



Date : 15/11/2016

To,
Mr. S.K. Gupta (Pr. Advisor - B&CS)
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawaharlal Nehru Marg,
(Old Minto Road), New Delhi - 110002.

Dear Sir,

Subject: Response to the consultation on Draft Telecommunication (Broadcasting & Cable Services) (Eighth) (Addressable Systems) Tariff Order, 2016

Please find our response on the above subject. We would be happy to discuss some of key aspects, if desired.

Yours Faithfully,

For INDUSIND MEDIA & COMMUNICATIONS LTD.

Subhashish Mazumdar
Authorized Signatory

A handwritten signature in blue ink, appearing to be 'Subhashish Mazumdar', written over a blue line.

**IMCL COMMENTS ON THE DRAFT TELECOMMUNICATION (BROADCASTING AND CABLE SERVICES) (EIGHTH)
(ADDRESSABLE SYSTEMS) TARIFF ORDER, 2016**

Our comments are highlighted in the second column (right to the Draft Tariff Order)

S. No.	Existing Draft Tariff Order	Modification/Addition/Deletion proposed to the Draft Tariff Order
1.	<p>Clause 2(zh) reads as under:</p> <p>“subscriber” means a person who receives television broadcasting services, provided by a service provider, at a place indicated by such person without further transmitting it to any other person and each set top box located at such place, for receiving the subscribed television broadcasting services from the service provider, shall constitute one subscriber;</p>	<p>It is proposed that the Clause 2(zh) should be amended to the following:</p> <p>“subscriber” for the purposes of this Tariff Order means a person who receives television broadcasting services, provided by a service provider, at a place indicated by such person without further transmitting it to any other person and each set top box located at such place, for receiving the subscribed television broadcasting services from the service provider, shall constitute one subscriber;</p> <p>Entertainment tax should be for a ‘subscriber ‘ home and not every STB</p>
2.	<p>Clause 3 reads as under:</p> <p>3. Manner of offering channels by broadcasters. – (1) Every broadcaster shall declare --- (a) the nature of each channel as ‘free to air’ or ‘pay’ for different relevant geographical areas as specified in Schedule I; and (b) the maximum retail price, excluding taxes, of each pay channel on a-la-carte basis, to be paid by the subscriber: Provided that the maximum retail price of a pay channel shall be more than ‘zero’:</p>	<p>It is proposed that Clause 3 should be amended to the following:</p> <p>3. Manner of offering channels by broadcasters. – (1) Every broadcaster shall declare --- (a) the nature of each channel as ‘free to air’ or ‘pay’; and (b) the maximum retail price, excluding taxes, of each pay channel on a-la-carte basis, to be paid by the subscriber availing signals in a DAS Phase I, II and III Areas: For DAS IV areas , the Maximum Retail price shou,d be 50%. Also to clarify Maximum Retail price includes taxes or not?</p>

Provided further that the maximum retail price of a channel in a relevant geographical area shall be uniform for all distribution platforms in that area:
Provided further that it shall be open for a broadcaster to declare any pay channel as a premium channel.
(2) Every broadcaster shall offer all channels on a-la-carte basis to the subscriber.
(3) It shall be open for a broadcaster to offer pay channels in the form of bouquet(s) and declare the maximum retail price, excluding taxes, of such bouquet(s) to be paid by the subscriber:
Provided that it shall be open for a broadcaster, while making a bouquet of pay channels, to combine pay channels of its subsidiary company or holding company or subsidiary company of the holding company, which has obtained, in its name, the downlinking permission for its television channels, from the Government, after written authorization by them, and declare maximum retail price for such bouquet of pay channels:
Provided further that the maximum retail price of such bouquet of pay channels shall not be less than eighty five percent of the sum of maximum retail prices of the a-la-carte pay channels forming part of the bouquet:
Provided further that the maximum retail price of such bouquet of pay channels in a relevant geographical area shall be uniform for all distribution platforms in that

