

Subject: **Fwd: Letter To TRAI Regarding Broadcasters**

To: ak pathak <akpathak@traigov.in>,
rakesh asst <rakesh@traigov.in>

Date: 04/19/16 09:43 AM

From: S M K Chandra <smk.chandra@traigov.in>

----- Original Message -----

From: **Godfather Communication** <godfathercommunication@gmail.com>

Date: Apr 18, 2016 6:35:40 PM

Subject: Letter To TRAI Regarding Broadcasters

To: smk.chandra@traigov.in, sksinghal@traigov.in

18/04/2016

Shri S.K Singhal

Advisor (B&CS), TRAI, New Delhi

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Reg: - Written comments in response to consultation paper on the Register of Interconnection Agreements (Broadcasting and Cable Services) Regulations, 2016:

Sir,

We are the frustrated multi system operator having MIB permission No.F.No.9/36/ 2013-BP&L dated 25/3/2013 valid for phase II city Amritsar (Punjab). Our woeful tail is started from the very inception after granting DAS permission. Firstly our permission has been abruptly cancelled without issuing any show cause notice to the applicant by the MIB on dated 22/7/2013 on the fake report of Ministry of Home Affairs report for denial of security clearance. Our company is having two directors namely 1) Sukhjit Kaur and 2) Balwinder Singh. Both of the directors are not involved in any criminal cases registered in India nor have they been convicted by any court in India for the last 10 years which can be verified by refereeing the investigation even through Interpol. Thereafter the applicant applied for contents with the broadcasters under DAS regulations. Our digital head end is audited by BECIL as directed by the Hon'ble TDSAT.

Our comments on the subject matter are as under:-

- a) In Punjab state there is only one MSO Fastway Transmission Private Limited operating in the entire state of Punjab as well as in Chandigarh (UT), Haryana, Rajasthan and Himachal Pradesh in collusion with the broadcasters. Under the umbrella of The Shiromani Akali Dal (Badal) are holding this cable TV network line fully in their hands in Punjab.
- b) Broadcasters are adopting dual standards policy while authorizing contents to Fastway having their own rules and regulations for Fastway wherein they are flouting the regulations but on the other hand they are hard stick for compliance of self style rules on independent MSOs simultaneously negative and oppressive role with the applicant.
- c) No other MSO is dare to operate against Fastway in Punjab, if dare will be strangulated by the state administration by implicating them in false criminal cases.
- d) MIB/TRAI is not taking any coercive steps against Fastway for violations of statutory rules as well as constitutional fundamental rights of other cable operators. Cable operator's fundamental right has been infringed by the state authorities in collusion with?
- e) Still the broadcasters have not provided the contents even FTA broadcasters are not doing so under Fastway terror;
- f) While lodging complaint against broadcasters the TRAI/MIB authorities are mute spectators;

g) After long battle India cast, Zee & Star provided the contents @Rs20/-, 30/- and 35/- respectively on the basis of CPS plus taxes. not yet provided the contents.

Keeping in view of the above context, our humble submissions in the matter are as under:-

- a) Only one "RIO" draft agreement of RIO should be applicable in whole of India on equitable basis.
- b) No provision of under hand discounts in the name of whole sale price should be allowed.
- c) Common terms and conditions for all MSOs.
- d) Small independent MSOs have been slaughtering by the Broadcasters in the name of Audit, Broadcasters are asking for audit fees in Lakhs which the small MSOs can't afford to Pay. On the other hand the broadcasters are not having their own statutory audit team in line with BECIL duly approved by the government of India. In the name of audit broadcasters are oppressing the small independent MSOs. If contents allowed under pressure either from Hon'ble Tribunal or from TRAI officials, mentality of broadcasters not changed.
- e) Numbers of cases are pending before the Hon'ble tribunal on account of arbitrary audit by the broadcasters from the outer agencies on hire basis with the sole purpose to prepare negative reports against the MSOs, so litigation may go.
- f) Broadcasters are not having bonafide approach towards independent MSOs are treating them step motherly.
- g) Any agreement done in between MSO and Broadcasters in India should be signed in front of TRAI officer and same copy of agreement should get deposit in TRAI Office.

With kind regards,
Godfather Communication Pvt. Ltd., Amritsar