

**TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY,
PART III, SECTION 4**

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 22 November 2022

No. RG-8/1/(9)/2021-B AND CS(1 AND 3).--- In exercise of the powers conferred by sub-section (2) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), read with notification of the Central Government, in the Ministry of Communication and Information Technology (Department of Telecommunications), No. 39, -----

1. 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
2. published under notification No. S.O. 44 (E) and 45 (E) dated 9th January, 2004 in the Gazette of India, Extraordinary, Part II, Section 3, ----

the Telecom Regulatory Authority of India hereby makes the following Order to amend the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (1 of 2017), namely: -

**THE TELECOMMUNICATION (BROADCASTING AND CABLE) SERVICES
(EIGHTH) (ADDRESSABLE SYSTEMS) TARIFF (THIRD AMENDMENT) ORDER, 2022
(No. 4 of 2022)**

1. Short title, extent and commencement:

- (i) This Order may be called the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Third Amendment) Order, 2022 (4 of 2022).

(ii) This Order shall apply throughout the territory of India.

(iii) This Order shall come into force from 1st of February 2023 except clause 4 and 5 of this order which shall come into force from the date of publication of this order in the Official Gazette..

2. In clause 3 of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (hereinafter referred to as the “principal Tariff Order”), in sub-clause (3)

(a) in the second proviso, for the words “rupees twelve”, the words “rupees nineteen” shall be substituted;

(b) for the third proviso, the following proviso shall be substituted, namely: ---

“Provided further that maximum retail price per month of such bouquet of pay channels shall not be less than fifty five percent of the sum of maximum retail prices per month of a-la-carte pay channels forming part of that bouquet;”

3. In clause 4 of the principal Tariff Order, ----

(a) in the second proviso to sub-clause (3), for the words “rupees twelve”, the words “rupees nineteen” shall be substituted;

(b) in the first proviso to sub-clause (4), for the words “rupees twelve”, the words “rupees nineteen” shall be substituted;

4. In clause 6 of the principal Tariff Order, ----

(a) after the first proviso to sub-clause (1), the following proviso shall be inserted, namely: -

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“Provided further that any change in name, nature, language, maximum retail prices, per month, of channels and maximum retail price, per month, or composition of bouquets due

to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Third Amendment) Order, 2022, shall be

- a) reported to the Authority on the portal as specified for this purpose at least forty-five days prior to such change;
- b) simultaneously published on the website of the broadcaster; and
- c) communicated to all the distributors of television channels, with whom it has entered into interconnection agreement.”

(b) the third proviso shall be deleted.

5. In clause (7) of the principal Tariff Order, -----

- (a) after the first proviso to sub-clause (1), the following proviso shall be inserted, namely: -

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“Provided further that any change in network capacity fee, name, nature, language, distributor retail prices of pay channels, distributor retail price or composition of bouquet of pay channels and composition of bouquet of free-to-air channels, network capacity fee for each additional TV connection beyond first TV connection in a multi TV home and long term subscriptions, as the case may be, due to the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Third Amendment) Order, 2022, shall be -

- a) reported to the Authority on the portal as specified for this purpose at least thirty days prior to such change; and
- b) simultaneously published on the website of the distributor.”

(b) the third proviso shall be deleted.

(V. Raghunandan)
Secretary, TRAI

Note 1.----The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (1 of 2017) was published in the Gazette of India, Extraordinary, Part III, Section 4 vide notification No. 21-1/2016-B&CS dated 3rd March, 2017 and subsequently amended vide notifications No. 1-2/2017-B&CS dated 30th March, 2017 and No. 21-01/2019- B&CS dated 1st January 2020.

Note 2. ----The Explanatory Memorandum at Appendix A to this Order explains the objects and reasons of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Third Amendment) Order, 2022

EXPLNATORY MEMORANDUM

Introduction and Background

1. The Telecom Regulatory Authority of India (TRAI) on 3rd March, 2017 notified the new regulatory framework to ensure orderly growth of the Broadcasting and Cable TV Sector after a consultation process that lasted for more than one and a half year. This was necessitated by the complete digitization of Cable TV networks in India. The framework comprised of following Tariff Order and Regulations:
 - i. The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 (Tariff Order 2017);
 - ii. The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 (Interconnection Regulations, 2017);
 - iii. The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 (QoS Regulations, 2017).

Hereinafter, the above two Regulations & the Tariff order are collectively referred to as 'the Framework.'

2. However, the framework could not be implemented as per the proposed timelines due to legal challenges. After passing legal scrutiny in Hon'ble High Court Madras and Hon'ble Supreme Court, 'the framework' came into effect from 29th December 2018. Collectively the three determinations completely overhauled the regulatory framework for the Sector. Given the size and structure of the Sector and the changes that 'the framework' entailed, it was imminent that there could be some transient issues.
3. TRAI carried out a consumer survey during July and August 2019 through an agency. The survey results reflected some inadequacies resulting in issues for the consumers. TRAI also received quite a few consumer representations during this period. 'the Framework' changed

quite a few business processes. As a result, many positives emerged. Consumers could exercise their choices like never before. All the stakeholders in the television distribution value chain were assured of their distinct revenue stream(s). The trust-based audit regime through third party empaneled auditors started functioning. These measures helped in enabling orderly growth of the sector. Yet, it was observed that a few service providers were making unfair use of the available flexibility of the framework. The Authority took up a consultative exercise to address these issues. After due consultation in the last quarter of 2019, TRAI notified the following amendments to the Regulatory Framework 2017, on 1st January 2020:

- A. The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2017 (Tariff Amendment Order 2020)
- B. The Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Second Amendment) Regulations, 2017 (Interconnection Amendment Regulations, 2020)
- C. The Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) (Third Amendment) Regulations, 2017 (QoS Amendment Regulations, 2020)

Hereinafter, the above amendments are collectively referred to as ‘the amended Framework 2020’¹

4. Important amendments as per ‘the amended Framework 2020’ are as follows:
- a) Increase in number of SD channels from 100 to 200 in the NCF of maximum Rs. 130/- per month.)
 - b) More than 200 SD channels in the NCF of maximum Rs. 160/- per month.
 - c) NCF for 2nd TV connection and onwards in multi TV homes not more than 40% of declared NCF per additional TV.
 - d) Subscribers can choose a different set of channels for each TV connection in a multi TV home
 - e) Broadcasters’ freedom to fix the price of their channels continued
 - f) Reduction of ceiling price on MRP of pay channels for inclusion in bouquet from Rs. 19/- to Rs. 12/-.

¹ Some stakeholders and Media reports refer to ‘the Amended Framework 2020’ as NTO 2.0

- g) Reasonable restrictions on number of bouquets offered by broadcasters - Number of bouquets of pay channels not to be more than number of pay channels offered by a broadcaster.
 - h) MRP of a channel should not be more than the MRP of any bouquet containing that channel in order to bring further reasonableness in the bouquet formation and pricing.
 - i) Flexibility to DPOs to declare different NCFs for different geographical regions/areas within their service areas
 - j) DPOs may offer discounts on NCF and DRP on long term subscriptions of duration of 6 months and above.
 - k) Reduced amount of carriage fee - 20 paise per subscriber per month for SD channels with a cap of Rs. 4 lakh per month payable by a broadcaster to a DPO in a month for carrying a channel in the country.
5. Some stakeholders challenged the amendments framework 2020. Provisions related to Network Capacity Fee (NCF), multi-TV homes and long-term subscriptions were challenged by All India Digital Cable Federation (AIDCF) and others in the High Court of Kerala. Provisions related to cap on MRP of a channel to be part of a bouquet, relationship between a-la-carte channels and bouquet pricing etc. were challenged by the Indian Broadcasting & Digital Foundations (IBDF) and others in the High Court of Bombay.
6. After interim orders of the Hon'ble High Court of Kerala, the provisions related to Network Capacity Fee (NCF), multi-TV homes and long-term subscriptions contained in 'the amended Framework 2020' have been implemented. The consumers are availing due benefits of these amendments. Every consumer now gets 228 TV channels instead of 100 channels earlier, in a maximum NCF of Rs. 130/-. This resulted in a reduction of consumers' NCF for availing a similar number of channels by estimated Rs. 40/- to Rs. 50/. In addition, the amendment in NCF for multi-TV homes has enabled further savings to the tune of 60% on second (and more) television sets.
7. As mentioned in para 5 some broadcasters and other stakeholders challenged 'the amended Framework 2020' in the Hon'ble High Court of Bombay vide Writ Petition (L) No. 116 of 2020 and other connected matters therewith.

8. Hon'ble High Court of Bombay, vide its Judgement dated 30th June 2021 upheld the validity of New Regulatory Framework 2020 except for the condition of the average test provided in the third proviso to sub-clause (3) of clause 3 of the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff (Second Amendment) Order, 2020 (herein after referred as Tariff Amendment Order 2020).
9. The petitioners in the said case at High Court of Bombay filed Special Leave Petitions (SLPs) in the Hon'ble Supreme Court of India, challenging the judgement dated 30th June 2021. No interim relief was granted by the Hon'ble Supreme Court. On 15th February 2022, the petitioners submitted an affidavit in Hon'ble Supreme Court for withdrawal of SLPs. Hon'ble Supreme court was pleased to grant permission for the withdrawal of the SLP and passed the following order on the same day:
“The Special Leave Petitions are dismissed as withdrawn. All questions of law open are kept open.”
10. Meanwhile, considering that no interim relief was granted by Hon'ble Supreme Court on the judgement of Hon'ble Bombay Court, the Authority issued a letter dated 12th October 2021 (Annexure III) to all the broadcasters seeking compliance with the provisions of New Regulatory Framework 2020 as upheld by Hon'ble Court of Bombay, within 10 days. Consequently, most of the broadcasters submitted their Reference Interconnect Offer (RIOs) to TRAI in compliance with 'the amended Framework 2020'. As per extant provisions, these RIOs were also published on their websites in November 2021.
11. New tariffs announced by the major broadcasters reflected a common trend. The prices of their most popular channels, including the sports channels, were increased beyond Rs. 19/- per month. In compliance with the extant provisions, all such channels that are priced higher than Rs. 12/- (per month) have been kept out of bouquet. Accordingly, all the channels with maximum retails price above Rs. 12/- have been offered only on a-la-carte basis. The revised RIOs indicated wide-scale changes in composition of almost all the bouquets being offered.

12. As soon as the new RIOs were announced, TRAI started receiving representations from Distribution Platform Operators (DPOs), Associations of Local Cable Operators (LCOs) and Consumer Organizations. In General, the representations reflected that the new RIOs would entail hardships on distribution ecosystem, as service offerings for every consumer will require obtaining of new choices. Consumer organizations also raised the issue of impending rise in monthly bills. DPOs also highlighted difficulties likely to be faced by them in implementing new rates in their IT systems and migrating the consumers in bulk to the new tariff regime.
13. On the basis of the representations, TRAI extended the timelines for implementation and also started engaging with the stakeholders for facilitating the smooth implementation of the pending provisions of 'the amended Framework 2020'. It was impressed upon all the stakeholders that the migration to the amended Framework 2020 should not cause disruption of service to the consumers.
14. Through various representations and during the discussions of different associations (including LCO groups) held with TRAI, stakeholders raised various issues, inter-alia, as below:
 - Every Distributor of the television channel would require to make major changes in their service offerings to align with new RIOs declared by broadcasters.
 - Due to changes in composition of bouquets, almost every consumer would need to submit new choices to the distributor concerned through LCOs/ directly.
 - The way new tariffs are structured, implementation entails wide scale changes in service configuration of the IT Systems by distributors.
 - The transition would entail huge effort on the part of Local Cable Operators and consumers as well as on IT systems.
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15. The stakeholders requested TRAI to take appropriate steps and ensure that consumers do not face hardships due to impending changes, including rise in monthly bills, caused by revised RIOs. In general, there was a view that TRAI may consider appropriate consultation to review certain provisions that are necessary for smooth implementation and consumers convenience.