Provided that the maximum retail price of a pay channel shall be more than 'zero':
Provided further that the maximum retail price of a shall be uniform for all distribution platforms in that area:
Provided further that it shall be open for a broadcaster to declare any pay channel as a premium channel.
(2) Every broadcaster shall offer all channels on a-la-carte basis to the subscriber.
(3) It shall be open for a broadcaster to offer pay channels in the form of bouquet(s) and declare the maximum **retail price, excluding taxes, of such bouquet(s) to be paid by the subscriber availing signals in a DAS Phase I, II and III Areas: DAS IV price can be different at lower level if the aforementioned suggestion of removal of geographical areas is accepted, all the Schedules to the instant Regulation will have to be renumbered accordingly as Schedule 1 would have been removed. Also, references made to relevant geographical area and corresponding changes to other clauses of the Regulations would also have to be made**
Provided that it shall be open for a broadcaster, while making a bouquet of pay channels, to combine pay channels of its subsidiary company or holding company or subsidiary company of the holding company, which has obtained, in its name, the downlinking permission for its television channels, from the Government, after written authorization by them, and declare maximum retail price for such bouquet of pay channels:
Provided further that the maximum retail price of such

<p>area: Provided further that such bouquet shall not contain any free to air channel: Provided further that such bouquet shall not contain high HD and SD variants of the same channel: Provided also that such bouquet shall not contain any premium channel. Explanation: For the purpose of these regulations, the definition of “subsidiary company” and “holding company” shall be the same as assigned to them in the Companies Act, 2013 (18 of 2013). (4) The maximum retail price of a pay channel or a bouquet of pay channels may vary for different relevant geographical areas. (5) The broadcaster shall not increase the maximum retail price of a pay channel or a bouquet of pay channels for a period of six months from the date of declaration of maximum retail price of such pay channel or bouquet of pay channels. (6) No broadcaster shall change the nature of a channel as declared under section (a) of subclause (1) of clause 3 for a period of six months from the date of such declaration: Provided that a broadcaster, before making any change in the nature of any channel, shall at least ninety days prior to the scheduled change --- (a) inform the Authority; (b) inform the distributors of television channels; and (c) inform the subscribers by running</p>	<p>bouquet of pay channels shall not be less than eighty five percent of the sum of maximum retail prices of the a-la-carte pay channels forming part of the bouquet: Provided further that the maximum retail price of such bouquet of pay channels shall be uniform for all distribution platforms in that area: Provided further that such bouquet shall not contain any free to air channel: Provided further that such bouquet shall not contain high HD and SD variants of the same channel: Provided also that such bouquet shall not contain any premium channel. Explanation: For the purpose of these regulations, the definition of “subsidiary company” and “holding company” shall be the same as assigned to them in the Companies Act, 2013 (18 of 2013). <i>(4) The maximum retail price of a pay channel or a bouquet of pay channels applicable to subscriber in a DAS Phase IV Area shall be 50% of the declared the maximum retail price of a pay channel or a bouquet of pay channels for the DAS Phase I, II and III Areas.</i> (5) The broadcaster shall not increase the maximum retail price of a pay channel or a bouquet of pay channels for a period of six months from the date of declaration of maximum retail price of such pay channel or bouquet of pay channels. (6) No broadcaster shall change the nature of a channel as declared under section (a) of subclause (1) of clause 3 for a period of six months from the date of such declaration: Provided that a broadcaster, before making any change in the nature of any channel, shall at least ninety days</p>
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	<p>scroll on the channel.</p> <p>(7) Every broadcaster, before making any change, in the maximum retail price of a pay channel or a bouquet of pay channels or in the nature of a channel, as the case may be, shall follow the provisions of the Regulations including but not limited to the publication of Reference Interconnection Offer.</p>	<p>prior to the scheduled change ---</p> <p>(a) inform the Authority;</p> <p>(b) inform the distributors of television channels; and</p> <p>(c) inform the subscribers by running scroll on the channel.</p> <p>(7) Every broadcaster, before making any change, in the maximum retail price of a pay channel or a bouquet of pay channels or in the nature of a channel, as the case may be, shall follow the provisions of the Regulations including but not limited to the publication of Reference Interconnection Offer.</p>
3.	<p>Clause 6 reads as under:</p> <p>6. Manner of offering of channels by the distributor of television channels: (1) No distributor of television channels shall charge a rental amount exceeding rupees one hundred and thirty, excluding taxes, per month per set top box from a subscriber for providing a capacity so as to enable the subscriber to receive the signals of up to one hundred SD channels:</p> <p>Provided that one HD channel shall be treated equal to two SD channels for the purpose of calculating capacity of one hundred channels offered to the subscriber.</p> <p>(2) Every distributor of television channels shall offer all the channels available on its network on a-la-carte basis and declare retail prices of pay channels payable by the subscriber.</p>	<p>It is proposed that Clause 6 should be amended to the following:</p> <p>6. Manner of offering of channels by the distributor of television channels: (1) A distributor of television channels shall charge a rental amount of rupees one hundred and thirty, excluding taxes, per month per set top box from a subscriber for providing a capacity so as to enable the subscriber to receive the signals of up to one hundred SD channels: Provided that one HD channel shall be treated equal to 4 SD channels for the purpose of calculating capacity of one hundred channels offered to the subscriber.</p> <p>(2) Every distributor of television channels shall offer all the channels available on its network on a-la-carte basis</p>

