



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार / Government of India



DIRECTION

Dated: 29th October 2019

Subject: Direction to all distributors of television channels (DTH operators and MSOs) under section 13, read with sub-clause (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 to ensure compliance of various provisions of the new regulatory framework for Broadcasting and Cable TV Services.

No. 12-87/2019-B&CS - Whereas the Telecom Regulatory Authority of India [hereinafter referred to as "the Authority"], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) [hereinafter referred to as "TRAI Act"], has been entrusted to discharge certain functions, inter-alia, to regulate the telecommunication services; fix the terms and conditions of inter-connectivity between the service providers; ensure technical compatibility and effective inter-connection between different service providers; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect interest of the consumers of telecommunication service;

2. And whereas the Central Government, in the Ministry of Communication and Information Technology (Department of Telecommunications), vide its notification No.39, ---

(a) issued in exercise of powers conferred upon by the proviso to clause (k) of sub-section (1) of section 2 of the TRAI Act and

(b) published under notification number S.O.44(E) dated the 9th January, 2004 in the Gazette of India, Extraordinary, Part II, Section 3 - sub-section (ii)--- has notified broadcasting services and cable services to be telecommunication service;

3. And whereas the Authority notified a new regulatory framework for Broadcasting and Cable TV services, provided through addressable systems, encompassing the following:-

(a) the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 dated the 3rd March, 2017 [Tariff Order, 2017];

Am



- (b) the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 dated the 3rd March, 2017 [Interconnection Regulations, 2017];
- (c) the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 dated the 3rd March, 2017 [QoS Regulations, 2017];

4. And whereas the Authority, vide its Press Note dated the 3rd July, 2018, informed the stakeholders that various timelines prescribed in the Interconnection Regulations, 2017, the QoS Regulations, 2017 and the Tariff Order, 2017 shall commence with effect from 3rd July, 2018;

5. And whereas the new regulatory framework comprising the Interconnection Regulations, 2017, the QoS Regulations, 2017 and the Tariff Order, 2017 became applicable with effect from 29th December, 2018;

6. And whereas sub-clause (4) of clause 3 of the Tariff Order, 2017 reads as under:-


“(4) It shall be permissible for a broadcaster to offer promotional schemes on maximum retail price(s) per month of its a-la-carte pay channel(s):

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 broadcaster shall not exceed twice in a calendar year:

Provided further that the price(s) of a-la-carte pay channel(s) offered under any such promotional scheme shall be considered as maximum 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(s) of a-la-carte pay channel(s) offered under any such promotional scheme.”;



7. And whereas sub-clause (2) of clause 4 of the Tariff Order, 2017 reads as under:-

“(2) Every distributor of television channels shall offer all channels available on its network to all subscribers on a-la-carte basis and declare distributor retail price, per month, of each pay channel payable by a subscriber:

Provided that the distributor retail price, per month, payable by a subscriber to a distributor of television channels for subscribing to a pay channel shall, in no case, exceed the maximum retail price, per month, declared by the broadcasters for such pay channel.”;

8. And whereas sub-regulations (2) and (3) of regulation 31 of the QoS Regulations, 2017 reads as under:

“(2) Every distributor of television channels shall provide a hyperlink for “consumer corner” on the home page of the website which shall be clearly visible and noticeable to visitors without scrolling the page.

(3) The consumer corner hyperlink referred to in sub-regulation (2) shall point to another web page where the information in accordance with Schedule II of these regulations shall be made available.”;

9. And whereas serial number 1 of Schedule II of the QoS Regulations, 2017 reads as under:-

“The Consumer Corner web page shall contain the following information including but not limited to:

1. List of channels and bouquets available on the platform

(a) FTA channels

(b) Pay channels and their MRP and distributor retail price

(c) List of bouquets of FTA channels and their composition

(d) List of bouquets of pay channels formed by broadcaster with composition and their respective MRP and distributor retail price

(e) List of bouquets of pay channels formed by the distributor with composition and their distributor retail price

(f) Details of lock in period, if any, in respect of a-la-carte channel or bouquets,”;



10. And whereas regulation 32 of the QoS Regulations, 2017 reads as under:-

“32. Customer care programming service.— (1) Every distributor of television channels shall provide a customer care programming service for the purpose of dissemination of information as required under the provisions of these regulations and for consumer awareness.

