framework stipulates that the subscribers will not be pushed with unwanted channels; rather she/ he will have freedom to choose only those TV channels that they want to see and pay accordingly.

80% subscriber as per the viewing pattern given by BARC, either view or flip 40 or less number of channels. Further, if a consumer carefully chooses channels of its choice for complete requirement of a family, the amount payable by him may be even less than the present payments being made per month. Some of the probable packs in different markets have been compiled by TRAI and can be seen at www.trai.gov.in. It will be clear

from the examples that cost to consumers will not increase. Further some broadcasters with wider presence have reduced the price of their channels recently. The published prices as declared by broadcasters are offered prices and not the final market determined prices. The Authority expects the market forces to stabilize the prices soon based on economic principles.

4. Will there be black-out of existing channels in TV screens after 29th December, 2018?

No. In order to facilitate a very smooth transition of the subscribers from old to the new framework, TRAI has issued a transition plan inter-alia as under:

- ☑ All existing packs/plans/bouquets to the subscribers will continue uninterrupted till 31st January 2019.
- ☑ No service provider to disconnect any signal/feed to any MSO/LCO/subscriber till 31st January 2019.
- ☑ DPOs to devise their own mechanism to reach out to all the subscribers and seek options from subscribers, at the earliest.
- ☑ DPOs to migrate all the subscribers to the new framework with effect from 1st February 2019 as per options exercised by them.

5. What if option is not exercised by me, till 31.1.2019?

In case option is not exercised by the consumer, he may be put on the Basic Service Tier pack. The Distribution Platform Owner (Multi System Provider/DTH provider) may adopt appropriate methods to seek consumer options for the Pay Channels or only free to air channels may be continued and pay channels may get disrupted.

6. Can Bouquets be formed by Broadcasters and DPOs or Only A-la-carte channels can be given by DPOs (MSOs, DTH operators and others)?

Presently the consumers are being provided a large number of TV channels, some of which may not be watched by consumers at all. This practice utilizes the TV channel carrying capacity of the distribution platform unnecessarily, thereby blocking new TV channels from coming-up on platform. The new framework stipulates that the subscribers will not be pushed with unwanted channels; rather she/ he will have freedom to choose only those TV channels that they want to see and pay accordingly.

As per the new regulatory framework, broadcasters have freedom to form and offer bouquets subject to certain provisions. However, every channel is also to be offered on a-la-carte basis to provide choice to the consumers.

Similarly DPO can also form bouquets by combining various bouquets of broadcasters, or by combining various a-la-carte channels or combination of broadcaster's bouquets and A-la-carte channels. Complete flexibility has been given to DPOs also to form the bouquet. They can also form bouquets with different channels of broadcasters. While forming bouquet either by Broadcaster or MSOs or others, following precautions have to be taken:

- Free to Air channel and pay channel cannot be part of same bouquet
- SD and HD variant of same channel cannot be in one bouquet
- Any channel having MRP more than Rs 19/- cannot be part of bouquet

Consumers can subscribe to any number of bouquets as per its choice. Any combination of a-la-carte channels and bouquets is also permitted.

7. Does New Regulations favours only big pay Broadcasters?

The framework aims to achieve transparency and non-discrimination with must carry and must provide being the underlying principles. The regulations provide equal treatment to all broadcasters, MSO, DTH operators and other platforms. The regulation does not differentiate between any class of broadcasters or distribution platform operators. Every broadcaster is required to declare their MRP of channels or bouquets. The percentage caps of distribution fee, discounts are uniformly applicable to all broadcasters.

8. Will FTA channels be completely free?

FTA channels will be provided completely free in new framework whereas these were charged by different platform providers earlier. The MRP of FTA channels as shown in Electronic Program Guide (EPG) will be 'free'.

The framework introduces the concept of network capacity fee with an upper ceiling of Rs 130/- for up to 100 SD channels. Further, capacity of a HD channel is treated as 2 SD channels for the purpose of determining the Network Capacity fee. Any subscriber who opts for more than 100 channels (a rare choice of less than 10-15 % consumers) can choose additional channels in each slab of 25 channels with at a maximum price of @Rs. 20 per slab.

9. Does subscriber has flexibility to choose any channel?

Yes, subscriber can choose any channels which are available on the platform of the distributor, either in a-la-carte form or bouquet or combination of both.

10. Is the 100 FTA channels offered to me as basic service tier pack is mandatory to be subscribed by a subscriber.

Or

Is the 100 FTA channels offered to me in basic service tier pack is final?

Or

Can I make any change in the basic tier pack of 100 channels offered by distributor?

Or

Can I include a pay channel in the basic tier pack of 100 channels @ Rs. 130/- ?

Or

Can I change FTA channel in BST with another FTA channels?

The basic service tier as prescribed by clause 5 of Tariff Order and explanation there under is only one of the options available to the subscribers. The subscriber has complete freedom to choose any combination of free to air channel and pay channel on a-la-carte or bouquet of pay channels within the network capacity fee.

The consumer will have freedom to deselect any channel available in basic service tier and add Free to Air or pay channels of his choice. It is obvious that, if the consumer chooses a pay channel, the MRP charges will be in addition to network capacity fee.

The basic service tier of 100 channels @ Rs. 130/- (GST extra) includes only network capacity fee and there are no additional charges for free to air channel included in the pack.

The customer may note that Rs. 130/- is the maximum limit. The distributor is free to declare anything lower than Rs. 130/-

Example-1: The operator has given following option of 100 channels in the basic service tier.