(3) It shall be open for a distributor of television channels to offer a-la-carte pay channels of one or more broadcasters in the form of bouquet(s) and declare the retail price of such bouquet(s) to be paid by the subscriber:

Provided that the retail price of such bouquet of pay channels shall not be less than eighty five percent of the sum of retail prices of the a-la-carte pay channels forming part of the bouquet:

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

Provided further that such bouquet shall not contain HD and SD variants of the same channel:

Provided further that such bouquet shall not contain any premium channel.

Explanation: For the removal of doubt it is hereby clarified that a distributor of television channels while forming bouquet under this clause shall include only a-la-carte channels of broadcasters.

(4) Every distributor of television channels shall offer its subscribers each bouquet of channels formed by the broadcasters, and which are available on its platform, without any alteration and declare the retail price for such bouquet(s) payable by the subscriber.

(5) No distributor of television channels shall charge any amount, other than the rental amount, from its subscribers for subscribing to free to air channels or bouquet(s) of free to air channels.

(6) Within the capacity of one hundred SD

and declare retail prices of pay channels payable by the subscriber.

(3) It shall be open for a distributor of television channels to offer a-la-carte pay channels of one or more broadcasters in the form of bouquet(s) and declare the retail price of such bouquet(s) to be paid by the subscriber:

Provided that the retail price of such bouquet of pay channels shall not be less than eighty five percent of the sum of retail prices of the a-la-carte pay channels forming part of the bouquet:

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

Provided further that such bouquet shall not contain HD and SD variants of the same channel:

Provided further that such bouquet shall not contain any premium channel.

Explanation: For the removal of doubt it is hereby clarified that a distributor of television channels while forming bouquet under this clause shall include only a-la-carte channels of broadcasters.

(4) Every distributor of television channels shall offer its subscribers each bouquet of channels formed by the broadcasters, and which are available on its platform, without any alteration and declare the retail price for such bouquet(s) payable by the subscriber.

(5) No distributor of television channels shall charge any amount, other than the rental amount, from its subscribers for subscribing to free to air channels or bouquet(s) of free to air channels.

(6) Within the capacity of one hundred SD channels, as referred to in sub-clause (1), in addition to channels notified by the Central Government to be mandatorily provided to subscribers, a subscriber shall be free to choose any free to air channel(s), pay channel(s), premium channel(s) or bouquet(s) of channels offered by

