

**TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY,
PART III, SECTION 4**

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 1st January 2020

F. No. 21-01/2019- B&CS.----- In exercise of the powers conferred by sub-section (2) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), read with notification of the Central Government, in the Ministry of Communication and Information Technology (Department of Telecommunications), No. 39 , -----

- (a) issued, in exercise of the powers conferred upon the Central Government by proviso to clause (k) of sub-section (1) of section 2 and clause (d) of sub-section (1) of section 11 of the said Act, and
- (b) published under notification No. S.O. 44 (E) and 45 (E) dated 9th January, 2004 in the Gazette of India, Extraordinary, Part II, Section 3,-----

the Telecom Regulatory Authority of India hereby makes the following Order to amend the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (1 of 2017), namely: -

**THE TELECOMMUNICATION (BROADCASTING AND CABLE) SERVICES
(EIGHTH) (ADDRESSABLE SYSTEMS) TARIFF (SECOND AMENDMENT)
ORDER, 2020
(No. 1 of 2020)**

1. Short title, extent and commencement:

- (i) This Order may be called the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020 (1 of 2020).

(ii) This Order shall apply throughout the territory of India.

(iii) This Order shall come into force from 1st of March 2020 except clause 2, 6 and 7 of this order which shall come into force from the date of publication of this order in the Official Gazette.

2. In clause 2 of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (hereinafter referred to as the “principal Tariff Order”) ----

(a) after sub-clause (v), the following sub-clause shall be inserted, namely:-

“(va) “long term subscription” means a subscription for a duration of six months or more, for which an advance payment has been made by the subscriber;”

(b) after sub-clause (x), the following sub-clause shall be inserted, namely:-

“(xa) “multi TV home” means a household having more than one TV connection or set top box in the name of one person;”

3. In clause 3 of the principal Tariff Order, in sub-clause (3)---

(a) in the second proviso, for the words “rupees nineteen”, the words “rupees twelve” shall be substituted;

(b) for the third proviso, the following proviso shall be substituted, namely: ---

“Provided further that maximum retail price per month of such bouquet and maximum retail price per month of a-la-carte pay channels forming part of that bouquet shall be subject to following conditions, namely: -

(a) the sum of maximum retail prices per month of the a-la-carte pay channels forming part of a bouquet shall in no case exceed one and half times of the maximum retail price per month of such bouquet; and

(b) the maximum retail price per month of any a-la-carte pay channel, forming part of such a bouquet, shall in no case exceed three times the average maximum retail price per month of a pay channel of that bouquet:

Explanation: For the purpose of this order if the maximum retail price of a bouquet is Rs. 'X' per month per subscriber and there are 'Y' number of pay channels in that bouquet, then the average maximum retail price per month of a pay channel of the bouquet shall be Rs. 'X' divided by 'Y'."

(c) after the fifth proviso, the following provisos shall be inserted, namely: -

“Provided further that maximum retail price, per month, of a pay channel shall, in no case, exceed the maximum retail price, per month, of the bouquet containing that pay channel:

Provided further that the number of bouquets of pay channels offered by a broadcaster shall not be more than the number of a-la-carte pay channels being offered by such broadcaster:

Provided further that on the request of a broadcaster, the Authority may, in view of larger consumer interests, permit the broadcaster to offer number of bouquets more than the number of a-la carte channels being offered by such broadcaster.

4. In clause 4 of the principal Tariff Order, ----

(a) for sub-clause (1) and its provisos , the following sub-clause shall be substituted, namely:-

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“(1) Every distributor of television channels shall declare network capacity fee, per month, payable by a subscriber for availing a distribution network capacity so as to receive the signals of television channels:

Provided that the network capacity fee, per month, for network capacity upto initial two hundred SD channels, shall, in no case, exceed rupees one hundred and thirty, excluding taxes:

Provided further that the network capacity fee, per month, for network capacity for receiving more than two hundred SD channels, shall, in no case, exceed rupees one hundred and sixty, excluding taxes:

Provided also that a distributor of television channels shall be free to declare different network capacity fee for different regions within its service area, and shall report to the Authority, the details of such network capacity fee for each regions:

Provided also that the network capacity fee, per month, for each additional TV connection, beyond the first TV connection in a multi TV home shall, in no case, exceed forty percent of the declared network capacity fee:”

Provided also that one HD channel shall be treated equal to two SD channels for the purpose of calculating number of channels within the distribution network capacity subscribed.”

(b) after sub-clause (2), the following sub-clause shall be inserted, namely: -

“(2A) Every distributor of television channels shall allow distinct choice of channels and bouquets of channels to each TV connection or set top box in a multi TV home.”

(c) In the second proviso to sub-clause (3), for the words “rupees nineteen”, the words “rupees twelve” shall be substituted;

(d) In the first proviso to sub-clause (4), for the words “rupees nineteen”, the words “rupees twelve” shall be substituted;

(e) In sub-clause (7), the words “in addition to channels notified by Central Government to be mandatorily provided to all the subscribers,” shall be omitted;

(f) after sub-clause (8), the following sub-clauses shall be inserted, namely: -

“(9) All distributors of television channels shall provide all the channels notified by Central Government to be mandatorily provided to all the subscribers and all such channels shall be in addition to the number of channels which a subscriber is eligible to get for the network capacity fee paid by him.

(10) It shall be permissible for a distributor of television channels to offer long term subscriptions and declare respective network capacity fee, distributor retail price and duration of all such subscriptions:

(11) It shall be permissible for a distributor of television channels to offer promotional schemes on distributor retail price per month of a-la-carte pay channels available on its platform:

Provided that period of any such scheme shall not exceed ninety days at a time:

Provided further that the frequency of any such scheme by the distributor shall not exceed twice in a calendar year:

Provided further that the price of a-la-carte pay channel offered under any such promotional scheme shall be considered as distributor retail price(s) during the period of such promotional scheme:

Provided also that the provisions of Regulations and Tariff Orders notified by the Authority shall be applicable on the price of a-la-carte pay channels offered under any such promotional scheme:”

5. Clause 5 of the principal Tariff Order shall be omitted;

6. In clause 6 of the principal Tariff Order,---

(a) in sub-clause (1), after second proviso, the following proviso shall be inserted, namely:

“Provided also that any change in name, nature, language, maximum retail prices, per month, of channels and maximum retail price, per month, or composition of bouquets due to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020,

(a) shall be reported to the Authority at least forty-five days prior to such change; and

(b) shall also be simultaneously published on the website of the broadcaster.”

(b) after sub-clause (1), the following sub-clause shall be inserted, namely: -

“(1A) Every broadcaster shall report to the Authority and also communicate to all the distributors of television channels, with whom it has entered into interconnection agreement, details of all the promotional schemes offered by it including maximum retail price and duration of such schemes, at least fifteen days prior to date of launch of such schemes and shall simultaneously publish on its website.”

7. In clause (7) of the principal Tariff Order,

(a) in sub-clause (1), ---

(i) for item (a) , the following item shall be substituted, namely:-

“(a) region-wise network capacity fee, per month, payable by a subscriber for 200 SD channels.”

(ii) for item (b), the following item shall be substituted, namely:-

“(b) region-wise network capacity fee, per month, payable by a subscriber for more than 200 SD channels.”

(iii) after item (g) and before the first proviso, the following items shall be inserted, namely: -

“(h) region-wise network capacity fee, per month, payable by a subscriber for each additional TV connection beyond first TV connection in a multi TV home;

(i) list of all the long term subscriptions offered by it, along with distributor retail price of pay channels, distributor retail price of bouquets of pay channels, duration of such subscriptions and discount offered in network capacity fee:”

(iv) in the second proviso, after the words “composition of bouquet of free-to-air channels,” following words shall be inserted, namely: -

“network capacity fee for each additional TV connection beyond first TV connection in a multi TV home and long-term subscriptions,”

(v) after second proviso, the following proviso shall be inserted, namely: ---

“Provided also that any change in network capacity fee, name, nature, language, distributor retail prices of pay channels, distributor retail price or composition of bouquet of pay channels and composition of bouquet of free-to-air channels, network capacity fee for each additional TV connection beyond first TV connection in a multi TV home and long term subscriptions, as the case may be, due to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020, shall be

(a) reported to the Authority at least thirty days prior to such change; and

(b) simultaneously published on the website of the distributor. ”

(b) after sub-clause (1), the following sub-clause shall be inserted, namely: -

“(1A) Every distributor shall report to the Authority and also communicate to all its subscribers details of all the promotional schemes offered by it including distributor retail price and duration of such schemes, at least seven days prior to date of launch of such schemes and shall simultaneously publish on its website.”

(S K Gupta)

Secretary, TRAI

Note 1.----The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (1 of 2017) was published in the Gazette of India, Extraordinary, Part III, Section 4 vide notification No. 21-1/2016-B&CS dated 3rd March, 2017 and subsequently amended vide notifications No. 1-2/2017-B&CS dated 30th March, 2017.

Note 2. ----The Explanatory Memorandum at Appendix A to this Order explains the objects and reasons of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020

EXPLNATORY MEMORANDUM

Introduction and Background

1. TRAI on 3rd March, 2017 notified the new regulatory framework to ensure orderly growth of the Broadcasting and Cable TV Sector after a consultation process that lasted for more than one and a half year. This was necessitated by the complete digitization of Cable TV networks in India. The framework comprised of following Tariff Order and Regulations:
 - i. The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (Tariff Order 2017)
 - ii. The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 (Interconnection Regulations, 2017)
 - iii. The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 (QoS Regulations, 2017)
2. Collectively the three determinations completely overhauled the regulatory framework for the Sector of the analogue era. The process of implementation of this framework started on 29th December 2018. Given the size and structure of the Sector and the nature of changes that the new framework may warrant in the systems and business relations of the stakeholders, the Authority was well aware of the fact that there could be some transient problems for the new framework to settle for the gains from it to be fully visible. Therefore, in normal course, any relook of its working in a short term was not expected though rigorous monitoring was required. The Authority had extensive interactions with the stakeholders, especially, consumers and consumer organizations as a part of this monitoring process which indeed highlighted certain issues, mostly related to tariffs. The Authority felt that some of these issues need to be looked into on priority in the overall interest of consumer.
3. The Authority issued a Consultation Paper on 'Tariff related issues for Broadcasting and Cable services' on 16th August 2019, seeking comments and suggestions from different stakeholders, on certain tariff related issues which the Authority felt, may require some

kind of ironing out and pivotal in achieving the overall objective of the framework notified in March 2017. Comments and counter comments received from stakeholders were placed on TRAI's website. This was followed by an open house discussion in New Delhi on the 18th October 2019.

4. The Authority had broadly posed the following issues for consultation:
 - A. Discount structure on bouquet pricing
 - B. Ceiling price of a channel for inclusion in a bouquet,
 - C. Need to form bouquets by Broadcasters/Distributors
 - D. Number of bouquets offered by Broadcasters/Distributors
 - E. Number of channels in initial NCF of Rs 130
 - F. NCF for multi TV home
 - G. Discounts on Long term subscriptions
 - H. Promotional offers by DPOs
 - I. Flexibility in offering NCF
 - J. Placement of channels in EPG

Analysis of Issues

A. Discount structure on Bouquet pricing

5. In the Tariff Order 2017, the Authority had prescribed a maximum discount of 15% that a broadcaster could offer while forming its bouquet of pay channels over the sum of MRPs of all the pay channels in that bouquet. The prime reason for prescribing the maximum permissible discount on the MRP of a bouquet was to enable consumer choice through a-la-carte offering and prevent skewed a-la-carte and bouquet pricing.
6. As mentioned in the consultation paper, the Hon'ble Madras High Court declared that the capping of price of bouquets at 85% of the sum of a-la-carte prices of the pay channels, as provided for in the third proviso to clause 3(3) of the Tariff Order 2017, is arbitrary and un-enforceable. However, Hon'ble Madras High Court upheld the power of TRAI to regulate the broadcasting services. An appeal was filed in Hon'ble Supreme Court against the judgment of Hon'ble High Court of Madras in this matter. Hon'ble Supreme Court in its judgment dated 30.10.2018 while considering the limited question of TRAI's powers to regulate broadcasting services, inter-alia observed that subscribers

are forced to take bouquets if the a-la-carte rates of the pay channels are much higher. In this regard, Para 37 of the judgment dated 30.10.2018 is reproduced below:

*“37. It can thus be seen that both the Regulation as well as the Tariff Order have been the subject matter of extensive discussions between TRAI, all stake holders and consumers, pursuant to which most of the suggestions given by the broadcasters themselves have been accepted and incorporated into the Regulation and the Tariff Order. The Explanatory Memorandum shows that the focus of the Authority has always been the provision of a level playing field to both broadcaster and subscriber. For example, when high discounts are offered for bouquets that are offered by the broadcasters, the effect is that subscribers are forced to take bouquets only, as the a-la-carte rates of the pay channels that are found in these bouquets are much higher. **This results in perverse pricing of bouquets vis-à-vis individual pay channels. In the process, the public ends up paying for unwanted channels, thereby blocking newer and better TV channels and restricting subscribers’ choice. It is for this reason that discounts are capped. While doing so, however, full flexibility has been given to broadcasters to declare the prices of their pay channels on an a-la-carte basis. The Authority has shown that it does not encroach upon the freedom of broadcasters to arrange their business as they choose. Also, when such discounts are limited, a subscriber can then be free to choose a-la-carte channels of his choice. Thus, the flexibility of formation of a bouquet, i.e., the choice of channels to be included in the bouquet together with the content of such channels, is not touched by the Authority. It is only efforts aimed at thwarting competition and reducing a-la-carte choice that are, therefore, being interfered with.....”**(emphasis provided)*

7. While recognizing the need for prescribing a cap on the sum of the a-la-carte price of the channels forming part of the bouquet, Hon’ble Supreme Court did not pass any order in this regard. TRAI filed an SLP before the Hon’ble Supreme Court challenging the above said decision of the Hon’ble Madras High Court, however, the same was dismissed as withdrawn on 03.01.2018 by the Apex Court.
8. In view of the above, the present regulatory framework has been implemented without any cap on permissible discount on the sum of a-la-carte prices of pay channels forming a bouquet as provided for in the third proviso to clause 3(3) of the Tariff Order 2017. Though the Tariff Order 2017 was implemented without any cap on maximum permissible discount, it was expected that broadcasting industry would be adequately address the concerns of the subscribers while declaring the prices of their a-la-carte channels and bouquet of channels.

9. In order to ensure that prices of the a-la-carte channels remain reasonable, the maximum discount permissible in formation of a bouquet was linked to the sum of a-la-carte prices of the of pay channels forming that bouquet. A broadcaster was allowed to offer a maximum discount of 15% while forming its bouquet of channels over the sum of MRP of all the pay channels in that bouquet so as to enable customer choice through a-la-carte offering and also prevent skewed a-la-carte and bouquet pricing. In case the amount of discount offered by the broadcaster, over the sum of a-la-carte prices of pay channels, while forming the bouquet of those pay channels is very high, the price of bouquet becomes much lower than the sum of a-la-carte prices to the extent that it is almost equal to a-la-carte price of a single popular channel. As the amount of discount on formation of bouquet decreases, the difference between the prices of bouquet and the sum of a-la-carte prices also decreases.
10. However, the experience so far has demonstrated an altogether undesirable trend, that of a-la-carte rates of popular pay channels constituting the bouquet were kept at ceiling price by the broadcasters giving huge discounts on formation of bouquets with a view to force customers to subscribe bouquets only. This very disappointing tendency considerably reduced the legitimate right of consumers to choose channels on a-la-carte basis as well. One can say that while technically a-la-carte rates of channels are declared to comply with the regulatory provisions, these are illusive, and customers are left with no choice but to opt for bouquets. Huge discounts are offered on bouquets coupled with high a-la-carte prices of popular channels make it appealing to consumers to go for bouquets and making the a-la-carte choice of the popular channels a less attractive option. This marketing strategy has gone to the extreme of some broadcasters pricing some of their bouquets equal to or even less than the MRP of a single but popular channel present in that bouquet. **(Refer Annexure I)**
11. In order to find a suitable solution to this problem, the stakeholders were invited to express their views on whether there is a need to reintroduce a cap on discount that can be offered by the broadcasters on price of bouquet vis-a vis sum of a-la-carte prices of pay channels forming part of the bouquets of the broadcasters and if so to suggest the appropriate methodology to work out a permissible discount and the value of such discount.