16. To deliberate on the issues related to pending implementation of New Regulatory Framework 2020 and suggest a way forward, a committee consisting of members from Indian Broadcasting & Digital Foundation (IBDF), All India Digital Cable Federation (AIDCF) & DTH Association was constituted under the aegis of TRAI (Annexure IV). The broad terms of reference of the Committee were as below:
 1. To look into the process of smooth implementation of New Regulatory Framework 2020 keeping in view consumers convenience in exercising informed choices and suggest measures thereof (if any).
 2. To identify issues of concern and suggest measures for overall growth of the broadcasting sector.
17. The purpose of the committee was to provide a platform and facilitate discussions among various stakeholders to come out on a common agreed path for smooth implementation of Tariff Amendment Order 2020. Stakeholders were advised to come up with an implementation plan with minimum disruptions or hassles to the consumers.
18. The committee held discussions on 23rd December 2021. Stakeholders listed the following issues which, in their opinion, required review:
 - a. The proposed tariffs by broadcasters through their RIOs submitted in compliance to NTO 2.0 Tariff Orders would cause a significant increase in the tariffs to consumers. The consumer price rise, if any, is required to be limited to a reasonable limit.
 - b. The proposed RIOs by Broadcasters may cause significant changes in the packages, especially due to keeping popular channels at higher a-la-carte prices, not being part of bouquets. This enjoins DPO to make very large number of plans and package offerings. Therefore, the DPOs require support from broadcasters so that they do not have to make large number of plans/ bouquets.
 - c. Considering the facts mentioned above, there is a need to simplify the process of exercising choices by consumers so that no channel should be provided to consumers without explicit consent. Consumers should have the facility to remove any channel.
 - d. The same product (television Channel) should be offered at the same price whether on Linear Television, Free Dish or Subscription based Video on Demand.

- e. Stakeholders suggested that more than two years have passed since NTO 2.0 amendments and more than three years have passed with NTO 1.0 implementations, since then, there is no change in prices of bouquet or a-la- carte channels. This has kept industry under stress in terms of providing quality products to the end consumers. As such restoring the MRP ceiling for bouquet inclusion to unamended tariff order level of Rs. Nineteen (19/-) would be appropriate.
 - f. The above provision shall also help in maintaining bouquet structure by ensuring all popular channels are within ceiling limits of bouquet. Additionally, this will also create bare minimum hassles to consumers in exercising their choices under new tariffs, as most of the tariffs may continue in their current form.
 - g. Allowing additional fifteen (15 %) percent incentive to DPOs for bouquets as well, as has been provided for a-la-carte channel (It was pointed by the chair that the said provision pertains to Interconnection regulations and is not part of Tariff Order).
 - h. The second twin condition may be reviewed to enhance the discount on sum of MRP of a-la-carte of pay channels forming part of the bouquet to fifty percent. This will enable the broadcasters to cross-subsidize the packages.
 - i. Revision in the ceiling of Network Capacity Fee (NCF) of Rs 130/-.
 - j. In case of multi-TV homes, broadcasters should also offer MRP of their channels for each additional TV connection, beyond the first TV connection, @ 40% of the MRP declared for the first TV connection. This will help consumers in saving cost of subscribing to pay channels on multiple televisions.
 - k. Review of ceiling of fifteen percent (15%) on discount on sum of a-la- carte channels of MRP of that bouquet available for DPOs.
 - l. Stakeholders suggested that TRAI should take immediate corrective measures and implement revised tariff by 1st April 2022. All DPOs present insisted that to properly implement new tariffs they will require sufficient time as prescribed.
19. The Stakeholders' Committee, however, requested TRAI to immediately address critical issues so that minimum hardship is caused to the consumers in implementation of Tariff Amendment Order 2020. Stakeholders also listed other issues for subsequent consideration by TRAI. All the members of the stakeholders' committee observed that urgent action is required to manage a smooth transition and to avoid inconvenience to consumers.

20. In order to address the issues as identified by the stakeholders' committee; TRAI issued the consultation paper on 'Issues related to New Regulatory Framework for Broadcasting and Cable services' on 7th May 2022 for seeking stakeholders' comments on points / issues which are pending for implementation of 'the amended Framework 2020'. Comments and counter comments received from stakeholders were placed on TRAI's website. This was followed by an open house discussion in New Delhi on 8th September 2022.
21. The following issues were placed for consultation:
 - A. Ceiling on MRP of TV Channels
 - B. Condition(s) for inclusion of a television channel in a bouquet
 - C. Discount structure on Bouquet pricing
 - D. Additional discount offered by broadcasters to DPOs

Analysis of Issues

22. Before undertaking the issues wise analysis, it is important to review the sector at a macro-level. The television distribution sector is served by a value chain comprising of three sets of stakeholders, namely: 1: Broadcasters; 2: Distribution Service Providers (DPO) (includes DTH, MSOs, IPTV & HITS); 3: Local Cable Operators (LCOs). The subscription revenues are divided amongst these three sets of stakeholders.
23. The broadcasters also earn revenue from advertising, events etc. More than 60% (sixty percent) of television channels are 'Free to Air' (FTAs), meaning they do not charge any subscription fee. Rather, many of these channels pay Carriage fee (including Marketing / placement fee) to the DPOs. Even among the pay channels, in general, the receipts from advertising revenue are more than the subscription revenue.
24. Similarly, DPOs also have multiple sources of revenue. In general, the streams of revenue of a DPO include Network Capacity Fee, Carriage Fee (including fees in form of Placement/

Marketing), subscription revenue from Platform channels², advertising revenue from platform channels etc.

25. Keeping the above broad observations in view, it is important to analyse the comments and counter-comments of stakeholders. In general, the different sets of players in the value chain have submitted contrasting comments. The views of stakeholders are sometimes diametrically opposite.
26. One set of stakeholders are suggesting that TRAI should provide full forbearance in pricing of television channels/ bouquets which will facilitate growth of the broadcasting sector. The other group of stakeholders have suggested that strict control by TRAI on all tariffs, including the price of channels, is required for ensuring growth of the sector.
27. Similarly, on the issues of available flexibility in formation of bouquets, distribution fee, discounts, incentives etc. the stakeholders' views are at two ends of the spectrum.
28. The LCOs, especially, are seeking higher revenues citing increasing costs of operations and maintenance coupled with declining consumer base.
29. Comments of each set of stakeholders seem to be based on the premise that the other stakeholders are extracting more benefits from the extant revenue sharing structure.
30. In general, the television channels are driven by the contents and the programs on offer. The subscribers of a television channel decide on subscription of a particular channel on the basis of programs offered. Therefore, a television channel on its own is a distinct product and is not substitutable in simple terms.
31. It is in the light of the above-mentioned issues and contrasting views/ demands of stakeholders that TRAI as a regulator has to intervene in the market and prescribe a set of regulations in the sector. This is necessary to balance the interests of the different set of service providers as well

² Some DPOs charge for their platform channels. Few other DPOs provide platform channels on active services basis , sometimes charging on pay per view basis.

as the consumers for ensuring orderly growth of the sector. However, TRAI continues to engage with stakeholders with the objective of bringing-in fair practices among stakeholders.

A. Ceiling on MRP of television channels

32. In the consultation paper, stakeholders were asked to provide their comments on whether there should be a ceiling on the MRP of pay channels.
33. In response, broadcasters, DTH operators and some other stakeholders (including some research firms and individuals) have submitted that they are not in favour of any ceiling on MRP of pay channels. These stakeholders have mentioned that TRAI should exercise tariff forbearance in broadcasting sector also given the success of such approach in the telecom sector. They have substantiated their submission with the following arguments:
 - a) Setting appropriate tariffs and robust methodologies to calculate the same requires complex analysis of diverse data points, including information on consumers' willingness to pay for different types of content, costs of production and delivery, break-up of revenues from advertising and subscriptions, etc. The absence of information on these aspects and also the efficiency gains accruing from bouquets (of different sizes and values), makes it difficult to assess whether a price cap is necessary for permitting inclusion of a channel in a bouquet, and if so, what should be the quantum of such price cap.
 - b) Any price ceiling on channel or bouquet prices curtails the fundamental rights guaranteed to the creator of the content.
 - c) In a free market economy, the price of any commodity should be left to the market forces.
34. On the other hand, some stakeholders, mostly MSOs and their association, are in favor of a ceiling of Rs. 12/- on the MRP of a-la-carte channels and have put forward the following arguments in favour of their opinion:
 - a. The channels, irrespective of their popularity, should be capped to make it affordable and keep it within the reach of a consumer.

- b. If the price of the driver channels is not capped, consumers who are accustomed to such driver channels will have to shell out more money to get access to such driver channels.
 - c. Barring a few channels, across all genres, the MRP of most of the channels are below Rs. 12/-. This indicates that the MRP of a channel has an insignificant role in the overall business model of the channel.
 - d. India is very price sensitive market. Industry cannot afford price hike, as any price hike will further erode the subscriber base as at present also due to such high price the churn rate is 2.5% per month.
35. One stakeholder has suggested a ceiling of Rs. 14/- on MRP of SD channels and Rs. 22/- for MRP of HD channels.
36. The Authority has considered the comments of stakeholders for prescribing a ceiling on the MRP of channels. In this regard, while prescribing no ceiling on MRP of a TV channel, the Authority in its Explanatory Memorandum to the Tariff Order, 2017 (para 52 to 54), observed as under:

“52. The Authority has considered the views of stakeholders in this regard and is of the view that full freedom and business flexibility should be given to the broadcasters to monetize their channels. Accordingly, the Authority has decided not to prescribe genre wise ceiling on the MRP of pay channels. However, the Authority expects that the broadcasters will ensure complete transparency, non-discriminatory behavior and protection of subscriber interests while pricing their channels. It is also expected that broadcasters will price their channels reasonably and benefits of higher revenue realization due to digitisation and addressability shall be shared with subscribers also.

53. Some stakeholders suggested that TRAI should determine prices of channels on cost plus basis.

54. In this regard it is important to understand that generally a channel consists of number of the programs. The cost of the production of different programs drastically varies based on the actors, setup cost, script, copy rights, and other miscellaneous factors. The various programs in a given channel also frequently change based on their Television Rating

Points (TRP), advertisement potential and other ground reports. Hence, determining the cost of production of a channel at all times is an extremely difficult process, perhaps almost impossible. Moreover, such determination of price would be dynamic in nature and may vary with change in programs in a channel. Programs on television channels change dynamically and as such it is impractical to determine the price of a television channel on cost plus basis.”

37. The above proposition is still valid. The Authority is of the view that broadcasters should be given full freedom and business flexibility to monetize their channels. Moreover, there can be some channels with unique content for niche category of viewers. Such niche category channel desire freedom for pricing their channel as their target audience segment may be small. Similarly, the cost of production of the program varies in many different aspects. Therefore, the Authority considers that defining a ceiling price of television channel may impinge on ability to produce better content, more so for niche category of channels. Accordingly, continuing its light touch approach regarding pricing of channels, the Authority has decided not to prescribe a ceiling on the MRP of pay channels as of now. However, the Authority expects that the broadcasters will ensure complete transparency, non-discriminatory behavior and protection of subscriber interests while pricing their channels. It is expected that broadcasters will price their channels reasonably, ensuring to pass the benefits of digitisation to the subscribers.

B. Condition(s) for inclusion of a television channel in a bouquet

38. In the consultation paper, stakeholders were asked to provide their comments on the following:
- a. Should channel prices in bouquet be homogeneous? If yes, what should be an appropriate criteria for ensuring homogeneity in pricing the channels to be part of same bouquet?
 - b. If no, what measures should be taken to ensure an effective a-la-carte choice which can be made available to consumers without being susceptible to perverse pricing of bouquets?

39. In response, broadcasters, DTH operators and some other stakeholders including some research firms and individuals are not in favour of homogeneity of channel prices in bouquets. The main arguments made out in favour of this are:
- a. A channel bouquet is an array of diverse channel offerings which could be a mix of multi genre and/or multi language offerings comprising of either a single or multi broadcasters' channels.
 - b. To stipulate homogenous pricing would mean treating all channels in the bouquet as equals which itself is fallacious as each channel is an exclusive and distinct offering and cannot be treated as the same.
 - c. Any mathematical formula/model for price fixation will only cause market distortions and prevent real price discovery which is not in the interests of the end consumers.
 - d. Requirement for homogeneity could result in an increase in the a-la-carte prices of channels (which would otherwise be lower) because consumers demand the inclusion of such channels in the bouquet.
 - e. There is no empirical basis to suggest that the choice between á-la-carte channel and bouquets has any basis in the price of the channel as opposed to the composition of the bouquet and diversity of content of the channels
 - f. Heterogeneity is the basic nature of a bouquet; hence price homogeneity is neither possible nor desirable.
 - g. Pricing of channels and pricing of bouquets involves a complex economic and financial exercise taking into consideration multiple factors of which, the cost of content is only one of the factors.
 - h. Multiple a-la-carte choice of channels by consumers, and their repeated change would result in increased cost of service for DPOs. It would create burden on IT, billing systems and collection process of DPOs
 - i. Bundling diverse content also creates sampling opportunities for consumers, enabling scenarios where consumers are exposed to content they may not have opted for in a pure a-la-carte setting. Bundling allows consumers to experiment with consuming new types of content at minimal additional marginal cost.

