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EXTRAORDINARY, PART III, SECTION 4
TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION

New Delhi, the 1st January 2020

F. No.21-4/2018-B&CS. — In exercise of the powers conferred by section 36, 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), 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 under clause (d) of sub-section (1) of section 11 and proviso to clause (k) of sub section (1) of section 2 of the said Act, and

(b) published under notification No. S.O.44 (E) and 45 (E) dated the 9th January, 2004 in the Gazette of India, Extraordinary, Part II, Section 3,.....

the Telecom Regulatory Authority of India hereby makes the following regulations to further amend the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 (2 of 2017), namely: -

THE TELECOMMUNICATION (BROADCASTING AND CABLE) SERVICES
STANDARDS OF QUALITY OF SERVICE AND CONSUMER PROTECTION (ADDRESSABLE
SYSTEMS) (THIRD AMENDMENT) REGULATIONS, 2020
(No. 2 of 2020)

1. Short title, extent and commencement.— (1) These regulations may be called the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) (Third Amendment) Regulations, 2020 (2 of 2020).

(2) These Regulations shall apply throughout the territory of India.

(3) They shall come into force from 1st March 2020.

2. In regulation 2 of the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017, (hereinafter referred to as the principal Regulations) -----

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

“(cca) “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 clause (ee), the following clause shall be inserted, namely: -

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

3. In regulation 10 of the principal Regulations in the first proviso, for the words “rupees nineteen”, the words “rupees twelve” shall be substituted.

4. In regulation 38 of the principal Regulations, for sub-regulation (1) and provisos thereto, the following sub-regulation shall be substituted, namely: -

“(1) It shall be mandatory for the distributor of television channels to display all the television channels available on its platform in the electronic programme guide, in such a manner that all the television channels of a particular language in a genre are displayed together consecutively and one television channel shall appear at one place only.”

5. In item 6 of Schedule I to the principal Regulations, after sub-item (c), the following sub-items shall be inserted, namely: -

“(d) long term subscription, if any

(e) number of TV connections in case of multi TV home.”

6. In item 7 of Schedule I to the principal Regulations—

(a) before the words “Network capacity fee”, the words “Region-wise” shall be inserted;

(b) in sub-item (a), for the number “100”, the number “200” shall be substituted;

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

“(b) for more than 200 channels”;

(d) after sub-item (b), the following sub-item shall be inserted, namely: -

“(c) for each additional TV connection beyond first TV connection in case of multi TV home.”

7. In item 2 of Schedule II to the principal Regulations, following item shall be substituted, namely: -

“2. Details of region-wise network capacity fee, per month

(a) payable by a subscriber for 200 SD channels

(b) payable by a subscriber for more than 200 channels”

(S. K. Gupta)
Secretary, TRAI

Note 1: The principal Regulations were published vide notification No. 21-5/2016- B&CS dated the 3rd March 2017

Note 2: The principal Regulations were amended vide notification No. 21-4/2018-B&CS dated 28th December 2018 (11 of 2018)

Note 3: The principal Regulations were further amended vide notification No. 12-37/2019-B&CS dated 9th October 2019 (6 of 2019)

Note 4: The Explanatory Memorandum explains the objects and reasons of the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) (Third Amendment) Regulations, 2020 (2 of 2020)

Explanatory Memorandum

1. TRAI, on 3rd March 2017, notified the new regulatory framework (or the new framework) for Broadcasting and Cable services. The new framework came into effect on 29th December 2018. However, to provide enough time to subscribers for exercising their options, the Authority provided time up to 31st January 2019. The new framework comprises of the following regulations and Tariff Order: -
 - (a) The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (Tariff Order, 2017)
 - (b) The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 (Interconnection Regulations, 2017)
 - (c) The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 (QoS Regulations, 2017)

2. In order to address the concerns brought forward by various stakeholders during implementation of new regulatory framework, TRAI issued the consultation paper on “Tariff related issues for Broadcasting and Cable services” on 16th August 2019, and Consultation Paper on “Issues related to Interconnection Regulation, 2017” on 29th September 2019. Subsequent to above consultation processes some amendments have been carried out in the Tariff Order, 2017 and the Interconnection Regulations, 2017. These amendments have necessitated corresponding amendments in the QoS Regulations, 2017. Accordingly, QoS Regulations, 2017 have been amended. Detailed justification for carrying out these amendments have been given in the respective Explanatory Memorandums annexed to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020 and the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Second Amendment) Regulations, 2020.