



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



DIRECTION

Dated: 22nd February 2019

Subject: Direction to distributors of television channels under section 13, read with clause (b) of sub section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997, regarding to listing of channels in electronic programme guide.

No. 28-3/2019-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 (24 of 1997) [hereinafter referred to as TRAI Act, 1997], has been entrusted with discharge of certain functions, *inter-alia*, to regulate the telecommunication services; fix the terms and conditions of inter-connectivity between the service providers; ensure technical compatibility and effective inter-connection between different 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 services;

2. And whereas the Central Government, in the Ministry of Communication and Information Technology (Department of Telecommunications), vide its notification No.39, ---

- (a) 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, 1997 and
- (b) published under notification number S.O.44(E) dated the 9th 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, in exercise of its powers conferred by the TRAI Act, 1997, read with notification No. 39 of the Central Government, in the Ministry of Communication and Information Technology (Department of Telecommunication), made the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 (No. 1 of 2017) dated the 3rd March, 2017 (hereinafter referred to as 'Interconnection

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Regulations’); and the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 (No. 2 of 2017) dated 3rd March, 2017 (hereinafter referred to as ‘QoS Regulations’);

4. And whereas as notified by the Authority in the press release dated 3rd July, 2018 the provisions of the Interconnection Regulations, as upheld by the Hon’ble High Court of Madras, and the provisions of the QoS Regulations have come into effect from the 3rd July, 2018;

5. And whereas clause (18) of the Interconnection Regulations reads as under: -

“18. Listing of channels in electronic programme guide— (1) *Every broadcaster shall declare the genre of its channels and such genre shall be either ‘Devotional’ or ‘General Entertainment’ or ‘Infotainment’ or ‘Kids’ or ‘Movies’ or ‘Music’ or ‘News and Current Affairs’ or ‘Sports’ or ‘Miscellaneous’.*

(2) *It shall be mandatory for the distributor to place channels in the electronic programme guide, in such a way that the television channels of same genre, as declared by the broadcasters, are placed together consecutively and one channel shall appear at one place only*

(3) *Every distributor of television channels shall assign a unique channel number for each television channel available on the distribution network.*

(4) *The channel number once assigned to a particular television channel shall not be altered by the distributor for a period of at least one year from the date of such assignment:*

Provided that this sub-regulation shall not apply in case the channel becomes unavailable on the distribution network:

Provided further that if a broadcaster changes the genre of a channel then the channel number assigned to that particular television channel shall be changed to place such channel together with the channels of new genre in the electronic program guide.”;

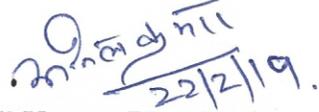
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6. And whereas clauses (38) of the QoS Regulations reads as under: -

“38. Display of channels in EPG.— (1) Every distributor of television channels shall display all channels available on its platform in the electronic programme guide and each channel shall be listed under the respective genre of the channel as declared by the broadcaster under applicable tariff order or regulations notified by the Authority from time to time and one channel shall appear at one place only:.....”

7. And whereas the Authority has received many complaints alleging transmission of Television Channels on dual LCN or placement of television channels by the distributors of TV channels, out of the genre declared by the broadcaster;

8. Now, therefore, the Authority, in exercise of the powers conferred upon it under section 13, read with clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and in order to protect the interest of service providers and consumers and ensure orderly growth of the sector, hereby directs all distributors of the television channels to ensure that the television channels of same genre, as declared by the broadcasters, are placed together consecutively and one channel shall appear at one place only, failing which action shall be taken against such distributors, under the provisions of TRAI Act, 1997.


(Anil Kumar Bhardwaj)
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To,

The Distributors of Television Channels (DTH Operators, Multi System Operators, HITS Operators and IPTV Operators) Service Operators