

TELECOM REGULATORY AUTHORITY OF INDIA

**THE TELECOMMUNICATION (BROADCASTING AND CABLE) SERVICES (FIFTH)
(DIGITAL ADDRESSABLE CABLE TV SYSTEMS) TARIFF ORDER, 2013
(No. 1 of 2013)**

NOTIFICATION

New Delhi, the 27th May, 2013.

No. 1-19/2012- B&CS.--- In exercise of powers conferred by sub-clauses (ii), (iii), (iv) and (v) of clause (b) of sub-section (1) and sub-section (2) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), read with notification of the Government of India, 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. 39 (S.O. 44 (E) and 45 (E)) dated the 9th January, 2004 in the Gazette of India, Extraordinary, Part II- Section 3- Sub-section (ii), ---

the Telecom Regulatory Authority of India hereby makes the following Order, namely:-

PART-I

PRELIMINARY

1. **Short title, extent and commencement.**---(1) This Order may be called the Telecommunication (Broadcasting and Cable) Services (Fifth) (Digital Addressable Cable TV Systems) Tariff Order, 2013 (No. 1 of 2013).

(2) This Order shall come into force from the date of its publication in the Official Gazette.

2. **Applicability.**---This order shall be applicable to cable TV services provided to the subscribers through digital addressable systems, throughout the territory of India.

3. **Definitions.**--- In this order, unless the context otherwise requires,-

(a) "Act" means the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(b) "Authority" means the Telecom Regulatory Authority of India established under sub section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(c) "digital addressable systems" means an electronic device (which includes hardware and its associated software) or more than one electronic device put in an integrated system through which signals of digital addressable system can be sent in encrypted form, which can be decoded by the device or devices, having an activated Conditional Access System at the premises of the subscriber within the limits of authorisation made, through the Conditional Access System and the

subscriber management system, on the explicit choice and request of such subscriber, by multi-system operator;

(d) "multi-system operator" means a cable operator who has been granted registration under rule 11C of the Cable Television Networks Rules, 1994 and who receives a programming service from a broadcaster or its authorised agencies and re-transmits the same or transmits his own programming service for simultaneous reception either by multiple subscribers directly or through one or more local cable operators and includes his authorised distribution agencies, by whatever name called;

(e) "set top box" means a device, which is connected to, or is part of a television and which allows a subscriber to receive in unencrypted and descrambled form subscribed channels through an addressable system and includes-----

(i) the set top box and the remote control for set top box; and

but shall not include a television receiver set, computer or any such end equipment ;

(f) "order" means the Telecommunication (Broadcasting and Cable) Services (Fifth) (Digital Addressable Cable TV Systems) Tariff Order, 2013 (No. 1 of 2013);

(g) "ordinary subscriber" means any subscriber who receives a programming service from a service provider and uses the same for his domestic purposes;

(h) "standard tariff package" means a tariff determined by the Authority for supply and installation of a set top box to the ordinary subscriber of cable TV services provided through digital addressable systems for receiving programmes;

(i) all other words and expression used in this order but not defined, and defined in the act and rules and regulations made thereunder or the Cable Television Networks (Regulation) Act, 1995 (7 of 1995) and the rules and regulations made thereunder, shall have the meaning respectively assigned to them in those Acts or the rules or regulations, as the case may be.

PART-II

TARIFF FOR SUPPLY AND INSTALLATION OF SET TOP BOXES

4. Tariff for supply and installation of set top boxes.--- (1) Every multi system operator shall, without prejudice to the provisions of the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 (No.1 of 2010), offer to every ordinary subscriber the standard tariff package, for supply and installation of the set top box, conforming to the Indian Standard, if any, set by the Bureau of Indian Standard, specified in the Schedule.

(2) In addition to the option available under the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 (No.1 of 2010), the ordinary subscriber shall have option to acquire the set top box at the rate and the terms and conditions specified in the Schedule and the multi system operator shall, on receipt of request from the ordinary subscriber, supply and install the set top box at the premises indicated by the subscriber.

PART-III

MISCELLANEOUS

5. Reporting Requirement.--- (1)Every multi system operator shall report to the Authority by the 15th of June 2013, the details of all tariff packages and other terms and conditions for supply and installation of the set top box.

