



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



Dated: - 09th February, 2021

**Subject: Direction to M/s. UCN Cable Network Pvt. Ltd. (UCN) 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 to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 dated 3rd March, 2017.**

**No. D-2/1/(1)/2021-B AND CS(2):** 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; 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 Communications and Information Technology (Department of Telecommunications), vide its Notification No.39, ---

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

(b) published under notification No.S.O.44 (E) dated 9<sup>th</sup> 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 3rd March, 2017* (hereinafter referred to as "Tariff Order 2017");

(b) *the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 dated 3rd March, 2017*; and

*DD's*



(c) *the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 dated 3rd March, 2017;*

4. And whereas clause 4 of the Tariff Order 2017, inter alia, provides for the manner of offering of channels by distributors of television channels, and the relevant portion of the said clause reads as under: -

*“(4) It shall be permissible for a distributor of television channels to offer bouquet(s) formed from pay channels of one or more broadcasters and declare distributor retail price(s) , per month, of such bouquet(s) payable by a subscriber:*

*Provided that such bouquet shall not contain any pay channel for which maximum retail price per month declared by the broadcaster is more than rupees twelve:*

*Provided further that the distributor retail price per month of such bouquet of pay channels shall not be less than eighty five percent of the sum of distributor retail prices per month of a-la-carte pay channels and bouquet(s) of pay channels forming part of that bouquet:*

*Provided further that the distributor retail price per month of a bouquet of pay channels offered by a distributor of television channels shall, in no case, exceed the sum of maximum retail prices per month of a-la-carte pay channels and bouquet(s) of pay channels, declared by broadcasters, forming part of that bouquet:*

*Provided further that such bouquet shall not contain any free-to-air channel:*

*Provided also that such bouquet shall not contain both HD and SD variants of the same channel.*

*Explanation: For the removal of doubt it is hereby clarified that a distributor of television channels while forming bouquet under this clause shall not break a bouquet of pay channels offered by a broadcaster to form two or more bouquet(s) at distribution level.”;*

5. And whereas it was observed by the Authority that M/s. UCN has not fully complied with the provisions of new regulatory framework, and vide letter/show cause notice 12-23/2020-B&CS dated 22.10.2020, comments of M/s. UCN were sought for such non-compliance;

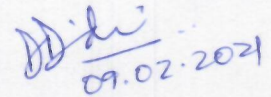
6. And whereas in its reply dated 06.11.2020, M/s. UCN Cable Network Pvt. Ltd. stated that they are in compliance to the issues raised by the Authority in its letter dated



22.10.2020 except for issues raised by para 2(b), for which they requested to grant some more time for compliance;

7. And whereas vide mail dated 05.01.2020, M/s. UCN intimated the Authority that they have complied with the new regulatory framework. However, it is observed that the one DPO bouquets (earlier Grameen 250 & now revised to AA-Grameen 270), displayed on the website of M/s. UCN is still non-compliant with the second proviso to sub-clause 4 of clause 4 of the Tariff Order, 2017;

8. 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 **M/s. UCN Cable Network Pvt. Ltd.**, to comply with the provisions of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 and furnish compliance report to the Authority within twenty one days from the date of issuance of this Direction, failing which M/s. UCN Cable Network Pvt. Ltd., shall be liable for action as per extant regulatory provisions.

  
09.02.2021

(Devendra Dwivedi)  
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To

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