40. On the other hand, some stakeholders, mostly MSOs and their association, are in favor of of homogeneity of channel prices in bouquets and have made following suggestions:

- a) Homogeneity in a bouquet should not only seen as homogeneity in prices, but more importantly homogeneity in content – considering the India’s social, cultural and demographic diversity.
- b) There is a requirement for Ad-Cap as the consumer who is already paying for the channel is still subjected to advertisement when accessing the content on DPOs platforms.
- c) To ensure that such premium/popular channels are not unnecessarily clubbed with unpopular channels, a price range/band(s) should also be introduced and adhered to for inclusion of channels in a bouquet as shown in the table below:

Sr. No.	Bands for inclusion of a channel in a Bouquet	Lower Range (In Rs.)	Upper Range (In Rs)
1	Band 1	0.01	1.00
2	Band 2	1.01	4.00
3	Band 3	4.01	8.00
4	Band 4	9.01	12.00

41. In addition to above, a method for ensuring similar priced channels in a bouquet was also put up for consultation. Stakeholders were also asked to provide their comments whether the maximum retail price of an a-la-carte pay channel forming bouquet be capped with reference to average prices of all pay channels forming the same bouquet and if so, the relationship between capped maximum price of an a-la-carte channel forming the bouquet and average price of all the pay channels in that bouquet.

42. In response, broadcasters, DTH operators and some other stakeholders including some research firms and individuals are not in favour of capping the maximum retail price of an a-la-carte pay channel forming bouquet with reference to average prices of all pay channels forming the same bouquet. The main arguments made out in favour of this are:

- a) Bouquet composition is primarily driven by content composition and not by price of channel forming part of bouquet
 - b) Consumer choice distortion is prevented by the rule wherein the price of a bouquet cannot be less than price of any channel forming part of the bouquet
 - c) It is not open to TRAI to raise the issue, as the same has been set aside by the Hon'ble Bombay High Court.
 - d) Maintaining the homogeneity of price of the channels in a bouquet under the MRP regime is neither feasible nor practical, since the same will only discourage investment in broadcasting sector
43. On the other hand, some stakeholders, mostly MSOs and their association, are in favor of capping the maximum retail price of an a-la-carte pay channel forming bouquet with reference to average prices of all pay channels forming the same bouquet and have given following suggestions:
- (a) The twin conditions methodology prescribed in the current regulation is sufficient to define the relationship between pricing of a la carte and bouquet price of a channel.
 - (b) Homogeneity should not be seen in absolute amount but rather in a small band of prices.
 - (c) A single channel should not be part of more than 10 bouquets offered by the Broadcasters.
44. The Authority has considered the comments of stakeholders on the issues of homogeneity of channel prices in bouquets. The capping of MRP of an a-la-carte pay channel forming bouquet with reference to average prices of all pay channels forming the same bouquet was considered as one way of ensuring homogeneity in the amended framework 2020. The Authority, however, has noted that the purpose of forming bouquets is to have channels of all the genres which are required for family viewing in a TV household. Such channels in a bouquet may have varying prices from the lowest priced channel to the highest priced channel. The industry practice of forming bouquets is based on providing adequate options for a family with different viewership interests, including in a multi-TV home. The Authority has in the past acknowledged that different genres will have differing prices. This was reflected in genre-wise price ceilings that were in vogue prior to digitization. Therefore, the authority has considered the two factors: a)

A bouquet is formed with different channels from different genres to cater to viewing requirements of a family; b) Different genre of channels will have different pricing. Keeping in view these two factors, the Authority is not specifying any condition to maintain homogeneity of television channels while forming bouquets. This will also enable the prevailing market since no such condition is operating currently.

45. Further, a question was also raised as to whether a ceiling or price cap on the a-la-carte price of a television channel may be prescribed if it is to be included in a bouquet. In case any stakeholder supported prescription of such a ceiling, they were also requested to suggest such ceiling or the price cap. It may be noted that in the extant tariff order of 2017 as-well-as the amended framework 2020, the Authority had prescribed a ceiling on a-la-carte price of a television channels for including the same in a bouquet.
46. The broadcasters, in general, suggest that they are not in favour of any ceiling on MRP of a channel for inclusion in a bouquet. Some other stakeholders including research firms and individuals have also echoed similar views. These stakeholders have mentioned that any price ceiling or other measure in formation of bouquet will restrict broadcasters' ability to form bouquets. Primary arguments submitted by these stakeholders are:
- a) Bundling of channels offers several advantages and is adversely affected by price ceilings.
 - b) Ceilings imposed on MRP of pay channels result in broadcasters pulling out their popular/ driver channels from the bouquets. This causes inconvenience of subscription. Such a situation also results in higher consumer payout because such channels are then available to consumers only on a-la-carte basis.
 - c) Evidence from research, including the Economic Survey indicates that price ceiling impacts the quality of content on TV channels.
 - d) Majority of Indian TV households prefer bouquets because of their family size and diverse preferences.
 - e) No empirical evidence to establish that the consumer is perversely/ adversely affected because of bouquets.

- f) Discovery of price and combination of Bouquet vis-à-vis a-la-carte offerings should be left for market discovery.
- g) There is no proven case of market failure in the broadcasting sector.
- h) A price ceiling is obsolete in the digitalized MRP-based regime because consumers can freely choose channels.
- i) A channel or bouquet is not similar to a commodity product. For commodity marketing, more demand fuels more production thereby bringing economies of scale. Same approach does not fit for a TV channel. Here the product is not static, but dynamic. The price of a TV channel may not necessarily follow the demand v/s price trends.
- j) Content industries are ill-served by fixed pricing models. They constrain the producer in using the returns from successful content to offset the losses from unsuccessful content.
- k) Avoid any ex-ante regulations, pricing mandates and follow tariff forbearance, permit market forces to prevail and follow the same light touch regulatory approach as applied in the Telecom sector.

47. One stakeholder has suggested that for quick implementation of the new regulatory framework an interim ceiling of Rs. 21/- to Rs. 22/- should be imposed with provision for review and revision every year basis inflation and prevailing market conditions.

48. On the other hand, some stakeholders, mostly MSOs and their association, are in favor of a ceiling of Rs. 12/- on the MRP of a-la-carte channels to be part of a bouquet. They have mentioned that there should be reasonable parity between a-la-carte and bouquet pricing. These stakeholders have made the following contentions supporting their opinion:

- a) The ceiling on the MRP of a-la-carte channels to be part of a bouquet serves the purpose of controlling the unreasonable pricing of the bouquets as well as of a-la-carte channels.
- b) The major revenue by a channel is drawn through other means (advertisement, partnership for content, funding and objective of the channel presence etc.). Furthermore, the expenses on channels are less as there is telecast of retro/repeat content.
- c) The channels, irrespective of their popularity, should be capped to make it affordable and keep it within the reach of a consumer.

- d) If the price of the driver channels is not capped, consumers who are accustomed to such driver channels will have to shell out more money to get access to such driver channels.
- e) India is very price sensitive market. Industry cannot afford price hike, as any price hike will further erode the subscriber base as at present also due to such high price the churn rate is 2.5% per month.

49. Some DPOs are of the opinion that driver channels should be provided mandatorily under bouquets. Such channels that operate as ad-free channels should only be allowed to operate without a price cap. Such advertisement free channels can be provided only on a-la-carte basis.

50. The Authority in the Tariff Order 2017 prescribed a ceiling of Rs. 19/- on the MRP of pay channels which can be included in a bouquet. The amount of Rs. 19/- was prescribed, considering that in the previous regime, the highest genre wise ceiling on wholesale price was Rs. 15.12 between broadcaster & DPOs. After accounting for 20% distribution fee on MRP the figure of Rs, 19/- was calculated. While prescribing a ceiling of Rs. 19/- on MRP of a TV channel for inclusion in bouquets, the Authority in explanatory memorandum to the Tariff Order, 2017 (para 68), mentioned the following:

“68. A broadcaster is free to offer its pay channels in the form of bouquet(s) to customers. While subscribing to bouquet, a customer may not be aware of the price of each channel forming the bouquet. Abnormal high price of a pay channel may result in higher price of a bouquet leading to adverse impact on subscribers’ interests. It is an established fact that bundling of channels complicates and obscures their pricing. Prices are obscured because subscribers do not always understand the relationship between the bundle price and a price for each component. However, the bundling of channels offers convenience to the subscribers as well as services providers in subscription management. Keeping in view these realities and to protect the interests of subscribers, the Authority has prescribed a ceiling of Rs. 19/- on the MRP of pay channels which can be provided as part of a bouquet. Therefore, any pay channel having MRP of more than Rs. 19/- cannot become part of any bouquet. The amount of Rs. 19/- has been prescribed keeping in view the prevailing highest genre wise ceilings of Rs. 15.12 for all addressable systems between

broadcaster & DPOs at wholesale level and further enhancing it 1.25 times to account for DPOs distribution fee. Broadcasters also have complete freedom to price their pay channels which do not form part of any bouquet and offered only on a-la-carte basis.”

51. While prescribing the ceiling of Rs. 12/- on MRP of a TV channel for inclusion in a bouquet, the Authority in explanatory memorandum to the Tariff Order, 2020 (para 52 and 53), mentioned the following:

“52. While framing the existing regulatory framework, the Authority issued a draft Telecommunication (Broadcasting and Cable Services) (Eighth) (Addressable Systems) Tariff Order, 2016 on 10th October 2016. In order to have continuity, the Authority in the said draft order had proposed that the then prevailing genre ceiling should be continued. Accordingly, the Authority, after accounting for the distribution fee of 20% on the MRP, proposed the following genre-based ceiling for MRP of pay channels to customers.

Table 1: Genre-based ceiling for MRP of pay channels proposed in the Draft Tariff Order 2016³

<i>S. No.</i>	<i>Genre of Channel</i>	<i>Proposed ceiling on maximum retail price</i>
<i>1.</i>	<i>GEC</i>	<i>12.0</i>
<i>2.</i>	<i>Infotainment</i>	<i>9.0</i>
<i>3.</i>	<i>Movies</i>	<i>10.0</i>
<i>4.</i>	<i>Kids</i>	<i>7.0</i>
<i>5.</i>	<i>News and Current Affairs</i>	<i>5.0</i>
<i>6.</i>	<i>Devotional</i>	<i>3.0</i>
<i>7.</i>	<i>Sports</i>	<i>19.0</i>

³ This genre-based ceiling was not prescribed in final Tariff Order issued in March 2017 and therefore the reference here-in is from Draft Tariff order only.

53. Thus, the ceiling of Rs. 19/- was for sports channels only. Maximum ceiling for other genres including GEC was Rs. 12/-. However, in the final tariff order, the Authority did not prescribe a genre wise ceiling on the MRP of pay channels. It was expected that broadcasters would price their channels reasonably.....”

52. While amending the Tariff Order 2017, the Authority had noted that Rs.12/- was the ceiling price for GEC channels and all other genres except the sports channels in the previous regime. Further, during the said consultation it was also noted that since no cap on discounts on MRP of bouquets was operating, the broadcasters misused the ceiling of Rs.19/- for a channel to be in a bouquet by inflating the a-la-carte price of a TV channel and then giving heavy discounts on MRP of a bouquet on sum of a-la-carte price of channels forming the bouquet. The aforesaid practice adopted by the broadcasters led to skewed choice of consumers in favour of bouquets in comparison to choice of a-la-carte channels, the Authority, therefore, decided that Rs.12/- would be a more logical ceiling price for a pay channel to be part of any bouquet so that a consumer could have a fair balance of choice between a-la-carte channel and a bouquet of channels. If a channel is carrying premium program, it can be priced higher by the broadcasters. In such cases the channel price would be transparently available to consumers. It will be their choice whether to opt for such high price channels or not. Accordingly, Rs. 12/- was prescribed as the ceiling on the MRP of any channel to be part of a bouquet.

53. Now, whether there should be a price cap on the television channels for including the same in any bouquet has been reviewed. It is further noted that while subscribing to a bouquet that contains many channels, a consumer may not be specifically able to focus on the price of each individual channel forming a bouquet. A subscriber may be looking at the price of only the bouquet while subscribing including his/her choice of channels. This affirms that the a-la-carte price of every television channel included in a bouquet may not be of immediate interest to a subscriber. Therefore, the Authority after due consideration of the above and the reasons mentioned in explanatory memorandum to the Tariff Order, 2017, proposes to continue with prescribing a ceiling for the a-la-carte price of television channels for inclusion in any bouquet.

54. An analysis has been carried out on the prevailing prices of the television channels. The prevailing prices of the television channel have been categorized and listed in table 1 below. As

may be observed, out of 893 TV channels (permitted by MIB for downlinking in India) 563 are Free-to-Air (FTA) and 330 are pay channels. Out of these 330 pay channels, only 67 pay channels have been priced at Rs 19/-. Balance around 80% of the pay channels are priced at Rs. 18/- or below.