(2) Any change in the tariff package reported under sub-clause (1) and the introduction of a new tariff package for supply and installation of set top box shall be reported to the Authority at least seven days prior to such change or introduction, as the case may be.

(Sudhir Gupta)
Secretary(I/C), TRAI

Note: The Explanatory Memorandum annexed to this order explains the objects and reasons of "The Telecommunication (Broadcasting and Cable) Services (Fifth) (Digital Addressable Cable TV Systems)Tariff Order, 2013 (No. 1 of 2013)".

**Standard Tariff Package for supply and installation of set top box
for cable TV services provided through digital addressable systems
(see clause 4)**

OPTION - I

Sl.	Particulars	Tariff
1.	Rent per month per set top box for the first three years	Rs. 55.66 (exclusive of taxes)
2.	After three years from the date of installation	No rent. The set top box shall become the property of the subscriber except smart card/viewing card
3.	Security Deposit (Refundable)	Rs. 400/-
4.	Deduction from Refundable Security Deposit	Nil
5.	Installation Charges	Nil
6.	Activation charges	Nil
7.	Smart Card/Viewing Card Charges	Nil
8.	Repair and Maintenance Charges for three years from the date of installation	Nil

Note :-

1. After the expiry of three years from the date of installation of set top box, the entire security deposit shall be refunded to the ordinary subscriber without any deductions.
2. The full security deposit without any deduction shall be refunded to the subscriber, if he returns the set top box, at any point of time, within a period of three years, provided that the set top box has not been tampered with.
3. There shall be no installation charges or re-installation charges except in case of shifting of connection.

OPTION - II

Sl.	Particulars	Tariff
1.	Rent per month per set top box for the first three years	Rs.50.66 (exclusive of taxes)
2.	After three years from the date of installation	No rent. The set top box shall become the property of the subscriber except smart card/viewing card
3.	Security Deposit (Refundable)	Rs. 800/-
4.	Deduction from Refundable Security Deposit	Nil
5.	Installation Charges	Nil
6.	Activation charges	Nil
7.	Smart Card/Viewing Card Charges	Nil
8.	Repair and Maintenance Charges for three years from the date of installation	Nil

Note :-

1. After the expiry of three years from the date of installation of set top box, the entire security deposit shall be refunded to the ordinary subscriber without any deductions.
2. The full security deposit without any deduction shall be refunded to the subscriber if he returns the set top box, at any point of time, within a period of three years, provided that the set top box has not been tampered with.
3. There shall be no installation charges or re-installation charges except in case of shifting of connection.

OPTION - III

Sl.	Particulars	Tariff
1	Rent per month per set top box for the first three years	Rs.46.80 (exclusive of taxes)
2	After three years from the date of installation	No rent, The set top box shall become the property of the subscriber except smart card/viewing card
3	Security Deposit (Adjustable)	Rs. 400/-
4	Amount of Security Deposit refunded on return of the Set Top Box	As per attached Table-A
5	Installation Charges	Nil
6	Activation charges	Nil
7	Smart Card/Viewing Card Charges	Nil
8	Repair and Maintenance Charges for three years from the date of installation	Nil

Note: -

1. If the ordinary subscriber returns the set top box, any time before the completion of three years from the date of installation of set top box, the Security Deposit shall be refunded as per the amount specified in the Table-A, provided that the set top box has not been tampered with.
2. In case of disconnection of service before the last day of the month, balance security deposit shown as refundable at the end of that month, in Table-A shall be refunded on return of set top box.
3. There shall be no installation charges or re-installation charges except in case of shifting of connection.

Table-A (OPTION-III)

Figure in Rs.

