

Q.1.What should be broad contours for QoS Regulatory framework for digital addressable systems? Please furnish your comments with justification.

Response: It is proposed that the QoS framework should be a blend of Self-Regulated QoS framework and Regulation by an Industry led body. The industry led body will provide basic guidelines as a Regulator and the DPOs will form their own QoS policies in lieu of the guidelines provided. Instead of regulating everything straight from the scratch, a minimum-maximum band should be provided to be followed. At present, the regulations are very rigid and the guidelines that will be put in place by the Industry led body will be more flexible as the panel will be in touch with the ground realities.

Q2. Should there be a uniform regulatory framework for Quality of service and Consumer protection across all digital addressable Platforms? Please provide your comments with justification.

Response: No. it is suggested that a level playing field for all the DPOs be provided and as per our response in Issue 1, we are not in favor of a uniform regulatory framework for QoS and Consumer protection across all digital addressable platforms.

Q3. Should timelines relating to various activities to get new connect be left to the DPOs to be transparently declared to the subscribers? If so, how the interest of the subscriber can be protected if the connection is not provided in given time frame?

Response: Yes. The timelines should be left at the discretion of the DPOs as it is a very competitive market out there and even the subscribers know that they have a wide range of DPOs offering the same services. A DPO will ensure that the services are provided to the consumer within the stipulated time as if the same is not done, it will be the loss of the DPO as the consumer always has the option of availing the services of another DPO.

Q4. What should be the time limits for various activities, as mentioned below, to get new connection? Please provide your comments with justification.

(a) Response time for processing new service request and conveying feasibility of providing connection at the desired location

(b) Time line for completion of CAF, installation and activation of service

Response: As submitted above, the DPOs should have the option of formulating QoS policies and timeline should be one of them as each DPO does not have the same functioning method and it should be their discretion to decide such a timeline which does not harm the interest of the consumer.

Q5. Should minimum essential information to be included in the CAF be mandated through regulations to maintain basic uniformity? Give your suggestions with justification.

Response: It is submitted that the requirement of filling of CAF prior to providing services to a consumer needs to be done away with. The same is proposed as it a complex process and especially in cases when intermediaries like LCOs get involved. However, no DPO can provide its services to the subscriber unless it gets –

- a. Full name of the subscriber
- b. Installation Address
- c. Contact Details

Hence, it is submitted that the above details can be gathered from the subscriber by the DPO in any format, which may or may not be in form of a CAF.

Q6. Should minimum font size need to be specified for CAF? If not, how can it be ensured that important information provided in CAF is given in such a manner that consumer can read them easily?

Response: It is submitted that if the authority is not ready to do away with CAF then the font size should be specified and all the information should be restricted to A4 size paper printed on both the sides.

Q7. Should use of e-CAF be facilitated, encouraged or mandated? Please provide your comments with justification.

Response: The use of e-CAF should be promoted and it should be filled on the DPO's website.

Q8. Should the minimum essential information to be included in the MoP be mandated through regulations to maintain basic uniformity and to ensure that consumers get all relevant information about the services being subscribed?

Response: Yes. It is however submitted that few regulations which are cumbersome should be relaxed like Regulation 9 Clause (4) of the Standards of Quality Service (Digital Addressable Cable TV Systems) Regulations, 2012 which mandates that the manual shall be available for reference at every office, outlet, etc. of the service provider. This results in unwanted expenses and nobody actually visits the centers and asks for the same as it available online on the website of the DPOs.

Q9. What should be the minimum information to be included in MOP Give details with justification?

Response: It is submitted here that the existing format of MOP as provided is sufficient. The requirements under Regulation 9 of the Standards of Quality Service (Digital Addressable Cable TV Systems) Regulations, 2012 lays down the required information that is to be mentioned.

Q10. Should it be necessary to provide printed copy of MOP to all the customers at the time of subscription to the service? If not, how it can be ensured that all required information is available to subscribers when required?

Response: No. It is respectfully submitted here that it should not be mandated to provide a printed copy of MOP to the customers at the time of subscription as the same is mentioned on the website already and if required, the consumer can get the printed copy at a cost from the DPO. The MOP is also available on the DPO's website.

Q11. Should there be an initial subscription period while providing a new connection to protect the interest of both the subscriber as well as DPOs?