Table 1: Number of channels according to prevailing Price range

S. No.	Price Range (Rs.)	Number of channels
1.	FTA	563
2.	<1	51
3.	1 – 5	119
4.	6-12	68
5.	13-15	10
6.	16-18	12
7.	19	67
8.	>19	03

55. The RIOs published by the broadcasters in compliance with the amended Framework 2020, reflect new combinations of pay-channels as per following table:

Table 2: Price-Range wise Analysis of Pay Channels as per RIOs declared by Broadcaster in November 2021		
S. No.	Price range	Number of channels
1.	FTA	519
2.	Less than 1	59
3.	1 to 5	127
4.	5 to 11	58
5.	12	37
6.	13 to 19	19
7.	>19	53

56. A further analysis of declared prices by Broadcasters as in compliance with the amended Framework 2020 reflects that MRP of seventy-two (72) television channels has been fixed above Rs 12/-. Forty-five (45) such television channels belong to the GEC genre. Nineteen (19) such television channels belong to the Sports genre and six (6) television channels belong to the Movies genre. One channel each belongs to News and Miscellaneous Genre. It has been observed that almost all the DPOs form bouquets/ subscription packages in such a way that every subscriber gets television channels of most of the genres. As per revised RIO the above-mentioned seventy-two channels cannot be included in a bouquet owing to the extant tariff order clause cap of Rs. 12/-.
57. As a result, prima facie it is felt by all the industry stakeholders, including consumers, that subscribers who prefer bouquets will not be able to watch these channels and would necessarily be required to choose all such popular channels on a-la-carte basis only. Moreover, quite a few representations expressed apprehensions that the revised RIOs, if implemented, will cause a rise in consumer charges. As the channels priced above Rs. 12/- belong to popular genres of GEC, Sports and Movies, subscribers' choice will be skewed in favour of a-la- carte channels. It is important to note that the new regulatory framework aims to provide options for consumers to exercise their choice in a non-discriminate manner. The framework intends to be unbiased towards any type of offerings, whether a-la-carte or the bouquets. The revised RIOs seem to push consumers to opt certain channels on a-la-carte basis as those will not be available in bouquets. A consumer should be given complete freedom to select channels on a-la-carte or in bouquet(s) as per his/her choice. The regulatory framework should facilitate such freedom to consumers.
58. The Authority has noted that as per the prevailing offers (in compliance with the framework of 2017), the bouquets contain most of the television channels. Currently almost all the television channels (except two television channels) are priced at the MRP of Rs. 19/- or below. Therefore, currently, bouquets comprise of television channels of all genres including the sports genre.
59. Further, another way of analyzing the price cap may be by offering a reasonable indexing to the prescribed value of Rs. 12/-. There are a few indices that can be applied like Consumer Price Index, Wholesale Price Index etc. Department For Promotion of Industry and Internal Trade

(DPIIT) is also preparing specific services related indices⁴ for Transportation, Railways, Telecommunications, Postal, Banking etc. There is no specific index for television broadcasting services. TRAI also undertook an exercise to estimate a Consumer Price Index for Transport and Communication services. A comprehensive application of different indices at the current prescribed price ceiling of Rs 12/- reflects a revised price cap in the range of Rs. 16/- to Rs. 17/-. However, there is a possibility that in case such price is prescribed then all the television channels may not be included in bouquets. If one examines the RIOs published by broadcasters' some genres like the sports channels may not be included in bouquets at all.

Table 3: Indexed Value of Rs. 12/- based on Wholesale Price Index (WPI)⁵

	2018-19	2019-20	2020-21	2021-22	2022-23(P)
WPI Index	119.8	121.8	123.4	139.4	159.0
Value (Rs.)	12	12.20	12.36	13.96	15.93

Table 4: Indexed Value of Rs. 12/- based on Consumer Price Index (CPI) Transport and Communication

Year	2019	2020	2021	2022	2023
CPI Inflation (%)		7.35%	10.75%	7%	6%
Value (Rs.)	12	12.88	14.26	15.25	16.16

60. Furthermore, if one examines the prices of television channels published by Broadcasters in November 2021, fifty-one television channels have been priced between Rs. 20/- to Rs. 25/- only. Out of these fifty-one television channels, twenty-five channels have been offered at

⁴ https://eaindustry.nic.in/experimental_sp_index.asp

⁵ Office of the Economic Adviser, Department for Promotion of Industry and Internal Trade, available at https://eaindustry.nic.in/download_data_1112.asp

Rs.25/- only. Four television channels have prices beyond Rs. 25/-. These price points are indicative for a-la-carte offerings. The revenue of a television channel is a combination of advertising revenue and subscription revenue. Availability of a television channel in a bouquet offering enhances the number of consumers subscribing such a channel. The enhanced subscription has a positive correlation with the possible advertising revenue of the channel. Therefore, broadcasters tend to fix price of television channels in such a way that maximum number of television channels are offered in bouquets (as-well-as on a-la-carte basis). Therefore, it is natural that if a reasonable price-cap, taking into account aforementioned factors, for including a channel in a bouquet is fixed, the broadcasters will reduce the prices of most of these high-priced channels for enabling these to be part of bouquets. The price-cap, therefore, should not be too high or too low. In case the price-cap is too low more and more channels will not be part of bouquet offerings. In case the price-cap is too high, there may be a tendency to enhance a-la-carte price near to the maximum permissible limit. The regulatory framework should be neutral to the choice of a consumer on selecting channels on a-la-carte basis or in bouquet. The consumers who prefer bouquets, should not be deprived of viewing channels of their choice for not being available in bouquets.

61. Ease of implementation is another important consideration while arriving at the ceiling of television channel price for including it in any bouquet. In case the ceiling on the MRP of a channel to be part of a bouquet is below reasonable level, then some television channels may not be included in the bouquets at all. Such offerings may result in a change of current plans for a very large section of consumers. Such a situation may entail huge efforts in obtaining revised choices from consumers. Large number of consumers still exercise their choices manually and therefore such consumers may face inconvenience and service blackout owing to non-submission of fresh choices.
62. It is noted that the prevailing market in terms of offerings and availing of consumer choices is reasonably implemented and settled as of now.
63. Therefore, on a comprehensive consideration, with a view to avoid large-scale changes and the reasons given in the preceding paras, applying the currently operating ceiling for inclusion of a channel in a bouquet seems a reasonable option. The currently operating limit is within fifteen percent of the index-based calculations considering the extant price ceiling of Rs. 12/- as

prescribed under the amended framework 2020. Accordingly, balancing the interests of service providers (broadcasters and DPOs) and consumers, the Authority has decided that the ceiling of Rs. 19/- on the MRP of a channel to be part of a bouquet will be in-order. This is expected to create minimum hassles to consumers. The Authority expects that Broadcasters will adjust the price of the television channels to benefit from the revised price ceilings and include all popular channels and sports channels in the bouquets. A consumer would have a fair balance of choice of channels and subscription of getting any channel either on a-la-carte basis or in a bouquet. The Authority also expects that the revised ceiling will entail minimal changes in bouquet configurations.

64. The Authority will keep a watch on the developments in the market and may review the manner in which a channel can be provided as part of a bouquet.

C. Discount structure on Bouquet pricing

65. In the consultation paper, stakeholders were asked to provide their comments whether there should be a ceiling on the discount on sum of a-la-carte prices of channels forming part of bouquets while fixing the bouquets price. In case stakeholders considered that there should be a ceiling, they were requested to suggest the appropriate methodology to calculate as-well-as the recommended value of such ceiling.
66. In response, broadcasters, DTH operators and some other stakeholders including some research firms and individuals have submitted that they are not in favour of any ceiling on the discount on sum of a-la-carte prices of channels while fixing MRP of bouquets. These stakeholders have mentioned that a complete forbearance on bundling or removing all economic restrictions on the formation of bouquets will ensure that all the channels are accessible for all consumers at affordable prices. The main arguments made out in favour of this are as below:
 - a) Bouquets and a-la-carte channels are different offerings catering to different classes of consumers. Therefore, a cap on discounts on bouquets is nothing but a “floor price” on bouquets

- b) 80% of TV households subscribe to bouquets and hence imposing a “floor price” or a cap on discounts will be against the interest of 80% of TV households or 98% of cable TV households.
 - c) Any discount is in the consumer interest as it delivers better value for money and lowers the price at which consumers may avail services. Curtailing discounts would be irrational.
 - d) Perverse pricing is occurring due to the existing price restrictions on bouquets offered.
 - e) Capping of discounts and price capping, where applicable, directly interferes with broadcasters’ freedom of speech and expression under Article 19(1)(a) of the Constitution of India.
67. One stakeholder has suggested that as an interim measure TRAI may allow a maximum of 33.33% discount on sum of a-la-carte prices of channels with a provision for review and revision every year on the basis of prevailing market condition.
68. On the other hand, some stakeholders, mostly MSOs and their association, have commented in favor of a ceiling on the discount on sum of a-la-carte prices of channels forming part of bouquets while fixing MRP of bouquets by broadcasters. These stakeholders have made following arguments in favour of their opinion:
- a) Capping of 33% discount may be applicable for broadcasters as-well-as the DPOs.
 - b) Twin conditions as prescribed under the amended Framework may be continued.
 - c) Bouquet discounts of as high as 50% - currently in force -over the sum of a la carte prices also point to the fact that broadcasters are operating with prices with very high profit margins and hence there is a scope for steep reduction in channel prices.
 - d) the maximum discount on DPO packages, who are in a better position to analyse and cater to the subscriber preferences, should also be capped at 33% (instead of existing 15%), so that the DPOs can pass on such benefit to the subscribers
69. Two stakeholders are of the opinion that there should be no discount on sum of a-la-carte prices of channels forming part of bouquets while fixing MRP of bouquets by broadcasters, as level playing starts there.

70. The Authority does not agree with the stakeholders favoring no discount while forming bouquets. The bundling discount is a norm across all the products including consumer goods, white goods etc. It provides flexibility to service providers in their offerings. Sometimes, bundles offer better value proposition to consumers.
71. In the Tariff Order 2017, the Authority had prescribed a maximum discount of 15% that a broadcaster could offer while forming its bouquet of pay channels over the sum of MRPs of all the pay channels in that bouquet. The prime reason for prescribing the maximum permissible discount on the MRP of a bouquet was to enable consumer choice through a-la-carte offering and prevent skewed a-la-carte and bouquet pricing.
72. The Hon'ble Madras High Court declared that the capping of price of bouquets at 85% of the sum of a-la-carte prices of the pay channels, as provided for in the third proviso to clause 3(3) of the Tariff Order 2017, is '*arbitrary and un-enforceable*'. However, Hon'ble Madras High Court upheld the power of TRAI to regulate the broadcasting services. An appeal was filed by petitioners (M/s Star and others) in Hon'ble Supreme Court against the judgment of Hon'ble High Court of Madras. Hon'ble Supreme Court in its judgment dated 30.10.2018 upheld the Framework and powers of TRAI. Inter-alia while considering the limited question of TRAI's powers to regulate broadcasting services, Hon'ble Supreme Court observed that the subscribers are forced to take bouquets if the a-la-carte rates of the pay channels are much higher. In this regard, Para 37 of the judgment dated 30.10.2018 is reproduced below:

*“37. It can thus be seen that both the Regulation as well as the Tariff Order have been the subject matter of extensive discussions between TRAI, all stake holders and consumers, pursuant to which most of the suggestions given by the broadcasters themselves have been accepted and incorporated into the Regulation and the Tariff Order. The Explanatory Memorandum shows that the focus of the Authority has always been the provision of a level playing field to both broadcaster and subscriber. For example, when high discounts are offered for bouquets that are offered by the broadcasters, the effect is that subscribers are forced to take bouquets only, as the a-la-carte rates of the pay channels that are found in these bouquets are much higher. **This results in perverse pricing of bouquets vis-à-vis individual pay***

channels. In the process, the public ends up paying for unwanted channels, thereby blocking newer and better TV channels and restricting subscribers' choice. It is for this reason that discounts are capped. While doing so, however, full flexibility has been given to broadcasters to declare the prices of their pay channels on an a-la-carte basis. The Authority has shown that it does not encroach upon the freedom of broadcasters to arrange their business as they choose. Also, when such discounts are limited, a subscriber can then be free to choose a-la-carte channels of his choice. Thus, the flexibility of formation of a bouquet, i.e., the choice of channels to be included in the bouquet together with the content of such channels, is not touched by the Authority. It is only efforts aimed at thwarting competition and reducing a-la-carte choice that are, therefore, being interfered with.....”(emphasis provided)

73. Therefore, Hon'ble Supreme court recognized the need for prescribing a cap on the sum of the a-la-carte price of the channels forming part of the bouquet. The reasons are twofold. Firstly, an unregulated high rate of discounts on bouquets distorts the choice of consumers heavily in favour of bouquets only, thereby allowing the broadcasters to push unwanted channels to the consumers. Secondly, the broadcaster is able to artificially inflate the a-la-carte price of a TV channel thereby discouraging the consumer to opt for channels on a-la-carte basis and making it impossible for the consumer to discover the real a-la-carte price of a channel.
74. However, Hon'ble High Court of Madras had declared the prescribed limit of 15% on the permissible discount on the sum of the a-la-carte price of constituent channels for a bouquet as '*arbitrary and un-enforceable*'. Therefore, the regulatory framework was implemented without any cap on permissible discount on the sum of a-la-carte prices of pay channels forming a bouquet as provided for in the third proviso to clause 3(3) of the Tariff Order 2017. It was expected that the service providers would be sensitive to their subscribers while declaring the prices of their a-la-carte channels and the bouquets and would not exploit the freedom on discount as means to alter consumer choices by inflating the a-la-carte price of a channel and lowering the bouquet price.