Year	End of Month	Security deposit refundable
First year	First	391.13
	Second	382.16
	Third	373.07
	Fourth	363.86
	Fifth	354.55
	Sixth	345.11
	Seventh	335.56
	Eighth	325.89
	Ninth	316.10
	Tenth	306.18
	Eleventh	296.14
	Twelfth	285.98
Second year	Thirteenth	275.69
	Fourteenth	265.27
	Fifteenth	254.72
	Sixteenth	244.03
	Seventeenth	233.22
	Eighteenth	222.27
	Nineteenth	211.18
	Twentieth	199.95
	Twenty first	188.59
	Twenty second	177.08
	Twenty third	165.43
	Twenty fourth	153.63

Third year	Twenty fifth	141.68
	Twenty sixth	129.59
	Twenty seventh	117.34
	Twenty eighth	104.94
	Twenty ninth	92.39
	Thirtieth	79.67
	Thirty first	66.80
	Thirty second	53.77
	Thirty third	40.58
	Thirty fourth	27.22
	Thirty fifth	13.69
	Thirty sixth	0.00

OPTION – IV

Sl.	Particulars	Tariff
1	Rent per month per set top box for the first three years	Rs.32.93 (exclusive of taxes)
2	After three years from the date of installation	No rent. The set top box shall become the property of the subscriber except smart card/viewing card
3	Security Deposit (Adjustable)	Rs. 800/-
4	Amount of Security Deposit refunded on return of the Set Top Box	As per attached Table-B
5	Installation Charges	Nil
6	Activation charges	Nil
7	Smart Card/Viewing Card Charges	Nil
8	Repair and Maintenance Charges for three years from the date of installation	Nil

Note: -

1. If the ordinary subscriber returns the set top box, any time before the completion of three years from the date of installation of set top box, the Security Deposit shall be refunded as per the amount specified in the Table-B, provided that the set top box has not been tampered with.
2. In case of disconnection of service before the last day of the month, balance security deposit shown as refundable at the end of that month, in Table-B shall be refunded on return of set top box.
3. There shall be no installation charges or re-installation charges except in case of shifting of connection.

Table-B (OPTION-IV)

Figure in Rs.

Year	End of the Month	Security deposit refundable
First year	First	782.27
	Second	764.31
	Third	746.14
	Fourth	727.73
	Fifth	709.09
	Sixth	690.23
	Seventh	671.12
	Eighth	651.78
	Ninth	632.19
	Tenth	612.36
	Eleventh	592.29
	Twelfth	571.96
Second year	Thirteenth	551.37
	Fourteenth	530.53
	Fifteenth	509.43
	Sixteenth	488.07
	Seventeenth	466.44
	Eighteenth	444.54
	Nineteenth	422.36
	Twentieth	399.91
	Twenty first	377.17
	Twenty second	354.16
	Twenty third	330.85
	Twenty fourth	307.25

Third year	Twenty fifth	283.36
	Twenty sixth	259.17
	Twenty seventh	234.68
	Twenty eighth	209.88
	Twenty ninth	184.77
	Thirtieth	159.35
	Thirty first	133.61
	Thirty second	107.55
	Thirty third	81.16
	Thirty fourth	54.44
	Thirty fifth	27.39
	Thirty sixth	0.00

TELECOM REGULATORY AUTHORITY OF INDIA

TRAI issues Tariff Orders prescribing Standard Tariff Packages for set top boxes for Digital Cable TV subscribers and DTH subscribers.

New Delhi, 27th May 2013: TRAI has today issued Tariff Orders prescribing standard tariff package for Set Top Boxes (STBs) for Digital Addressable Cable TV Systems (DAS) and Consumer Premises Equipments (CPEs) for Direct to Home (DTH) services.

2. The prime objective of these tariff orders is to ensure effective commercial interoperability. The said tariff orders have been devised to make available STBs / CPEs at reasonable price and, lucid and easy to understand, terms and conditions as well as to take care of the interests of the service providers. This would also promote healthy competition amongst the operators which would ultimately benefit all the stakeholders of the sector, including the consumers.