12. In response, some stakeholders, mostly broadcasters, expressed that there is no need to reintroduce a cap on maximum permissible discount on sum of a-la-carte channels forming part of bouquets. Broadcasters and their Association have given detailed submissions in support of their views. Main arguments put forward by them are as follows:
- (i) Bundling of TV channels creates economic value and higher operational efficiencies for broadcasters and has reduced monthly bills and given more choice to consumers
 - (ii) When a broadcaster offers its channel to a target viewer, it would like the viewer to not just take its one or two channels, but to take few channels so that the viewer can get the content/language/genre mix of programs.
 - (iii) Provisions relating to cap on discount have already been subjected to judicial review, wherein it has been held that the cap on discount is arbitrary and unworkable.
 - (iv) The judicial finding on the provision was not on the quantum of the discount, but on the cap on the discounts on MRP of bouquet of channels.
13. On the other hand, some stakeholders, mostly MSOs, are in favor of reintroduction of cap on discount while forming bouquets by broadcasters. Main arguments put forward by them are as follows:
- (i) Cap is to protect the interests of subscribers and distributors,
 - (ii) Cap on the discount on bouquets will drive the broadcasters to rationalize both a-la-carte prices and bouquet prices.
 - (iii) The maximum discount that a broadcaster can offer on bouquet pricing be capped at 25%, while some other stakeholders suggested a cap of 10% on sum of a-la-carte rates of channels forming the bouquet.
 - (iv) In order to ensure that the prices of the a-la-carte channels have a direct-correlation with the price of the bouquets being offered by the broadcasters, thereby leading to appropriate pricing of the a-la-carte channels, twin condition which was introduced by TRAI at wholesale level in 2007, should be introduced with suggested modification at retail level as given below:

“a) the maximum retail price per month of such bouquet of pay channels shall not be less than eighty five percent of the sum of maximum retail prices per month of the a-la-carte pay channels forming part of that bouquet; and

b) the a-la-carte rates of each pay channel, forming part of such a bouquet, shall in no case exceed one and half times the average rate of a pay channel of that bouquet of which such pay channel is a part.”

14. One individual has also suggested reintroduction of following revised Twin Conditions:
 - i. The sum of a-la-carte rates of all channels comprising the bouquet should not be more than 1.25 times the MRP of the bouquet.
 - ii. The a-la-carte rate of each channel which comprises a bouquet should not be more than 2 times the average a-la-carte rate of the channels which are part of the bouquet.
15. Some stakeholders suggested that there is no need to change any of the provisions of the tariff order including the provision of discount on sum of a-la-carte channels forming part of bouquets offered either by the broadcaster or the DPOs.
16. One individual expressed the view that discounts should not be allowed either by broadcasters or by DPOs as these are being used to camouflage pushing of unwanted channels into bouquet and forcing consumers to cough up more money. Another individual suggested that all pay channels should preferably be offered to consumers on a-la-carte basis only without any discount, at least for an initial period of 1 year.
17. The Authority has analyzed the data submitted by the service providers post implementation of the new regime and has observed that the uptake of channels on a-la-carte basis continues to be low as compared to the bouquet subscriptions. Analysis yields that such poor uptake of a-la-carte channels could be attributed to disproportionately high rates of a-la-carte channels in comparison to bouquet rates comprising these channels. No well-defined relationship between these two rates exists in the new framework. As per data available with TRAI, some bouquets are still being offered at a discount as high as 70% of the sum of a-la-carte rates of pay channels constituting these bouquets.

18. Figure 1 below shows that the average discounts being offered on various bouquets of major broadcasters are in the range of 40-54 percent:

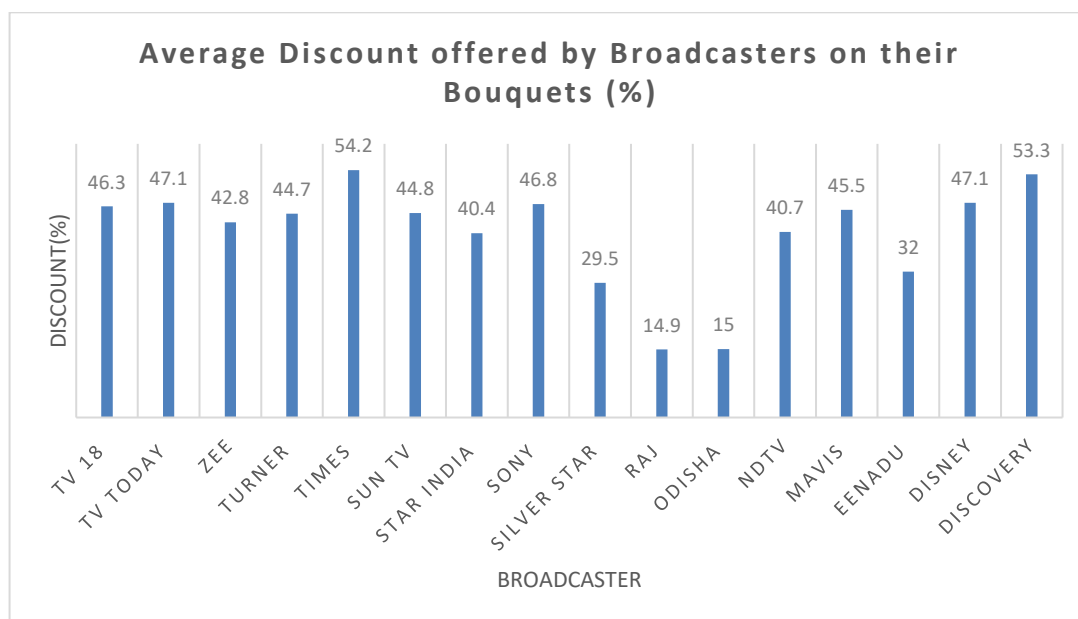


Figure 1: Average discount offered by broadcasters on their bouquets

19. The Authority also analyzed the viewership of the channels forming part of most popular bouquets subscribed by subscribers to find out whether subscribers are viewing all the channels in such bouquets. The viewership data obtained from Broadcast Audience Research Council (BARC) shows that only few popular channels in such bouquets are being viewed by subscribers and other channels have insignificant viewership in comparison, thus establishing the fact that not all channels even in popular bouquets are equally wanted or watched by subscribers. Apparently, the formation of bouquets by broadcasters is generally not based on consumer demands/choice.
20. In the new framework, broadcasters are given complete flexibility to decide prices of their a-la-carte pay channels and minimal conditions on formation of bouquets. The Authority did not place any cap on pricing of individual TV channels so that broadcasters could concentrate more on improving the content quality of TV channels. Table in **Annexure-II** provides the comparison of prices of channels under old regulatory framework (RIO rates of channels offered to DPOs) and new regulatory framework (MRP of channels) and percentage change therein. In the Table the wholesale prices (RIO rates of channels offered to DPOs) declared by broadcasters in the old framework have been multiplied by a factor of 1.25 in order to account for the 20% of MRP as mandatory

distribution fee to be given by broadcasters to DPOs in the new framework. It may not be out of place to mention here that in the old regime broadcasters used to give 80-90 percent discount over RIO prices while offering their bouquets to DPOs. The data indicates that though prices of several channels have been reduced, some of the SD channels, notably the popular ones, have seen multifold increase in prices. This has apparently been the part of the ploy to incentivize subscription of bouquets, over a-la-carte subscriptions and hurt consumer interests.

21. Broadcasters have declared MRP of the popular channels at the maximum permissible limit of Rs19/- so that these qualify to be the part of a bouquet and then bundle such channels along with number of other channels, mostly low priced and less demanded channels. By following this business model, the broadcasters gain in maximizing their reach even for not so popular channels, while also increasing their subscription revenues. On the flipside, this perverse pricing strategy renders the a-la-carte subscription of the channels meaningless for the consumers. Consumers end up subscribing to channels not of their choice, but as a compulsion and even paying for those channels which they are not inclined to watch or may even take note of. This in effect results in increase in their monthly payout for subscription of TV channels, apart from losing out on choice with free will.
22. The Authority noted that the marketing and business strategies of the broadcasters in general, have failed to give due consideration to overall objective of the new tariff regime, the spirit of the judicial decision upholding the regime, and the consumer interests that they are bound to respect.
23. Some small broadcasters during discussions have also expressed their concerns about heavy discounts being given on the sum of prices of a-la-carte channels while forming the bouquets, by broadcasters offering large number of channels. They stated that broadcasters offering large number of channels use the power of their popular channels and resort to heavy discounts to push their not so popular channels as a part of bouquets to subscribers, resulting in a non-level playing field. The ability of some broadcasters, offering large number of channels, to form bouquets and offer huge discounts on such bouquets is forcing small broadcasters either to exit from the market or convert their pay channels to FTA channels for survival. This fact has been substantiated to some extent

by the data available with the Authority. While broadcasters offering large number of channels have converted their FTA channels to pay channels at token prices, generally less than a rupee per month in many cases whereas some smaller broadcasters have converted their pay channels to FTA during same period.

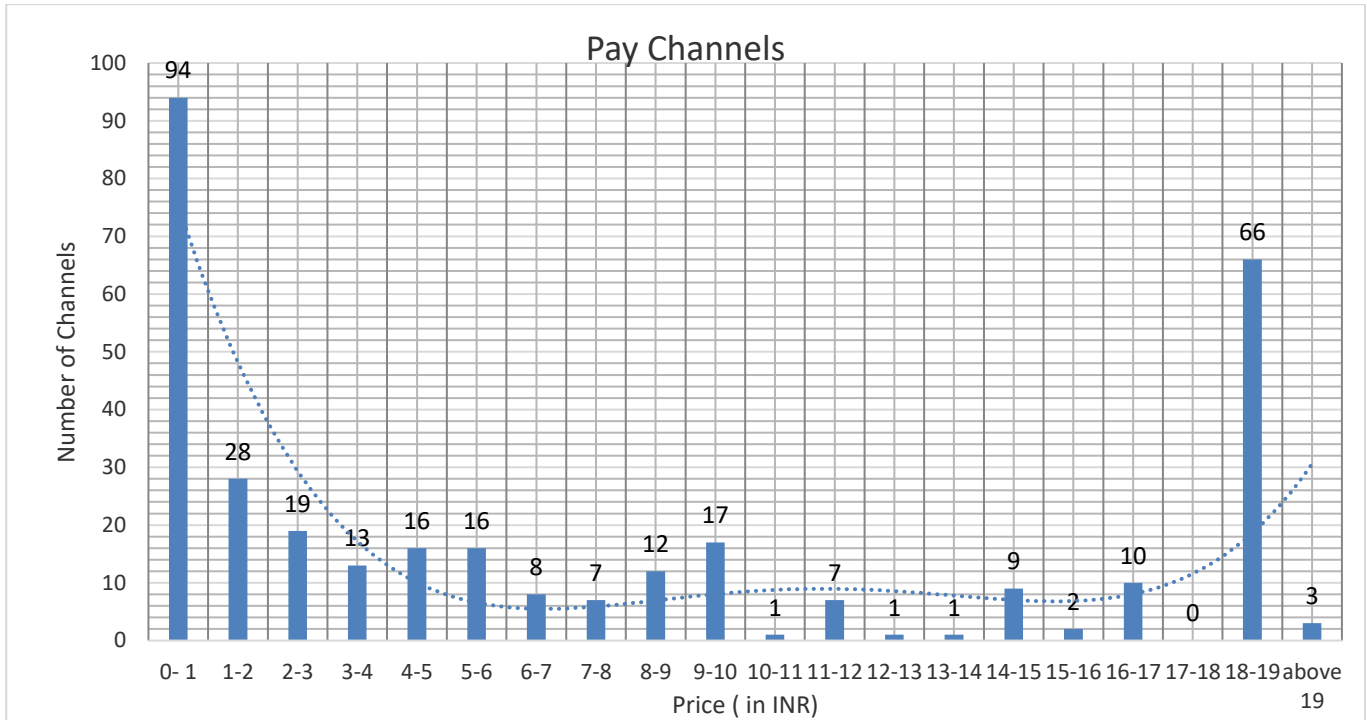


Figure 2: Range of prices of Pay channels

24. As may be observed from the figure 2, out of the existing 330 pay channels, 94 pay channels have been priced lower than or equal to INR 1.00. However, these channels are being clubbed with the popular channels of Rs. 19/-, so that these can be pushed to the subscribers. As there is no restriction on the spread of prices of channels in a bouquet as of now, broadcasters are tactfully forming their bouquets which comprise many low priced but less popular channels and very few very high priced but popular channels. Thus channels having wide variation in their a-la-carte prices are being clubbed together in a bouquet resulting in illusory pricing of pay channels to subscribers.

25. Authority recognizes that bundling of services and products in various forms are widely practiced across sectors and markets. It is also accepted that bundling of products and services, if done in a fair manner, can create economic efficiencies, reduce operational expenses, provide consumers with wider choice and access to products and services.

However, overall analysis of the present scenario leads to the conclusion that the offering of bouquets by broadcasters, as is being done now, is generally depriving the consumers of their basic right to choose channels and have been designed to better serve the commercial interests of the broadcasters.

26. The Authority further observed that broadcasters are also offering discount of 15% as an incentive on subscription of certain minimum subscription of bouquets of pay channels to DPOs. As DPOs are getting this additional incentive, their commercial interests too are aligned with the broadcasters to push such bouquets over the a-la-carte choice to subscribers. While these incentives are available to DPOs and help in pushing broadcasters' bouquets to consumers, the benefit is not being passed on to the consumers. The Authority is not against the offering of bouquets. However, it cannot be at the cost of the freedom of consumers to choose channels in a manner which they may like.
27. Many of the above concerns were shared with the stakeholders by the Authority in the consultation paper. Broadcasters and their Associations, who have significant interests in the Sector and key industry players, have submitted well-articulated views, mostly countering concerns expressed by consumers and their groups. They have also expressed disagreements with some of the inferences drawn by TRAI from the analysis of data, as indicated in the consultation paper. The Authority has carefully considered their submissions with an open mind. The Authority appreciates and is in general agreement with their submissions on the need to have regulatory stability and continuity, the importance of having access to diverse views given the plurality of our society, irrespective of popularity or widely acceptance, economic benefits of bouquets, consumer behaviour, parallel with other information/entertainment mediums, ease of doing business etc. However, consumers right to choose is paramount and TRAI as a body mandated by a Statute cannot allow a situation where a business practice takes precedence over that right.
28. Broadcasters sometimes argue that discounts offered by them on bouquets are in the interests of consumers and any intervention by TRAI restricting them from offering such discounts will go against consumer interests. This argument looks very appealing on the face of it. Regulator should not be objecting to any measure serving the best interests of the consumers. However, the market reality does not lend credibility to this stand of the

broadcasters. The data relating to pricing of channels post implementation of the new framework establish that the leading broadcasters have inflated a-la-carte prices of their popular channels first, and then the so called discounts are offered in bouquets on these inflated prices, as a larger business strategy to maximise their revenues. Had the real intention of such players was to offer fair prices and choice to subscribers, they should have adopted a fair a-la-carte pricing for their popular channels as well. Therefore, the most pressing argument of broadcasters in support of their pricing strategy for bouquets belies the facts and market reality.