9X JALWA, 9X TASHAN, 9XM, 9XO, AASTHA BHAIJAN, ABP NEWS, ANAADI TV, ANJAN TV, B4U MOVIES, B4U MUSIC, BFLIX MOVIES, BTVI, YOTV, CHANNEL NEWSASIA, CHANNEL WIN, CHARDIKLA TIME TV, DARSHAN 24, DD HISSAR, DD YADAGIRI, DELHI AAJ TAK, TTC, DIVYA, GYANA YOGI, ZEE ME, DW TV, E24, INDIAN FASHION TV, GOOD NEWS, ZEE SEA, HOMESHOP18, INDIA NEWS, INDIA

NEWS HARYANA, INDIA NEWS RAJASTHAN, INDIA NEWS UP/UK, INDIA TV, ISHWAR, ZONET, LIVING INDIA NEWS, MAHA MOVIE, MAHAVIRA TV, MASTIII, MH1 MUSIC, MOVIE HOUSE, MUSIC INDIA, NAAPTOL BLUE, NEPAL 1, NEWS 24, NEWS INDIA, NEWS NATION, NEWS X, NT6, NT7, PARAS, PTC CHAKDE, PTC NEWS, PTC PUNJABI, KALKI TV, REPUBLIC TV, RUPASI BANGLA, SADHNA, SAMAY UP/UTTARAKHAND, SANGEET BANGLA, SANGEET BHOJPURI, SATSANG, SHRADDHA MH ONE, SHUBHSANDESH, STV HARYANA NEWS, SURYA BHAKTI, SURYA SAGAR ENTERTAINMENT, SURYA SAMACHAR, SVBC TTD, SWARAJ EXPRESS, WOW MUSIC, DD BANGLA, DD BHARATI, DD BIHAR, DD CHANDANA, DD GIRNAR, DD GYANDARSHAN, DD INDIA, DD KASHIR, DD KISAN, DD MADHYA PRADESH, DD MALAYALAM, DD NATIONAL, DD NEWS, DD NORTH EAST, DD ODIA, DD PODHIGAI, DD PUNJABI, DD RAJASTHAN, DD RAJYA SABHA TV, DD SAHYADRI, DD SAPTAGIRI, DD SHIMLA, DD SPORTS, DD URDU, DD UTTAR PRADESH, LOK SABHA TV, VAA MOVIES.

Now consumer does not want to see five of these channels and want to select his desired channels then the following options may be chosen.

Option-1: The customer chooses FTA channels in lieu of existing FTA channels

- ☐ Customer deselects the FTA channels from basic service tier pack which he does not want to take.
- ☐ Select equivalent number of FTA channels he wish to take.

In the above example customer has (say) deselected STV HARYANA NEWS, SURYA BHAKTI, SURYA SAGAR ENTERTAINMENT, NAAPTOL BLUE, NEPAL 1, and selected the channels Khusboo Bangla, Dillagii, MK Television, Makkal TV, TV1 News24*7

The customer charges per month would be as follows:-

Basic pack of 100 SD channels (FTA)	Rs. 130/-
Deselected five channels and selected 5 alternative SD FTA channels	No charge
Total	Rs. 130/-
GST @ 18%	Total Rs. 153.40

Option-2: The customer chooses pay channels in lieu of FTA channels

In the above example customer want to choose five pay channels in lieu of 5 FTA channels

- Customer deselect the five FTA channels from the BST pack
- Select five pay channels from either from a bouquet or a-la-carte of his choice

The customer charges per month would be as follows:-

Basic pack of 100 SD channels (FTA)	Rs. 130/-
Deselected five channels and selected 5 alternative SD pay channel	Rs. 10/-
(Sum of a-la-carte prices of the selected five SD pay channel is Rs. 10/- or the price of the bouquet of the referred 5 SD pay channel is Rs.10/-)	
Total	Rs. 140/-
GST @ 18%	Total Rs. 165.20

Option-3: Customer does not want to remove FTA channels from basic service tier but want to add additional pay channels.

- Customer selects basic service tier
- Customer adds desired pay channels

The customer charges per month would be as follows:-

Basic pack of 100 SD channels (FTA)	Rs. 130/-
Additional Network Capacity Fee	Rs. 20/-
Addition of 20 pay channels @ Rs. 50/-	Rs. 50/-
(Sum of a-la-carte prices of the selected 20 SD pay channels is Rs. 50/- Or the price of the bouquet of the referred 20 SD pay channels is Rs. 50/-)	
Total	Rs. 200/-
GST @ 18%	Total Rs. 236/-

11. What if annual subscription charges are paid by a subscriber in advance?

In case a subscriber has availed any scheme with advance charges paid for future lock-in period like an annual plan the distributor shall continue to provide services for such committed period without any increase in price / charges and without altering the other terms of subscription.

The distributors cannot make any changes that entails any disadvantage to the subscriber in such cases.

However, if the subscriber wants to switch over to a new package after 1st February, 2019 then the proportional balance amount of existing package as on the date of switch over may be adjusted for the new package prices after 1st February, 2019.

12. Whether any service charge is applicable in addition to monthly charge of a cable connection?

No, there is no concept of service charge in the New Regulatory Framework for Broadcasting and Cable Services. The following charges only are permissible in the new regulatory framework.

- i. Network Capacity Fee
- ii. Charges for Pay channel & Bouquet of Pay channel subscribed.
- iii. Rental charges of set top boxes (if STB is taken on rent if any.)
- iv. Applicable GST

13. Does Rs. 130 network capacity fee for 100 channels include only FTA channels

Network capacity fee for 100 channels includes FTA channels or Pay channel or combination thereof. Taking FTA channels is the choice of subscriber but not mandatory except the mandatory channels of MIB. If Subscriber chooses pay channels, applicable MRP is payable in addition to the network capacity fee.

14. What will be the Network Capacity Fee (NCF) for additional and subsequent connection in a multiple TV Home?

The Regulation provides a capping of Rs. 130/- as Network Capacity Fee (NCF) for 100 SD channels and Rs. 20/- for the slab of next 25 SD channels. Further, the regulation do not prohibit offering of discount or lower Network Capacity Fee for second/additional connections. However, such discount shall be uniform in the target market area of respective TV channel distributor and duly declared by the DPO (Distribution Platform Operator) on their website.

15. Whether there is a capping on discount while forming the bouquets?

Tariff Order puts a cap of 15% meaning thereby any bouquet price cannot be less than 85% of the sum of a-la-carte rates of pay channels constituting that bouquet. However, Hon'ble High Court of Madras has struck down this clause for the bouquets being made by the broadcasters stating that the clause putting cap of 15% of discount on the MRP of a bouquet is not enforceable. In this regard the Authority has approached Hon'ble Supreme Court which has not agreed to. As such, at present, the 15% cap is not being implemented for the bouquets being made by the broadcasters.