75. The Authority, in 2019, analyzed the data submitted by the service providers post implementation of the new regime and observed certain practices that distorted the choice of consumers. As per data available with TRAI, some bouquets are offered at a discount as high as 60% of the sum of a-la-carte rates of pay channels constituting these bouquets. The Authority noted that the business strategies of the broadcasters, in general, haven't accorded due consideration to the objectives of the new tariff regime, the spirit of the judicial decision (that upheld the regime) and the consumer interests.
76. It was in this background that the authority considered prescribing conditions for broadcasters' for forming bouquets. The Authority, as per suggestion of stakeholders, prescribed twin conditions that existed prior to implementation of the new framework. While prescribing twin conditions as the relationship between pricing of a-la-carte channels and bouquets, the Authority in explanatory memorandum to the Tariff Order, 2020, mentioned the following:

“30. Prescribing a cap on discount while forming bouquets is in line with the observation of the Hon'ble Supreme court in para 37 of its judgement dated 30.10.2018, which is already reproduced in para 6. However, the Authority noted that in the absence of a scientific method to arrive at a single figure to operate as a cap on discounts and it's possible impact on the regulatory framework already rolled out as expressed by the stakeholders, the other option before the Authority was to identify a method that could establish a link between bouquet prices and a-la-carte prices, that could strike a balance between the right of broadcasters to price the channels and right of consumers to choose channels as a bouquet or on a-la-carte basis. As pointed out by certain stakeholders, the Authority noted that there has been an industry accepted method, linking prices of individual channels and bouquets which was in vogue for a considerable time. Accordingly, in the Tariff Order 2020, the Authority prescribed a relationship between sum of a-la-carte price of channels and bouquet prices in form of the twin conditions:

“ ...

- 2.1 the sum of maximum retail prices per month of the a-la-carte pay channels forming part of a bouquet shall in no case exceed one and half times of the maximum retail price per month of such bouquet; and*

2.2 *the maximum retail price per month of any a-la-carte pay channel, forming part of such a bouquet, shall in no case exceed three times the average maximum retail price per month of a pay channel of that bouquet:*

It has been clarified that if the maximum retail price of a bouquet is Rs. 'X' per month per subscriber and there are 'Y' number of pay channels in that bouquet, then the average maximum retail price per month of a pay channel of the bouquet shall be Rs. 'X' divided by 'Y'."

77. Hon'ble High Court of Judicature at Bombay, vide its Judgement dated 30th June 2021 upheld the validity of New Regulatory Framework 2020 except one of the twin conditions. Hon'ble Court ascertained that the condition of average test provided as the second condition of the Twin Conditions is severable from other provisions of the amended framework 2020. Hon'ble Court observed:

97. Thus, while eliciting comments on the cap on discount on the sum of à-la-carte channels forming part of bouquet i.e. the 1st twin condition (Aggregate Test) which was proposed for consultation, the Authority has categorically used the expression "whether there is a need to reintroduce...". However, we find that there is no question posted in the Consultation Paper for the 2020 Tariff Order Amendment seeking comments on the 2nd twin condition (Average Test). The twin conditions were not something new. As a matter of fact the "twin conditions" find a mention in Chapter-2 of the Consultation Paper itself under the title "Evolution of Tariff Orders for Broadcasting and Cable services" which gives the brief history of how the Tariff Orders for Broadcasting and Cable services had evolved. If the Authority wanted to introduce the 2nd twin condition (Average Test), in our view, it ought to have been candid and ought to have posed the question whether there was a need to "introduce" or "reintroduce" the 2nd twin condition (Average Test) at the retail level i.e. whether there was a need to "introduce" or "reintroduce" a cap on the average price per month of an à-la-carte pay channel which forms part of a bouquet and how many times should that average be fixed. It needs to borne in mind that the impugned 2020 Tariff Order was only an amendment to the principal 2017 Tariff Order and the questions posed for consultation in the Consultation Paper therefore ought to have more intelligible to elicit

proper responses and in that sense the consultation must be an effective and meaningful consultation.

.....

.....

100. We therefore hold that 2nd twin condition (Average Test) contained in the proviso to clause (3)(b) of the 2020 Tariff Order Amendment viz- the maximum retail price per month of any à-la-carte pay channel, forming part of such a bouquet, shall in no case exceed three times the average maximum price per month of a pay channel of that bouquet - is manifestly arbitrary and infringes the Petitioners' fundamental rights under Article 14 of the Constitution. The 2nd twin condition (Average Test) is contrary to clause 11(4) of the TRAI Act which mandates the Authority to ensure transparency, and is liable to be set aside and accordingly set aside. The fact that the said 2nd twin condition (Average Test) was not proposed by the Authority even in the principal 2017 Tariff Order shows that the 2nd twin condition (Average Test) is severable from the rest of the provisions of the impugned 2020 Tariff Order Amendment.

78. On the issue of discount on the sum of a-la-carte channels while forming bouquets by broadcasters, stakeholders have provided divergent views. The Authority recognizes that bundling of services and products in various forms is widely practiced across sectors and markets. It is also accepted that bundling of products and services, if done in a fair manner, can create economic efficiencies, reduce operational expenses, provide consumers with wider choices and access to products and services.
79. The Authority considered the views of stakeholders favoring forbearance on discount on the sum of a-la-carte channels while forming bouquets by broadcasters. In this regard, the Authority, in light of the judgement dated 30.10.2018 of the Hon'ble Supreme Court (Refer para 71) is of the view that though higher discounts may seem to favour the consumers, it should not result in perverse pricing of bouquets impacting a-la-carte choices of consumers. Byford

and King in their Paper titled ‘Capping Bundled Discounts: Two Regulatory Rationales’⁶ suggest that, “A cap on the bundled discounts can raise the welfare of consumers who are harmed by the bundle discounts”. They further aver that *potential harm to other independent retailers* (broadcaster in case of our analysis) is another rationale for regulatory intervention. Therefore, Authority considers that there has to be a reasonable limit on the discount on the sum of a-la-carte channels while forming bouquets by broadcasters.

80. The Authority analyzed the data submitted by the broadcasters prior to Tariff Amendment Order 2020. Figure 1 below shows that the average discounts being offered on various bouquets of major broadcasters are in the range of 33-54 percent:

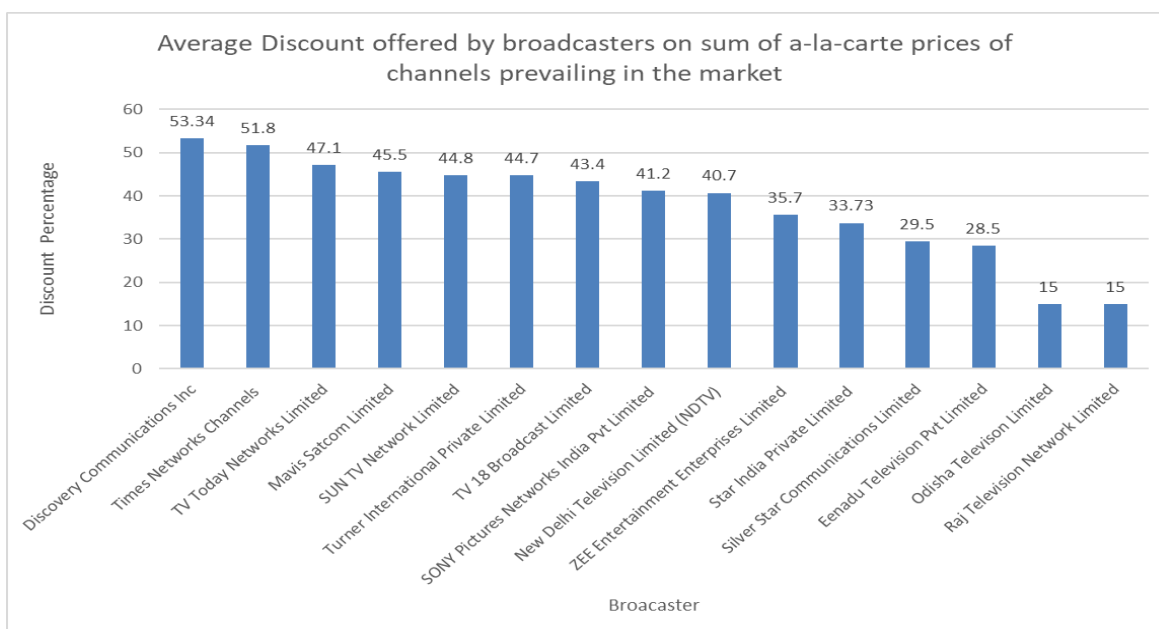


Figure 1: Average discount offered by broadcasters on their bouquets

81. The Authority observed that there are approximately 435 bouquets offered by broadcasters. The mean and median of the discounts offered on these bouquets comes out to approximately 39 %.

⁶ Martin C. Byford and Stephan King, November 2019, ‘Capping Bundle Discounts: Two Regulatory Rationales’, Working Paper, November 2019, Electronic copy available at: <https://ssrn.com/abstract=3446896>

The mode however falls between 45 to 50% range. Figure 2 below indicates the number of bouquets in different discount bands:

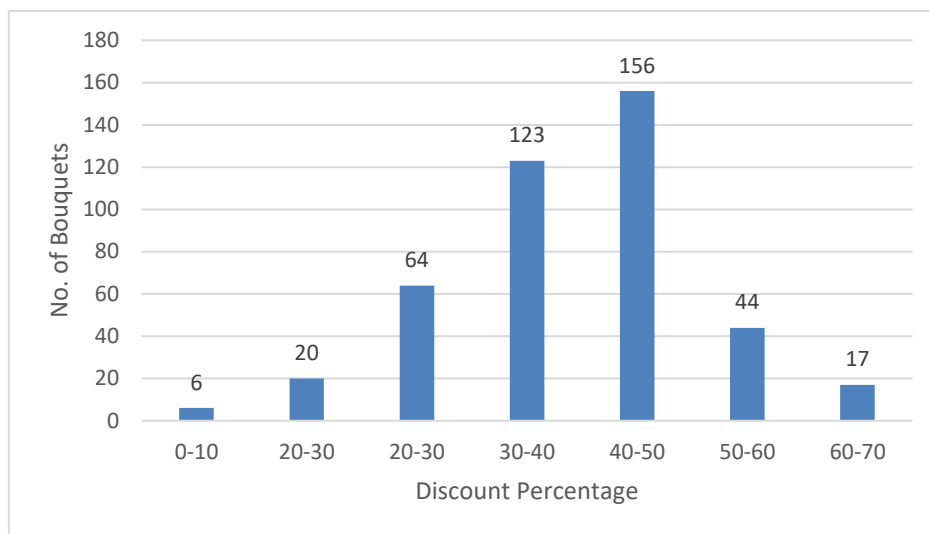


Figure 2: Number of bouquets in different discount range

82. The above figure 2 clearly indicates that maximum number of bouquets falls under the discount range of 40-50%. Further, as per data available with TRAI, discounts offered by broadcasters on sum of MRP of a-la-carte channels in top 5 broadcasters bouquets subscribed by DTH subscribers is given in Table 5 below:

Table 5: Discount offered by broadcasters in the top 5⁷ broadcasters' bouquets subscribed by DTH subscribers

Sl. No.	Name of Broadcaster	Name of the Bouquet	Discount (%) offered on the sum of MRP of a-la-carte channels
1	TV Today Network Ltd	TV Today Hindi News	50.0
2	Turner International	Turner Kids Pack	50.0
3	ZEE Entertainment	Zee Family Pack Hindi SD	24.4
4	Discovery	Discovery Bouquet 1 Basic Infotainment Pack	55.56
5	Star India	Disney Kids Pack	45.5

⁷ As per the data provided by the Service Providers to TRAI.