(2) Every distributor of television channels shall assign a unique number to the customer care programming service as referred to in sub-regulation (1) and display the said number on its website under the consumer corner as referred to in sub-regulation (2) of regulation 31 and communicate the said number to the subscribers through running scrolls on television screen and through any other communication means as deemed appropriate.

(3) Every distributor of television channels shall disseminate the information, on regular intervals, in accordance with Schedule II and Schedule III of these regulations to subscribers through customer care programming service in multiple formats such as text, video, audio, scroll and multimedia graphics:

Provided that information messages provided by the Authority if any, for consumer awareness shall also be carried over such customer care programming service.”;

11. And whereas sub-regulation (2) of Regulation 38 of the QoS Regulation, 2017 reads as under:-

“(2) Every distributor of television channels shall indicate-

(a) “Free” in the electronic programme guide against each free-to-air channel available on its platform;

(b) the respective maximum retail price in the electronic programme guide against each pay channel available on its platform with the Indian rupee sign “₹” such as ₹2, ₹5.5 etc.”;

12. And whereas in accordance with sub-clause (4) of clause 3 of the Tariff Order 2017, the following broadcasters have offered promotional schemes by



reducing maximum retail price of some of their channels with effect from 15th October, 2019 **(Annexure-I)**:

- (i) M/s Star India Private Limited,
- (ii) M/s Zee Entertainment Enterprises Limited,
- (iii) M/s Sony Pictures Networks India Private Limited, and
- (iv) M/s TV 18 Network Limited;

13. And whereas it has been brought to the notice of the Authority that even after lapse of several days, some distributors of television channels are yet to implement the promotional schemes offered by the broadcasters on their platform;

14. And whereas it has also been brought to the notice of the Authority that some distributors of television channels did not modify the distributor retail prices (DRPs) of channels offered under such promotional schemes and did not display modified DRPs on their website, consumer care channel and electronic programme guide;

15. And whereas the Authority has noted that non-implementation of promotional schemes by distributors of television channels violates the provisions of the Tariff Order, 2017 and the QoS Regulations, 2017 and is against the interests of subscribers of broadcasting and cable services;

16. Now, therefore, the Authority, in exercise of its power under section 13, read with sub-clause (v) of clause (b) of sub section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), hereby directs all the distributors of television channels to:-

- a) immediately implement the promotional schemes offered by the said broadcasters and modify the Distributor Retail Price (DRP) of the channels;
- b) display the modified DRPs of channels offered under promotional schemes on their website, consumer care channel and electronic programme guide;
- c) charge from their subscribers, who have subscribed to the channels offered under promotional schemes on a-la-carte basis, the modified

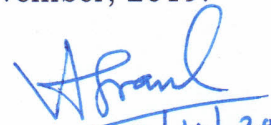


DRPs from the date of offer of such promotional schemes i.e. 15th October, 2019;

- d) refund/adjust the excess subscription amount, if any, charged from the subscribers due to non-implementation of promotional schemes;

Note: Excess subscription amount shall be the difference of DRP of channels pre promotional schemes and the modified DRP of channels post promotional schemes and shall be calculated from 15th October, 2019 till the date of extending the benefits of said promotional schemes to subscribers; and

- e) send compliance of the Direction to the Authority by 1st November, 2019.


29/10/2019

(V K Agarwal)

Joint Advisor (B&CS)

By Hand Delivery/E-Mail

Date: October 11, 2019

Mr. V K Agarwal
 Joint Advisor (B & CS)
 Telecom Regulatory Authority of India ("TRAI"),
 Mahanagar Door Sanchar Bhavan,
 Jawaharlal Nehru Marg,
 (Old Minto Road),
 New Delhi - 110 002
 Email id: vk.agarwal@trai.gov.in

Subject: Intimation of Promotional Scheme for various channels under clause 3(4) of the Tariff Order.

Ref:

1. The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 ("Interconnection Regulations 2017") and
2. The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 ("Tariff Order").