16. How a DTH operator Independent TV (erstwhile Reliance Big TV) is still offering package freedom plan' of old regulatory framework?

The averment is not correct. M/s Independent TV has informed that freedom plan (Rs. 1999/-) offered earlier is already withdrawn and persuaded their channel partners to desist from Sales/promotion of such plans. No such pack is available for subscriber now as per the clarification given by M/s Independent TV.

17. Will Additional TV connection in a house be costlier?

In an addressable system, each connection is counted and pay channels are paid as per the number of set top boxes. This is similar to a mobile connection wherein each subscriber in a family takes a separate SIM card and each SIM may have different plans and value added services. In digital addressable system also a similar distinction is applied. However, a distributor can offer reduced charges for the network capacity fee for second or subsequent connection based on their own business case.

18. Why Set top box interoperability is not mandated in new regulations?

The STB provided by a service provider is tightly coupled with conditional access system (CAS) deployed by the service provider. Most of the CAS systems are provided by foreign entities as Indian CAS has been developed very recently and its installation is picking up. The interoperability of STBs is a complex issue involving the issue of probable piracy of content. It primarily needs to take care of disparate requirements such as technical neutrality, innovation, flexibility and low cost of STB etc.

STBs in the market used different compression technique, Coding technique, Encryption system, Middleware and operating system. These technical options make it unique and complicate technical interoperability. Further, the nature of broadcasting networks being unidirectional, they are prone to piracy of signals of TV channels as point of piracy is relatively more difficult to identify. Piracy adversely impacts broadcasters' revenue and stakes are high. However, TRAI is working together with various stakeholders to find out an acceptable and implementable solution.

19. Are STBs provided without quality control?

Set Top Box provided by MSOs must conform to the relevant Indian Standards set by the Bureau of Indian Standards (BIS).

20. Is it true that subscribers are to be provided with payment option on Pre-paid basis only?

The regulation provides flexibility to service providers. The distributors can adopt prepaid or post paid or both as per their business model.

21. Pay channels are shown on DD free dish as free, why can't the same be free on cable network?

As per the regulations, a broadcaster has to declare its nature of channels as either pay channel or Free to Air for addressable system. Therefore, nature of channel should be same on all addressable platforms. TRAI is seized of the matter and is in correspondence with those concerned in this regards

22. Is it difficult to enter agreements with so many service providers?

While it was difficult to make agreement in old regulation as negotiation among stakeholders linger on for long, in new regulations, RIOs of both broadcaster and MSOs can be used as base document to execute interconnection agreement hence agreements in new framework is very easy.

As for as MIA/ SIA is concerned, not much change has been done as format for the same has already been provided.

23. Can DPOs give discounts on MRP?

Yes, DPOs (MSOs, DTH operators and others) can declare Distributor retail price giving further discount on MRP.

B. General understanding about new framework

24. What constitute New Regulatory Framework?

The regulatory framework comprises of the following:-

- a) The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 dated 3rd March 2017, as amended on 30th March 2017 [the Tariff Order 2017];
- b) The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 dated 3rd March 2017 [the Interconnection Regulation 2017];
- c) The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 dated 3rd March 2017 [the QoS Regulation 2017]

25. What were the reasons behind framing of this regulatory framework?

Digitization started in 2012 in Cable TV sector and completed by end of March 2017. The purpose of digitization was to bring in transparency and provide real choice to the consumers. Due to digitization, the regulation required a comprehensive review. The review exercise was carried out through multiple rounds of consultative process. TRAI notified TTO and regulations for interconnection and Quality of Service on 3rd March 2017.

26. Is there any time line for implementation of the New Regulatory Framework?

Though the New Regulatory Framework was notified on 3rd March 2017 by TRAI, its implementation has been notified on 03.07.2018 by TRAI through a press release. It is likely to be implemented for consumers from Jan 2019 onwards. Some important activities and timelines for service providers are as under:

- I. **The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017:** Declaration of MRP and nature of Channels by Broadcasters within 60 days; Declaration of Network Capacity fee and Distribution Retail Price (DRP) by Distributors within 180 days; Reporting by Broadcasters within 120 days

II. The Telecommunication (Broadcasting and Cable) Interconnection (Addressable Systems) Regulations, 2017: Publication of Reference

Interconnect Offer (RIO) by Broadcasters within 60 days; Publication of Reference Interconnect Offer (RIO) by Distributors within 60 days; Signing of the interconnection agreements within 150 days;

III. The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017:

Migration of the subscribers to the new framework within 180 days; Establishment of Customer Care Centre, Website, Consumer Care Channel and Publication of Manual of Practice within 120 days.

27. What are the benefits for various stakeholders under these regulations?

Some of the salient aspects are as follows:

a. Benefits for Broadcasters:

➤ For the first time since 2004, Broadcaster has become master of their channels, with full price forbearance. Broadcaster can now fix maximum retail price (MRP) of a pay channel for consumers. The concept of broadcaster giving channels to distributor on wholesale price and distributor retailing it to consumer is given a go by.

➤ All price caps which operated since 2004 in the analogue mode and fixing of rates of channels by broadcasters keeping frozen analogue rates as the basis in the addressable system has been removed. Broadcaster can price its channels and fix MRP for the consumer under complete forbearance.

➤ Flexibility has also been provided to broadcaster to offer bouquet of channels for the consumers and prescribe MRP of the same.

➤ The bouquet(s) offered by the broadcasters to consumers shall be provided by the distributors to the consumers without any alteration in composition of the bouquet(s).

➤ For Channels a “Must carry” provision has been prescribed for all types of distribution platforms, thereby removing entry barrier for any broadcaster. All Distributors are required to publish an RIO giving details of carriage fee. Transparent and slab-wise pricing of channel carriage fee is mandated, thereby benefitting any broadcaster who gets more eye-balls.

