

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

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 30 March 2017

**THE TELECOMMUNICATION (BROADCASTING AND CABLE) SERVICES
(EIGHTH) (ADDRESSABLE SYSTEMS) TARIFF (AMENDMENT) ORDER, 2017
(No. 2 of 2017)**

F. No. 1-2/2017-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, namely:-

1. (1) This Order may be called the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Amendment) Order, 2017 (2 of 2017).
- (2) This Order shall come into force from the date of its publication in the Official Gazette.

2. In sub-clause (3) of clause 1 of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (hereinafter referred to as the principal Tariff Order), for item (b), the following items shall be substituted, namely:---

“(b) clause 3 of this Order shall come into force after sixty days from the date of its publication in the Official Gazette;

(c) clauses 6 and 8 of this Order shall come into force after thirty days from the date of its publication in the Official Gazette.”

3. In sub-clause (2) of clause 10 of the principal Tariff Order, for the bracket and word “Second”, the bracket and word “Fourth” shall be substituted.

(Sudhir 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.

Note 2.----The Explanatory Memorandum annexed to this Order explains the objects and reasons of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Amendment) Order, 2017.

EXPLNATORY MEMORANDUM

1. The Telecom Regulatory Authority of India issued the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 on 3rd March, 2017 to provide the tariff framework applicable to broadcasting services relating to television provided to subscribers, through addressable systems, throughout the territory of India. Clause 3 of the principal Tariff Order was required to be implemented after thirty days from the date of its publication in the Official Gazette.
2. TRAI received representations from some stakeholders wherein it is mentioned that section (b) of sub-clause (3) of clause 1 of the principal Tariff Order stipulates that clause 3, which mandates that broadcasters have to declare the nature and MRP of pay channels, will come into effect after 30 days from the date of publication of this Order in the Official Gazette. They have also mentioned that on the other hand as per Regulation 7(1) of the Telecommunication (Broadcasting and Cable) Services (Addressable Systems) Interconnection Regulations, 2017, every broadcaster has to publish its RIO within 60 days from the date of publication of these regulations in the Official Gazette. They have further mentioned that it is not clear where will broadcasters declare the nature and rates of channels as RIOs are required to be published within 60 days. They have requested the Authority to remove the ambiguity with regards to schedule for declaration of nature and MRP of pay channels; and publishing of RIO.
3. Having considered the above mentioned facts and in order to harmonize the provisions relating to implementation of the clause 3 of the principal Tariff Order and regulation 7(1) of the Telecommunication (Broadcasting and Cable) Services (Addressable Systems) Interconnection Regulations, 2017, TRAI has found it necessary to re-determine the dates for implementation of the clause 3 of the principal Tariff Order.
4. In addition, in sub-clause (2) of clause 10 of the principal Tariff Order, the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 has been mentioned as the Telecommunication

(Broadcasting and Cable) Services (second) (Addressable Systems) Tariff Order, 2010 due to typographical error. The same error has been corrected.

5. Accordingly, sub-clause (3) of clause 1 and sub-clause (2) of clause 10 of the principal Tariff Order dated the 3rd March, 2017 have been amended.