	<p>channels, as referred to in sub-clause (1), in addition to channels notified by the Central Government to be mandatorily provided to subscribers, a subscriber shall be free to choose any free to air channel(s), pay channel(s), premium channel(s) or bouquet(s) of channels offered by the broadcasters or bouquet(s) of channels offered by the distributor of television channels:</p> <p>Provided that if a subscriber opts for pay channels or premium channels or bouquet of pay channels, he shall be liable to pay retail price for such channels or bouquets separately.</p> <p>(7) Every distributor of television channels shall offer at least one bouquet, referred to as basic service tier, of one hundred free to air channels including all the channels notified by the Central Government to be mandatorily provided to the subscribers and such bouquet shall contain at least five channels of each genre as referred to in the sub-clause (1) of clause 4:</p> <p>Provided that in case sufficient number of free to air channels of a particular genre is not available on the network, the distributor of television channels shall be free to include the channels of other genres.</p> <p>(8) Subject to the availability of capacity on its network, each distributor of television channels shall offer additional capacity to a subscriber in the slabs of twenty five SD channels each, beyond</p>	<p>the broadcasters or bouquet(s) of channels offered by the distributor of television channels:</p> <p>Provided that if a subscriber opts for pay channels or premium channels or bouquet of pay channels, he shall be liable to pay retail price for such channels or bouquets separately.</p> <p>(7) Every distributor of television channels shall offer at least one bouquet, referred to as basic service tier, of one hundred free to air channels including all the channels notified by the Central Government to be mandatorily provided to the subscribers and such bouquet shall contain at least five channels of each genre as referred to in the sub-clause (1) of clause 4:</p> <p>Provided that in case sufficient number of free to air channels of a particular genre is not available on the network, the distributor of television channels shall be free to include the channels of other genres.</p> <p>(8) Subject to the availability of capacity on its network, each distributor of television channels shall offer additional capacity to a subscriber in the slabs of twenty five SD channels each, beyond initial one hundred channels capacity referred to in sub-clause (1), at an amount not exceeding rupees twenty, excluding taxes, per such slab per set top box per month for such capacity:</p> <p>Provided that the subscriber shall also be liable to pay the retail price of the pay channels subscribed within these twenty five channels.</p> <p>(9) The retail price payable by a subscriber to a distributor of television channels for subscribing to a pay channel or a premium channel or a bouquet of pay channels formed by the broadcaster shall in no case exceed the maximum retail price declared by the broadcasters for such pay channel or premium channel or bouquet of pay channels.</p> <p>(10) The retail price of a bouquet of pay channels offered</p>
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	<p>initial one hundred channels capacity referred to in sub-clause (1), at an amount not exceeding rupees twenty, excluding taxes, per such slab per set top box per month for such capacity: Provided that the subscriber shall also be liable to pay the retail price of the pay channels subscribed within these twenty five channels.</p> <p>(9) The retail price payable by a subscriber to a distributor of television channels for subscribing to a pay channel or a premium channel or a bouquet of pay channels formed by the broadcaster shall in no case exceed the maximum retail price declared by the broadcasters for such pay channel or premium channel or bouquet of pay channels.</p> <p>(10) The retail price of a bouquet of pay channels offered by a distributor of television channels in no case shall exceed the sum of a-la-carte maximum retail prices of the pay channels forming the bouquet.</p> <p>(11) A distributor of television channels shall not increase the rental amount for a period of six months from the date of subscription by the subscriber.</p>	<p>by a distributor of television channels in no case shall exceed the sum of a-la-carte maximum retail prices of the pay channels forming the bouquet.</p>
4.	<p>Clause 7 reads as under:</p> <p>7. Reporting requirement. (1) Every broadcaster shall furnish the following information to the Authority, namely: - (a) names, genre, language and relevant geographical area of all free to air</p>	<p>It is proposed that Clause 7 should be amended to the following: 7. Reporting requirement. (1) Every broadcaster shall furnish the following information to the Authority, namely: - (a) names, genre and language of all free to air channels offered by the broadcaster;</p>