- Mandatory provision of Electronic Program Guide (EPG) to ensure that all channels are available to the consumers transparently.
- To ensure the smooth revenue flow in the value chain and thereby reducing the disputes, a provision of mandatory and transparent third party audits of Distributors to ensure true reporting of subscriber base has been provided.
- Automated system generated subscriber reports to be made available by distributors to all broadcasters, thereby improving transparency has been provided for.

b. Benefits For Distributors

- ✓ Broadcasters have been mandated to publish an RIO giving transparent and non-discriminatory terms including discounts (if any) based on measurable parameters. This would enable Distributors in getting non-discriminatory deals on a transparent basis and scope of disputes would be reduced.
- ✓ Broadcasters have to enter into agreements with distributors on the basis of RIO only. No mutual negotiations de hors the RIO is permitted.
- ✓ Distributors are empowered as they can now sign and send the RIO published by any broadcaster and it is treated as binding agreement.
- ✓ Standard format for subscription reports by Distributors and Audit mechanism has been provided.
- ✓ Independent source of revenue for distributors in form of Network Capacity fee so that they can upgrade their network and services.
- ✓ It is pertinent to note that the cost of channel and cost of network has been made independent of each other in the 2017 regime.

c. Benefits For Consumers

- ❖ A consumer becomes real decision maker of what she/he views and has complete freedom to choose what he/she wishes to watch and pay only for that. It is mandated that all channels have to be offered on a-la-carte basis and the MRP has to be declared. Same way, the MRP of the Bouquet has to be published.
- ❖ Flexibility has been given to the distributors to drop such channels which do not command reasonable subscription thereby increasing the capacity to carry more channels of consumer choice.
- ❖ Consumer is not required to pay any subscription fee for a FTA channel if he subscribes to one.
- ❖ The service providers have been mandated to give full information regarding channel prices on Electronic Program Guide.

❖ Consumer gets clarity of the product offered and is not fleeced by smart packaging. It has been mandated that FTA channels can't be clubbed with Pay channels in a Bouquet. Further, HD channels can't be clubbed with the SD version of the same channel, so that the consumer has complete clarity with respect to what is on offer.

28. What are paychannels?

'Pay channel' means a channel which is declared as such by the broadcaster and for which a share of maximum retail price is to be paid to the broadcaster by the Distributor of television channels and for which due authorization needs to be obtained from the broadcaster for distribution of such channel to subscribers.

29. What is MRP of channel? Is it uniform for all distribution platforms?

'Maximum retail price' or 'MRP' for the purpose of these regulations, means the maximum price, excluding taxes, payable by a subscriber for a-la-carte pay channel or bouquet of pay channels, as the case may be.

MRP declared by the broadcasters will be uniform for every distribution platforms.

30. What is network capacity fee?

'Network Capacity Fee' means the amount, excluding taxes, payable by a subscriber to the Distributor of television channels for distribution of TV channels subscribed by that subscriber and it does not include subscription fee for pay channel or bouquet of pay channels, as the case may be. It is a kind of monthly fixed charge for a service. TRAI has prescribed a ceiling of Rs. 130/- per month for use of network capacity of a distributor for providing 100 channels to a subscriber.

31. What are Free to Air Channels? Do we have to pay for subscribing only FTA channels?

Free-to-air television channel means a channel which is declared as such by the broadcaster and for which no fee is to be paid by distributors to the Broadcasters; No charges is to be paid by subscribers to distributors for FTA channels.

C. For Broadcasters

32. What are the obligations of a Broadcaster under these regulations?

Some important Obligations of Broadcasters under impugned Tariff Order 2017 and impugned Interconnection Regulation 2017

Sl.	Details	Timelines
1	Declaration of nature of TV channel(Pay or FTA), MRP of Pay Channel	Within 60 days
2	Publication of Reference Interconnection Offer(RIO) by Broadcaster for pay Channels	Within 60 days
3	Reporting by Broadcasters	Within 120 days
4	Signing of Interconnection Agreements	Within 150 days

Broadcasters are advised to go through the Tariff order and Regulations carefully to meet the compliance requirement.

D. For Distributors

33. What are the obligations of a Distributor under these regulations?

Some of the important Obligations of distributors [DTH, MSOs etc.] under impugned Tariff Order 2017 and impugned Interconnection Regulation 2017 and impugned QoS Regulation 2017.

Sl.	Details	Timelines
1	Publication of Reference Interconnection Offer(RIO) by distributor [DTH, MSO etc]	Within 60 days
2	Provisioning of Customer Care Center, website, consumer care channel and Manual of practice by distributor[DTH, MSO etc]	Within 120 days
3	Signing of Interconnection agreements by service providers	Within 150 days
4	Declaration of Network Capacity Fee and Distributor Retail Price(DRP) for pay channels by distributors[DTH, MSO etc]	Within 180 days
5	Offering of channels/bouquet to subscribers in compliance with the new framework	Within 180 days

Distributors are advised to go through the Tariff order and Regulations carefully to meet the compliance requirement.

34. Are DPOs to provide additional channels on pro rata basis?

The tariff order provides that the Network Capacity Fee, per month, for a network capacity of initial 100 SD channels shall not exceed Rs. 130/- (excluding taxes). Further, the Network Capacity Fee, per month, beyond initial 100 channels shall not exceed Rs. 20/- (excluding taxes) in the slabs of 25 SD channels. As such it is not mandated to provide additional channels on pro rata basis.

35. Can a Distributor give a discount on prescribed ceiling of Rs. 130/-?

Under the new framework, the ceiling for Network Capacity Fee has been kept at Rs. 130/- per month. Distributors may charge lower than this amount.

36. What is target market?

Target market is any area within the coverage area of distribution network. A distributor is required to declare target markets and publish on its website as mandated in regulations 4(4) of interconnection regulations 2017.

37. Whether DPO's can continue to provide TV Services to their subscribers in old plan up to 31.03.2019 ?

As per the Press Release No. 11/2019 dated 12.02.2019, the Authority directed all DPOs that those subscribers who do not exercise their options shall be migrated to a 'Best Fit Plan'. The Authority hereby, vide this press release, extends time up to 31st March 2019 for exercising the option by such subscribers who have not exercised option yet. DPOs shall convert their 'Best Fit Plan' is in to the desired pack (channel/Bouquet) within 72 hours from the time choice exercised by the Subscriber. It is clarified that there will be no 'lock-in period' for the subscribers till 31st March 2019 who has been migrated to 'Best Fit Plan' by DPOs. As such DPOs shall put the subscribers who have not opted the choice in the 'Best Fit Plan' in the best interest of all stakeholders as well as consumers. It is clarified that no DPO shall change the already opted subscriber to old plan or Best Fir Plan.