3. The above tariff orders prescribe the following standard tariff packages for supply of STB/ CPE to the subscribers:-

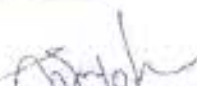
Service	Security Deposit (Rs.)	Monthly Rent (Rs.) (Excluding taxes)	Refund of security deposit
DAS	400	55.66	Security deposit would be refunded after 3 years or on surrender of STB/CPE within three years.
	800	50.66	
DTH	500	71.75	
	1000	65.50	
DAS	400	46.80	The security deposit gets adjusted over 3 years. If STB/ CPE is surrendered within 3 years, the unadjusted portions of the security deposit would be refunded. Details available in Tariff Order.
	800	32.93	
DTH	500	60.66	
	1000	43.33	

Salient features of these tariff orders are:-

- The tariff includes installation and activation charges as well as the charges for maintenance and repairs for a period of 3 years.
- No monthly rental to be paid after 3 years. The STB/ CPE becomes property of the subscriber after 3 years.

- These packages are to be mandatorily offered to the subscribers and, in addition, service providers can also offer alternative schemes/ packages for supply of STBs/ CPEs.

Details of these Tariff Orders are available on TRAI website: www.trai.gov.in.



Sudhir Gupta,
Secretary (I/C), TRAI.



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



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Dated: 11th February, 2016

DIRECTION

Subject: Direction to Multi System Operators under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997.

No.: 17-4/2016-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, has been entrusted with discharge of certain functions, inter-alia, to regulate the telecommunication services; to fix the terms and conditions of interconnectivity between the service providers, ensure technical compatibility and effective interconnection between 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 Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunications), vide its notification No.39,---

1. issued in exercise of powers conferred upon the Central Government 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 III, Section 4,---
has notified broadcasting services and cable services to be telecommunication services;

3. And whereas, the Authority has, in exercise of powers conferred by the TRAI Act, 1997, read with notification of the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunication) No.36, made the "Standards of Quality of Service (Digital Addressable Cable TV Systems) Regulations, 2012 (12 of 2012)" dated the 14th May, 2012 (hereinafter referred to as the QoS regulations);

4. And whereas, the Authority has, in exercise of powers conferred by the TRAI Act, 1997, read with notification of the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunication) No.39, made the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 dated the 21st July, 2010 (hereinafter referred to as the Tariff Order);

5. And whereas, the Authority has, in exercise of powers conferred by the TRAI Act, 1997, read with notification of the Government of India, in the Ministry of Communication and Information Technology (Department of Telecommunication) No.39, made the Telecommunication (Broadcasting

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and Cable) Services (Fifth) (Digital Addressable Cable TV Systems) Tariff Order, 2013 (No. 1 of 2013) dated the 27th May, 2013 [hereinafter referred to as the Tariff Order for STP];

6. And whereas, the sub-regulation (7)(b) of regulation 17 of the QoS regulations, inter-alia, contains provisions relating to publicising of various schemes available for provisioning of STB for the subscribers and the relevant text reads as under:-

"Every multi-system operator or its linked local cable operator, as the case may be, shall,-

(b) publicise the salient feature of various schemes available for outright purchase or rent or hire purchase of Set Top Boxes from it, in addition to the scheme as regards pricing, hire purchase or renting of Set Top Box, if any, specified by the Authority";

7. And whereas, the regulation 19 of the QoS regulations mandates the service provider to set up a website for providing information to the subscribers about the services available to them, and the relevant regulation reads as under:-

"19. Setting up of website by the multi-system operator.— Every multi-system operator, either directly or through his linked local cable operator, shall, before providing cable services through Digital Addressable System, establish a website which shall, inter-alia, contain the information pertaining to the services offered by such multi-system operator and the details of its complaint centre, complaint redressal system, complaint monitoring system, citizen charter, nodal officer etc";

8. And whereas, the sub-regulation (3) of regulation 15 of the QoS regulations contains provisions relating to itemized bill, inter alia, indicating the charges for STB and reads as under:-

"(3) The entries in the bills shall be itemized to indicate the price of individual channels or bouquet of channels along with the names of channels in the bouquet, charges for basic service tier and the channels comprised therein, charges for set top box, taxes along with the rates of taxes levied and the charges for value added services availed by the subscriber, if any.

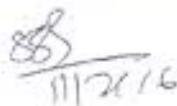
Provided that this sub-regulation shall not in any manner prevent the multi-system operator from promoting different schemes of payment".