<p>channels offered by the broadcaster;</p> <p>(b) name, maximum retail price, genre, language and relevant geographical area of each pay channel offered by the broadcaster;</p> <p>(c) list of all bouquets of pay channels offered by the broadcaster with maximum retail prices of each bouquet, indicating the names of all the pay channels contained therein;</p> <p>(d) name, maximum retail price, language and relevant geographical area of each premium channel offered by the broadcaster;</p> <p>(e) whether the pay channels are pay channels in whole of the country or only in part of the country. (relevant geographical market(s) must be specified if a channel is a pay channel in part of the country);</p> <p>(f) advertisement revenue for the last financial year;</p> <p>(g) any other information relevant to free to air channels, pay channels, premium channels, maximum retail prices and bouquets offered by a broadcaster as called for by the Authority from time to time:</p> <p>Provided that the first such report, containing maximum retail prices effective from April 1, 2017, shall be submitted to the Authority by March 1, 2017 and, thereafter, any changes in such rates ---</p> <p>(a) shall be reported to the Authority thirty days prior to the change; and</p> <p>(b) shall also be published on the website</p>	<p>(b) name, maximum retail price, genre and language of each pay channel offered by the broadcaster;</p> <p>(c) list of all bouquets of pay channels offered by the broadcaster with maximum retail prices of each bouquet, indicating the names of all the pay channels contained therein;</p> <p>(d) name, maximum retail price and language of each premium channel offered by the broadcaster;</p> <p>(e) advertisement revenue for the last financial year;</p> <p>(f) any other information relevant to free to air channels, pay channels, premium channels, maximum retail prices and bouquets offered by a broadcaster as called for by the Authority from time to time:</p> <p>Provided that the first such report, containing maximum retail prices effective from April 1, 2017, shall be submitted to the Authority by January 1, 2017 and, thereafter, any changes in such rates ---</p> <p>(a) shall be reported to the Authority thirty days prior to the change; and</p> <p>(b) shall also be published on the website of the broadcaster.</p> <p>Provided further that every broadcaster shall provide to the Authority the advertisement revenue for each financial year within ninety days of the end of that financial year,</p> <p>(2) Every broadcaster who, after the commencement of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2016 (of 2016),-----</p> <p>(a) introduces any new pay channel or free to air channel or premium channel; or</p> <p>(b) converts any pay channel or premium channel into free to air channel; or</p> <p>(c) converts any free to air channel into pay channel or premium channels; or</p> <p>(d) converts any premium channel into free to air channel</p>
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<p>of the broadcaster. Provided further that every broadcaster shall provide to the Authority the advertisement revenue for each financial year within ninety days of the end of that financial year, (2) Every broadcaster who, after the commencement of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2016 (of 2016),---- --- (a) introduces any new pay channel or free to air channel or premium channel; or (b) converts any pay channel or premium channel into free to air channel; or (c) converts any free to air channel into pay channel or premium channels; or (d) converts any premium channel into free to air channel or pay channel; or (e) discontinues any free to air channel or pay channel or premium channel; or (f) introduces any new bouquet or discontinues any bouquet or changes rate of existing bouquet; or (g) changes genre, language, name etc. of any existing channel, shall, ninety days prior to such introduction or conversion or discontinuation or change, furnish to the Authority, the following information, namely:- (i) name of the channel to be introduced, converted or discontinued, (ii) the date on which the new channel is to be introduced, converted or</p>	<p>or pay channel; or (e) discontinues any free to air channel or pay channel or premium channel; or (f) introduces any new bouquet or discontinues any bouquet or changes rate of existing bouquet; or (g) changes genre, language, name etc. of any existing channel, shall, ninety days prior to such introduction or conversion or discontinuation or change, furnish to the Authority and to the Distributor of TV channels and subscribers, the following information, namely:- (i) name of the channel to be introduced, converted or discontinued, (ii) the date on which the new channel is to be introduced, converted or discontinued; (iii) the maximum retail price of the pay channel if it is a newly introduced or converted pay channel; (iv) the maximum retail price of the premium channel if it is a newly introduced or converted premium channel (v) composition of new bouquet or bouquets to be introduced along with maximum retail price for each such new bouquet; (vi) in the case of a new channel, the genre and language of the new channel; (vii) changed maximum retail price of the existing bouquet; (viii) changed maximum retail price, genre, language, name etc. of the existing channel. (3) Every broadcaster shall display on its website the information furnished under sub-clauses (1) and (2), except the information specified under sub clause (f) of clause (1), simultaneously with its submission to the Authority. (4) Every distributor of television channels shall furnish the following information to the Authority, namely:- (a) monthly rental amount charged from subscribers</p>
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	<p>discontinued;</p> <p>(iii) the maximum retail price of the pay channel if it is a newly introduced or converted pay channel;</p> <p>(iv) the maximum retail price of the premium channel if it is a newly introduced or converted premium channel</p> <p>(v) composition of new bouquet or bouquets to be introduced along with maximum retail price for each such new bouquet;</p> <p>(vi) in the case of a new channel, the genre and language of the new channel;</p> <p>(vii) changed maximum retail price of the existing bouquet;</p> <p>(viii) changed maximum retail price, genre, language, name etc. of the existing channel.</p> <p>(3) Every broadcaster shall display on its website the information furnished under sub-clauses (1) and (2), except the information specified under sub clause (f) of clause (1), simultaneously with its submission to the Authority.</p> <p>(4) Every distributor of television channels shall furnish the following information to the Authority, namely:-</p> <p>(a) monthly rental amount charged from subscribers</p> <p>(b) list of all pay, free to air and premium channels available to subscribers on its network</p> <p>(c) list of all the bouquets of pay channels and bouquets of free to air channels available to subscribers on its network</p>	<p>(b) list of all pay, free to air and premium channels available to subscribers on its network</p> <p>(c) list of all the bouquets of pay channels and bouquets of free to air channels available to subscribers on its network</p> <p>(d) retail price for pay channels, premium channels and bouquets of pay channels available to subscribers on its network</p> <p>(e) all terms and conditions, associated with the supply of set top boxes to the subscribers</p> <p>(f) all the platform services and their rates</p> <p>Provided that the first such report, containing monthly subscription charges and retail prices effective from April 1, 2017, shall be submitted to the Authority by March, 2017 and, thereafter, any changes in such rates ---</p> <p>(a) shall be reported to the Authority thirty days prior to the change; and</p> <p>(b) shall also be published on the website of the distributor of television channels:</p> <p>Provided further that every such distributor of television channels who commences its services after coming into force of this Tariff Order shall submit to the Authority such reports before commencement of its services and thereafter any changes in the rates shall be reported thirty days prior to the change.</p> <p>(5) Every distributor of television channels who, after the commencement of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2016 (of 2016),-----</p> <p>(a) introduces any new pay channel or free to air channel or premium channel on its network; or</p> <p>(b) discontinues any free to air channel or pay channel or premium channel from its network; or</p> <p>(c) introduces any new bouquet or discontinues any bouquet or changes rate of existing bouquet;</p> <p>shall, thirty days prior to such introduction or conversion</p>
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(d) retail price for pay channels, premium channels and bouquets of pay channels available to subscribers on its network