29. The Authority has carefully assessed the situation and the submissions/suggestions by the stakeholders. For addressing the consumer concern, the possible options could be (i) to regulate or cap a-la-carte prices of channels; or (ii) to place reasonable restrictions on the formation of bouquets, without affecting the flexibility of the market players, either on pricing of channels or packaging channels in bouquets.
30. Prescribing a cap on discount while forming bouquets is in line with the observation of the Hon'ble Supreme court in para 37 of its judgement dated 30.10.2018, which is already reproduced in para 6. Here it is worth noting that prescribing cap on discount while forming a bouquet is not anti-consumer. A cap can be prescribed to ensure that a-la-carte prices declared by the broadcasters are reasonable on one hand and protect the consumers' right to choose channels of their choice on a-la-carte basis on the other hand. However, the Authority has decided not to reintroduce the cap of fifteen percent at this juncture for two reasons. Firstly, the Authority also agree with the views expressed by stakeholders including broadcasters about the need for having regulatory stability, allowing flexibility in pricing, wider choice of channels for consumers etc. Secondly, so are the complexity of factors involved, it is extremely difficult, if not impossible, to arrive at an ideal number as cap on discounts on bouquets offered by the broadcasters. None of the stakeholders, including those who supported a cap, could suggest a scientific method to arrive at that single figure, so as to ward off or to stand the test of a legal challenge, on the ground of arbitrariness.
31. In the absence of a scientific method to arrive at a single figure to operate as a cap on discounts and it's possible impact on the regulatory framework already rolled out as expressed by the stakeholders, the other option before the Authority is to identify a

method that can establish a link between bouquet prices and a-la-carte prices, that can strike a balance between the right of broadcasters to price the channels and right of consumers to choose channels as a bouquet or on a-la-carte basis. As pointed out by certain stakeholders, the Authority noted that there has been an industry accepted method, linking prices of individual channels and bouquets which was in vogue for a considerable time.

32. In the analogue era, broadcasters were making channels available at wholesale level to DPOs, and not directly to customers as at present. During that period, the tariff order dated 4th October 2007 had prescribed a relationship, between a-la-carte rates of TV channels forming part of bouquet and bouquet rates provided by the broadcasters to the distributors at the wholesale level, in the form of following ‘Twin Conditions’:

- a) the sum of the a-la-carte rates of the pay channels forming part of such a bouquet shall in no case exceed one and half times of the rate of that bouquet of which such pay channels are a part; and
- b) the a-la-carte rates of each pay channel, forming part of such a bouquet, shall in no case exceed three times the average rate of a pay channel of that bouquet of which such pay channel is a part.

33. The above conditions were prescribed to ensure that an effective a-la-carte choice was available to distributors without being handicapped by perverse pricing of bouquets by broadcasters at the wholesale level. The present situation is similar, with individual subscribers taking the place of DPOs. This methodology was well accepted to the industry, they adhered to the twin conditions and this was in vogue till the Tariff Order 2017 came into effect. This being a tested and accepted method by the stakeholders and the problem at hand is of similar nature, the Authority has decided to adopt these twin conditions to link the prices of broadcaster bouquets and its constituent channels.

34. Adoption of the above conditions will not affect the flexibility of broadcasters to form bouquets as the flexibility to decide MRP of channels and bouquets continue to rest with them.

35. Accordingly, in the Tariff Order it has been prescribed that the broadcasters shall ensure that

- (a) the sum of maximum retail prices per month of the a-la-carte pay channels forming part of a bouquet shall in no case exceed one and half times of the maximum retail price per month of such bouquet; and
- (b) the maximum retail price per month of any a-la-carte pay channel, forming part of such a bouquet, shall in no case exceed three times the average maximum retail price per month of a pay channel of that bouquet:

It has been clarified that if the maximum retail price of a bouquet is Rs. 'X' per month per subscriber and there are 'Y' number of pay channels in that bouquet, then the average maximum retail price per month of a pay channel of the bouquet shall be Rs. 'X' divided by 'Y'.

- 36. Further, as noted above, in some cases, the price of a bouquet is less than the price of a single channel in that bouquet. No subscriber will opt to subscribe a channel on a-la-carte basis when a bouquet inclusive of that channel is on offer at a price below the MRP of that single channel. This clearly indicates that the price of single channel has been fixed higher to manipulate choice of such channels on a-la-carte basis. Therefore, in order to curb such practices, apart from twin conditions, it is also necessary that broadcasters should not be allowed to price a bouquet at less than the a-la-carte price of any of the constituent channels of such a bouquet. A suitable provision to this effect has been incorporated in the Tariff Order.
- 37. Now by the virtue of twin conditions, the Authority expects that there will be a rational relationship between the prices of the bouquets and channels and choice of consumers between these two options will be a real and informed one. There cannot be a case for existence of any provision for artificial incentivising of bouquets. Hence, broadcasters shall not be permitted to give any discount for adoption of bouquets to DPOs in 15% category as permitted in Interconnection Regulations 2017. This will pave way for the DPOs to play a neutral facilitator's role to ensure that consumers get real choice to choose channels, either on a-la-carte-basis or on bouquet basis. The requisite modification to this affect will be carried out in relevant interconnection regulations. Discount of 15% as incentive will continue to be available to DPOs for a-la-carte channels.

38. The Authority expects that bringing in a time tested and industry accepted methodology will strike a reasonable balance between the interests of all stakeholders as:
- (i) The broadcasters retain the flexibility to devise and offer innovative and attractive packages/bouquets of channels.
 - (ii) The flexibility to notify MRP of channels rests with broadcaster. The broadcaster has the flexibility to reduce MRP of channels at any point of time to facilitate lower rates for a bouquet consisting of such a-la-carte channels.
 - (iii) The ‘Twin Conditions’ oblige the broadcaster to extend a proportionate reduction in MRP of pay channels offered in the bouquet if it wants to reduce the bouquets rates further. Such reduction in the MRP of channels shall be applicable across all bouquets and would benefit the consumers at large.
39. The Authority will continue to keep close watch on the formation of bouquets after application of twin conditions, its impact on the market, and will take further suitable measures if situation so warrants.
40. On the review of cap on discount permissible to DPOs while forming the bouquet, some stakeholders suggested that cap should be reviewed and DPOs should be free to offer discount while forming the bouquet depending on ground situations and business requirement.
41. Another view put forward is that, in order to maintain a level playing field both broadcasters and DPOs should be allowed to offer the same level of discounts while forming the bouquets. According to them at present, since the linkage/discount formula has not been implemented at the broadcaster level, the corresponding linkage/discount formula at the DPO level should also be done away with. Some other stakeholders suggested that there is no need to review the cap on discount by DPOs while forming the bouquet in order to avoid any predatory pricing.
42. The Authority has noted that in the new framework DPOs have flexibility to fix the DRP of pay channels with a condition that DRP of a channel should not be more than the MRP of that channel declared by the broadcaster. In case DPOs want to offer further discount on the bouquets, they can meet this objective by reducing the DRPs of pay channels forming the bouquet. Accordingly, the Authority has decided to continue with the cap of

15 % on maximum discount permissible to DPOs while forming their bouquets of pay channels.

B. Ceiling price of channels for inclusion in bouquet,

43. In the consultation paper, stakeholders were asked to provide their comments whether the ceiling of Rs. 19/- on MRP of an a-la-carte channel to be part of a bouquet need to be reviewed and in case they support review of ceiling, they were also asked to suggest an appropriate ceiling.
44. In response, broadcasters, in general, are not in favor of review of the ceiling of Rs. 19/- on MRP of an a-la-carte channel to be part of a bouquet. They are of the view that it is a reasonable amount which a broadcaster can expect as subscription charges in view of very high content cost and other operational expenses. Some of them suggested that any such review should be carried out at least two years after implementation of new framework as mentioned in the Explanatory Memorandum of Tariff Order 2017. They stated that the prices of all a-la-carte channels declared by broadcasters result from complex interplay of consumer preferences and demand. They further mentioned that consumers have exercised a-la-carte options for all channels priced between INR 0.1 and INR 19/-.
45. Some other stakeholders are also not in favour of any ceiling on MRP and have mentioned that a price ceiling or price control of any nature is abhorrent to a free and competitive economy. They are of the opinion that so long as the bouquet price correctly reflects the a-la-carte pricing of channels, the channels can be priced at whatever rate the broadcasters feel that their content is valued at.
46. On the other hand, some stakeholders, mostly DPOs, are in favor of review of the ceiling of Rs. 19/-. They mentioned that there should be reasonable parity between a-la-carte and bouquet pricing and the ceiling on the MRP of a-la-carte channels to be part of a bouquet serves the purpose of controlling the unreasonable pricing of the bouquets as well as of a-la-carte channels.
47. They further submitted that post implementation of DAS, when the broadcasters were given freedom to price their a-la carte channels under 2012 Regulations, , most of the

channels, with the exception of few sports channels, were priced below Rs.10/-. They suggested that the appropriate ceiling should be a maximum of Rs. 10/- as there has been no change which necessitated such drastic jump/change in the price of channels by the broadcasters.

48. Some stakeholders suggested that the current ceiling may be reduced to Rs. 12/-, as it will harmonize bouquet prices and will offer even more value to the consumers. While some other stakeholders are of the view that from historical data the rates for most popular channel works out to be less than Rs.15/-.
49. The Authority in the Tariff Order 2017 prescribed a ceiling of Rs. 19/- on the MRP of pay channels which can be included in a bouquet. The amount of Rs. 19/- was prescribed, considering that in the previous regime, the highest genre wise ceiling on wholesale price was Rs. 15.12 between broadcaster & DPOs. This price was enhanced by 1.25 times to account for DPOs distribution fee in the new regime. It was expected that the prices would be regulated by the market forces based on the demand of channels or Television Rating Points (TRP). However, as explained in detail earlier, broadcasters in general have declared the MRP of their most popular channels (mainly GEC and sports) at the ceiling price of Rs. 19/- which is much higher than prices declared in earlier regime. Prices of many SD channels which were much below Rs.19 in the previous regime have been increased to the ceiling price of Rs.19 so that they can be part of a bouquet in order to maximize their revenue (**refer Annexure II**). These channels have further been bundled with several low priced channels in a bouquet and bouquets have been priced in such a way that consumers prefer to opt for a bouquet instead of opting for a high priced popular channel on a-la-carte basis thereby rendering a-la-carte choice of a consumer meaningless. This fact is reflected in the subscription data of pay channels on a-la-carte basis and as a part of bouquets provided by the DPOs to the Authority. It indicates that subscription of most popular channels on a-la-carte basis is less than 10% compared to bouquet based subscription. This yet again brings out the impact of artificial disparity created by the broadcasters in a-la-carte channel and bouquets prices misusing their freedom to price. On one hand, the a-la-carte prices have been increased, but on the other hand huge discounts on bouquets have been given to ensure that consumers choose only bouquets. This clearly worked against the interests of consumers as a-la-carte choice has been reduced and thereby increasing the effective cost to the consumers.

50. Presently there are 330 pay channels out of which prices of 66 pay channels have been declared at Rs 19/- by the broadcasters. Recently, prices of 28 pay channels have been reduced to Rs 12/- from Rs 19/- by four broadcasters under the promotional schemes. The fact remains that large number of channels are still priced at Rs 19/- in the new regime ostensibly not because of cost factors, but to take undue advantage of a flexible regulatory provision. This is evident from the comparison of prices in new regime vis a vis previous regime.
51. In this context, it is relevant to recall that in the earlier framework, while declaring their RIO rates, broadcasters were required to declare genre of a channel, from amongst the ones defined by TRAI. The Authority had prescribed a genre-based ceiling on prices of pay channels subject to inflation linked hikes. All the broadcasters were required to declare the rates of pay channels to DPOs in accordance with the applicable genre-ceilings. The broadcasters were adhering to these ceilings while declaring rates of their pay channels. The price of most of the popular channels, barring sports channels, declared by the broadcasters under that regime was below Rs. 10/-.
52. While framing the existing regulatory framework, the Authority had issued a draft Telecommunication (Broadcasting and Cable Services) (Eighth) (Addressable Systems) Tariff Order, 2016 on 10th October 2016. In order to have continuity, the Authority in the said draft order had proposed that the then prevailing genre ceiling should be continued. Accordingly, the Authority, after accounting for the distribution fee of 20% on the MRP, proposed the following genre-based ceiling for MRP of pay channels to customers.

Table 1: Genre-based ceiling for MRP of pay channels proposed in the Draft Tariff Order 2016

| S. No. | Genre of Channel | Proposed ceiling on maximum retail price |
|---------------|--------------------------|---|
| 1. | GEC | 12.0 |
| 2. | Infotainment | 9.0 |
| 3. | Movies | 10.0 |
| 4. | Kids | 7.0 |
| 5. | News and Current Affairs | 5.0 |
| 6. | Devotional | 3.0 |
| 7. | Sports | 19.0 |

53. Thus, the ceiling of Rs. 19/- was for sports channels only. Maximum ceiling for other genres including GEC was Rs. 12/-. However, in the final tariff order, the Authority did not prescribe genre wise ceiling on the MRP of pay channels with a bonafide expectation that broadcasters would price their channels reasonably and benefits of higher revenue realization due to digitization and addressability would be shared with subscribers. Instead, the broadcasters raised the prices of their popular channels, in utter disregard to consumer interests, to Rs 19/- even for non-sports genre, so that such channels could still become part of a bouquet and simultaneously their revenue could also be maximized. This has caused severe adverse impact on consumer interests. Figure 2 given above indicates how channels have been priced by the broadcasters in the new framework.
54. As may be observed, out of the existing 330 pay channels, 94 pay channels have been priced lower than or equal to Rs. 1/-. The MRP of 66 channels which are generally popular (mainly GEC and sports) have been declared at the ceiling price of Rs. 19 by the broadcasters. It may not be out of place to mention that price of 55 channels have been increased manifold. The Authority also noted drastic reduction in prices of HD channels, yet again, with the sole intention that these channels could be included in bouquets (**Annexure II**). This indicates that the channel prices on a-la-carte basis are being fixed with a view to push more and more channels in the bouquets in complete disregard to consumer interests and the overall objective of the new regime.
55. The Authority noted that allowing Rs. 19/- as ceiling on MRP for a channel to be part of a bouquet did not work well, as Rs. 19/- ($\text{Rs. } 15.12 * 1.25$) was the maximum price of any SD channel in the previous regime. Rs. 19/- should be considered as a price for niche/premium channels and such niche/premium channels should not at all be allowed to be the part of any bouquet. Consumers choice should be taken for subscription of such channels. The Authority is of the view that bouquet should be formed by bundling channels which are affordable and are in similar price brackets. If high value channels are allowed to be the part of the bouquets, the basic objective of the framework that the niche channel should only be given to the consumer on his free will, will be defeated. As all top 4-5 broadcasters have priced their niche channels at Rs 19/-, the consumers are compelled to subscribe to either the bouquet or the niche channels, resulting in more payout from consumers in either case.