Dear Sir,

In keeping with the festive spirit, Star India Private Limited ("Star") is pleased to inform you that, in terms of clause 3(4) of the Tariff Order, Star is offering a limited period promotional scheme ("Promotional Scheme") of its standard definition channels on a-la-carte basis listed in the table below with immediate effect. The details of the Promotional Scheme are as under:

Sr. No.	Channel	Current MRP (Rupees)*	MRP of Channel during the Promotional Scheme (Rupees)*
1	Star Plus	19	12
2	Maa TV	19	12
3	Star Jalsha	19	12
4	Asianet	19	12
5	Vijay	17	12
6	Asianet Movies	15	12
7	Star Sports 1 Marathi	13	8
8	Star Sports 2	6	5
9	Hungama TV	6	1
10	National Geographic	2	1
11	Star Sports 3	2	1
12	Vijay Super	2	1
13	National Geographic Tamil	2	1
14	National Geographic Telugu	2	1

Star India Pvt. Ltd.

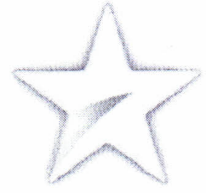
Registered Office

Star House, Urmi Estate,
 95 Ganpatrao Kadam Marg, Lower Parel (West),
 Mumbai 400 013, India.
 CIN : U72300MH1994PTC076485

Telephone : + 91 22 6630 5555

Fax : + 91 22 6630 5050

Website : www.startv.com



Star

15	Nat Geo Wild	1	0.10
16	Star Sports First	1	0.10

* MRP is exclusive of taxes and other levies as applicable.

We request you to take this intimation on record. A hard copy of this instant communication shall reach your good office in due course through hand delivery.

Thanking you,
For **Star India Private Limited**

Paras Doshi

Authorized Signatory

Star India Pvt. Ltd.

Registered Office

Star House, Urmi Estate,
95 Ganpatrao Kadam Marg, Lower Parel (West),
Mumbai 400 013, India.
CIN : U72300MH1994PTC076485

Telephone : + 91 22 6630 5555
Fax : + 91 22 6630 5050
Website : www.startv.com



Extraordinary Together

(By Email / Hand Delivery)

16th October 2019

The Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
Jawaharlal Nehru Marg (Old Minto Road),
New Delhi -110002

Kind Attention: Mr. Arvind Kumar (B&CS)

Dear Sir,

Sub: Intimation regarding revision in the Promotional Scheme being offered by Zee Entertainment Enterprises Ltd (ZEEL) for Ninety (90) days to be effective from 15th October 2019 to 13th January 2020 on maximum retail price(s) per month per subscriber on the a-la-carte pay channel(s) offered by ZEEL as per its Reference Interconnect Offer (RIO) in terms of clause 3(4) of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order 2017

This is in continuation to our earlier letter dated 14th October 2019 whereby we had informed you about the Promotional Scheme being offered by Zee Entertainment Enterprises Ltd (ZEEL) for Ninety (90) days to be effective from 15th October 2019 to 13th January 2020 on maximum retail price(s) per month per subscriber on the a-la-carte pay channel(s) offered by ZEEL as per its Reference Interconnect Offer (RIO) in terms of clause 3(4) of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order 2017.

We are now writing to you to inform you that one more channel has been included in the said Promotional scheme, namely Zee Tamil. In view of this change the details of the promotional scheme highlighting the reduction in the MRP rates of Seven (7) a-la-carte pay channel(s) per month per subscriber offered by ZEEL as provided in the attached ANNEXURE – I.

You are requested to kindly take the same on record.

Thanking you,

Yours Sincerely,

For Zee Entertainment Enterprises Limited

Viresh Dhaibar

Chief Legal Counsel – Distribution

Encl: As above - ANNEXURE – I

Zee Entertainment Enterprises Limited

Regd. Office : 18th Floor, A-Wing, Marathon Futurex, N.M. Joshi Marg, Lower Parel, Mumbai - 400 013, India
P: +91 22 7106 1234 | F: +91 22 2300 2107 | CIN: L92132MH1982PLC028767 | www.zeeentertainment.com



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ANNEXURE - I

PROMOTIONAL SCHEME FOR 90 DAYS ON A-LA-CARTE PAY CHANNELS
OFFERED BY ZEEL EFFECTIVE FROM 15th OCTOBER 2019 TO 13TH JANUARY 2020