Response: No. It is submitted here that this decision should be left to the option of the DPOs as package changes are to be done by the MSO for all the subscribers and not every subscriber comes on the same day. It will be a very unviable option to keep a package fixed for duration for a subscriber.

Q12. If so, what should be the duration of such initial subscription period?

Response: If the authority is not ready to not provide relaxation on the initial subscription period then the same can be there for a period of one month from the date of subscription.

Q13. What protections should be provided to subscribers and DPOs during initial subscription period? Give details with justification?

Response: It is proposed that the initial subscription period should be given for a period of maximum a month. In situations where the packages changes are due to changes from the side of the Broadcaster and they provide 21 days' notice to the DPOs. The DPOs in such circumstances should be in a position to adjust the changes in the package.

Q 14. What should be the framework for compensation to the subscriber for dropping of a channel due to its non-availability on the DPOs' platform?

Response: It is submitted that a minimum of one week's duration should be given to the DPOs to rectify the glitches. The subscriber can be compensated by providing channels in the similar genre or with any extension in the subscription or by providing a refund calculated on a proportionate basis based on the attributed value of the channel in the package.

Q 15. How should the reduction in subscription charges be calculated in case of discontinuation of channel from DPOs platform? Please provide your comments along with justification.

Response: The various ways in which the reduction in subscription charges can be calculated have been enumerated above. The suggested methods will be in the best interest of the subscriber and will be feasible for the subscriber as well.

Q16. What should the maximum permissible time of disruption beyond which subscriber must be compensated in following cases?

(a) Disruption due to technical fault on the DPO network or at the subscriber's end

(b) Disruption due to technical fault of CPE at the subscriber's end

Response: (a) In this case, it is submitted that the maximum permissible time should be 48 hours.

(b) It is submitted here that the maximum permissible time should be 24 hours.

The compensation in both the cases should be calculated in a well-defined way and the same should be provided by the Industry led body.

Q17. What should be the duration of disruption in service warranting compensation to the consumer and how the compensation should be calculated in following cases?

(a) Continued Disruption due to technical fault on the DPO network at the subscriber's end beyond the pre specified time.

(b) Continued Disruption due to technical fault of CPE at the subscriber's end beyond the pre specified time.

Response: In response to both the questions above, it is submitted that compensation should be provided to the consumer by way of a proportionate discount on the next month's billing of the consumer. The said compensation is proposed to be warranted after 3 days of disruption in service.

Q18. What should be the framework and terms and conditions for shifting of connection including timelines in respect of PAN India DPOs where provision of connection at new location is feasible?

Response: As submitted earlier that not everything should be pre-defined for the DPOs and few issues should be left to them to decide upon. The shifting of connection is a very subjective issue and the same cannot be defined in a uniform way for all the DPOs. If need be, the same can be kept in vigilance of the Industry led body rather than defining in water tight tanks the exact terms and conditions.

Q19. Is there a need to prescribe procedure for transfer of the TV connection? If so, what should the procedure, terms and conditions for transfer of services connection and timelines?

Response: Yes, there is a need to provide consumer awareness on this issue. It is further submitted that the same should be left to the DPOs to decide that how they want to disseminate the information related to procedure for the transfer of the TV connection.

Q20. What should be the framework to address the concerns of stakeholders (Subscribers and DPOs) relating to temporary suspension of service?

Response: It is submitted that the subscriber's should be allowed suspension of services on their request only if it is to be availed for an entire calendar month and the reason for the same being that the broadcasters charge the DPOs on a calendar basis.

Q21. How issue of abrupt closure of service due to non-payment can be addressed while protecting the interest of subscribers and DPOs?

Response: It is submitted here that the prevalent regulatory framework is not a very DPO friendly approach and the duration prescribed therein causes unwanted losses to the DPOs. The consumer is well aware about the subscription package that he has subscribed to and about the end of the billing cycle. Henceforth, abrupt closure of service due to non-payment should be facilitated.

Q22. Is gradual closure of service as discussed in para 8.23 is a feasible option? If so what should be procedure and the framework?

Response: Yes. It is submitted here that a few DD channels can be kept on air for a period of one month and beyond which even they will be closed down for the subscriber owing to non-payment.