56. It has also been observed that many channels that were FTA in the earlier framework have been converted into pay channels and priced at token amounts for the simple reason that under the new regulatory framework FTA channels are not allowed to be part of a bouquet of pay channels. Few examples of such channels are given in table 2 below:

Table 2: Channels converted from FTA to PAY

| S.No | Name of the Channel | MRP (Rs.) |
|-------------|----------------------------|------------------|
| 1 | Living Travelz | 0.1 |
| 2 | NDTV India | 1.0 |
| 3 | Big Magic | 0.1 |
| 4 | Big Ganga | 0.5 |
| 5 | SONY Wah | 1.0 |
| 6 | Star Utsav | 1.0 |
| 7 | Star Utsav Movies | 1.0 |
| 8 | News 18 Tamil Nadu | 0.1 |
| 9 | News 18 Kerala | 0.1 |
| 10 | News 18 Assam / North East | 0.1 |
| 11 | News 18 India | 0.1 |
| 12 | Rishtey | 1.0 |
| 13 | Zee Anmol Cinema | 0.1 |
| 14 | Zee Anmol | 0.1 |
| 15 | Zee Hindustan | 0.1 |
| 16 | Zee Bihar Jharkhand | 0.1 |
| 17 | Zee News | 0.1 |

57. The unfair pricing strategy of the broadcasters has lent credibility to a viewpoint that Rs.19/-, the present ceiling, should be brought down to control the unfair market behavior in order to protect the interest of consumers. It is a fact that niche channels are watched by a limited number of subscribers, while GEC channels are generally popular and watched by most of the families in the country along with other channels. Rs.12 was the ceiling price for GEC channels in the previous regime and therefore the Authority finds merit that Rs.12/- would be a more logical ceiling price for a pay channel to be part of any bouquet. If a channel is carrying premium program, it can be priced higher by the broadcasters, and leave it to the discretion of the customers to opt for it or not. For example, the sports channels, which are generally priced high, have a very different class of viewership and viewing patterns and are generally episodic and event specific. The

clubbing of such channels with GEC, coupled with pricing flexibility given in the Tariff Order 2017, gives manipulative edge to the broadcasters to influence consumers choice against their interests.

58. Accordingly, in view of the above and to protect the interests of consumers, the Authority decided that (a) the ceiling on the MRP of any channel to be part of a bouquet should be Rs. 12/- and (b) the freedom of broadcasters to declare MRP of their channels should continue.

C. Need to form bouquets by Broadcasters/Distributors

59. On the issue of need to form bouquets by broadcasters / distributors, some stakeholders including broadcasters and DPOs are of the view that formation of bouquets should be left to market without any regulatory intervention. The main arguments made out in favour of this view are listed below:

- (i) restriction on the formation of bouquets would be akin to restrictions imposed on newsprint which were held to be unconstitutional and in violation of fundamental rights protected under Article 19(1)(a) and 19(1)(g).
- (ii) the number of bouquets reflects the vibrancy of the Indian populace, the diversity of Indian cultures and languages leading to diversity of content preference and tastes of TV households in India. Therefore, putting a limit on the number of bouquets may not be practically viable and would amount to putting a limit on the choice of consumer.
- (iii) restriction on the number of bouquets will restrict entry of new channels, channels of a smaller broadcaster.
- (iv) broadcasters have already formed appropriate number of bouquets as they were mindful that creating more complex bouquets to choose from, would be to their own peril, as it could lead to consumer confusion and subsequent dropping of channels.
- (v) for convenience of consumers, bouquets could be made as per target market vis-à-vis geography, language, age mix etc.

60. On the other hand, some stakeholders including individuals and LCOs and their association are of the view that formation of bouquets should be done away with. The main arguments made out in favor of this view are listed below:

- (i) Very purpose of introducing DAS (which is empowering the customers to choose channels of their choice and ushering in transparency in the business ecosystem) is negated by allowing bouquets.
 - (ii) Bouquet formation inadvertently stymies competition, as the channel/s of smaller and independent broadcaster gets edged out of the channel line-up.
 - (iii) Broadcasters' & Distributors' bouquets have made the consumer feel helpless in selecting specific channels of their choice.
61. It may be recalled that purpose of allowing the bouquets was to reduce the burden on subscribers in selecting individual channels and also give reasonable discount over the sum of prices of a-la-carte channels while they were selecting bouquets. While the Authority wants to facilitate the availability of a-la-carte choice to consumers, in order to protect their interests, it does not intend to encroach upon the freedom of broadcasters and distributors to do business in a fair manner. Having mandated couple of new measures to provide effective choices to consumers, as explained in the preceding paras, the Authority at present does not want to bar offering of bouquets either by broadcasters or distributors. However, the Authority will keep a watch on the developments in the market and may review this decision, if a need arises in future.

D. Number of Bouquets offered by Broadcasters/ Distributors

62. On the issue of limit on number of bouquets offered by broadcasters / distributors, some stakeholders are of the opinion that there is a need to limit the number of bouquets in proportion to the number of channels of a broadcaster. They suggested that no two bouquets should have more than 60-70% similarity in terms of composition and that no channel should form part of more than 30% of the bouquets in the relevant market. In their view channels of different genres and different languages should not be placed in one single bouquet.
63. Some stakeholders suggested that the broadcasters should not be allowed to form bouquets more than 20% of the total number of channels offered by them and the same formula should be applicable to the DPOs. While some other stakeholders suggested that number of bouquets that a broadcaster and a DPO can offer should not exceed 25% of the number of channels. Some stakeholders have pointed out that apart from making the

consumer choice difficult, a large number of bouquets also cause unnecessary burden on IT and billing systems of the DPOs. Offering of large number of bouquets by broadcasters defeats the very purpose of ensuring consumer choice as envisaged in the new regulatory framework and also results in inconvenience to consumers as well as to the DPOs.

64. A few stakeholders suggested that in order to ensure that unwanted channels are not pushed to the consumers, formation of bouquets should be based on the a-la carte price of the channels forming part of the bouquet e.g. channels with a-la-carte price between Rs. 0.01 to Rs. 7/- should be kept in one bouquet; channels with a-la-carte price between Rs. 7.01/-- Rs. 12/- should be kept in a separate bouquet; and channels with a-la-carte price between Rs. 12.01/- Rs. 19/- should be kept in a separate bouquet.
65. The primary aim of the new framework was to facilitate consumer choice and provide them freedom as to what they want to choose for their viewing and pay only for those channels. As the number of channels are very large, it was envisaged that consumers may not be very comfortable initially in selecting the channels of their choice, due to large scale disparity in consumer awareness, their ability to use IT systems, understanding of new framework etc. Therefore, the Authority permitted formation of bouquets of channels both by broadcasters and DPOs so that considering the normal requirement of the consumers these bouquets can be formed which will facilitate choice of the consumers, reduce the burden of subscribers in selecting individual channels and in some cases can also give reasonable discount over the sum of prices of a-la-carte channels if they select bouquets.
66. The Authority analyzed present offerings of bouquets by the broadcasters, it has been observed that broadcasters are offering large number of bouquets of their channels. Figure 3 indicates the number of a-la-carte pay channels and bouquets of channels being offered by major broadcasters including their group companies.

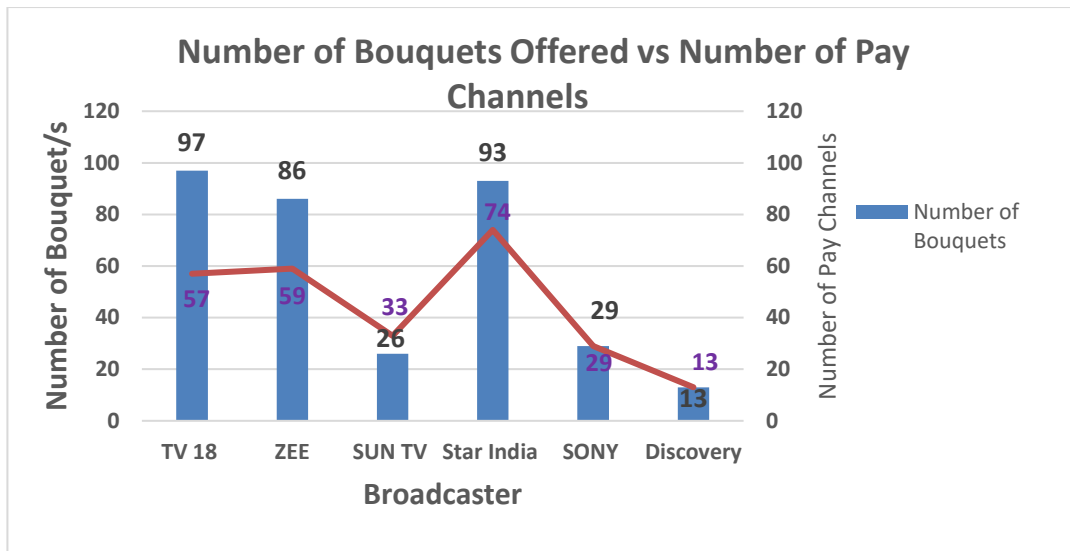


Figure 3: Number of Bouquets offered vs. number of Pay channels

67. Major broadcasters have declared 97, 86, 26, 93 & 29 bouquets while number of pay channels offered by them are 57, 59, 33, 74 & 29 respectively. It is evident from above that the number of bouquets offered by broadcasters is large and such offerings are bound to create confusion in the minds of consumers. It will be difficult for any consumer to make an informed and prudent choice from amongst such a large number of bouquets and a-la-carte channels.
68. There are already around 900 a-la-carte channels and having no restriction on number of bouquets could encourage broadcasters to continue with formation of more and more new bouquets. Mathematically 2^n bouquets can be formed by n available channels. Apart from making the consumers' choice difficult, a large number of bouquets also cause unnecessary burden on IT and billing systems of the DPOs. It will create huge complications and make consumer choice extremely difficult. For these reasons, there is a need to have some reasonable restrictions on number of bouquets that can be formed by broadcasters. without taking away their flexibility to offer customized packages catering to needs of all sections of the Society.
69. There could be several yardsticks for devising suitable control – bouquets based on markets/ regions; review and withdrawal of bouquets based on subscriptions; cap on number of bouquets based on number of channels offered by broadcasters.

70. Formation of a bouquet is nothing but bundling of a number of channels together and offering value for money for the consumers. Therefore, it does not make much sense if number of bouquets of pay channels offered by a broadcaster exceeds the number of pay channels offered by a broadcaster. Hence, the Authority is of the considered opinion that the number of bouquets of pay channels offered by a broadcaster at any given point of time should not be more than the number of pay channels offered by that broadcaster on a-la-carte basis. In case any broadcaster desires to offer higher number of bouquets, they may approach the Authority with a detailed proposal giving cogent reasons for doing so. The Authority may consider it on case to case basis, keeping in view the consumer interests. The Authority would like the broadcasters to undertake periodical review of their bouquets based on the subscriber uptake to avoid a situation of too many bouquets on offer without any value proposition to consumers.
71. Now the question arises whether there is a need to restrict the number of bouquets offered by DPOs to subscribers. It is important to understand that DPOs are required to make the bouquets from large number of a-la-carte channels/bouquet of channels, offered by different broadcasters, on the basis of taste and preference of millions of their subscribers. Prescribing any restriction on number of bouquets may not be desirable in the larger consumer interest and may hinder the innovative ways of offerings to subscribers. Therefore, The Authority is not prescribing any cap on the number of bouquets offered by DPOs to subscribers. This is in line with the consistent stand of the Authority not to intervene, as long as the consumers interests are not adversely affected by any action of Service Providers.

E. Number of channels for NCF of Rs 130/-

72. In the Tariff Order 2017, the NCF of maximum Rs. 130/- was prescribed for carrying 100 SD channels. It has been observed that some DPOs are offering a large number of FTA channels free of cost to the subscriber without taking any additional NCF. Accordingly, in the consultation paper, comments of stakeholders were invited on whether the limit of one hundred channels for the prescribed NCF of Rs. 130/- to be increased and, if so, how many channels should be permitted for the NCF of Rs. 130/-.

73. In response, Authority has received a wide range of views as below:
- (i) Create consumer awareness so that all TV households know they can create combination of FTA and Pay channels within the NCF of Rs. 130 charged by DPOs. Enforce the QoS regulations in letter and spirit to avoid misuse of NCF. (Broadcasters)
 - (ii) existing limit of 100 channels in the prescribed NCF of Rs. 130/- is good enough for an average household. (Broadcasters, DPOs)
 - (iii) It should be left to the DPOs to decide as to how many channels in addition to one-hundred channels, they wish to provide in the NCF cap of Rs 130/-. (Broadcasters, DPOs)
 - (iv) maximum of 150 channels can be allowed within the NCF of Rs 130/-. (MSOs)
 - (v) no limit on the number of channels should be prescribed as the prevailing competition will always force the DPO's to provide more channels or charge less NCF from the customers, which is ultimately beneficial to the customers. (DTH operators)
74. Most of the stakeholders are of the view that all the DD channels mandated by the Government to be provided to all the subscribers should be excluded from the 100 channels permitted within the NCF of Rs. 130/-. This shall ease the burden on the consumers who will then be able to subscribe to additional channels of their own choice, besides the mandatory channels. Some stakeholders suggested that under the current law, it is illegal for DPO to charge any NCF for mandatory DD channels. Some stakeholders are of the view that TRAI has no jurisdiction or power to recommend in relation to these channels since the legislature has already mandated that these channels must be carried by all DPOs.
75. Some stakeholders mentioned that though the NCF has been fixed for the amount of bandwidth and resources being used to deliver the signals at subscriber's home. Further the type of channels does not make any difference on the utilization of such resources and as the DD channels are mandatory, in the best interest of the state and consumers, the DD channels should be taken out of the ambit of NCF.
76. Some stakeholders are of the view that requiring the DPOs to carry additional mandatory DD channels over and above the 100 channels within the NCF of Rs. 130/- would be additional burden on the DPOs and it should be left to DPOs to decide.

77. In the Tariff Order 2017, a network capacity fee (NCF) of maximum Rs 130/- has been prescribed for subscribing 100 channels. The government has made it obligatory for all the DPOs to provide 24 channels of Doordarshan, one Lok Sabha Channel and one Rajya Sabha channel to the subscribers, irrespective of any bouquet(s) or a-la-carte channel(s) being subscribed by them. Accordingly, sub-clause (7) of clause 4 of the Tariff Order prescribes that:

“Within the distribution network capacity subscribed, in addition to channels notified by Central Government to be mandatorily provided to all the subscribers, a subscriber shall be free to choose any free-to-air channel(s), pay channel(s), or bouquet(s) of channels offered by the broadcaster(s) or bouquet(s) of channels offered by distributors of television channels or a combination thereof.....”

78. While implementing the new framework, preliminary assessment based on the then available data was that average take up of channels will be less than 100 channels. The information submitted by the various DPOs, however, reveals that many subscribers are subscribing channels in excess of 100, one cause factor being the marketing of channels as bouquets over a-la-carte basis. As has been informed to the Authority, many DPOs are not charging additional NCF beyond 100 channels. There are DPOs who are offering many FTA channels without charging any additional NCF. As per data reported to the Authority, the average NCF realized from the subscribers is less than Rs. 130/- and the number of channels provided to a subscriber is more than 200 (**Table 3**).