E. For LCOs

38. What should be done if MSOs are not called to have mutual negotiations?

LCOs may initiate interconnection request by opting the responsibilities in the 'Roles and Responsibilities' section of MIA and sent to MSO.

39. What if negotiation with MSO is not fruitful? How can we continue providing services to consumers?

LCOs are important stakeholders in the value chain of Digital Addressable Cable System. The regulation provides enough flexibility and ample freedom to carryout business by the parties through mutual agreements on the responsibilities and revenue share in terms of Model Interconnection Agreement.

However, to protect the interest of the consumers and the service providers and to ensure that signals are not disrupted due to dispute between the service providers, TRAI has prescribed a fall back arrangement between DPO and LCO in Standard Interconnection Agreement, only for the cases where mutual discussions fail.

40. Whether advertisement revenue of a Pay TV Channel can be shared with the DPOs/LCOs?

Pay broadcasters have been mandated to declare MRP (excluding taxes) of their channels considering total cost of production including other expenditure and total revenue streams including advertisement. It is expected that market driven MRP will regulate advertisement revenues and it will drastically come down favouring consumers.

41. Will the Carriage and Placement charges be shared by the MSO with LCO?

New Framework has effectively addressed the concerns of broadcasters warranting placement fee. As such, it is unexpected that any broadcaster will pay placement fee to DPOs.

This framework has prescribed the cap on carriage fee and it will not be applicable in many cases. Being subjective on month to month basis, such revenue has not been considered for revenue share.

42. What is the arrangement for revenue share on installation / activation charges?

The responsibilities of installation of STB and Activation of connection are to be mutually agreed and shared accordingly by the parties within the contours of MIA. In case of fallback arrangement (through SIA), the MSO is responsible for installation of STB, whereas LCO is responsible for activation of connection and accordingly respective charges will go to the concerned parties.

43. Can rates of pay channels vary among cities/towns?

Maximum Retail Price (MRP) of pay channels declared by broadcasters will be uniform across the country & across all platforms. However, MSOs are free to decide their Distributor Retail Price (DRP) of pay channels and they can also decide different price for their different target market. However, DRP cannot be more than MRP.

44. To whom MRP regime benefit?

MRP would be beneficial to all stakeholders as it is transparent and end consumers know the actual price of channel. Consumers get the full opportunity to compare the worthiness of watching a channel for a given price.

45. Is new regulatory framework mandates prepaid model?

MSOs and LCOs are independent entities. Accordingly flexibility is given to choose model in which they wish to operate. In the past it has been seen through post paid model that huge dues have been indicated by LCOs which was detrimental to seek No Objection Certificate (NOC) from their MSOs. Accordingly provision has been made so that such disputes do not arise in future. It is hereby clarified that no DPO should force existing LCOs to migrate them from post paid to pre-paid against their wishes and without giving sufficient time.

46. Whether LCOs Revenue share will decrease?

The new framework brings in a structure of assured revenue for MSO and LCO under the network capacity fee. Further LCOs have the flexibility to negotiate their revenue share with the MSOs as per the structure provided under MIA. The new framework does not alter the prevailing market structure under MIA/ SIA based regime that exists since March 2016. The underlying Standard Interconnect Agreement (SIA) mitigates the risks of LCOs that can arise out of delayed/failed negotiations. In previous regime (previous to MIA/ SIA based structure) such delayed/failed negotiations could result in black-out. However availability of a fall-back mechanism under SIA regime safeguards the interests of LCOs/consumers from any eventuality of black-out or disconnection of signals.

If a comparison is made between the two regimes, the new regime provides equitable revenue share. It is pertinent to note that the network capacity fee apply to total number of channels subscribed by the subscriber, therefore as the subscriber selects more number of channels over and above the 100 channels, the network capacity fee increases. In addition, the LCO gets its share in the pay channel rates in the form of distribution fee which is 20% of the MRP to be shared with MSO.

47. Whether chances of LCOs to become own MSOs have been further reduced?

Over a period of time the prices of head-end has drastically come down. The regulation uses the power of addressability to streamline the arrangements between service providers in an addressable system. The availability of TV channels to DPOs from broadcasters has been simplified by ensuring transparent dealing that maintains a level play field. Therefore the new framework will benefit such LCOs or group of LCOs who wish to upgrade to become MSOs.

48. Will flexibility of LCOs be further reduced?

The provision in new regulation provides much enhanced flexibility to LCOs. LCOs can choose to generate bill, can do marketing, can help MSOs in forming the bouquet of both Pay and FTA

channels and can become their own MSOs also. Hence, the flexibility of LCOs in new framework has been increased.

49. Are provisions of MIA/ SIA being modified?

The Provisions of MIA and SIA under the new and previously existing framework are similar. As new regulatory framework has brought certain changes in the tariff structure such as Network Capacity fee, MRP etc the same have been duly incorporated. The basic conditions of MIA and SIA in the previous and the new framework remain same.

50. Is it true that there is no clarity about Set Top Box schemes, ownership, repair and its liability?

The QOS regulations, 2017 explicitly provides clarity over the ownership of STB. The framework provides for outright purchase scheme, rental scheme and any combinations thereof. The Distributors of television channels or its linked local cable operators, as the case may be, are enjoined to specify the retail price of customer premises equipment along with guarantee/warranty period. The framework stipulates a minimum guarantee/ warranty of one year under outright purchase scheme. The ownership of such customer premises equipment shall rest with subscriber.

Distributor or a cable operator is responsible for maintaining the Set Top Box, under rental scheme or bundled scheme. The MSO/ LCO has to maintain the STB in a good working condition for a minimum period of 3 years.

51. Whether LCOs do not get signed copy of agreement from MSOs? The

regulations clearly provide that MSO should provide copy of the interconnection agreement to LCO and take acknowledgement of the same within 15 days from the date of execution of the agreement. LCOs must demand copy of agreement from MSO if the same is not received within stipulated time.

F. For consumers

52. I want to subscribe only 10 pay channels. Whether I would be required to pay Network Capacity Fee in addition to price of Pay Channels?