Sr. No.	Name of the Channel	Genre	Language	Maximum Retail Price (MRP) to be effective from 15 October 2019 to 13 th January 2020 as per the Promotional Scheme valid for 90 days (in Rs.) excluding taxes	Channel Availd (Yes /No)
1	Zee TV	General Entertainment	Hindi	12	
2	Zee Marathi	General Entertainment	Marathi	12	
3	Zee Bangla	General Entertainment	Bangla	12	
4	Zee Sarthak	General Entertainment	Odia	12	
5	Zee Telugu	General Entertainment	Telugu	12	
6	Zee Kannada	General Entertainment	Kannada	12	
7	Zee Tamil	General Entertainment	Tamil	10	

11

Zee Entertainment Enterprises Limited

Regd. Office : 18th Floor, A-Wing, Marathon Futurex, N.M. Joshi Marg, Lower Parel, Mumbai - 400 013, India
P: +91 22 7106 1234 | F: +91 22 2300 2107 | CIN: L92132MH1982PLC028767 | www.zeeentertainment.com

An Essel
GROUP Enterprise

12/10/2019

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg (Old Minto Road)
New Delhi – 110 002

Kind attention :- Advisor (B&CS)

Sub: Intimation regarding introduction of festive season promotional scheme for the standard definition ("SD") channels namely, 'Colors' and 'Colors Kannada' by TV18 Broadcast Limited.

Dear Sirs,

TV18 Broadcast Limited ("TV18") is pleased to inform the Hon'ble Authority that in exercise of the rights granted to broadcasters under Clause 3(4) of the Telecommunication (Broadcasting and Cable) Service (Eight) (Addressable Systems) Tariff Order, 2017 (*as amended*), TV18 has decided to introduce festive season promotional scheme on maximum retail price of a-la-carte SD channels namely, 'Colors' and 'Colors Kannada' for the period 15-October-2019 to 12-January-2020 (*both dates included*) ("Promotional Scheme"). For your ready reference, terms and conditions of the Promotional Scheme are enclosed herewith. We are proceeding to upload the enclosed Promotional Scheme on the website <https://www.indiacast.com/india/> as well as taking steps to inform about the Promotional Scheme to the distribution platform operators who have an interconnection agreement with us.

We request the Hon'ble Authority to take this communication on record and oblige.

Yours sincerely,

For **TV18 Broadcast Limited**



Authorized Signatory

Encl.: As above

TV18 Broadcast Limited

(CIN – L74300MH2005PLC281753)

Regd. office: First Floor, Empire Complex, 414- Senapati Bapat Marg, Lower Parel, Mumbai-400013