Table 3: Revenue realization from NCF and average number of channels provided to subscribers by some major DPOs

| DPO | Revenue realization from NCF (In Rs.) | Average number of channels provided to a subscriber by DPOs |
|------------|--|--|
| DPO 1 | 114 | 246 |
| DPO 2 | 98 | 222 |
| DPO 3 | 113 | 248 |
| DPO 4 | 85 | 235 |
| DPO 5 | 124 | 293 |
| DPO 6 | 77 | 200+ |

79. The digitization of cable network coupled with quality of data made available, has enabled the Authority to have a better visibility into the operations of MSOs. The Authority, therefore, decided to have an insight into the cost aspects of carrying channels. An analysis of data available in the annual reports /quarterly reports of DPOs and data made available by the them suggests that cost of distribution network capacity to provide the signals of television channels to a subscriber is not more than Rs. 130/-.
80. However, there are variation in the cost structure of TV services being provided through cable, depending upon the scale of operations, area of operations etc. and which can't be overlooked. The network cost for large MSOs could be lower compared to smaller MSOs. In DAS-III and DAS-IV areas, large number of smaller MSOs are providing services to small number of subscribers. There are cost variation in urban vs rural areas. Similarly, there are cost variations in servicing multistory buildings vis-a-vis standalone houses. Therefore, the Authority has decided to continue with the existing uniform cap of Rs.130 per month on NCF, despite the cost variations existing across operators/areas of operations. This measure is required specially to protect the interest of MSOs, especially of smaller MSOs and the MSOs operating in rural/difficult areas. This amount being a ceiling, the MSOs are at liberty to declare lower NCF.
81. Accordingly, in order to protect the interests of consumers and in view of the fact that (a) many DPOs are already providing more than 200 channels for existing NCF of Rs. 130/- (b) Revenue realisation for major DPOs corresponding to NCF is also not more than Rs. 130/- (c) there is no incremental cost to DPOs for additional channels, the Authority has decided that DPOs shall offer 200 channels for NCF of Rs. 130/- in addition to such number of channels as may be mandated by the Government from time to time for mandatory provisioning.
82. Accordingly, a DPO shall offer 200 channels for the NCF of upto Rs. 130/- in addition to channels mandated by the Government. Effectively, a subscriber will get 226 channels for Rs. 130/-. Now the Authority has further deliberated on the existing slab based system for applicability of NCF over and above the channels given to subscribers for the initial NCF. As mentioned above, now the subscriber will get 226 channels for NCF of Rs. 130/- only which will be sufficient for an average TV viewer and therefore the Authority is of the view that there is no point of continuing the slab system. A single slab for more

than 200 channels will simplify the offerings to consumers. Now the question arises what the ceiling on NCF should be for offering more than 200 channels by a DPO. The Authority has noted that on any platform generally on an average 300 relevant channels are available for viewing by a consumer. Therefore, it will be sufficient to prescribe a ceiling of Rs 160 as a ceiling on NCF for more than 200 channels. As it is a ceiling, DPOs will be free to declare NCF lower than Rs. 160 for more than 200 channels. These two ceilings one for less than 200 channels and another for more than 200 channels will not only protect the interests of DPOs but also simplify the process for consumers. Accordingly, it has been decided that a DPO cannot charge NCF more than Rs. 160/- for more than 200 channels. Consequently, the existing provision for additional NCF of Rs.20 for every slab of 25 channels is being dispensed with.

83. In line with provisions of the Cable TV Act, in the Tariff Order 2017, DPOs have been mandated to offer at least one bouquet, referred to as basic service tier, of one hundred free-to-air channels as one of the options to its subscribers. The Cable TV Network (Regulation) Act, 1995 has following provisions relating to offering of basic service tier by DPOs:

“(3) If the Central Government is satisfied that it is necessary in the public interest so to do, and if not otherwise specified by the Authority, it may direct the Authority to specify, by notification in the Official Gazette, one or more free-to-air channels to be included in the package of channels forming basic service tier and any one or more such channels may be specified, in the notification, genre-wise for providing a programme mix of entertainment, information, education and such other programmes and fix the tariff for basic service tier which shall be offered by the cable operators to the consumers and the consumer shall have the option to subscribe to any such tier:

Provided that the cable operator shall also offer the channels in the basic service tier on a la carte basis to the subscriber at a tariff specified under this subsection.

(4) The Central Government or the Authority may specify in the notification referred to in sub-section (3) , the number of free-to-air channels to be included in the package of channels forming basic service tier for the purposes of that sub-section and different numbers may be specified for different States, cities, towns or areas, as the case may be.”

84. This tariff order empowers consumers to choose any 200 channels i.e. pay or FTA channels or bouquet(s) of pay channels or bouquet(s) of pay channels or any combination of their choice apart from mandatory channels of government, there is no need to continue with a bouquet of basic service tier which requires DPOs to offer a bouquet of 100 FTA channels of different genres. This will also address the concerns of some small broadcasters who have informed the Authority that some DPOs are making a bouquet of BST of their preferred channels denying them a level playing field. The Tariff order reflects these changes. As such there will be no package called BST bouquet giving wrong impression as if such bouquet has to be mandatorily provided to all the subscribers.

F. NCF for multi TV home

85. During the implementation of new framework, the Authority received several representations from the subscribers of Cable TV and DTH services seeking clarifications regarding tariff for multiple TV connections in a home. In the present framework, there are no explicit provisions regarding multiple TV connections in a home. Accordingly, in the consultation paper, comments of stakeholder were invited on the following issues:

- Regulatory provisions for enabling discount on NCF and DRP for multiple TV connections in a home.
- The need to fix a cap on NCF for 2nd and subsequent TV connections in a multi-TV home scenario and if yes, the amount of cap.
- Need to allow broadcasters to offer different MRP for a multi-TV home connection.
- Need to mandate DPOs to provide choice of channels for each TV separately in a Multi TV home.

86. In response, most of the DPOs are in favour of enabling regulatory provisions for offer of discount on NCF and DRP to a subscriber having multiple TVs in a home. On the other hand, most of the broadcasters and some DPOs are of the opinion that present regulatory provisions prescribe only a ceiling on NCF and DRP and DPOs are free to offer discount. Some DPOs are of the view that regulatory provisions should not be

enabled for mandatory discount on NCF and DRP to a subscriber having multiple TVs in a home. One DTH provider mentioned that it may not be possible to provide discount by DTH service provider on NCF and DRP to a subscriber having multiple TVs in a home as the incremental cost of providing a second TV connection onwards in a given home is same as that for providing the first TV connection.

87. Several stakeholders including broadcasters and DPOs are not in favour of prescribing any cap on the NCF for 2nd and subsequent TV connections in a multi TV home and these are briefly summarised below:
- (i) NCF is a Carriage related fee as per the Tariff Order, and continue to be determined by the distributor
 - (ii) Existing regulations already provide flexibility to the DPOs to fix NCF and DRP and it should be left to the DPOs to offer discount for 2nd TV connection onwards in a multi TV home based on their business requirement and ground situation.
 - (iii) Freedom to offer discounts on NCF and DRP should be allowed to DPOs provided that such discounts do not directly / indirectly result in broadcasters being compelled to give discount on MRP of their channels / bouquets.
 - (iv) The new regulatory framework is still in its infancy and some more settling down time is required.
 - (v) Regulating NCF for Multi-TV homes will be an isolated exercise and will not be a holistic decision and would end up further hurting the sustainability and revenues of the DPOs. Moreover, it will not be economically viable for the DPOs to provide the service of Multi TV
88. Some stakeholders suggested that any cap on NCF should be guided by the number of TV connections in a home. More the number of TV connections, higher the discount on NCF on subsequent connections. One stakeholder suggested that for multi TV home discount of 50% on NCF should be offered when STB is under same consumer id as there is no additional cost to carry the signals or collect the charges from same home. Another stakeholder suggested that the discount percentage should be standardized across all DPOs to ensure consistency of service charges.
89. One stakeholder is of the view that provision of discount for a multi TV home is prone to misuse as often owner and tenant of the building can misrepresent themselves as one

subscriber just to avail the discount. Another stakeholder suggested that DPOs should be restricted from arbitrarily charging the full NCF from one household having multiple connections and charging discounted NCF from another household.

90. Most of the broadcasters and few DPOs are not in favour of provision of different MRPs for multi TV homes. Some of them mentioned that it is not an economically sound practice to have multiple MRPs for the same product. According to them any such provision will take the new framework back to the analogue era where DPOs would never reveal the true numbers. They further suggested that unless the issue pertaining to verifiable identification of multi-TV home connections is not addressed, the issue of offering different MRP in respect of multi-TV connection homes should be kept in abeyance.
91. Some stakeholders mentioned that in case broadcasters are permitted to offer different MRP for multi TV homes, it should be ensured that broadcasters don't use this provision to differentiate the pricing and discount to DPOs.
92. Some stakeholders mentioned that broadcasters should be allowed to offer different MRP for multi TV homes in addition to the discount of 15% prescribed in existing provisions. According to them, offering of discounts by the broadcasters for the multi-TV connections has been an industry practice and technical feasibility of operationalizing such discounts should be left to mutual negotiation. Some stakeholders suggested that in order to address the concerns of broadcasters DPOs should declare the multi TV connectivity in the monthly subscriber report to the broadcasters so that the same can be verified by the auditors at the time of audit.
93. Most stakeholders including broadcasters and DPOs are in favor of provision of different set of channels for different connection in a multi TV home. Some stakeholders mentioned that in the light of addressability, each STB is considered as a separate connection and is technically capable of receiving a different set of channels meaning thereby that each STB can be configured as per individual consumers choices.
94. A few stakeholders mentioned that in multi TV home viewers of each of the TV set have different choice of channels and therefore each multi TV connection should also be

considered as a separate and distinct additional subscriber for reporting in the Monthly Subscriber Report by the DPO.

95. Some stakeholders suggested that it should be left to the market forces / discretion / prerogative of DPOs whereas some other stakeholders are of the view that it should be mandated keeping in view the overall objective of effective consumer choice.
96. Earlier the Authority had constituted a committee of stakeholders to discuss the issue of discount on NCF for multiple TV connections in a household. The committee was of unanimous opinion that there is no harm in providing some discount on NCF for multi TV homes. Some DTH operators are already offering discount in NCF for 2ndTV onwards in multi TV homes. MSOs had also showed their willingness to offer discount on NCF for 2ndTV connection onwards in a multi TV home.
97. Existing provisions provides that every DPO shall declare network capacity fee, per month, payable by a subscriber for availing a distribution network capacity so as to receive the signals of television channels and “subscriber” means a person who receives broadcasting services relating to television from a distributor of television channels, 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 the subscribed broadcasting services relating to television, shall constitute one subscriber. Relevant clause of the Tariff Order 2017 and definition of the subscriber are as follows:

“4. Declaration of network capacity fee and manner of offering of channels by distributors of television channels. --- (1) Every distributor of television channels shall declare network capacity fee, per month, payable by a subscriber for availing a distribution network capacity so as to receive the signals of television channels:

Provided that the network capacity fee, per month, for network capacity upto initial one hundred SD channels, shall, in no case, exceed rupees one hundred and thirty, excluding taxes:”

“subscriber” for the purpose of this Order, means a person who receives broadcasting services relating to television from a distributor of television channels, at a place indicated by such person without further transmitting it to any other person and who does not cause the signals of television channels to be heard or seen by any person for a specific sum of money to be paid by such person, and each set top box located at such place, for receiving the subscribed broadcasting services relating to television, shall constitute one subscriber;”

98. The Authority has noted that in case of a multi TV home, a person receives broadcasting services relating to television from a DPO, at a place (home) indicated by such person without further transmitting it to any other person. It is obvious that the channels are watched by one family only and they have installed multiple TVs and set top box in the house for convenience purpose only. In short, the cable /DTH services to a house is basically meant for family viewing or family product. Therefore, it would not be appropriate that a consumer is paying NCF of Rs. 130/- for every TV connection in a house specially when he has already paid STB price separately for each TV connection. Generally, one bill is generated for one multi TV home. The Authority also analyzed the cost structure and found that certain cost such as marketing, advertisement cost etc. cannot be attributed separately for each TV connection in a house. The cost which can be directly attributed to the second TV connection and onwards is not more than 40% of the cost incurred by a DPO for primary connection.
99. After careful consideration of all aspects relating to the issue and the views expressed by the stakeholders, the Authority has decided that DPOs shall not charge more than 40% of declared NCF for first TV connection, per additional TV for 2nd TV connection and onwards in a multi TV home. Suitable provision to this effect has been incorporated in the Tariff Order.
100. The Authority noted the comments regarding likely misuse of mandatory provision for discount on NCF in case of a multi TV home and is of the view that a clear definition of multi-TV home will help in preventing such misuse. The Authority noted that in a multi-TV home, TV connections are provided in different rooms/places in a household as an extension of the first/primary TV connection and therefore all such connections in a multi TV home should be provided in the name of a single person under single ID and a single bill should be generated for all such multiple connections in a home. Therefore, the Authority decided to define a multi-TV home as a household having more than one TV connections in the name of a single person. DPOs may be well within their rights to satisfy themselves before treating any connection as a multi-TV home connection. DPOs may also ask such subscribers to furnish relevant documents before offering any discount on multi TV homes.

101. The Authority has noted that in a multi TV home there are family members who are in of different age groups e.g. grandparents, parents, kids. Each age group has different viewing preferences. In such a scenario, same package, with large number of channels, may not be required for all the TV connections in a home. Different set of channels, can be subscribed for each connection according to the viewing preference of grandparents, parents, kids etc. This may reduce overall TV viewing cost of the multi TV homes. Accordingly, DPOs should allow multi TV home subscriber to choose different set of channels for each TV connection.

G. Discount on long term subscriptions

102. As per provisions of Tariff Order 2017, DPOs are required to declare NCF and DRPs of channels and bouquet of channels on monthly basis. There are no explicit provisions for long duration subscriptions and discount thereon in the new regulatory framework. A number of DPOs represented to TRAI that they want to offer long term subscriptions and as subscribers pay amount of subscription in advance, they would like to offer discount to such subscribers. Accordingly, in the consultation paper, comments of stakeholders were solicited on the following issues:

- definition of long term subscription
- need to allow DPO to offer discounts on NCF and DRP for long term subscriptions
- prescribing a cap on discount on long term subscriptions
- Allowing broadcasters to offer discount on MRP for long term subscriptions

103. On the issue of definition of long term subscription, stakeholders have proposed different durations, varying from minimum 3 months to 1 year to be considered as long term subscription. Some stakeholders suggested that any subscription duration of one year should be considered as long term subscription since the interconnect agreement between DPOs and broadcasters is for a one year period.

104. On the issue of discount on long term subscriptions some stakeholders mentioned that existing framework only prescribes a ceiling on NCF and DPOs are free to provide discount on NCF to consumers according to their business plan. They further suggested that the DPOs should be given flexibility to give discount on DRP, however, there should

not be any cap on discounts on DRP. Some stakeholders suggested that the DPOs as well as the broadcasters should be permitted to offer discounts as they may deem fit for long term subscriptions.

105. Some stakeholders are in favour of prescribing a cap on the discount for long term subscriptions. Some of them suggested a maximum discount of 12% while some other stakeholders suggested a cap of 15% on discount. One stakeholder suggested that the discount should be on whole package but may be capped to 2 months for a year. Another stakeholder suggested that discounts on long term subscriptions should be limited to one month free for annual pack and on pro-rated basis for packs of lesser duration.
106. One stakeholder suggested that it should be left to the discretion / prerogative of DPOs, provided that such discounts, do not directly / indirectly result in broadcasters being compelled to give discount in MRP of their channels / bouquets.
107. Some stakeholders including broadcasters and DPOs mentioned that subscribers are identified by active set top boxes and the possibilities of manipulations cannot be ruled out. They further mentioned that consumer's choice is always subject to change on month to month basis. Accordingly, they are of the view that allowing DPOs to offer discounts on long term subscription cannot be a possible option.
108. Some broadcasters mentioned that they may give discount on MRP for long term subscribers only if the DPOs duly report such subscribers and make the payment for these subscribers in advance. Some of them also mentioned that discounts for long term subscribers should be permitted only on a voluntary basis by broadcasters provided that broadcasters and DPOs are able to agree to additional stipulations for verification process of such plans. Some DPOs suggested that broadcasters should be allowed to offer discounts for long term subscription in coordination with the DPOs and this discount should be outside the 15% cap that is already prescribed.
109. Some stakeholders including broadcasters and DPOs mentioned that broadcasters should not be permitted to offer additional discount on long term subscriptions as it may encourage DPOs to force such subscriptions on their subscribers and discriminate against subscribers who have opted for a monthly subscription. According to some other stakeholders offering of discount on MRP for long term subscriptions by broadcasters

may give rise to disputes between broadcasters and DPOs regarding details of subscribers who are under such subscriptions and may also lead to issue with regard to invoicing by broadcasters.