9. And whereas, sub-regulation (1) of regulation 3 of the QoS regulations of the QoS regulations contains provisions relating to devising of formats for application form and the relevant text pertaining to STB reads as under:-

"3. Procedure for connection, disconnection, reconnection, transfer and shifting . – (1) Every multi-system operator or its linked local cable operator, as the case may be, offering digital addressable cable TV services, shall devise formats of application for seeking connection, disconnection, reconnection and for obtaining and returning of set top box as specified in Schedule I to these regulations.

Schedule-I. The application form shall be serially numbered and printed in Hindi, English and the regional language of the area of operation of the service provider and shall contain the following information.

(a) The details of all the three schemes of supply of Set Top Boxes (STBs) i.e. (1) Hire purchase, (2) Rental and (3) Outright purchase";


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10. And whereas, clause 7 of the tariff order, contains provisions relating to providing of STB on outright purchase basis, hire purchase basis or rental basis, and reads as under:-

"7. Option to provide Customer Premises Equipment on out right purchase or hire purchase or rent. Every service provider, who provides broadcasting services or cable services using an addressable system to its ordinary subscribers, shall give an option to every ordinary subscriber to make available to such subscriber, the Customer Premises Equipment, conforming to the Indian Standard, if any, set by the Bureau of Indian Standards, on out right purchase basis or hire purchase basis or rental basis,

(a) in accordance with the scheme, if any, made by the Authority in this behalf;

(b) in case no such scheme as referred to in clause (a) has been made by the Authority, then in accordance with the schemes made by such service provider or his agent authorised by him in this behalf;

Provided that any such scheme made by the service provider shall provide for the following, namely:-

(i) terms and conditions for return of the Customer Premises Equipment by a subscriber to the service provider, before completion of period of hire purchase or rental and refund of security deposit or advance payments, if any, after appropriate and reasonable adjustments towards depreciation (not exceeding 25% for each half year or part of it) in case of return of Customer Premises Equipment by a subscriber to the service provider;

(ii) replacement of faulty Customer Premises Equipment and repair and maintenance of Customer Premises Equipment acquired under hire purchase scheme or on rental scheme during the period of hire purchase or rental scheme without any payment";

11. And whereas, the Authority has prescribed Standard Tariff Package for providing STBs on rental scheme and the clause 4 of the tariff order for STP reads as under:-

"4. Tariff for supply and installation of set top boxes.— (1) Every multi system operator shall, without prejudice to the provisions of the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 (No.1 of 2010), offer to every ordinary subscriber the standard tariff package, for supply and installation of the set top box, conforming to the Indian Standard, if any, set by the Bureau of Indian Standards, specified in the Schedule.

(2) In addition to the option available under the Telecommunication (Broadcasting and Cable) Services (Fourth) (Addressable Systems) Tariff Order, 2010 (No.1 of 2010), the ordinary subscriber shall have option to acquire the set top box at the rate and the terms and conditions specified in the Schedule and the multi system operator shall, on receipt of request from the ordinary subscriber, supply and install the set top box at the premises indicated by the subscriber.

12. And whereas, instances have come to the notice of the Authority that service providers are not prominently publicising the schemes offered for supply and installation of STBs by them, in derogation of the regulatory framework;

13. And whereas, regulation 24 of the QoS regulations reads as under:-

"24. Intervention by Authority in certain cases.-- The Authority may, by order or direction, from time to time, intervene, for the purpose of protecting the interest of the subscribers or monitoring the performance of quality of service standards of the multi-system operator or its linked local cable operator or for ensuring compliance of the provisions of these regulations";



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14. Now, therefore, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and regulation 24 of the QoS regulations hereby directs all the multi system operators registered for providing cable TV services through Digital Addressable Systems (DAS) to:

- ✓ 1) prominently publicise information with respect to various schemes of supply and installation of STBs offered by them, on their websites;
- ✓ 2) provide the URL link of their websites showing the details of schemes offered by them to the Authority;

All MSOs registered for providing Cable TV services through DAS are hereby directed to furnish compliance of the aforesaid direction to the Authority within twenty one days of issue of this direction.

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(G.S. Kesarwani)

Dy. Advisor (B&CS)

Tele fax: 011-23220442

To:

- 1) All MSOs registered for providing cable TV services through DAS.