

Times Global Broadcasting Company Ltd.

Registered Office :Trade House, Kamala Mills Compound, Senapati Bapat Marg, Lower Parel, Mumbai-400013, India.

Tel:(Board) +91 22-24999944 Fax:+91 22-24931341

By Email & Hand Delivery

September 29, 2014

Telecom Regulatory Authority of India,
Mahanagar Door Sanchar Bhawan,
Jawahar Lal Nehru Marg, (Old Minto Road),
New Delhi – 110 002.

Kind Attn: Dr. Rahul Khullar, Chairperson

Dear Sir,

In re: Civil Appeal Nos. 829-833 of 2009, namely Telecom Regulatory Authority of India Vs. Set discovery before the Hon'ble Supreme Court.

This has reference to the Hon'ble Supreme Court's order dated September 17, 2014 in above cited appeals ("Order"). The Hon'ble Supreme Court, vide the Order, has directed:

"...We accordingly dispose of these appeals leaving all questions open for being agitated by the stakeholders as and when the TRAI passes a fresh tariff order in terms of the report prepared by it.

We may note the submissions made by learned counsel for the TRAI that since the report was prepared in 2010, there may be a necessity of holding further consultations. In any case, representations may be made by the stakeholders and to the extent possible, the TRAI will attempt to notify the fresh order immediately after 31.12.2014.

We make it clear that we have left all questions of law open and also make it clear that the status quo as on today will continue till 31.12.2014.

In case any of the stakeholders intend to make representations to the TRAI, they may do so positively within ten days and in any case on or before 30.09.2014.

The appeals are disposed of in view of the above."

As you are also aware that Times Global Broadcasting Company Limited ("TGBCL"), along with News Broadcasters Association ("NBA") had filed intervention applications before apex court in the said case on the grounds that the most pertinent issue of carriage fee charged by the Distribution Platform Operators ("DPOs") from the broadcasters should also be considered for regulation by the Authority. Now on several occasions, the news broadcasters individually and through their association viz. NBA have brought to the kind notice of the Authority, their plight due to continuous suffering at the hands of DPOs due to unregulated carriage fee.

Whilst, the Authority has been regulating the wholesale pricing, packaging of channels, mandatory a-la-carte offerings, broadcasters' wise offerings, inter-connection and disconnection of channels by the broadcaster, it has now the mandate and opportunity to bring about the much desired regulation of carriage fee charged by the DPOs. As the demand from the news broadcasters has long been that the carriage fee charged by the DPO should be reasonable, rationalistic and non-discriminatory and should be on the basis of genre of channels. Such regulation will create a level playing field for the stakeholders and ensure equal opportunity especially for news, small and regional broadcasters. Since the dates for mandatory DAS has been extended to December 2016, it would be an absolute necessity to bring the regulation on carriage fee as early as possible for all platforms including analogue, DTH and DAS platforms.

In view of the Order and our submissions above, it is requested that the Authority may include within the ambit of the new tariff order, which in terms of the Order it is obligated to bring before December 2014, the issue of regulation of carriage fee.

The above is for your kind information and necessary action. Should you require any further information on the captioned subject, you may kindly let us know.

Thank you.

For **Times Global Broadcasting Company Limited**

Authorized Signatory