110. In case of long term subscription, a subscriber pays the applicable NCF and DRP in advance for entire duration of subscription and expects discount on NCF and DRP. Earlier, a committee of stakeholders was also formed by the Authority to discuss the issue of discount on NCF and DRP for long term subscription. Members of the committee were of the view that there is no harm in providing reasonable discount for long term subscriptions. NCF is entirely in the domain of DPOs. Hence, they should be given complete freedom to offer discount on the NCF part in the long term subscriptions. However, unreasonable discount on the DRP may distort the market or some unfair practices may start in the market. Therefore, the committee was of the view that there should be a reasonable cap on the discount on DRP of channels and bouquet of channels for long term subscriptions.
111. The Authority also noted the comments of the stakeholders who have supported discount on long term subscriptions by the broadcasters. However, it is very important to note that in case of long term subscription, a subscriber pays the subscription amount in advance and therefore it makes sense to allow DPOs to extend some discount to such subscribers. However, payment settlement between a DPO and a broadcaster is done on the basis of interconnection agreement entered between them and therefore it does not make any difference to broadcaster that a subscriber is on long term subscription or on monthly subscription.
112. On the issue of minimum duration, which can be considered for long term subscription, the Authority noted that a very short period may be misused by the service providers by giving heavy discount on long term subscription, which in turn, may compromise the sanctity of monthly DRP and NCF. On the other hand, making this duration very long will not attract many subscribers and the very purpose of offering long term subscription will be defeated. Accordingly, the Authority, after considering the comments of stakeholders, has decided that any plan with a minimum duration of six months shall be treated as a long term subscription. DPOs can provide discount on NCF and DRPs for long term subscriptions and quantum of discounts are left to the DPOs subject to the

conditions that the discount offered on NCF and DRPs on a long term subscription should be filed with the Authority from time to time.

H. Promotional schemes by DPOs

113. The Tariff Order 2017 permit broadcasters to offer promotional scheme on MRPs of their a-la-carte channels. But there is no provision for DPOs to offer similar promotional schemes. During the discussions, DPOs requested that Authority would consider permitting DPOs to offer promotional schemes as such schemes may enable DPOs to attract customers in a new market. Accordingly, in the consultation paper comments of stakeholders were sought on whether DPOs should also be permitted to offer promotional schemes and if so, suggest the maximum time period and frequency of such schemes.
114. In response, opinion has been divided on the issue of allowing DPOs to offer promotional schemes. The supporting and opposing views expressed by stakeholders are summarized below:
- (i) Promotional offers by DPOs will create further confusion among the consumers.
 - (ii) The manner of marketing, promotion, advertising and in general micro-managing the way DPOs run their businesses must be kept outside regulations.
 - (iii) allowing DPOs to provide promotional schemes on NCF would hamper its ability to augment and upgrade its systems in line with the demand of subscribers and broadcasters.
 - (iv) Provisioning of promotional offers should be left to the discretion/prerogative of DPOs, as within these prescribed limits as per existing regulations, the DPOs are free to charge NCF/DRP as per their schemes. Such schemes do not directly/indirectly result in broadcasters being compelled to give discount in MRP of their channels/bouquets.
 - (v) the concept of promotional schemes is a very common phenomenon in almost all the industries and generally correspond with important events, festivals or as a sales driver.
 - (vi) promotional schemes should have the flexibility to permit innovative segmentation, e.g. District-wise segmentation; City -wise; Area wise, DAS area wise segmentation, Acquisition segmentation, Recharge based segmentation, Age or

Network based segmentation, Multi TV based segmentation, ARPU based segmentation, Pack-wise segmentation.

(vii) there should be no regulations on the level of discounting or the types of promotional schemes that can be offered by DPOs as this simply impacts the customers adversely.

115. On the duration of promotional offers some stakeholders are of the view that it should be in parity with what is being allowed to a broadcaster with regards to promotional schemes. Some stakeholders suggested that DPOs should be allowed to offer promotional offers maximum 2 times in a calendar year and for a period not exceeding 30 days at a time.

116. Some stakeholders suggested that DPOs should be allowed to offer promotional schemes as per their business requirements. However, it can be mandated that such schemes shall be on transparent and non-discriminatory basis.

117. The Authority, after duly considering the comments of stakeholders and keeping in view the interests the consumers and in order to provide a level playing field to DPOs vis a vis broadcasters has decided that DPOs should also be allowed to offer promotional schemes. The duration of any such scheme shall not be more than ninety days at a time and such scheme shall not be offered by a DPO more than two times in a calendar year. However, DPOs shall communicate to TRAI as well as to their subscribers, details of all such promotional schemes offered by them along with distributor retail price and duration of such schemes, at least seven days prior to date of launch of such schemes.

I. Flexibility in offering NCF

118. The present tariff order does not permit DPOs to offer different NCFs in the different geographical regions. During interactions DPOs requested the Authority to allow them to charge different NCF on the basis of regions. Accordingly, in the consultation paper comments of stakeholders were invited on whether DPOs should be allowed to have variable NCF for different regions and if so, the criteria for categorisation of regions for the purpose of NCF.

119. In response, some stakeholders were not in favor of allowing DPOs to offer variable NCF for different regions. They are of the opinion that DPOs are free to structure their business

at their convenience within the ceiling prescribed in the current regulations. However, any micro-management of flexibility in offering NCF defeats the intent of the regime of uniform pricing. It will result in different prices in different markets and will only cause more extortion from consumers. Some stakeholders are of the view that the cost of carrying of channels in all locations is same hence variable NCF for different locations should not be allowed to DPOs. A few stakeholders are of the view that offering of variable NCF for different regions by DPOs will adversely impact LCOs and DPOs ability to stay in the industry with serious feasibility issues.

120. Some stakeholders were of the opinion that DPOs should be allowed to offer variable NCF for different regions. Some of these stakeholders suggested that the criteria for categorization of regions for the purpose of NCF may be based on population of various cities/towns/villages which are being served by a DPO along with criteria like urban, rural, plains or hilly terrains. Some stakeholders suggested that the variants of NCF can be designed based on many criteria's including but not limited to regions, ARPU, category of customers, DAS area wise or any other category. Such category /classification can be formulated by the DPOs based on the needs of the customers.
121. Few stakeholders suggested that NCF and its composition should be left entirely to the discretion of DPOs and the local LCOs who are best placed to understand choice and requirements of their consumers and will accordingly formulate their NCF composition.
122. One stakeholder suggested that the target market should be the criteria for having variable NCF. Another stakeholder suggested that the regions may be classified as urban, sub-urban and rural. It was also suggested that for urban areas NCF for 100 channels may be fixed at Rs. 130/-, for sub-urban areas it should be Rs. 150/- and Rs. 170/- for rural consumers. One stakeholder has suggested that NCF for 100 channels should be limited to 150/- in metros and 130/- in rest of India.
123. The Authority analyzed the comments of the stakeholders and is of the view that DPOs should be given flexibility of declaring varying NCF for different regions/areas. The Authority also noted that offering of different NCF for different markets will not distort the whole scheme if it is offered in non-discriminatory manner to all the subscribers. Accordingly, the Authority has decided that the DPOs should be permitted to declare different NCF for different regions/areas, such as State, district, town within its service

area. However, NCF for each region/areas shall be reported to the Authority from time to time.

124. The Authority noted that it is clearly mentioned in the para 81 of the EM of Tariff Order 2017 that the NCF will be agnostic to the type of the channel carried over the network and it cannot vary based on the channels subscribed by a subscriber. The Authority reiterates that NCF should be agnostic to the type of the channels carried over the network. Giving flexibility of offering different NCF based on channel/bouquet chosen will compromise the basic principle of new regulatory framework. Therefore, DPOs are not allowed to vary NCF on the basis of channels/bouquets selected by the subscribers.

J. Placement of channels in EPG

125. The issue of placement of channels in EPG was also part of the instant consultation paper. Stakeholders have provided their comments/ counter-comments on this issue as well. However, this matter is covered by the Interconnection Regulations 2017 and the QoS Regulations 2017 and decision of the Authority on this issue will be conveyed separately through the amendments to the respective regulations.

K. Other issues

126. In October 2019 some broadcasters offered promotional schemes reducing MRP of some a-la-carte channels as per provisions of Tariff Order 2017. However, some DPOs represented to TRAI that broadcasters did not give any intimation to them regarding reduction in MRP of some a-la-carte channels under promotional schemes. It was also intimated by DPOs that they got information about promotional schemes offered by broadcasters only through media reports and as a result they could not pass on the benefits of promotional schemes to their subscribers from the date of declaration of promotional offers. Accordingly, the Authority has decided that broadcasters shall report to TRAI as well as to all the DPOs, with whom they have entered into interconnection agreements, details of all the promotional schemes offered by them along with respective MRP and duration of such schemes at least fifteen days prior to date of launch of such schemes.

L. Summary

127. With the notification of this Tariff Order, the consultation process initiated on 16th August 2019 stands concluded. The new regulatory framework has been in place for almost one year. The Authority believes in providing a stable and consistent regulatory framework while allowing fair play of market forces for the benefit of all stakeholders. Therefore, the initiation of this consultation process was perceived as an unusual step by stakeholders who are familiar with the functioning of the Authority. Some of the stakeholders have even expressed their reservation and called it a premature exercise that is likely to have adverse consequences on the Sector. The Authority had made it clear that the consultation process is in no way intended to disrupt or destabilize the existing framework but has been initiated to sort out certain issues that were brought out to its notice by the stakeholders. These issues were of urgent nature, affecting consumers at large, the most vulnerable set of stakeholders. Ignoring the interests of consumers is not in the interest of the Industry as well.
128. As may be seen from the amendments carried out through this tariff order, the consultation process has left the basic contours of the new regime untouched and the Broadcasters/DPOs will continue to enjoy the flexibility in carrying out their businesses. The outcome of this exercise has been limited to certain consumer friendly measures, required to ensure that the objectives of the existing framework are fulfilled. A quick summary of these new measures mandated by the Authority are summarized below:
- (i) Provision of a time tested and industry accepted method to ensure that there is a reasonable relationship between the a-la-carte prices of pay channels and bouquet prices, declared by broadcasters. While forming the bouquets, the broadcasters have to comply with the following twin conditions:
 - (a) the sum of the a-la-carte rates of the pay channels (MRP) forming part of a bouquet shall in no case exceed one and half times the rate of the bouquet of which such pay channels are a part; and
 - (b) the a-la-carte rates of each pay channel (MRP), forming part of a bouquet, shall in no case exceed three times the average rate of a pay channel of the bouquet of which such pay channel is a part.

- (ii) MRP of a channel should not be more than the MRP of any bouquet containing that channel in order to bring further reasonableness in the bouquet formation and pricing
- (iii) Reduction of ceiling price of pay channel for inclusion in bouquet from Rs. 19/- to Rs. 12/- so as ensure fair packaging of bouquets, without altering the flexibility of broadcasters to price their channels.
- (iv) Reasonable restrictions on number of bouquets offered by broadcasters - Number of bouquets of pay channels not to be more than number of pay channels offered by a broadcaster.
- (v) Increasing the number of SD channels that can be provided within the NCF of Rs. 130/- per month from 100 to 200 and capping the NCF for more than 200 SD channels at Rs. 160/- per month.
- (vi) Flexibility to DPOs to declare different NCFs for different geographical regions/areas within its service area
- (vii) Flexibility to DPOs to offer promotional schemes at par with Broadcasters.
- (viii) Flexibility to DPOs to offer discounts on NCF and Distributor Retail Prices (DRP) on long term subscriptions with duration of 6 months and above.
- (ix) Provision of discounts on NCFs for multi TV homes. DPOs shall not charge more than 40% of declared NCF per additional TV for 2nd TV connection and onwards in a multi TV home.
- (x) DPOs should allow multi TV home subscriber to choose different set of channels for each TV connection.

Annexure I

Bouquet price less than or equal to a channel price within the bouquet

| Bennett, Coleman & Company Limited (Times Network) | | | | | |
|---|------------------|-------------------------|------------|--------------|--------------|
| 5 | BOUQUET-5 | 1 | Movies Now | 10.00 | 10.00 |
| | | 2 | Romedy Now | 6.00 | |
| | | 3 | MNX | 6.00 | |
| | | Total Sum of MRP | | 22.00 | |

| Turner International Pvt Ltd. | | | | | |
|--------------------------------------|---------------------------|-------------------------|----------------------------|---|--|
| S. No. | Bouquet Name | S.NO. | Channels in Bouquet | A la Carte MRP of Channel (in Rs.) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | Turner Kids Pack | 1 | Cartoon Network | 4.25 | 4.25 |
| | | 2 | POGO | 4.25 | |
| | | Total Sum of MRP | | 8.50 | |
| 2 | Turner Family Pack | 1 | Cartoon Network | 4.25 | 10.00 |
| | | 2 | CNN International | 0.50 | |
| | | 3 | HBO | 10.00 | |
| | | 4 | POGO | 4.25 | |
| | | 5 | WB | 1.00 | |
| | | Total Sum of MRP | | 20.00 | |

| Sony Pictures Networks India Private Limited | | | | | |
|---|-----------------------------|-------------------------|----------------------------|--|--|
| S.No | Bouquet Name | S.NO. | Channels in Bouquet | A-la-carte MRP of Channel (in Rs) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | Happy India South 19 | 1 | Sony YAY! | 2.00 | 19.00 |
| | | 2 | SONY BBC EARTH | 4.00 | |
| | | 3 | SIX | 15.00 | |
| | | 4 | Ten 1 | 19.00 | |
| | | Total Sum of MRP | | 40.00 | |

| Mavis Satcom Limited | | | | | |
|-----------------------------|---------------------|--------------|----------------------------|---|--|
| S. No. | Bouquet Name | S.No. | Channels in Bouquet | A la Carte MRP of Channel (in Rs.) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | Bouquet | 1 | Jaya TV HD | 6.00 | 6.00 |
| | | 2 | Jaya Plus | 0.50 | |
| | | 3 | Jaya Max | 2.25 | |
| | | 4 | J Movies | 2.25 | |
| | | | Total Sum of MRP | 11.00 | |

| New Delhi Television Limited (NDTV) | | | | | |
|--|---------------------|--------------|----------------------------|---|--|
| S. No. | Bouquet Name | S.No. | Channels in Bouquet | A la Carte MRP of Channel (in Rs.) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | NDTV North INFO | 1 | NDTV 24*7 | 3.00 | 3.00 |
| | | 2 | NDTV India | 1.00 | |
| | | 3 | NDTV Profit | 1.00 | |
| | | | Total Sum of MRP | 5.00 | |
| 2 | NDTV SOUTH INFO | 1 | NDTV 24*7 | 3.00 | 2.50 |
| | | 2 | NDTV Profit | 1.00 | |
| | | | Total Sum of MRP | 4.00 | |
| 3 | NDTV SOUTH LIFE | 1 | NDTV 24*7 | 3.00 | 2.75 |
| | | 2 | Good Times | 1.50 | |
| | | | Total Sum of MRP | 4.50 | |

| TV Today Network Ltd. | | | | | |
|-----------------------|-----------------------|-------|-------------------------|--|---|
| S. No. | Bouquet Name | S.No. | Channels in Bouquet | A la Carte MRP of Channel (in Rs.) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | Hindi News Bouquet | 1 | Aaj Tak | 0.75 | 0.50 |
| | | 2 | Aaj Tak Tez | 0.25 | |
| | | | Total Sum of MRP | 1.00 | |
| 2 | TVTN News Bouquet | 1 | Aaj Tak | 0.75 | 1.00 |
| | | 2 | Aaj Tak Tez | 0.25 | |
| | | 3 | India Today | 1.00 | |
| | | | Total Sum of MRP | 2.00 | |
| 3 | Hindi News HD Bouquet | 1 | AAJ Tak HD | 1.50 | 1.00 |
| | | 2 | Aaj Tak Tez | 0.25 | |
| | | | Total Sum of MRP | 1.75 | |
| 4 | TVTN News HD Bouquet | 1 | AAJ Tak HD | 1.50 | 1.50 |
| | | 2 | Aaj Tak Tez | 0.25 | |
| | | 3 | India Today | 1.00 | |
| | | | Total Sum of MRP | 2.75 | |

| STAR India Private Limited | | | | | |
|----------------------------|----------------|-------|---------------------|---|---|
| S.No | Bouquet Name | S.No. | Channels in Bouquet | A-la-carte MRP of Channel (in Rs) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | SVP Lite Hindi | 1 | Star Bharat | 10.00 | 9.00 |
| | | 2 | Star Utsav | 1.00 | |
| | | 3 | Movies OK | 1.00 | |
| | | 4 | Star Sports First | 0.10 | |

| | | | | |
|--|--|--|-------------------------|--------------|
| | | | Total Sum of MRP | 12.10 |
|--|--|--|-------------------------|--------------|

| Zee Entertainment Enterprises Limited | | | | | |
|--|----------------------------------|--------------|----------------------------|--|--|
| S.No | Bouquet Name | S.NO. | Channels in Bouquet | A-la-carte MRP of Channel (in Rs) (excluding taxes) | MRP of Bouquet (in Rs.) (excluding taxes) |
| 1 | Zee Prime pack English SD | 1 | Living foodz | 1.00 | 15.00 |
| | | 2 | Zee Café | 15.00 | |
| | | 3 | &flix | 15.00 | |
| | | 4 | WION | 1.00 | |
| | | | Total Sum of MRP | 32.00 | |
| 2 | Zee Prime Pack Tamil SD | 1 | Zee Action | 1.00 | 10.00 |
| | | 2 | Zee News | 0.10 | |
| | | 3 | Zee Hindustan | 0.10 | |
| | | 4 | Living Foodz | 1.00 | |
| | | 5 | Zee ETC | 0.10 | |
| | | 6 | WION | 1.00 | |
| | | 7 | Zee Tamil | 10.00 | |
| | | 8 | Zee Keralam | 0.10 | |
| | | 9 | Zee Salaam | 0.10 | |
| | | | Total Sum of MRP | 13.50 | |