T +91 22 40019000, 6666 7777 F +91 22 24968238 W www.nw18.com

FESTIVE SEASON PROMOTIONAL SCHEME FOR COLORS AND COLORS KANNADA CHANNELS

1. Promotional Scheme: IndiaCast Media Distribution Private Limited ("IndiaCast"), in its capacity of being authorized representative / agent of TV18 Broadcast Limited ("Broadcaster"), is issuing this festive season promotional scheme for and on behalf of Broadcaster, on a-la-carte maximum retail price (excluding applicable taxes, levies and cess) per Subscriber per month ("MRP") for the standard-definition channels named Colors ("Colors") and Colors Kannada ("Colors Kannada"). For brevity sake, this festive season promotional scheme is hereinafter referred to as "Promotional Scheme". The Promotional Scheme automatically applies to all Affiliates who have a valid and subsisting MRP-RIO based Interconnection Agreement for TV18 Channels ("Interconnection Agreement") and is subscribing to Colors and/or Colors Kannada on a-la-carte basis thereunder, without any need for further action on their part.
2. Promotional Period: Promotional Scheme shall commence on 15-October-2019 and expire on 12-January-2020, both dates included ("Promotional Period").
3. Deemed MRPs of Colors and Colors Kannada During Promotional Period: Only during Promotional Period, MRP of:
 - (a) Colors shall be deemed to be **₹12/- (Rupees twelve only)** as against ₹19/- mentioned in Interconnection Agreement, and
 - (b) Colors Kannada shall be deemed to be **₹12/- (Rupees twelve only)** as against ₹19/- mentioned in Interconnection Agreement.
4. Invoicing and Payments for Colors and Colors Kannada For Promotional Period: Subject to stipulations of Interconnection Agreement, for Promotional Period, subscription fee for Colors and/or Colors Kannada (as the case may be) shall be calculated and invoiced by Broadcaster (through IndiaCast) and consequently, shall be paid by Affiliate on the basis of deemed MRP (as set forth in Section 3 above) of Colors and/or deemed MRP of Colors Kannada (as the case may be).
5. Applicability of Promotional Scheme: Promotional Scheme is available only in conjunction with Interconnection Agreement and not on a standalone basis. With respect to:
 - (a) an Affiliate who is currently having a valid and subsisting Interconnection Agreement and is subscribing to Colors and/or Colors Kannada on a-la-carte basis, the Promotional Scheme shall be applicable for the entire Promotional Period to such Affiliate, provided the Interconnection Agreement executed by such Affiliate remains valid and subsisting during Promotional Period;
 - (b) an Affiliate who is currently having a valid and subsisting Interconnection Agreement and is subscribing to TV18 Channel(s), but is not subscribing to Colors and/or Colors Kannada on a-la-carte basis, if such Affiliate subscribes to Colors and/or Colors Kannada, then the Promotional Scheme shall be applicable to such Affiliate during the remainder of Promotional Period (if any), provided the Interconnection Agreement executed by such Affiliate remains valid and subsisting during the remainder of Promotional Period (if any); and
 - (c) distribution platform operators ("DPO") who currently does not have Interconnection Agreement for subscription of TV18 Channel(s), if such DPO executes Interconnection Agreement and subscribes to Colors and/or Colors Kannada on a-la-carte basis, then the Promotional Scheme shall be applicable to such DPO during the remainder of Promotional Period (if any).
6. Other Important Terms and Conditions:
 - (a) Affiliate / DPOs shall not be entitled to seek enlargement of Promotional Scheme (including Promotional Period) on any ground whatsoever, and that the Promotional Scheme is offered by Broadcaster (through IndiaCast) in its sole discretion.
 - (b) All capitalized words as used in this Promotional Scheme unless defined herein, shall have the same meaning as defined in the Interconnection Agreement.
 - (c) Save as expressly provided herein, all other terms and conditions of the Interconnection Agreement shall continue to be valid and binding. In the event of a conflict between the stipulations contained in Promotional Scheme, and those contained in Interconnection Agreement, the stipulations contained in Promotional Scheme shall prevail only to the extent absolutely necessary for removing the conflicts. The Promotional Scheme is being offered without prejudice to Broadcaster's rights. For clarity, the present Promotional Scheme is neither intended to supersede, nor does it supersede any earlier communication between Broadcaster and Affiliate / DPO, or notices already issued.

By Hand Delivery/Courier/Email



15th October, 2019

To,

The Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan

Jawahar Lal Nehru Marg

(Old Minto Road)

New Delhi—110002

Kind Attention: Sh. SMK Chandra, Joint Advisor (B&Cs)

Email: smk.chandra@traf.gov.in

Sub: Promotional scheme in respect of certain of our channels

Dear Sir,

We, **Sony Pictures Networks India Private Limited**, write to you regarding the captioned subject matter

We are pleased to inform you that we have come out with a promotional scheme w.e.f. 15th October, 2019 in respect of the a la carte rates of our following channels as an one off "Diwali Festive Bonanza":

SL. No.	Name of the Channel	Existing MRP (Rs.) (Excluding GST)	Promotional MRP (Rs.) (Excluding GST)	Scheme (Excluding GST)
1.	Sony SET	19	12	
2.	Sony SAB	19	12	
3.	Sony MAX	15	12	

The aforesaid promotional scheme is valid for a period of 90 days ending on 12th January, 2020.

We hope our aforesaid promotional scheme would encourage subscribers to choose channels on an a la-carte basis and will be in the larger interest of consumers

This is for your kind information

Yours sincerely,

For **Sony Pictures Networks India Private Limited**


Gururaja Rao
Legal Counsel

Sony Pictures Networks India Private Limited

CIN : U92100MH1995PTC111487

Registered Office Address:

Interface, Building No. 7, 4th Floor,

Off Malad Link Road, Malad (West),

Mumbai – 400 064, India.

Tel: +91 22 6708 1111 | Fax: +91 22 6643 4748

sonypicturesnetworks.com

Go-Beyond