83. One can observe that the average discount offered on sum of MRP of a-la-carte channels in top five broadcasters' bouquet is around 45%.
84. The Broadcasting market of India is quite diverse with multiple regional language markets. Even within the market of Hindi Channels, there are wide variations in viewership interests in different states. Therefore, distinct analysis of different markets reflects disparate strategies and discounting structure. An Article⁴, 'Preference between Individual Products and Bundles: Effects of Complementary, Price, and Discount Level in Portugal' by Mr. Paulo Martins and others seems quite relevant. As per the article⁸, in case of discounts upto 20% on bundling, individual products are preferred. However, at a discount level of 45%, bundles are preferred over individual products. One may consider that for markets to function perfectly, the discount structure may be within these limits.
85. Therefore, from the data in Figure 2 (para 84) one can consider that the average discount on bouquets is around 39 %. The highest frequency of data (mode) is between 45 to 50%. If one considers top 5 subscribed bouquets amongst 67 million⁹ pay DTH subscribers, the discount on sum of a-la-carte prices of constituent channels varies between 24.4 to 55.5%. The mean discount of top five bouquets is 45%. Analysing these details after due consideration to hypothesis provided in the research paper⁴ on bundling, the Authority is of the view that ceiling on the discounts is necessary. Furthermore, the analysis suggests that the discount on sum of a-la-carte prices of television channels can be between 45 to 50%. The Authority considers that such ceiling will enable semblance in television broadcasting Pay Television market. This would also curb the tendency of the broadcasters to inflate the a-la-carte price of channels and push unwanted channels to the subscribers of bouquets thereby allowing the consumers a fair balance of choice to choose between a channel on a-la-carte basis or a bouquet.
86. Another important factor to be considered while prescribing a regulations is the implementability. The Authority notes that the prescribed limit should not cause wider changes in the current composition of most of the bouquets. Furthermore, a prescribed ceiling is

⁸ Preference between Individual Products and Bundles: Effects of Complementary, Price, and Discount Level in Portugal available at <https://www.mdpi.com/1911-8074/14/5/192/htm>

⁹ Total number of active DTH subscribers. As per the data provided by all the four DTH operators.

maximum possible discounting option made available to market players. The ceiling does not mean that every bouquet would be formed on the basis of maximum permissible discount. One look at current discount structure of bouquets (Figure 2) reflects that more than two hundred bouquets are offered with discounts lower than 40% value of the sum of a-la-carte prices of constituent television channels.

87. The Authority after due consideration of all these factors has prescribed a maximum discount of 45% on the sum of a-la-carte channels for arriving at the bouquet prices. A careful analysis of existing bouquets reflects that the prescribed maximum discount will cover almost 70% of existing bouquet offerings. In effect broadcasters will not be required to alter their bouquet composition or prices. It is only outlier bouquets which are offering much higher discount, perhaps leading to perverse pricing, will require recalibration as per revised discount cap. While keeping a check on higher amount of discounts on certain bouquets, it will provide sufficient flexibility to broadcasters while forming bouquets.
88. The Authority will continue to keep close watch on the formation of bouquets, its impact on the market, and will take further suitable measures if the situation warrants.

B. Additional discount offered by broadcasters to DPOs

89. The issue of Additional discount offered by broadcasters to DPOs was also part of the instant consultation paper. Stakeholders have provided their comments/ counter-comments on this issue as well. However, this matter is covered by the Interconnection Regulations 2017 and the decision of the Authority on this issue is being dealt with separately through the amendments to the respective regulations.
90. Sub regulation (1) of Regulation 19 of the Interconnection Regulations 2017 empowers the Authority to specify website for the purpose of reporting of the details by service providers. At present the portal for the purpose of reporting tariff is <https://bips.trai.gov.in>. All the broadcasters and DPOs are required to report the compliance with Tariff Orders and Regulations notified by TRAI on this website.

91. TRAI in the present Tariff Amendment Order, addressed only those critical issues which were suggested by the Stakeholders' Committee for immediate consideration to avoid inconvenience to consumers. As mentioned earlier in para 20, the Stakeholders' Committee also listed other issues for subsequent consideration by TRAI. In addition, the Authority held multiple meetings with representatives of LCOs including an online meeting which was attended by more than 200 LCOs from across the country. Several issues were put forward during these meetings. TRAI has noted the suggestions and may take further suitable measures if the situation warrants.

Annexure-I

Discount offered by Broadcasters in prevailing bouquets			
S. No.	Name of the broadcaster	Name of Bouquet	Discount (%)
1	Discovery Communications	SD BOUQUET 1 - BASIC INFOTAINMENT PACK	55.56
2	Discovery Communications	SD BOUQUET 2 - INFOTAINMENT + SPORTS PACK	53.3
3	Discovery Communications	SD BOUQUET 3 - INFOTAINMENT PACK	36.4
4	Discovery Communications	SD BOUQUET 4	45.5
5	Discovery Communications	SD BOUQUET 5 -	63.6
6	Discovery Communications	SD BOUQUET 6	63.2
7	Discovery Communications	SD BOUQUET 7 - INFOTAINMENT (TAMIL) PACK	53.3
8	Discovery Communications	SD BOUQUET 8	60.0
9	Discovery Communications	HD BOUQUET 1	63.0
10	Discovery Communications	HD BOUQUET 2 -	56.5
11	Discovery Communications	HD BOUQUET 3 -	52.6
12	Discovery Communications	HD BOUQUET 4 -	43.8
13	Discovery Communications	HD BOUQUET 5 -	46.7
14	Eenadu Television Pvt Ltd	Bouquet 1	31.4
15	Eenadu Television Pvt Ltd	Bouquet 2	32.6
16	Eenadu Television Pvt Ltd	ETV HD Mini Family Pack	21.6
17	Mavis Satcom Limited	Bouquet 1	45.5
18	NDTV	NDTV Ultra	46.2
19	New Delhi Television Limited (NDTV)	UDTV North Info	40.0
20	New Delhi Television Limited (NDTV)	NDTV North Life	40.9
21	New Delhi Television Limited (NDTV)	NDTV South	40.9
22	New Delhi Television Limited (NDTV)	NDTV South Info	37.5
23	New Delhi Television Limited (NDTV)	NDTV South Life	38.9
24	Odisha Television Limited	Bouquet 1	15.0
25	Raj Television Network	Bouquet 1	15.0
26	Silver Star Communications	Bouquet 1	40.0
27	Silver Star Communications	Bouquet 2	31.0
28	Silver Star Communications	Bouquet 3	17.5
29	SONY Pictures Networks	Happy India 31	32.6
30	SONY Pictures Networks	Happy India 31A	26.2

31	SONY Pictures Networks	Happy India 31B	22.5
32	SONY Pictures Networks	Happy India Bangla 31	32.6
33	SONY Pictures Networks	Happy India 39	41.8
34	SONY Pictures Networks	Happy India Bangla 39	41.8
35	SONY Pictures Networks	Happy India 39A	38.1
36	SONY Pictures Networks	Happy India Platinum 69	49.3
37	SONY Pictures Networks	Happy India Platinum bangla 69	49.3
38	SONY Pictures Networks	Happy India Platinum 69A	47.7
39	SONY Pictures Networks	Happy India South 19	52.5
40	SONY Pictures Networks	Happy India Football 17	52.8
41	SONY Pictures Networks	Happy India Platinum South 35	50.0
42	SONY Pictures Networks	Happy India South Football 33	50.0
43	SONY Pictures Networks	Happy India Sports 31	42.6
44	SONY Pictures Networks	Happy India Sports 39	45.1
45	SONY Pictures Networks	Happy India English 12	36.8
46	SONY Pictures Networks	Happy India Sports + English 47	47.8
47	SONY Pictures Networks	Happy India HD 59	25.3
48	SONY Pictures Networks	Happy India Sports HD 48	22.6
49	SONY Pictures Networks	Happy India Sports HD 59	25.3
50	SONY Pictures Networks	Happy India English HD 20	37.5
51	SONY Pictures Networks	Happy India Sports + English HD 50	47.9
52	SONY Pictures Networks	Happy India Platinum HD 90	48.9
53	SONY Pictures Networks	Happy India Platinum Bangla HD 90	48.9
54	SONY Pictures Networks	Happy India Platinum HD 90 A	47.7
55	SONY Pictures Networks	Happy India Platinum HD 93	48.3
56	SONY Pictures Networks	Happy India South 25	54.5
57	SONY Pictures Networks	Happy India HD 70	27.1
58	Star India Private Limited	SVP Hindi	23.68
59	Star India Private Limited	SPP Hindi	42.42
60	Star India Private Limited	SVP Marathi	41.81
61	Star India Private Limited	SPP Marathi	45.96
62	Star India Private Limited	SPP Marathi (A)	41.57
63	Star India Private Limited	SVP Bengali	38.83
64	Star India Private Limited	SVP Bengali (A)	26.97
65	Star India Private Limited	SPP Bengali	42.80
66	Star India Private Limited	SPP Bengali (A)	36.85
67	Star India Private Limited	SVP Bengali-Hindi	37.96
68	Star India Private Limited	SVP Bengali-Hindi (A)	26.30
69	Star India Private Limited	SPP Bengali – Hindi	42.65
70	Star India Private Limited	SPP Bengali - Hindi (A)	37.41
71	Star India Private Limited	SVP Tamil	34.38
72	Star India Private Limited	SPP Tamil	33.72
73	Star India Private Limited	SVP Kannada (A)	19.14
74	Star India Private Limited	SVP kannada (B)	38.90
75	Star India Private Limited	SVP kannada (B)(1)	38.90
76	Star India Private Limited	SVP kannada (B)(2)	38.90

77	Star India Private Limited	SVP kannada (B)(3)	34.92
78	Star India Private Limited	SVP kannada (C)	46.52
79	Star India Private Limited	SPP kannada	33.07
80	Star India Private Limited	SVP Malayalam	30.48
81	Star India Private Limited	SPP Malayalam	33.07
82	Star India Private Limited	SVP Telugu	25.14
83	Star India Private Limited	SPP Telugu	41.57
84	Star India Private Limited	SVP Hindi -Malayalam	36.70
85	Star India Private Limited	SPP Hindi-Malayalam	42.84
86	Star India Private Limited	SVP Hindi - Kannada	33.96
87	Star India Private Limited	SPP Hindi- Kannada	35.46
88	Star India Private Limited	SVP Hindi- Telugu	38.34
89	Star India Private Limited	SPP Hindi- Telugu	41.43
90	Star India Private Limited	SVP Hindi-Tamil	28.76
91	Star India Private Limited	SVP Hindi-Tamil (A)	26.86
92	Star India Private Limited	SPP Hindi- Tamil	27.59
93	Star India Private Limited	SPP Hindi- Tamil (A)	35.90
94	Star India Private Limited	SVP Marathi- Kannada	41.11
95	Star India Private Limited	SVP Marathi- Kannada (A)	36.53
96	Star India Private Limited	SPP Marathi- Kannada	39.18
97	Star India Private Limited	SPP Marathi- Kannada (A)	36.75
98	Star India Private Limited	SVP Kannada- Malayalam	39.49
99	Star India Private Limited	SPP Kannada- Malayalam	32.63
100	Star India Private Limited	SVP Tamil- Malayalam	26.97
101	Star India Private Limited	SVP Tamil- Malayalam (A)	29.09
102	Star India Private Limited	SPP Tamil- Malayalam	33.13
103	Star India Private Limited	SVP Tamil- Telugu	28.68
104	Star India Private Limited	SVP Tamil- Telugu (A)	30.88
105	Star India Private Limited	SPP Tamil- Telugu	38.81
106	Star India Private Limited	SPP Tamil- Telugu (A)	39.74
107	Star India Private Limited	SVP Telugu- Kannada	37.20
108	Star India Private Limited	SPP Telugu- Kannada	38.33
109	Star India Private Limited	SVP Kannada- Tamil	40.12
110	Star India Private Limited	SVP Kannada- Tamil (A)	37.63
111	Star India Private Limited	SPP Kannada- Tamil	31.96
112	Star India Private Limited	SPP Kannada- Tamil (A)	30.76
113	Star India Private Limited	SVP All South	27.95
114	Star India Private Limited	SVP All South (A)	26.54
115	Star India Private Limited	SPP All South	35.33
116	Star India Private Limited	SPP All South (A)	34.56
117	Star India Private Limited	Star English Special Pack	28.57
118	Star India Private Limited	SPP English	33.87
119	Star India Private Limited	SVP Lite Hindi	25.62
120	Star India Private Limited	SVP HD Hindi	27.47
121	Star India Private Limited	SPP HD Hindi	45.99