Annexure II

Comparison of Prices of channels declared by broadcasters in Old framework and New framework

| S.No | Name of the channel | Genre | Wholesale rates as per Old Regulatory Framework (in Rs) (A) | Normalised equivalent wholesale prices (B = A*1.25) | MRP as per New Regulatory Framework (in Rs) (C) | % change | Declared as SD or HD |
|------|----------------------------------|------------|---|---|---|----------|----------------------|
| 1 | Prarthana | Devotional | 2.10 | 2.63 | 2.00 | -23.81 | SD |
| 2 | Asianet | GEC | 5.23 | 6.54 | 19.00 | 190.63 | SD |
| 3 | Asianet HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 4 | Star Suvarna | GEC | 5.04 | 6.30 | 19.00 | 201.59 | SD |
| 5 | Star Suvarna HD | GEC | 25 | 31.25 | 19.00 | -39.20 | HD |
| 6 | Vijay HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 7 | ETV HD | GEC | 40.00 | 50.00 | 19.00 | -62.00 | HD |
| 8 | ZEE Sarthak | GEC | 3.99 | 4.99 | 19.00 | 280.95 | SD |
| 9 | SAB | GEC | 6.17 | 7.71 | 19.00 | 146.35 | SD |
| 10 | SAB HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 11 | SET HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 12 | SONY Entertainment Channel (SET) | GEC | 8.99 | 11.24 | 19.00 | 69.08 | SD |
| 13 | MAA HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 14 | MAA TV | GEC | 5.25 | 6.56 | 19.00 | 189.52 | SD |
| 15 | Star Bharat HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 16 | Star Jalsha | GEC | 5.04 | 6.30 | 19.00 | 201.59 | SD |
| 17 | Star Jalsha HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 18 | Star Plus | GEC | 7.87 | 9.84 | 19.00 | 93.14 | SD |
| 19 | Star Plus HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 20 | Gemini TV | GEC | 4.63 | 5.79 | 19.00 | 228.29 | SD |
| 21 | Gemini TV HD | GEC | 40.00 | 50.00 | 19.00 | -62.00 | HD |
| 22 | SUN TV | GEC | 5.25 | 6.56 | 19.00 | 189.52 | SD |
| 23 | Sun TV HD | GEC | 40.00 | 50.00 | 19.00 | -62.00 | HD |
| 24 | Surya TV HD | GEC | 20.00 | 25.00 | 19.00 | -24.00 | HD |
| 25 | Udaya TV HD | GEC | 20.00 | 25.00 | 19.00 | -24.00 | HD |
| 26 | Colors | GEC | 8.99 | 11.24 | 19.00 | 69.08 | SD |
| 27 | Colors HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 28 | Colors Kannada | GEC | 4.67 | 5.84 | 19.00 | 225.48 | SD |
| 29 | Colors Kannada HD | GEC | 25.00 | 31.25 | 19.00 | -39.20 | HD |

| | | | | | | | |
|----|----------------------|-----|-------|-------|-------|--------|----|
| 30 | & TV HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 31 | Zee Bangla | GEC | 3.64 | 4.55 | 19.00 | 317.58 | SD |
| 32 | Zee Bangla HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 33 | Zee Café HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 34 | Zee Kannada | GEC | 3.35 | 4.19 | 19.00 | 353.73 | SD |
| 35 | Zee Kannada HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 36 | Zee Marathi | GEC | 3.60 | 4.50 | 19.00 | 322.22 | SD |
| 37 | Zee Marathi HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 38 | Zee Tamil HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 39 | Zee Telugu | GEC | 4.67 | 5.84 | 19.00 | 225.48 | SD |
| 40 | Zee Telugu HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 41 | Zee TV | GEC | 5.83 | 7.29 | 19.00 | 160.72 | SD |
| 42 | Zee TV HD | GEC | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 43 | Vijay TV | GEC | 1.80 | 2.25 | 17.00 | 655.56 | SD |
| 44 | ETV | GEC | 4.49 | 5.61 | 17.00 | 202.90 | SD |
| 45 | Udaya TV | GEC | 5.17 | 6.46 | 17.00 | 163.06 | SD |
| 46 | Colors Marathi HD | GEC | 25.00 | 31.25 | 17.00 | -45.60 | HD |
| 47 | Star Pravah HD | GEC | 25.00 | 31.25 | 15.00 | -52.00 | HD |
| 48 | Zee Café | GEC | 3.60 | 4.50 | 15.00 | 233.33 | SD |
| 49 | Colors Bangla HD | GEC | 25.00 | 31.25 | 14.00 | -55.20 | HD |
| 50 | Disney International | GEC | 25.00 | 31.25 | 12.00 | -61.60 | HD |
| 51 | Surya TV | GEC | 5.17 | 6.46 | 12.00 | 85.69 | SD |
| 52 | & TV | GEC | 9.02 | 11.28 | 12.00 | 6.43 | SD |
| 53 | Zee Tamil | GEC | 5.25 | 6.56 | 12.00 | 82.86 | SD |
| 54 | Tarang | GEC | 4.49 | 5.61 | 10.00 | 78.17 | SD |
| 55 | Star Bharat | GEC | 9.21 | 11.51 | 10.00 | -13.14 | SD |
| 56 | Colors Marathi | GEC | 4.67 | 5.84 | 10.00 | 71.31 | SD |
| 57 | Star Pravah | GEC | 5.04 | 6.30 | 9.00 | 42.86 | SD |
| 58 | Star World HD | GEC | 20.00 | 25.00 | 9.00 | -64.00 | HD |
| 59 | Star World Premiere | GEC | 25.00 | 31.25 | 9.00 | -71.20 | HD |
| 60 | SUN Life | GEC | 5.25 | 6.56 | 9.00 | 37.14 | SD |
| 61 | Colors Infinity HD | GEC | 25.00 | 31.25 | 9.00 | -71.20 | HD |
| 62 | Comedy Central (HD) | GEC | 20.00 | 25.00 | 9.00 | -64.00 | HD |
| 63 | Star World | GEC | 2.05 | 2.56 | 8.00 | 212.20 | SD |
| 64 | ETV Plus | GEC | 4.67 | 5.84 | 7.00 | 19.91 | SD |
| 65 | AXN HD | GEC | 25.00 | 31.25 | 7.00 | -77.60 | HD |
| 66 | Colors Bangla | GEC | 4.67 | 5.84 | 7.00 | 19.91 | SD |
| 67 | Colors Tamil HD | GEC | 25 | 31.25 | 7.00 | -77.60 | HD |
| 68 | Jaya TV HD | GEC | 40.00 | 50.00 | 6.00 | -88.00 | HD |
| 69 | Colors Oriya | GEC | 4.67 | 5.84 | 6.00 | 2.78 | SD |

| | | | | | | | |
|-----|---------------------------|--------------|-------|-------|-------|--------|----|
| 70 | Asianet Plus | GEC | 2.94 | 3.68 | 5.00 | 36.05 | SD |
| 71 | AXN | GEC | 6.52 | 8.15 | 5.00 | -38.65 | SD |
| 72 | Gemini Life | GEC | 4.67 | 5.84 | 5.00 | -14.35 | SD |
| 73 | Colors Gujarati | GEC | 4.67 | 5.84 | 5.00 | -14.35 | SD |
| 74 | Colors Infinity | GEC | 6.52 | 8.15 | 5.00 | -38.65 | SD |
| 75 | Comedy Central | GEC | 6.51 | 8.14 | 5.00 | -38.56 | SD |
| 76 | AATH | GEC | 4.20 | 5.25 | 4.00 | -23.81 | SD |
| 77 | Raj TV | GEC | 4.62 | 5.78 | 3.00 | -48.05 | SD |
| 78 | Mega TV | GEC | 2.10 | 2.63 | 3.00 | 14.29 | SD |
| 79 | Colors Super | GEC | 5.00 | 6.25 | 3.00 | -52.00 | SD |
| 80 | Colors Tamil | GEC | 5.25 | 6.56 | 3.00 | -54.29 | SD |
| 81 | Vijay Super | GEC | 5.25 | 6.56 | 2.00 | -69.52 | SD |
| 82 | Discovery Jeet HD | GEC | 30.00 | 37.50 | 2.00 | -94.67 | HD |
| 83 | ETV Abhiruchi | GEC | 4.67 | 5.84 | 2.00 | -65.74 | SD |
| 84 | Discovery Jeet | GEC | 8.98 | 11.23 | 1.00 | -91.09 | SD |
| 85 | ETV Life | GEC | 4.20 | 5.25 | 1.00 | -80.95 | SD |
| 86 | UTV Bindass | GEC | 4.20 | 5.25 | 1.00 | -80.95 | SD |
| 87 | Mega 24 | GEC | 2.10 | 2.63 | 1.00 | -61.90 | SD |
| 88 | PAL | GEC | 9.21 | 11.51 | 1.00 | -91.31 | SD |
| 89 | Zee Yuva | GEC | 5.04 | 6.30 | 1.00 | -84.13 | SD |
| 90 | Zoom | GEC | 3.51 | 4.39 | 0.50 | -88.60 | SD |
| 91 | Vissa TV | GEC | 1.96 | 2.45 | 0.50 | -79.59 | SD |
| 92 | Living Foodz HD | Infotainment | 4.00 | 5.00 | 10.00 | 100.00 | HD |
| 93 | SONY BBC EARTH | Infotainment | 25.00 | 31.25 | 10.00 | -68.00 | HD |
| 94 | National Geographic | Infotainment | 16.00 | 20.00 | 10.00 | -50.00 | HD |
| 95 | Histry TV 18 HD | Infotainment | 20.00 | 25.00 | 7.00 | -72.00 | HD |
| 96 | Discovery HD World | Infotainment | 21.00 | 26.25 | 6.00 | -77.14 | HD |
| 97 | Nat Geo Wild HD | Infotainment | 30.00 | 37.50 | 5.00 | -86.67 | HD |
| 98 | Discovery Channel | Infotainment | 6.74 | 8.43 | 4.00 | -52.52 | SD |
| 99 | Discovery Channel – Tamil | Infotainment | 6.74 | 8.43 | 4.00 | -52.52 | SD |
| 100 | SONY BBC EARTH | Infotainment | 6.72 | 8.40 | 4.00 | -52.38 | SD |
| 101 | The History Channel | Infotainment | 6.72 | 8.40 | 3.00 | -64.29 | SD |
| 102 | Animal Planet World | Infotainment | 24.15 | 30.19 | 3.00 | -90.06 | HD |
| 103 | TLC HD world | Infotainment | 24.15 | 30.19 | 3.00 | -90.06 | HD |
| 104 | Animal Planet | Infotainment | 2.25 | 2.81 | 2.00 | -28.89 | SD |
| 105 | TLC | Infotainment | 4.04 | 5.05 | 2.00 | -60.40 | SD |
| 106 | EPIC TV | Infotainment | 20.00 | 25.00 | 2.00 | -92.00 | SD |

| | | | | | | | |
|-----|-----------------------------------|---------------|-------|-------|-------|--------|----|
| 107 | National Geographic Channel (NGC) | Infotainment | 2.58 | 3.23 | 2.00 | -37.98 | SD |
| 108 | FY1 TV18 | Infotainment | 30.00 | 37.50 | 1.00 | -97.33 | HD |
| 109 | Discovery Science | Infotainment | 5.04 | 6.30 | 1.00 | -84.13 | SD |
| 110 | Discovery Turbo | Infotainment | 4.20 | 5.25 | 1.00 | -80.95 | SD |
| 111 | Nat Geo Wild | Infotainment | 6.72 | 8.40 | 1.00 | -88.10 | SD |
| 112 | Food Food TV | Infotainment | 7.56 | 9.45 | 1.00 | -89.42 | SD |
| 113 | Living Foodz | Infotainment | 6.72 | 8.40 | 1.00 | -88.10 | SD |
| 114 | Living Zen | Infotainment | 6.72 | 8.40 | 0.10 | -98.81 | SD |
| 115 | NICKS HD+ | Kids | 25.00 | 31.25 | 10.00 | -68.00 | HD |
| 116 | The Disney Channel | Kids | 4.00 | 5.00 | 8.00 | 60.00 | SD |
| 117 | Hungama TV | Kids | 3.51 | 4.39 | 6.00 | 36.75 | SD |
| 118 | Chintu TV | Kids | 5.62 | 7.03 | 6.00 | -14.59 | SD |
| 119 | Chutti TV | Kids | 5.62 | 7.03 | 6.00 | -14.59 | SD |
| 120 | NICK | Kids | 2.70 | 3.38 | 6.00 | 77.78 | SD |
| 121 | Kochu TV | Kids | 5.62 | 7.03 | 5.00 | -28.83 | SD |
| 122 | Cartoon Network HD+ | Kids | 25.00 | 31.25 | 5.00 | -84.00 | HD |
| 123 | Cartoon Network | Kids | 5.62 | 7.03 | 4.25 | -39.50 | SD |
| 124 | POGO | Kids | 5.62 | 7.03 | 4.25 | -39.50 | SD |
| 125 | Disney Junior | Kids | 5.62 | 7.03 | 4.00 | -43.06 | SD |
| 126 | Marvel HQ | Kids | 4.00 | 5.00 | 4.00 | -20.00 | SD |
| 127 | Kushi TV | Kids | 5.62 | 7.03 | 4.00 | -43.06 | SD |
| 128 | Discovery Kids Channel | Kids | 5.56 | 6.95 | 3.00 | -56.83 | SD |
| 129 | Sony YAY! | Kids | 5.62 | 7.03 | 2.00 | -71.53 | SD |
| 130 | SONIC | Kids | 5.46 | 6.83 | 2.00 | -70.70 | SD |
| 131 | Baby TV HD | Kids | 30.00 | 37.50 | 1.00 | -97.33 | HD |
| 132 | NICK JR | Kids | 5.62 | 7.03 | 1.00 | -85.77 | SD |
| 133 | Travel XP HD | Lifestyle | 40.00 | 50.00 | 9.00 | -82.00 | HD |
| 134 | Travel XP Tamil | Lifestyle | 3.75 | 4.69 | 1.50 | -68.00 | SD |
| 135 | Good Times | Lifestyle | 4.04 | 5.05 | 1.50 | -70.30 | SD |
| 136 | Fox Life | Lifestyle | 1.98 | 2.48 | 1.00 | -59.60 | SD |
| 137 | Fox Life HD | Lifestyle | 30.00 | 37.50 | 1.00 | -97.33 | HD |
| 138 | Topper TV | Miscellaneous | 60.00 | 75.00 | 59.32 | -20.91 | SD |
| 139 | Jalsha Movies HD | Movies | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 140 | MAA Movies HD | Movies | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 141 | Star Movies HD | Movies | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 142 | Gemini Movies HD | Movies | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 143 | KTV | Movies | 6.75 | 8.44 | 19.00 | 125.19 | SD |
| 144 | KTV HD | Movies | 40.00 | 50.00 | 19.00 | -62.00 | HD |