In addition to Network capacity fee as explained above, you have to pay charges for pay channel as per MRP declared by the broadcaster. However, Distributors of television channels has freedom to fix the Distributor retail prices of a-la-carte pay channels for their customers by offering discount on the MRP of pay channels declared by the broadcasters. The DRP cannot exceed the MRP in any case.

53. Whether the prices shown in the Electronic Programme Guide (EPG) are in rupees per month?

As per the New Regulatory Tariff Order, the maximum retails price of a channel declared by a Broadcaster of pay channel is in the form of “price per month”. Therefore, the price shown by the distributor in the Electronic Programme Guide (EPG) is in rupees per month.

Further, in the Electronic Programme Guide (EPG) the Free to Air Channel (FTA) will be shown as “Free”.

54. What are the provisions for obtaining Cable Service /DTH service?

Procedure for new connection is as under:

(1) Every Distributor of television channels or its linked local cable operator, as the case may be, at the time of providing connection to a consumer, shall inform him about complete details of services, including but not limited to, maximum retail price per month and Distributor retail price per month of a-la-carte channels or bouquets, network capacity fee per month and the price of customer premises equipment, security deposit, rental amount, guarantee/warranty, maintenance provisions and ownership of customer premises equipment, as may be applicable.

(2) Every Distributor of television channels or its linked local cable operator, as the case may be, shall provide broadcasting services related to television to the consumer upon obtaining duly filled Consumer Application Form as prescribed in Schedule I of the

QoS regulations, 2017 and provide a copy of the same to the consumer.

(3) Every Distributor of television channels or its linked local cable operator, as the case may be, shall, by using the subscriber management system, assign a unique identification number to every subscriber which shall be communicated to the subscriber through Short Message Service (SMS) to the registered mobile number of the subscriber and other means of communication such as email, b-mail, monthly bill or payment receipt as may be deemed appropriate.

55. Is there any Consumer application Form prescribed by TRAI? The Distributor of television channels or its linked local cable operator, as the case may be, shall activate broadcasting services related to television to the subscriber only after the details of Consumer Application Form of such subscriber have been entered into the subscriber management system subject payment of charges for broadcasting services related to television shall be payable by the subscriber from the date of activation of such services.

56. Is there any amount to be paid upfront for getting a new connection?

A Distributor of television channels or its linked local cable operator, as the case may be, may charge an amount not exceeding rupees three hundred and fifty as a one-time installation charge for installation of a new connection for providing the broadcasting services related to television.

A Distributor of television channels or its linked local cable operator, as the case may be, may charge an amount not exceeding rupees one hundred as a one-time activation charge for activating the broadcasting services related to television.

57. What amount we have to pay for CPE to the DTH Operators/ Cable Operators?

Every Distributor or its linked local cable operator shall provide to every subscriber the set top box. It shall be permissible for every subscriber to buy a set top box of approved quality from the open market, if available, which is technically compatible with the system of the Distributor of television channels.

The Distributor or its linked local cable operator, as the case may be, shall not compel any subscriber to buy or take on rent the set top box from him alone.

Every Distributor of television channels or its linked local cable operator, as the case may be, shall offer customer premises equipment to every consumer under the following schemes:

- (i) outright purchase scheme, and
- (ii) rental scheme:

58. Who owns the CPE provided by distributors?

In case of outright purchase scheme, the Distributor of television channels or its linked local cable operator, as the case may be, shall specify the retail price of customer premises equipment along with guarantee/warranty period. The guarantee/warranty period in respect of such customer premises equipment shall be for at least one year. The ownership of such customer premises equipment shall rest with subscriber.

59. What is the installation charge prescribed under new regulation?

A Distributor of television channels or its linked local cable operator, as the case may be, may charge an amount not exceeding rupees three hundred and fifty as a one-time installation charge for installation of a new connection for providing the broadcasting services related to television.

A Distributor of television channels or its linked local cable operator, as the case may be, may charge an amount not exceeding rupees one hundred as a one-time activation charge for activating the broadcasting services related to television.

60. What is the procedure for maintenance of CPE?

Distributor or a cable operator is responsible for maintaining the Set Top Box if the same is provided under rental scheme or Bundled Scheme of STB in a good working condition to ensure uninterrupted services to a subscriber for a minimum period of 3 years. Further it shall be permissible to DTH operator to charge an amount not exceeding Rs 250 as a visiting charge per registered complaint requiring visit of a person to subscriber premises for carrying out repair and maintenance services.

61. What are provisions for change in subscription plans of broadcasting services for TV channels?

Distributor or cable operator shall not change subscription plans of a subscriber unless the subscriber request for the same. Further Distributor or cable operator as the case may be should keep the record of such change for at least 3 month from the dated of receipt of such from the subscriber.

62. What are the billing and payment options for consumers?

Every Distributor or cable operator offering services both on pre-paid and postpaid basis shall change payment mechanism from prepaid to post paid or vice versa as the case may be on the request made by the subscriber from the next billing cycle. The distributor shall not charge any amount from the subscriber for such change in payment mechanism

63. What are the provisions of temporary disconnection?

Yes, subscriber at least 15 days prior to the suspension date should make a request to his Distributor of cable operator for temporary suspension of service. The temporary suspension shall be for a minimum period of 1 month or multiples thereof.

64. Can a DTH operator change the channels or bouquet of channels in a package?

No Distributor should discontinue any bouquet or channels in a bouquet by a subscriber during locking period or during period for which advance is paid by the subscriber if all the channels forming part of the bouquet is available on its platform

65. What if my DTH operator discontinues the channels subscribed and paid in advance by me?

In case if the channel is discontinuing, a subscription charges of that bouquet should be reduced by an amount equivalent to discounted Distributor retail price of that channel. The Distributor should not substitute any channel in lieu of discontinued channels on its own.

66. What are the provisions for closure of DTH subscription?

A subscriber can request for disconnection at least 15 days in advance to the DTH operator. The DTH operator shall disconnect the connection and refund the deposit within 7 days subject to fulfilment of terms and conditions of services.