(e) all terms and conditions, associated with the supply of set top boxes to the subscribers

(f) all the platform services and their rates

Provided that the first such report, containing monthly subscription charges and retail prices effective from April 1, 2017, shall be submitted to the Authority by March, 2017 and, thereafter, any changes in such rates ---

(a) shall be reported to the Authority ninety days prior to the change; and

(b) shall also be published on the website of the distributor of television channels:

Provided further that every such distributor of television channels who commences its services after coming into force of this Tariff Order shall submit to the Authority such reports before commencement of its services and thereafter any changes in the rates shall be reported thirty days prior to the change.

(5) Every distributor of television channels who, after the commencement of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2016 (of 2016),----

(a) introduces any new pay channel or free to air channel or premium channel on its network; or

(b) discontinues any free to air channel or

or discontinuation or change, furnish to the Authority, the following information, namely:-

(i) name of the channel to be introduced or discontinued,

(ii) the date on which the new channel is to be introduced or discontinued;

(iii) retail price of the pay channel or premium channel if it is a newly introduced;

(iv) composition of new bouquet or bouquets to be introduced along with retail price for each such new bouquet;

(v) changed retail price of the existing bouquet;

(6) Every distributor of television channels shall display on its website the information furnished under sub-clauses (4) and (5), simultaneously with its submission to the Authority.

	<p>pay channel or premium channel from its network; or</p> <p>(c) introduces any new bouquet or discontinues any bouquet or changes rate of existing bouquet;</p> <p>shall, ninety days prior to such introduction or conversion or discontinuation or change, furnish to the Authority, the following information, namely:-</p> <p>(i) name of the channel to be introduced or discontinued,</p> <p>(ii) the date on which the new channel is to be introduced or discontinued;</p> <p>(iii) retail price of the pay channel or premium channel if it is a newly introduced;</p> <p>(iv) composition of new bouquet or bouquets to be introduced along with retail price for each such new bouquet;</p> <p>(v) changed retail price of the existing bouquet;</p> <p>(6) Every distributor of television channels shall display on its website the information furnished under sub-clauses (4) and (5), simultaneously with its submission to the Authority.</p>	
5.	<p>Clause 8 reads as under:</p> <p>8. Appointment of compliance officer and his obligations. -- (1) Every service provider shall, within thirty days from the date of commencement of this order, appoint a compliance officer: Provided that nothing contained in this sub-clause shall apply to a distributor of</p>	<p>It is proposed that Clause 8 should be amended to the following:</p> <p>8. Appointment of compliance officer and his obligations. -- (1) Every service provider shall, within sixty days from the date of commencement of this order, appoint a compliance officer: Provided that nothing contained in this sub-clause shall apply to a distributor of television channels having average subscribers base, over the immediately</p>

