

**TELECOM DISPUTES SETTLEMENT & APPELLATE TRIBUNAL
NEW DELHI**

Dated 29th May, 2014

Appeal No. 1(C) of 2014

Centre for Transforming India	... Petitioner
Vs.	
Telecom Regulatory Authority of India	... Respondent

Appeal No. 2(C) of 2014

Home Cable Network Pvt. Ltd.	... Petitioner
Vs.	
Telecom Regulatory Authority of India	... Respondent

BEFORE:

**HON'BLE MR. JUSTICE AFTAB ALAM, CHAIRPERSON
HON'BLE MR. KULDIP SINGH, MEMBER**

For Petitioner-CTI	: Mr. Aman Lekhi, Senior Advocate Mr. Ashok Kumar Singh, Advocate
For Petitioner – Home Cable	: Mr. Arun Kathpalia, Advocate Mr. Vivek Sarin, Advocate
For Respondent	: Mr. Saket Singh, Advocate
For Intervener – Dish TV	: Mr. Meet Malhotra, Senior Advocate Mr. Upender Thakur, Advocate Mr. Yatin Grover, Advocate Ms. Palak Singh, Advocate Mr. Ravi S.S. Chauhan, Advocate

ORDER

The Appeals are admitted.

2. These Appeals are directed against The Telecommunication

(Broadcasting & Cable) Services, (Second) Tariff (Eleventh Amendment) Order, 2014 (3 of 2014), by which some increase is effected in the tariff with effect from 01.4.2014. The increase in tariff is bound to affect the entire broadcasting sector and the cascading effect will go right down to the individual TV viewers, where it may be felt the most. Having regard to the implications and importance of the matter, we propose to dispose of these Appeals at the earliest.

3. Mr. Saket Singh, learned counsel appearing for Telecom Regulatory Authority of India (TRAI) is directed to file its reply by 02.7.2014; rejoinder, if any, may be filed by the appellants by 14.7.2014.

Let it also be recorded that in case any stake-holder in the broadcasting sector, including any individual broadcaster or association of broadcasters wish to intervene in the matter, it / they must file a proper petition for intervention by 04.7.2014. In case any intervention is allowed, all parties brought on record must complete the pleadings latest by 26.7.2014, after which date, no pleadings may be accepted.

4. Both Mr. Lekhi and Mr. Arun Kathpalia, learned counsel appearing for the respective Appellants made a spirited request for staying the operation of the impugned order.

5. At this stage, we are not inclined to pass any order of stay. However, we direct that all stake-holders must keep a separate account in regard to the collections on the basis of the impugned order. It is made clear that in case the Appeals succeed, the individual subscribers making any excess payment in terms of the impugned order will be entitled to adjustments for the succeeding month from the respective LCOs/MSOs. Similarly, the LCOs will be entitled to adjustments from the MSOs and the LCOs and the MSOs from the broadcasters.

6. Put up these Appeals under the heading "for hearing" for final disposal on 04.8.2014.

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(Aftab Alam)
Chairperson

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(Kuldip Singh)
Member

/NC/