67. Is compliance officer of a broadcaster/distributor also authorized to resolve subscriber's grievances?

No. The compliance officer designated under respective regulations is responsible for-

- ☐ Generating awareness for ensuring compliance with the provisions of these regulations.
- ☐ Reporting to the Authority, with respect to compliance with these regulations and directions of the Authority issued under these regulations.
- ☐ Ensuring that proper procedures have been established and are being followed for compliance of these regulations.

For redressal of complaints of subscribers, every Distributor shall appoint nodal officers for every state.

68. What can we do if my DTH operator does not provide me channels on a-la carte rate and force me to subscribe bouquet?

The interconnection regulations mandate broadcasters to offer a-la-carte rates to all Distributors. Therefore, Distributors are required to provide channels on a-la- carte basis to the subscribers. Customer awareness and the mandatory provisions

would result in availability of this facility in the Distributor network. Further, violation of provisions of regulations will be dealt as per the provisions of TRAI Act.

69. Has TRAI provided any regulations for complaint redressal under new regulations?

For redressal of complaints, the Distributor shall establish a customer care centre which shall contain toll free customer care number having sufficient number of lines, interactive voice response system having 3 levels. Further, the details of complaints redressal shall be published on its website and also use different means such as SMS, TV scrolls, printing in bills etc.

70. What are the time limits specified for redressal of complaint raised by consumers?

The Time limits specified for redressal of consumer complaints in the QoS Regulation 2017 are summarised below:

Type of Action by distributor	Time limits
Responding to complaint i) Received during office hrs ii) Received after office hrs	Within 8 hrs Next working day
Resolution of ‘no signal’ complaints	Within 24 hrs.
Resolution of Complaints related to billing	Within seven days
Resolution of complaints (Except billing)	Within 72 hrs.

71. What is the role of the Nodal officer in the redressal of the complaint of the subscriber?

In case a subscriber is not satisfied with the redressal of complaint by the customer care centre, such subscriber may approach the nodal officer of the distributor of television channels for redressal of his complaint. The Nodal officer designated under respective regulations is responsible for-

- ☐ Register every complaint lodged by the subscriber;
- ☐ Issue an acknowledgement to the subscriber within two days from the date of the receipt of the complaint indicating there in the unique complaint number;
- ☐ Redress such complaints of subscriber within ten days from the date of the receipt of the complaint and intimate the decision taken thereon in respect of such complaint to the subscriber.

72. To what extent my personal information/data shared with distributors/ Local Cable operators are safe?

Every Distributor of television channels or its linked local cable operator, as the case may be, shall ensure privacy and protection of subscribers’ personal

information and the same shall not be used for any other purpose except in accordance with law.

73. Consumers can select 100 SD Channels of their choice as basic tier services for a sum of Rs. 130/- per month. What if, any LCO/distributor does not have sufficient channels on its platform to meet the demand of consumers' choice?

Distributors of television channels would charge a monthly rental amount of maximum Rs. 130/- (excluding taxes) per month from a subscriber for subscribing a network capacity of 100 SD channels. Subscribers would have to exercise their option to select any number of channels out of channels available on the distribution platform.

74. Will there be any discount in a-la-carte?

The Broadcaster is akin to a manufacturer producing a product and Distributor of TV channel is like a retailer who sells a product to the consumers. The price of the product is decided by the manufacturer and the retailer cannot sell the product over the MRP. The broadcasters are, therefore, required to declare the MRP of their channel. The Distributors, however, can sell the channel by declaring DRP below MRP.

75. What amount I have to pay, if I opt for only 2 Pay channels of my choice?

The price of a channel has two components MRP of channel declared by broadcaster and the cost of network for carriage of channel by distributors.

Distributors of television channels can charge a monthly rental amount of maximum Rs. 130/- (excluding taxes) per month from a subscriber for subscribing a network capacity of 100 SD channels. In addition, they may charge price of pay channel, if any subscribed by the consumer.

The Authority has, however, provided freedom to Distributors of television channels to fix the Distributor retail prices of a-la-carte pay channels for their customers by offering discount on the MRP of pay channels declared by the broadcasters. Distributor may also offer basic services below Rs. 130/- to its subscribers.

Therefore, it would be better for a subscriber to opt for as many channels up that will cover the network capacity fee.

76. Whether the price of bouquet will be made publically available by the Broadcasters/distributors for consumers?

Broadcasters have to declare nature and MRP of their pay channels and bouquets of pay channels for subscribers (Clause 3). MRP of a-la-carte channels and bouquet of channels will be uniform for all the distribution platforms (Clause 3). Similarly,

Distributors will have to declare DRP of their pay channels and bouquets of pay channels for subscribers (Clause 4).