| | | | | | | | |
|-----|-----------------------|--------|--------|--------|-------|--------|----|
| 145 | & Pictures HD | Movies | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 146 | &Prive HD | Movies | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 147 | Zee Cinema HD | Movies | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 148 | MAX HD | Movies | 25.00 | 31.25 | 17.00 | -45.60 | HD |
| 149 | Gemini Movies | Movies | 7.64 | 9.55 | 17.00 | 78.01 | SD |
| 150 | Udaya Movies | Movies | 6.47 | 8.09 | 16.00 | 97.84 | SD |
| 151 | Zee Cinemalu HD | Movies | 30.00 | 37.50 | 16.00 | -57.33 | HD |
| 152 | Asianet Movies | Movies | 7.46 | 9.33 | 15.00 | 60.86 | SD |
| 153 | PIX HD | Movies | 25.00 | 31.25 | 15.00 | -52.00 | HD |
| 154 | SET MAX | Movies | 7.64 | 9.55 | 15.00 | 57.07 | SD |
| 155 | Zee Cinema | Movies | 5.83 | 7.29 | 15.00 | 105.83 | SD |
| 156 | Movies Now HD | Movies | 149.00 | 186.25 | 12.00 | -93.56 | HD |
| 157 | Star Movies | Movies | 7.42 | 9.28 | 12.00 | 29.38 | SD |
| 158 | HBO HD | Movies | 35.00 | 43.75 | 12.00 | -72.57 | HD |
| 159 | Surya Movies | Movies | 7.64 | 9.55 | 11.00 | 15.18 | SD |
| 160 | MN + | Movies | 149.00 | 186.25 | 10.00 | -94.63 | HD |
| 161 | PIX | Movies | 5.39 | 6.74 | 10.00 | 48.42 | SD |
| 162 | MAA Movies | Movies | 7.77 | 9.71 | 10.00 | 2.96 | SD |
| 163 | Star Gold HD | Movies | 25.00 | 31.25 | 10.00 | -68.00 | HD |
| 164 | Star Gold Select HD | Movies | 25.00 | 31.25 | 10.00 | -68.00 | HD |
| 165 | Star Movies Select HD | Movies | 25.00 | 31.25 | 10.00 | -68.00 | HD |
| 166 | HBO | Movies | 7.01 | 8.76 | 10.00 | 14.12 | SD |
| 167 | Zee Cinemalu | Movies | 7.64 | 9.55 | 10.00 | 4.71 | SD |
| 168 | Movies Now | Movies | 10.42 | 13.03 | 10.00 | -23.22 | SD |
| 169 | MNX HD | Movies | 30.00 | 37.50 | 9.00 | -76.00 | HD |
| 170 | Romedy Now HD | Movies | 30.00 | 37.50 | 9.00 | -76.00 | HD |
| 171 | Adithya TV | Movies | 7.64 | 9.55 | 9.00 | -5.76 | SD |
| 172 | Star Gold | Movies | 7.42 | 9.28 | 8.00 | -13.75 | SD |
| 173 | Star Gold Select | Movies | 7.77 | 9.71 | 7.00 | -27.93 | SD |
| 174 | MNX | Movies | 7.42 | 9.28 | 6.00 | -35.31 | SD |
| 175 | Romedy Now | Movies | 7.42 | 9.28 | 6.00 | -35.31 | SD |
| 176 | ETV Cinema | Movies | 7.77 | 9.71 | 6.00 | -38.22 | SD |
| 177 | Jalsha Movies | Movies | 7.77 | 9.71 | 6.00 | -38.22 | SD |
| 178 | Udaya Comedy | Movies | 6.75 | 8.44 | 6.00 | -28.89 | SD |
| 179 | & Picture | Movies | 7.56 | 9.45 | 6.00 | -36.51 | SD |
| 180 | Suvarna Plus | Movies | 5.25 | 6.56 | 5.00 | -23.81 | SD |
| 181 | Gemini Comedy | Movies | 2.38 | 2.98 | 5.00 | 68.07 | SD |
| 182 | Alankar | Movies | 5.04 | 6.30 | 4.00 | -36.51 | SD |
| 183 | Surya Comedy | Movies | 4.50 | 5.63 | 4.00 | -28.89 | SD |
| 184 | Colors Cineplex | Movies | 7.64 | 9.55 | 3.00 | -68.59 | SD |
| 185 | J Movies | Movies | 2.52 | 3.15 | 2.25 | -28.57 | SD |

| | | | | | | | |
|-----|-------------------|--------|-------|-------|-------|---------|----|
| 186 | UTV Movies | Movies | 6.30 | 7.88 | 2.00 | -74.60 | SD |
| 187 | UTV Action | Movies | 4.20 | 5.25 | 2.00 | -61.90 | SD |
| 188 | MAA Gold | Movies | 5.25 | 6.56 | 2.00 | -69.52 | SD |
| 189 | Zee Bollywood | Movies | 1.35 | 1.69 | 2.00 | 18.52 | SD |
| 190 | Zee Bangla Cinema | Movies | 6.80 | 8.50 | 2.00 | -76.47 | SD |
| 191 | Zee Talkies | Movies | 6.96 | 8.70 | 2.00 | -77.01 | SD |
| 192 | Raj Digital Plus | Movies | 3.24 | 4.05 | 1.50 | -62.96 | SD |
| 193 | MAX 2 | Movies | 7.64 | 9.55 | 1.00 | -89.53 | SD |
| 194 | Movies OK | Movies | 7.14 | 8.93 | 1.00 | -88.80 | SD |
| 195 | WB | Movies | 2.77 | 3.46 | 1.00 | -71.12 | SD |
| 196 | Zee Action | Movies | 4.49 | 5.61 | 1.00 | -82.18 | SD |
| 197 | Zee Talkies HD | Movies | 30.00 | 37.50 | 19.00 | -49.33 | HD |
| 198 | Gemini Music HD | Music | 20.00 | 25.00 | 19.00 | -24.00 | HD |
| 199 | Sun Music HD | Music | 25.00 | 31.25 | 19.00 | -39.20 | HD |
| 200 | Sun Music | Music | 3.15 | 3.94 | 6.00 | 52.38 | SD |
| 201 | Udaya Music | Music | 3.15 | 3.94 | 6.00 | 52.38 | SD |
| 202 | MTV HD+ | Music | 25 | 31.25 | 5.00 | -84.00 | HD |
| 203 | Gemini Music | Music | 3.15 | 3.94 | 4.00 | 1.59 | SD |
| 204 | Surya Music | Music | 3.15 | 3.94 | 4.00 | 1.59 | SD |
| 205 | MTV | Music | 3.15 | 3.94 | 3.00 | -23.81 | SD |
| 206 | Jaya Max | Music | 2.52 | 3.15 | 2.25 | -28.57 | SD |
| 207 | Tarang Music | Music | 2.10 | 2.63 | 2.00 | -23.81 | SD |
| 208 | Mega Musiq | Music | 2.10 | 2.63 | 2.00 | -23.81 | SD |
| 209 | VH 1 | Music | 20.00 | 25.00 | 2.00 | -92.00 | HD |
| 210 | Raj Musix | Music | 2.10 | 2.63 | 1.00 | -61.90 | SD |
| 211 | MIX | Music | 3.15 | 3.94 | 1.00 | -74.60 | SD |
| 212 | MAA Music | Music | 3.15 | 3.94 | 1.00 | -74.60 | SD |
| 213 | MTV Beats HD | Music | 25 | 31.25 | 1.00 | -96.80 | HD |
| 214 | VH 1 | Music | 1.35 | 1.69 | 1.00 | -40.74 | SD |
| 215 | Raj Musix Kannada | Music | 2.31 | 2.89 | 0.25 | -91.34 | SD |
| 216 | MTV Beats | Music | 3.15 | 3.94 | 0.10 | -97.46 | SD |
| 217 | Zing | Music | 2.25 | 2.81 | 0.10 | -96.44 | SD |
| 218 | JAN TV PLUS | News | 1.00 | 1.25 | 50.00 | 3900.00 | SD |
| 219 | Times Now World | News | 15.00 | 18.75 | 5.00 | -73.33 | HD |
| 220 | CNBC TV 18 | News | 3.82 | 4.78 | 4.00 | -16.23 | SD |
| 221 | ET NOW | News | 3.57 | 4.46 | 3.00 | -32.77 | SD |
| 222 | Times Now | News | 3.82 | 4.78 | 3.00 | -37.17 | SD |
| 223 | NDTV 24*7 | News | 3.82 | 4.78 | 3.00 | -37.17 | SD |
| 224 | Mirror Now | News | 3.57 | 4.46 | 2.00 | -55.18 | SD |
| 225 | BBC World News | News | 2.25 | 2.81 | 1.00 | -64.44 | SD |

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|-----|--|------|-------|-------|------|--------|----|
| 226 | ETV - Telangana | News | 2.52 | 3.15 | 1.00 | -68.25 | SD |
| 227 | ETV Andhra Pradesh | News | 2.52 | 3.15 | 1.00 | -68.25 | SD |
| 228 | NDTV Profit | News | 2.70 | 3.38 | 1.00 | -70.37 | SD |
| 229 | Sun News | News | 0.62 | 0.78 | 1.00 | 29.03 | SD |
| 230 | CNBC Awaaz | News | 2.02 | 2.53 | 1.00 | -60.40 | SD |
| 231 | CNBC Bazaar | News | 3.82 | 4.78 | 1.00 | -79.06 | SD |
| 232 | CNBC TV 18 Prime | News | 15.00 | 18.75 | 1.00 | -94.67 | HD |
| 233 | India Today | News | 1.35 | 1.69 | 1.00 | -40.74 | SD |
| 234 | WION | News | 3.86 | 4.83 | 1.00 | -79.27 | SD |
| 235 | AajTak | News | 3.15 | 3.94 | 0.75 | -80.95 | SD |
| 236 | Jaya Plus | News | 1.68 | 2.10 | 0.50 | -76.19 | SD |
| 237 | CNN International | News | 0.67 | 0.84 | 0.50 | -40.30 | SD |
| 238 | CNN News 18 | News | 2.25 | 2.81 | 0.50 | -82.22 | SD |
| 239 | Raj News | News | 1.68 | 2.10 | 0.25 | -88.10 | SD |
| 240 | AajTakTez | News | 0.90 | 1.13 | 0.25 | -77.78 | SD |
| 241 | News 18 Lokmat | News | 3.30 | 4.13 | 0.10 | -97.58 | SD |
| 242 | News 18 Bangla | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 243 | News 18 Bihar Jharkhand | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |
| 244 | News 18 Gujarati | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 245 | News 18 Kannada | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 246 | News 18 Madhya Pradesh / Chattisgarh | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |
| 247 | News 18 Odia | News | 3.86 | 4.83 | 0.10 | -97.93 | SD |
| 248 | News 18 Punjab / Haryana / Himanchal Pradesh | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 249 | News 18 Rajasthan | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |
| 250 | News 18 Urdu | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |
| 251 | News 18 Uttar Pradesh/ Uttaranchal | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |
| 252 | Gemini News | News | 3.37 | 4.21 | 0.10 | -97.63 | SD |
| 253 | Udaya News | News | 3.03 | 3.79 | 0.10 | -97.36 | SD |
| 254 | Zee 24 Kalak | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 255 | Zee 24 Taas | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 256 | Zee Business | News | 2.16 | 2.70 | 0.10 | -96.30 | SD |
| 257 | Zee Madhya Pradesh Chattisgarh | News | 3.82 | 4.78 | 0.10 | -97.91 | SD |
| 258 | Zee Odisha | News | 4.67 | 5.84 | 0.10 | -98.29 | SD |

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|-----|----------------------------------|--------|-------|-------|-------|--------|----|
| 259 | Zee Punjab Haryana Himachal | News | 0.67 | 0.84 | 0.10 | -88.06 | SD |
| 260 | Zee Rajasthan News | News | 4.62 | 5.78 | 0.10 | -98.27 | SD |
| 261 | Zee Salaam | News | 3.86 | 4.83 | 0.10 | -97.93 | SD |
| 262 | Zee Uttar Pradesh Uttarakhand | News | 3.86 | 4.83 | 0.10 | -97.93 | SD |
| 263 | Zee 24 Ghanta | News | 2.70 | 3.38 | 0.10 | -97.04 | SD |
| 264 | SIX HD | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 265 | Ten 1 | Sports | 6.74 | 8.43 | 19.00 | 125.52 | SD |
| 266 | Ten 1 HD | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 267 | Star Sports HD 1 | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 268 | Star Sports 1 | Sports | 14.89 | 18.61 | 19.00 | 2.08 | SD |
| 269 | Star Sports 1 HD Hindi | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 270 | Star Sports 1 Hindi | Sports | 12.58 | 15.73 | 19.00 | 20.83 | SD |
| 271 | Star Sports HD 2 | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 272 | Star Sports Select 1 | Sports | 15.12 | 18.90 | 19.00 | 0.53 | SD |
| 273 | Star Sports Select HD1 | Sports | 35.00 | 43.75 | 19.00 | -56.57 | HD |
| 274 | Ten 2 HD | Sports | 35.00 | 43.75 | 17.00 | -61.14 | HD |
| 275 | Ten 3 | Sports | 15.12 | 18.90 | 17.00 | -10.05 | SD |
| 276 | Ten 3 HD | Sports | 35.00 | 43.75 | 17.00 | -61.14 | HD |
| 277 | Star Sports 1 Tamil | Sports | 14.89 | 18.61 | 17.00 | -8.66 | SD |
| 278 | SIX | Sports | 14.70 | 18.38 | 15.00 | -18.37 | SD |
| 279 | Ten 2 | Sports | 14.70 | 18.38 | 15.00 | -18.37 | SD |
| 280 | Star Sports Select HD2 | Sports | 35.00 | 43.75 | 10.00 | -77.14 | HD |
| 281 | SONY ESPN HD | Sports | 35.00 | 43.75 | 7.00 | -84.00 | HD |
| 282 | Star Sports Select 2 | Sports | 15.12 | 18.90 | 7.00 | -62.96 | SD |
| 283 | Star Sports 2 | Sports | 15.12 | 18.90 | 6.00 | -68.25 | SD |
| 284 | SONY ESPN | Sports | 15.12 | 18.90 | 5.00 | -73.54 | SD |
| 285 | Dsport | Sports | 12.60 | 15.75 | 4.00 | -74.60 | SD |
| 286 | Star Sports First | Sports | 15.12 | 18.90 | 1.00 | -94.71 | SD |