122	Star India Private Limited	SVP HD Marathi	39.37
123	Star India Private Limited	SPP HD Marathi	49.41
124	Star India Private Limited	SVP HD Bengali	45.23
125	Star India Private Limited	SVP HD Bengali (A)	40.23
126	Star India Private Limited	SPP HD Bengali	46.93
127	Star India Private Limited	SPP HD Bengali (A)	43.69
128	Star India Private Limited	SPP HD Bengali – Hindi	48.12
129	Star India Private Limited	SPP HD Bengali - Hindi (A)	45.39
130	Star India Private Limited	SVP HD Tamil	-4.02
131	Star India Private Limited	SVP HD Tamil (A)	-18.86
132	Star India Private Limited	SPP HD Tamil	34.95
133	Star India Private Limited	SPP HD Tamil (A)	31.29
134	Star India Private Limited	SVP HD Kannada	-1.21
135	Star India Private Limited	SPP HD Kannada	35.71
136	Star India Private Limited	SVP HD Malayalam	16.76
137	Star India Private Limited	SPP HD Malayalam	34.56
138	Star India Private Limited	SVP HD Telugu	21.14
139	Star India Private Limited	SVP HD Telugu (A)	12.89
140	Star India Private Limited	SPP HD Telugu	42.74
141	Star India Private Limited	SPP HD Telugu (A)	39.92
142	Star India Private Limited	SVP HD Hindi- Malayalam	37.99
143	Star India Private Limited	SPP HD Hindi- Malayalam	47.71
144	Star India Private Limited	SVP HD Hindi- Kannada	30.76
145	Star India Private Limited	SPP HD Hindi- Kannada	46.33
146	Star India Private Limited	SVP HD Hindi- Telugu	39.95
147	Star India Private Limited	SVP HD Hindi- Telugu (A)	36.33
148	Star India Private Limited	SPP HD Hindi- Telugu	48.71
149	Star India Private Limited	SPP HD Hindi- Telugu (A)	46.89
150	Star India Private Limited	SVP HD Hindi - Tamil	30.76
151	Star India Private Limited	SVP HD Hindi - Tamil (A)	29.73
152	Star India Private Limited	SVP HD Hindi - Tamil (B)	25.90
153	Star India Private Limited	SVP HD Hindi - Tamil (C)	29.73
154	Star India Private Limited	SPP HD Hindi- Tamil	46.33
155	Star India Private Limited	SPP HD Hindi- Tamil (A)	43.77
156	Star India Private Limited	SPP HD Hindi- Tamil (B)	44.25
157	Star India Private Limited	SPP HD Hindi- Tamil (C)	45.88
158	Star India Private Limited	SVP HD Marathi- Kannada	37.58
159	Star India Private Limited	SVP HD Marathi- Kannada (A)	32.72
160	Star India Private Limited	SPP HD Marathi- Kannada	49.46
161	Star India Private Limited	SPP HD Marathi- Kannada (A)	47.20
162	Star India Private Limited	SVP HD Kannada- Malayalam	22.80
163	Star India Private Limited	SPP HD Kannada- Malayalam	42.06
164	Star India Private Limited	SVP HD Tamil- Malayalam	21.37
165	Star India Private Limited	SVP HD Tamil- Malayalam (A)	15.92
166	Star India Private Limited	SVP HD Tamil- Malayalam (B)	14.23
167	Star India Private Limited	SVP HD Tamil- Malayalam (C)	22.80

168	Star India Private Limited	SPP HD Tamil- Malayalam	41.49
169	Star India Private Limited	SPP HD Tamil- Malayalam (A)	38.81
170	Star India Private Limited	SVP HD Tamil- Telugu	24.85
171	Star India Private Limited	SVP HD Tamil- Telugu (A)	18.35
172	Star India Private Limited	SVP HD Tamil- Telugu (B)	26.15
173	Star India Private Limited	SVP HD Tamil- Telugu (C)	19.89
174	Star India Private Limited	SPP HD Tamil- Telugu	42.88
175	Star India Private Limited	SPP HD Tamil- Telugu (A)	40.33
176	Star India Private Limited	SPP HD Tamil- Telugu (B)	43.42
177	Star India Private Limited	SPP HD Tamil- Telugu (C)	40.92
178	Star India Private Limited	SVP HD Telugu- Kannada	26.15
179	Star India Private Limited	SVP HD Telugu- Kannada (A)	19.89
180	Star India Private Limited	SPP HD Telugu- Kannada	43.42
181	Star India Private Limited	SPP HD Telugu- Kannada (A)	40.92
182	Star India Private Limited	SVP HD Kannada- Tamil	9.67
183	Star India Private Limited	SVP HD Kannada- Tamil (A)	0.12
184	Star India Private Limited	SVP HD Kannada- Tamil (B)	7.71
185	Star India Private Limited	SVP HD Kannada- Tamil (C)	-2.29
186	Star India Private Limited	SPP HD Kannada- Tamil	37.21
187	Star India Private Limited	SPP HD Kannada- Tamil (A)	34.10
188	Star India Private Limited	SPP HD Kannada- Tamil (B)	36.54
189	Star India Private Limited	SPP HD Kannada- Tamil (C)	33.37
190	Star India Private Limited	SVP HD All South	41.39
191	Star India Private Limited	SVP HD All South (A)	44.48
192	Star India Private Limited	SVP HD All South (B)	43.82
193	Star India Private Limited	SVP HD All South (C)	40.66
194	Star India Private Limited	SPP HD All South	44.04
195	Star India Private Limited	SPP HD All South (A)	45.92
196	Star India Private Limited	SPP HD All South (B)	45.51
197	Star India Private Limited	SPP HD All South (C)	43.60
198	Star India Private Limited	Star English Special Pack HD	47.92
199	Star India Private Limited	SPP HD English	35.65
200	Star India Private Limited	SVP HD Lite Hindi GEC	25.60
201	Star India Private Limited	SVP HD Lite Hindi Sports	30.01
202	Star India Private Limited	SVP HD Lite Marathi GEC	42.33
203	Star India Private Limited	SVP HD Lite Marathi Sports	41.76
204	Star India Private Limited	SVP HD Lite Bengali GEC	42.33
205	Star India Private Limited	SVP HD Lite Bengali Sports	41.18
206	Star India Private Limited	SVP HD Lite Bengali Sports (A)	32.42
207	Star India Private Limited	SVP HD Lite Tamil	20.81
208	Star India Private Limited	SVP HD Lite Kannada	13.42
209	Star India Private Limited	SVP HD Lite Malayalam	21.22
210	Star India Private Limited	SVP HD Lite Telugu	15.81
211	Star India Private Limited	Disney Kids Pack	33.33
212	SUN TV Network Limited	Bouquet 1 - Tamil Basic	42.0
213	SUN TV Network Limited	Bouquet 2 - Tamil Prime	55.0

214	SUN TV Network Limited	Bouquet 3 - Tamil Super	60.9
215	SUN TV Network Limited	Bouquet 4 - Telugu Basic	44.5
216	SUN TV Network Limited	Bouquet 5 - Telugu Prime	56.6
217	SUN TV Network Limited	Bouquet 6 - Telugu Super	63.5
218	SUN TV Network Limited	Bouquet 7 - Kannada Basic	41.3
219	SUN TV Network Limited	Bouquet 8 - Kannada Prime	58.4
220	SUN TV Network Limited	Bouquet 9 - Kannada Super	61.9
221	SUN TV Network Limited	Bouquet 10 - Kerala Basic	44.4
222	SUN TV Network Limited	Bouquet 11 - Kerala Prime	61.5
223	SUN TV Network Limited	Bouquet 12 - Kerala Super	63.1
224	SUN TV Network Limited	Bouquet 13 - Sun Ultimate	69.1
225	SUN TV Network Limited	Bouquet 14 - Tamil Basic (HD)	14.6
226	SUN TV Network Limited	Bouquet 15 - Tamil Prime (HD)	33.6
227	SUN TV Network Limited	Bouquet 16 - Tamil Super (HD)	46.7
228	SUN TV Network Limited	Bouquet 17 - Telugu Basic (HD)	15.6
229	SUN TV Network Limited	Bouquet 18 - Telugu Prime (HD)	31.3
230	SUN TV Network Limited	Bouquet 19 - Telugu Super (HD)	51.0
231	SUN TV Network Limited	Bouquet 20 - Kannada Basic (HD)	5.8
232	SUN TV Network Limited	Bouquet 21 - Kannada Prime (HD)	36.4
233	SUN TV Network Limited	Bouquet 22 - Kannada Super (HD)	46.0
234	SUN TV Network Limited	Bouquet 23 - Kerala Basic (HD)	30.2
235	SUN TV Network Limited	Bouquet 24 - Kerala Prime (HD)	30.0
236	SUN TV Network Limited	Bouquet 25 - Kerala Super (HD)	44.4
237	SUN TV Network Limited	Bouquet 26 - SUN Ultimate Pack (HD)	55.9
238	Times Networks Channels	Bouquet 1	28.6
239	Times Networks Channels	Bouquet 2	55.2
240	Times Networks Channels	Bouquet 3	61.5
241	Times Networks Channels	Bouquet 4	50.0
242	Times Networks Channels	Bouquet 5	63.6
243	Turner International Pvt Ltd	Turner Kids Pack	50.0
244	Turner International Pvt Ltd	Turner Family Pack	50.0
245	Turner International Pvt Ltd	Turner HD Pack	26.5
246	Turner International Pvt Ltd	Turner Family HD Pack	43.2
247	Turner International Pvt Ltd	Turner Family HD Plus Pack	53.7
248	TV 18 Broadcast Limited	Colors Wala Hindi Budget	12.5
249	TV 18 Broadcast Limited	Colors Wala Hindi Budget Plus	25.8
250	TV 18 Broadcast Limited	Colors Wala Hindi Value	26.8
251	TV 18 Broadcast Limited	Colors Wala Hindi Value Plus	35.3
252	TV 18 Broadcast Limited	Colors Wala Hindi Family	38.3
253	TV 18 Broadcast Limited	Colors Wala North East Budget	13.5
254	TV 18 Broadcast Limited	Colors Wala North East Budget Plus	31.4
255	TV 18 Broadcast Limited	Colors Wala North East Value	29.2
256	TV 18 Broadcast Limited	Colors Wala North East Value Plus	51.4
257	TV 18 Broadcast Limited	Colors Wala Kerala Budget	43.1
258	TV 18 Broadcast Limited	Colors Wala Kerala Budget Plus	62.0
259	TV 18 Broadcast Limited	Colors Wala Kerala Value	51.7

260	TV 18 Broadcast Limited	Colors Wala Karnataka Budget	23.0
261	TV 18 Broadcast Limited	Colors Wala Karnataka Budget Plus	32.3
262	TV 18 Broadcast Limited	Colors Wala Karnataka Value	34.8
263	TV 18 Broadcast Limited	Colors Wala Karnataka Value Plus	48.4
264	TV 18 Broadcast Limited	Colors Wala Karnataka Family	59.3
265	TV 18 Broadcast Limited	Colors Wala Gujarat Budget	30.5
266	TV 18 Broadcast Limited	Colors Wala Gujarat Budget Plus	39.1
267	TV 18 Broadcast Limited	Colors Wala Gujarat Value	38.5
268	TV 18 Broadcast Limited	Colors Wala Gujarat Value Plus	44.6
269	TV 18 Broadcast Limited	Colors Wala Gujarat Family	46.3
270	TV 18 Broadcast Limited	Colors Wala Bengal Budget	40.3
271	TV 18 Broadcast Limited	Colors Wala Bengal Budget Plus	46.8
272	TV 18 Broadcast Limited	Colors Wala Bengal Value	45.5
273	TV 18 Broadcast Limited	Colors Wala Bengal Value Plus	50.3
274	TV 18 Broadcast Limited	Colors Wala Bengal Family	50.7
275	TV 18 Broadcast Limited	Colors Wala Maharashtra Budget	27.8
276	TV 18 Broadcast Limited	Colors Wala Maharashtra Budget Plus	43.8
277	TV 18 Broadcast Limited	Colors Wala Maharashtra Value	35.9
278	TV 18 Broadcast Limited	Colors Wala Maharashtra Value Plus	48.1
279	TV 18 Broadcast Limited	Colors Wala Maharashtra Family	49.0
280	TV 18 Broadcast Limited	Colors Wala Odia Budget	28.2
281	TV 18 Broadcast Limited	Colors Wala Odia Budget Plus	37.4
282	TV 18 Broadcast Limited	Colors Wala Odia Value	36.9
283	TV 18 Broadcast Limited	Colors Wala Odia Value Plus	43.4
284	TV 18 Broadcast Limited	Colors Wala Odia Family	45.3
285	TV 18 Broadcast Limited	Colors Wala Telegu Budget	46.5
286	TV 18 Broadcast Limited	Colors Wala Telegu Budget Plus	57.8
287	TV 18 Broadcast Limited	Colors Wala Telegu Value	48.2
288	TV 18 Broadcast Limited	Colors Wala Tamil Budget	52.8
289	TV 18 Broadcast Limited	Colors Wala Tamil Budget Plus	61.8
290	TV 18 Broadcast Limited	Colors Wala Tamil Value	51.5
291	TV 18 Broadcast Limited	Colors Wala Hindi Budget HD	27.4
292	TV 18 Broadcast Limited	Colors Wala Hindi Budget Plus HD	34.1
293	TV 18 Broadcast Limited	Colors Wala Hindi Value HD	39.4
294	TV 18 Broadcast Limited	Colors Wala Hindi Value Plus HD	48.8
295	TV 18 Broadcast Limited	Colors Wala Hindi Value Plus HD (A)	45.1
296	TV 18 Broadcast Limited	Colors Wala Hindi Family HD	36.9
297	TV 18 Broadcast Limited	Colors Wala Hindi Family Plus HD	41.4
298	TV 18 Broadcast Limited	Colors Wala North East Budget HD	30.5
299	TV 18 Broadcast Limited	Colors Wala North East Budget Plus HD	28.2
300	TV 18 Broadcast Limited	Colors Wala North East Value HD	42.1
301	TV 18 Broadcast Limited	Colors Wala North East Value Plus HD	52.3
302	TV 18 Broadcast Limited	Colors Wala Kerala Budget HD	35.2
303	TV 18 Broadcast Limited	Colors Wala Kerala Budget Plus HD	61.6
304	TV 18 Broadcast Limited	Colors Wala Kerala Value HD	54.8
305	TV 18 Broadcast Limited	Colors Wala Karnataka Budget HD	38.7