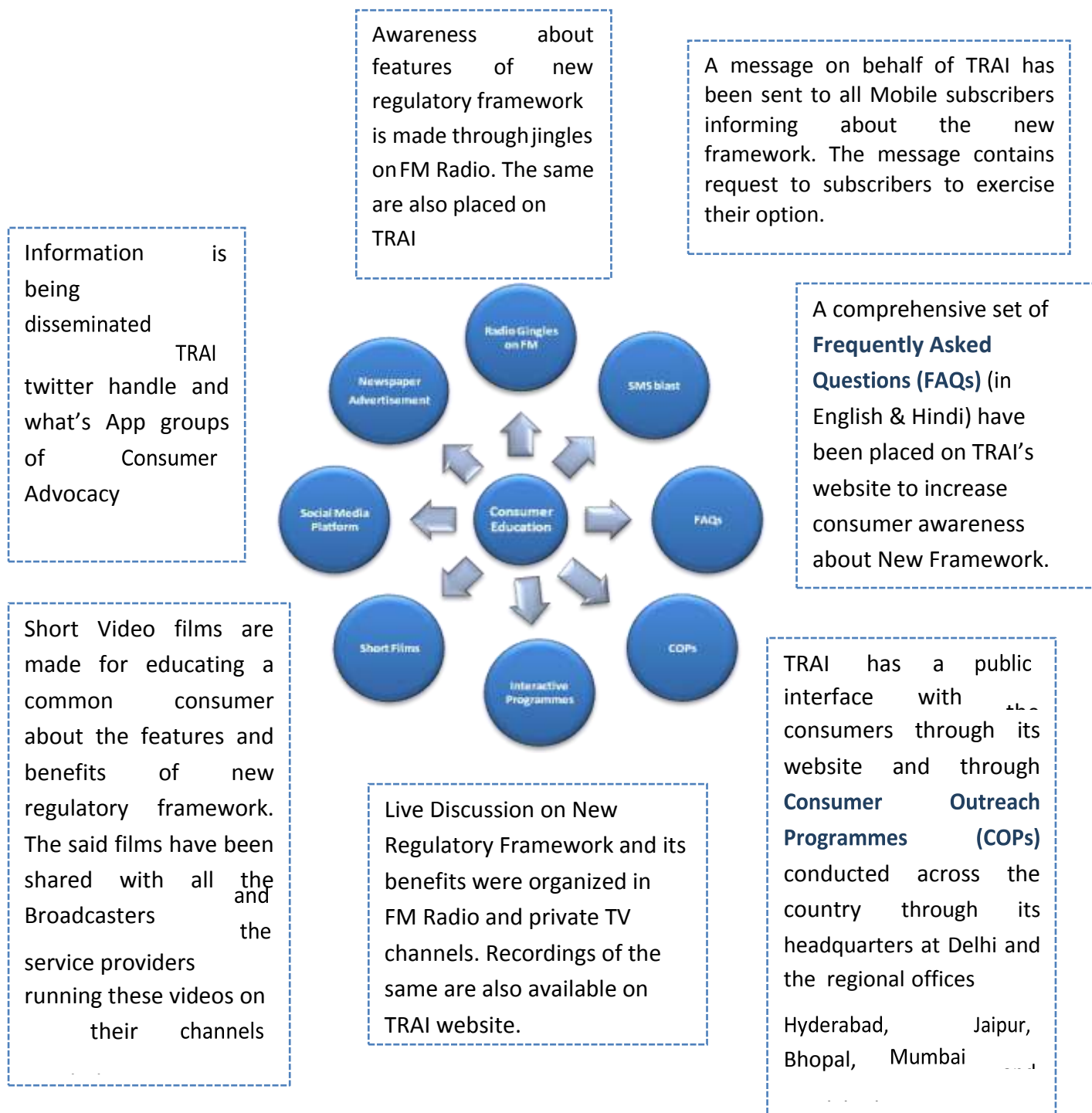
77. What amount we would pay if I take one more (second) connection for another TV in my house from the same distributor?

In addressable system, each set-top box becomes a unique identity of the subscriber. Therefore, each set-top box is counted as one subscriber for the purpose of calculation of subscription fee payable to the broadcasters.

In case of a household with multiple TV connection, usually there is a single connection between distributors premises to that household for carriage of channels. From single connection multiple connections are provided. Therefore, complete flexibility has been given to distributors to charge for multiple TV connections in a household.

G. Consumer Education Initiatives of TRAI

In order to disseminate information about new regulatory framework, TRAI has taken several initiatives.



List of Acronyms

Abbreviation	Description
CPE	Customer Premise Equipment
DRP	Distribution Retail Price
DTH	Direct to Home
EPG	Electronic Programme Guide
FAQ	Frequently Asked Question
FTA	Free to Air
HD	High Definition
HITS	Headend in the Sky
IPTV	Internet Protocol Television
LCO	Local Cable Operator
MOP	Manual of Practice
MRP	Maximum Retail Price
MSO	Multi System Operator
QoS	Quality of Service
RIO	Reference Interconnect Offer
SD	Standard Definition
SMS	Short Message Service
STB	Set Top Box
TRAI	Telecom Regulatory Authority of India
TTO	Telecommunication Tariff Order

Contact Details of TV Service Providers



S.No.	Name of DTH Operator	Toll Free Number
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DTH operators

1	Bharti Telemedia Ltd.	18001036065
2	Dish d2h Ltd.	18001803474
3	Reliance Big TV Pvt. Ltd.	18002009001
4	Sun Direct TV Pvt. Ltd.	18002007575
5	Tata Sky Ltd.	18002086633

HITS Operators



S.No.	Name of HITS Operator	Toll Free Number
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1	NXT Digital	18002100400
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Toll Free numbers of some Multi-System Operators



The contact details of the MSOs are available on their websites. The following are some of the MSOs that have a larger service area:

S.No.	Name of MSO	Toll Free Number
1	Ashiana Communication	1800114142
2	Bhawani Rajesh Cable And Digitech Services Pvt. Ltd	1800222298
3	Darsh Digital network Pvt. Ltd.	18002007500
4	Delhi Distribution Company Pvt. Ltd.	1800110800
5	Den Networks Ltd.	18004192020
6	Digicable Network India Pvt. Ltd.	18002121217
7	Fastway Transmission	18001062602
8	GTPL	18004190419
9	Hathway Cable & Datacom Ltd.	18004197900
10	Home Cable Network (P) Ltd.	1800221809
11	CCN DEN	18001021291
12	Indusind Media And Communication Limited	18002666456/18001034456
13	Novabase Digital Entertainment Pvt. Ltd.	1800113108
14	Satellite Channels Pvt. Ltd.	18002009001
15	Sea TV Network	18001027566
16	Siti Networks Ltd.	18001234001
17	UCN Cable Network Pvt. Ltd.	18003131099

Important Websites

Category/Topic	Link to the webpage
Home Page TRAI	https://www.traigov.in/
Press Note on TRAI's Regulatory framework for Broadcasting and Cable TV sector.	https://traigov.in/sites/default/files/PRNo7103072018.pdf
The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017	https://www.traigov.in/sites/default/files/Interconnection_Regulation_03_mar_2017.pdf
Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (1 of 2017)	https://www.traigov.in/sites/default/files/Tariff_Order_English_3%20March_2017.pdf
The Telecommunication (Broadcasting and cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017	https://www.traigov.in/sites/default/files/QOS_Regulation_03_03_2017.pdf
Consumer Group	https://traigov.in/list-registered-consumer-groups
Community Radio Station (CSR)	http://crfc.in/
AIR FM India	http://allindiaradio.gov.in/
Prasar Bharati	http://www.prasarbharati.gov.in

CONTENT DISCLAIMER

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