

**Telecom Regulatory Authority of India**  
**Notification**  
**New Delhi August 13, 2004**

No.1-29/2004-B&CS

In exercise of the powers conferred upon it under sub-section (2) of section 11 of the Telecom Regulatory Authority of India, 1997 as amended read with the Notification No.39 dated 09.01.2004 issued from file No.13-1/2004-Restg. by the Government of India under clause (d) of sub-section (1) of section 11 and proviso to clause (k) of section 2 of the Telecom Regulatory Authority of India Act, 1997 to notify, by an Order in the Official Gazette, tariffs at which Telecommunications (Broadcasting and Cable Operation) Services shall be provided, the Telecom Regulatory Authority of India hereby makes the following Order.

**The Telecommunication ( Broadcasting and Cable) Services Tariff**  
**(Second Amendment) Order, 2004**  
**( 5 of 2004)**

**Section I**  
**Title, Extent and Commencement**

1.Short title, extent and commencement:

- i. This Order shall be called "The Telecommunication (Broadcasting and Cable) Services Tariff ( Second Amendment) Order 2004".
- ii. The Order shall be applicable throughout the territory of India.
- iii. The Order shall come into force on the date of its notification in the Official Gazette.

**Section II**  
**Tariff**

2. In clause 2 of Section II of The Telecommunication (Broadcasting and Cable) Services Tariff Order as amended by The Telecommunication (Broadcasting and Cable) Services Tariff (First Amendment) Order 2004 after the words 'charges', the words "excluding taxes" shall be inserted.

**Section III**

**3. Explanatory Memorandum**

The Government of India in the Finance Bill, 2004 as introduced in the Lok Sabha has proposed to increase the service tax and levy an educational cess on cable

services. As the Authority has put a ceiling on the Cable TV service rates, a clarification has been sought that in view of the increase in the taxes, whether the cable TV service rates could be increased or not.

Regulated prices are generally exclusive of taxes and in this case also the intention of the Authority was to place a ceiling on the charges exclusive of taxes. To clarify the issue, the Authority has decided to amend the tariff order.

(Rakesh Kacker)  
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