306	TV 18 Broadcast Limited	Colors Wala Karnataka Budget Plus HD	37.8
307	TV 18 Broadcast Limited	Colors Wala Karnataka Value HD	42.1
308	TV 18 Broadcast Limited	Colors Wala Karnataka Value Plus HD	48.3
309	TV 18 Broadcast Limited	Colors Wala Karnataka Family HD	45.8
310	TV 18 Broadcast Limited	Colors Wala Karnataka Family Plus HD	48.6
311	TV 18 Broadcast Limited	Colors Wala Gujarat Budget HD	35.1
312	TV 18 Broadcast Limited	Colors Wala Gujarat Budget Plus HD	40.5
313	TV 18 Broadcast Limited	Colors Wala Gujarat Value HD	43.8
314	TV 18 Broadcast Limited	Colors Wala Gujarat Value Plus HD	51.9
315	TV 18 Broadcast Limited	Colors Wala Gujarat Family HD	42.2
316	TV 18 Broadcast Limited	Colors Wala Gujarat Family Plus HD	45.9
317	TV 18 Broadcast Limited	Colors Wala Bengal Budget HD	44.3
318	TV 18 Broadcast Limited	Colors Wala Bengal Budget Plus HD	48.4
319	TV 18 Broadcast Limited	Colors Wala Bengal Value HD	44.7
320	TV 18 Broadcast Limited	Colors Wala Bengal Value Plus HD	56.8
321	TV 18 Broadcast Limited	Colors Wala Bengal Value Plus HD (A)	54.2
322	TV 18 Broadcast Limited	Colors Wala Bengal Family HD	47.1
323	TV 18 Broadcast Limited	Colors Wala Bengal Family Plus HD	50.2
324	TV 18 Broadcast Limited	Colors Wala Maharashtra Budget HD	46.0
325	TV 18 Broadcast Limited	Colors Wala Maharashtra Budget Plus HD	49.8
326	TV 18 Broadcast Limited	Colors Wala Maharashtra Value HD	46.1
327	TV 18 Broadcast Limited	Colors Wala Maharashtra Value Plus HD	52.9
328	TV 18 Broadcast Limited	Colors Wala Maharashtra Value Plus HD (A)	50.2
329	TV 18 Broadcast Limited	Colors Wala Maharashtra Family HD	48.2
330	TV 18 Broadcast Limited	Colors Wala Maharashtra Family Plus HD	51.2
331	TV 18 Broadcast Limited	Colors Wala Odia Budget HD	33.7
332	TV 18 Broadcast Limited	Colors Wala Odia Budget Plus HD	39.4
333	TV 18 Broadcast Limited	Colors Wala Odia Value HD	42.9
334	TV 18 Broadcast Limited	Colors Wala Odia Value Plus HD	51.3
335	TV 18 Broadcast Limited	Colors Wala Odia Family HD	41.5
336	TV 18 Broadcast Limited	Colors Wala Odia Family Plus HD	45.4
337	TV 18 Broadcast Limited	Colors Wala Telugu Budget HD	37.5
338	TV 18 Broadcast Limited	Colors Wala Telugu Budget Plus HD	55.1
339	TV 18 Broadcast Limited	Colors Wala Telugu Value HD	44.4
340	TV 18 Broadcast Limited	Colors Wala Telugu Value Plus HD	50.5
341	TV 18 Broadcast Limited	Colors Wala Tamil Budget HD	47.9
342	TV 18 Broadcast Limited	Colors Wala Tamil Budget Plus HD	60.7
343	TV 18 Broadcast Limited	Colors Wala Tamil Value HD	49.7
344	TV 18 Broadcast Limited	Colors Wala Tamil Value Plus HD	54.8
345	TV Today Networks Limited	Hindi News Bouquet	50.0
346	TV Today Networks Limited	TVTN News Bouquet	50.0
347	TV Today Networks Limited	Hindi News HD Bouquet	42.9

348	TV Today Networks Limited	TVTN News HD Boquet	45.5
349	ZEE Entertainment	Zee Family Pack Hindi SD	24.4
350	ZEE Entertainment	Zee All-in-One Pack Hindi SD	28.6
351	ZEE Entertainment	Zee Prime Pack English SD	53.1
352	ZEE Entertainment	Zee Family Pack Marathi SD	40.5
353	ZEE Entertainment	Zee All-in-One Pack Marathi SD	38.9
354	ZEE Entertainment	Zee Family Pack Bangla SD	39.5
355	ZEE Entertainment	Zee All-in-One Pack Bangla SD	38.2
356	ZEE Entertainment	Zee Family Pack Odia SD	37.6
357	ZEE Entertainment	Zee All-in-One Pack Odia SD	36.9
358	ZEE Entertainment	Zee Prime Pack Tamil SD	25.9
359	ZEE Entertainment	Zee Super Pack Tamil SD	21.6
360	ZEE Entertainment	Zee Family Pack Tamil SD	39.5
361	ZEE Entertainment	Zee All-in-One Pack Tamil SD	27.9
362	ZEE Entertainment	Zee Prime Pack Telugu SD	21.6
363	ZEE Entertainment	Zee Super Pack Telugu SD	30.7
364	ZEE Entertainment	Zee Family Pack Telugu SD	38.5
365	ZEE Entertainment	Zee All-in-One Pack Telugu SD	36.2
366	ZEE Entertainment	Zee Prime Pack Kannada SD	-9.7
367	ZEE Entertainment	Zee Super Pack Kannada SD	12.7
368	ZEE Entertainment	Zee Family Pack Kannada SD	28.8
369	ZEE Entertainment	Zee All-in-One Pack Kannada SD	29.4
370	ZEE Entertainment	Zee Prime Pack Tamil- Telugu SD	29.6
371	ZEE Entertainment	Zee Super Pack Tamil-Telugu SD	26.3
372	ZEE Entertainment	Zee Family Pack Tamil-Telugu SD	33.9
373	ZEE Entertainment	Zee All-in-One Pack Tamil-Telugu SD	33.0
374	ZEE Entertainment	Zee Prime Pack Tamil-Kannada SD	2.0
375	ZEE Entertainment	Zee Super Pack Tamil-Kannada SD	6.7
376	ZEE Entertainment	Zee Family Pack Tamil-Kannada SD	24.9
377	ZEE Entertainment	Zee All-in-One Pack Tamil-Kannada SD	26.6
378	ZEE Entertainment	Zee Prime Pack Telugu-Kannada SD	25.3
379	ZEE Entertainment	Zee Super Pack Telugu-Kannada SD	29.3
380	ZEE Entertainment	Zee Family Pack Telugu-Kannada SD	35.4
381	ZEE Entertainment	Zee All-in-One Pack Telugu-Kannada SD	34.2
382	ZEE Entertainment	Zee Prime Pack All South SD	28.4
383	ZEE Entertainment	Zee Super Pack All South SD	24.4
384	ZEE Entertainment	Zee Family Pack All South SD	31.7
385	ZEE Entertainment	Zee All-in-One Pack All South SD	32.3
386	ZEE Entertainment	Zee Prime Pack Odia-Telugu SD	30.2
387	ZEE Entertainment	Zee Family Pack Odia-Telugu SD	31.0
388	ZEE Entertainment	Zee All-in-One Pack Odia-Telugu SD	31.6
389	ZEE Entertainment	Zee Prime Pack Odia-Bangla SD	10.4
390	ZEE Entertainment	Zee Family Pack Marathi-Kannada SD	24.8
391	ZEE Entertainment	Zee All-in-One Pack Marathi-Kannada SD	27.2

392	ZEE Entertainment	Zee Family Pack Hindi HD	37.2
393	ZEE Entertainment	Zee All-in-One Pack Hindi HD	44.7
394	ZEE Entertainment	Zee Prime Pack English HD	63.2
395	ZEE Entertainment	Zee Family Pack Marathi HD	40.1
396	ZEE Entertainment	Zee All in One Pack Marathi HD	45.2
397	ZEE Entertainment	Zee Family Pack Bangla HD	39.4
398	ZEE Entertainment	Zee All-in-One Pack Bangla HD	45.2
399	ZEE Entertainment	Zee Family Pack Odia HD	39.0
400	ZEE Entertainment	Zee All-in-One Pack Odia HD	45.3
401	ZEE Entertainment	Zee Prime Pack Tamil HD	36.5
402	ZEE Entertainment	Zee Super Pack Tamil HD	40.1
403	ZEE Entertainment	Zee Family Pack Tamil HD	46.8
404	ZEE Entertainment	Zee All-in-One Pack Tamil HD	47.0
405	ZEE Entertainment	Zee Prime Pack Telugu HD	36.8
406	ZEE Entertainment	Zee Super Pack Telugu HD	39.5
407	ZEE Entertainment	Zee Family Pack Telugu HD	49.3
408	ZEE Entertainment	Zee All in-One Pack Telugu HD	48.8
409	ZEE Entertainment	Zee Prime Pack Kannada HD	36.5
410	ZEE Entertainment	Zee Super Pack Kannada HD	40.1
411	ZEE Entertainment	Zee Family Pack Kannada HD	42.7
412	ZEE Entertainment	Zee All-in-One Pack Kannada HD	44.3
413	ZEE Entertainment	Zee Prime Pack Tamil-Telugu HD	46.2
414	ZEE Entertainment	Zee Super Pack Tamil-Telugu HD	46.5
415	ZEE Entertainment	Zee Family Pack Tamil-Telugu HD	49.1
416	ZEE Entertainment	Zee All-in-One pack Tamil -Telugu HD	48.7
417	ZEE Entertainment	Zee Prime Pack Tamil-Kannada HD	31.5
418	ZEE Entertainment	Zee Super Pack Tamil-Kannada HD	35.4
419	ZEE Entertainment	Zee Family Pack Tamil-Kannada HD	43.3
420	ZEE Entertainment	Zee All-in-One Pack Tamil-Kannada HD	44.6
421	ZEE Entertainment	Zee prime pack Telugu-Kannada HD	46.2
422	ZEE Entertainment	Zee Super pack Telugu-Kannada HD	46.5
423	ZEE Entertainment	Zee Family pack Telugu-Kannada HD	49.1
424	ZEE Entertainment	Zee All-in-One pack Telugu-Kannada HD	48.7
425	ZEE Entertainment	Zee Prime Pack All South HD	46.5
426	ZEE Entertainment	Zee Super Pack All South HD	46.6
427	ZEE Entertainment	Zee Family Pack All South HD	48.9
428	ZEE Entertainment	Zee All-in-One Pack All South HD	48.6
429	ZEE Entertainment	Zee Prime Pack Odia-Telugu HD	28.3
430	ZEE Entertainment	Zee Family Pack Odia-Telugu HD	43.9
431	ZEE Entertainment	Zee All-in-One Pack Odia-Telugu HD	44.9
432	ZEE Entertainment	Zee Prime Pack Odia-Bangla HD	14.0
433	ZEE Entertainment	Zee Family Pack Marathi-Kannada HD	41.4
434	ZEE Entertainment	Zee All-in-One Pack Marathi-Kannada HD	43.0

		Mean Discount	38.45%
		Median Discount	39.97%
		Mode of discount	40 – 50%