<p>television channels having average subscribers base, over the immediately preceding calendar quarter, less than two lakh or such other number of subscribers which may be prescribed by the Authority through direction from time to time: Provided further that this sub-clause shall also not apply to a free to air broadcaster and a local cable operator.</p> <p>(2) Every service provider which is a company shall, within ten days from the date of appointment of the compliance officer under sub-clause (1), furnish to the Authority, the name, complete address, contact number and e-mail address of the compliance officer along with authenticated copy of the board's resolution authorizing the appointment of such compliance officer.</p> <p>Explanation: For the purpose of this order, the definition of "company" shall be the same as assigned to it in the Companies Act, 2013(18 of 2013).</p> <p>(3) Every service provider which is not a company shall, within ten days from the date of appointment of the compliance officer under sub-clause (1), furnish to the Authority the name, full address, contact number and e-mail address of the compliance officer along with authenticated copy of the authorization letter authorizing the appointment of such compliance officer.</p> <p>(4) In the event of any change in the name of the compliance officer so appointed under sub clause (1), the same</p>	<p>preceding calendar quarter, less than two lakh or such other number of subscribers which may be prescribed by the Authority through direction from time to time: Provided further that this sub-clause shall also not apply to a free to air broadcaster and a local cable operator.</p> <p>(2) Every service provider which is a company shall, within ten days from the date of appointment of the compliance officer under sub-clause (1), furnish to the Authority, the name, complete address, contact number and e-mail address of the compliance officer along with authenticated copy of the board's resolution authorizing the appointment of such compliance officer.</p> <p>Explanation: For the purpose of this order, the definition of "company" shall be the same as assigned to it in the Companies Act, 2013(18 of 2013).</p> <p>(3) Every service provider which is not a company shall, within ten days from the date of appointment of the compliance officer under sub-clause (1), furnish to the Authority the name, full address, contact number and e-mail address of the compliance officer along with authenticated copy of the authorization letter authorizing the appointment of such compliance officer.</p> <p>(4) In the event of any change in the name of the compliance officer so appointed under sub clause (1), the same shall be reported to the Authority by the service provider within thirty days from the date of occurrence of such change along with authenticated copy of board's resolution or authorization letter, as the case may be.</p> <p>(5) In the event of any change in the address or contact number or email address of the compliance officer, the same shall be reported to the Authority by the service provider within ten days from the date of occurrence of such change.</p> <p>(6) The compliance officer shall be responsible for - (a) ensuring conformity with the provisions of this order applicable to the service provider.</p>
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<p>shall be reported to the Authority by the service provider within ten days from the date of occurrence of such change along with authenticated copy of board's resolution or authorization letter, as the case may be.</p> <p>(5) In the event of any change in the address or contact number or email address of the compliance officer, the same shall be reported to the Authority by the service provider within ten days from the date of occurrence of such change.</p> <p>(6) The compliance officer shall be responsible for-</p> <p>(a) ensuring conformity with the provisions of this order applicable to the service provider.</p> <p>(b) reporting to the Authority, with respect to compliance with this order and other directions of the Authority issued under this order.</p> <p>(c) ensuring that proper procedures have been established and followed by the service provider that would result in the correctness, authenticity and completeness of the information, statements and reports filed by the service provider under this order.</p>	<p>(b) reporting to the Authority, with respect to compliance with this order and other directions of the Authority issued under this order.</p> <p>(c) ensuring that proper procedures have been established and followed by the service provider that would result in the correctness, authenticity and completeness of the information, statements and reports filed by the service provider under this order.</p>
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