Q23. What should the procedure and timeframe to inform the subscriber regarding closure of service due to closure of business?

Response: It is submitted here that the timeframe of 21 days as decided by the regulator is completely in place and the same can be informed to the consumers by way of SMS, mails, running scrolls at the bottom the channels, etc.

Q24. Why uptake of mandated schemes for set top box (Outright purchase, Hire purchase, and on rent) is so low at present? How consumer awareness on these issues can be increased?

Response: It is submitted that the mandated schemes put unwanted burden on the DPOs in terms of subsidizing the cost and they suffer losses due to the same. Also, the schemes of DPOs involving onetime payment are preferred by the subscribers as there is no burden of a monthly rent.

Q25. What should be the consumer friendly common framework of CPE Schemes for providing CPE to consumers in digital addressable system? Please provide your comments with justification?

Response: Elucidating our responses above, it is submitted that there is no requirement of a common framework relating to CPE Schemes for providing CPE to consumers and the same should be left at the option of the DPOs to decide the same. It is a competitive market and no DPO will make any scheme which is detrimental to the consumer's interest as it will be a loss for the DPO not the consumer.

Q26. What should be minimum essential information related to a CPE scheme that must be made available to the consumers to safeguard their interests? Please provide your comments with justification.

Response: It is submitted that the basic information like the details of the scheme, cost of scheme, provisions relating to guarantee/warranty period of the CPE, etc. should be mentioned and the same should be left at the peril of the DPO to decide the information related to CPE that is to be disseminated.

Q27. What measures may be adopted to ensure availability of good quality CPE to consumers?

Response: It is submitted here that as it is a very competitive market and consumers are aware about the ample options available to them, no DPO will use any CPE which does not meet the BIS standards. All DPOs use the CPE that are BIS compliant and regulations in this regard need not be prescribed again.

Q28. Should any charges such as visit charges, etc. be charged from the subscribers during guarantee-warranty period?

Response: Yes. In cases when the engineer pays a visit to the subscriber's home, visit charges should be charged from the subscribers. While in cases when the subscriber takes the CPE for repair to the repair outlets, no visit charges will be there and the repair will be free of cost during the guarantee-warranty period. Further, the charges to be levied will depend on the package taken by the subscriber and the same should be decided by the DPO.

Q29. What should be provisions for maintenance of CPE after the expiry of guarantee- warranty period?

Response: It is submitted here that except for subscribers with AMC, information relating to the provisions for maintenance after the expiry of guarantee-warranty period can be provided by uploading the same on the DPOs website and also there should be creation of a Customer Information Channel on which such information will be displayed.

Q30. What should be the simplified provisions for surrender of CPE in case of closure of service by the subscribers in order to protect their interest?

Response: It is proposed here that the surrender of CPE will depend on the scheme opted for and ownership, if no ownership of the subscriber then same is to be surrendered. In cases where there is ownership, buy back of the CPE should be an available option and be uniform for all the subscribers of the DPO.

Q 31. Please suggest the standards and essential technical parameters for ensuring good quality of service for the following digital addressable platforms:

- a). Digital Cable TV
- b). DTH
- c). HITS
- d). IPTV

Response: It is submitted here that the present regulations suffice the need for meeting the end result of uninterrupted service to the consumer irrespective of the digital addressable platform. If the authority still thinks that there is need for further regulations, maximum standards can be further defined for each kind of platform to ensure uninterrupted services to the consumers.

Q32. What are the different methods to effectively increase consumer awareness?

Response: It is submitted here that the following methods for increasing consumer awareness can be undertaken:

- Running of scrolls on channels
- Making available information on the website of DPOs
- Consumer awareness campaigns by TRAI/Industry led body
- Customer Information Channel

Q33. How consumer related information can be effectively provided to Subscribers through DPO website. What minimum information should be provided through consumer corner?

Response: It is submitted here that all the required information is made available by way of MOP on the DPO's website. The information that should be provided through consumer corner should mostly be pertaining packages, redressal mechanism, timelines, activation/deactivation, etc.

Q34. Can outsourcing to the third party for various web based operations be permitted especially for smaller DPOs? If yes, what precautions are taken to ensure that such provisions are not misused?

Response: No. It is submitted here that the same should be left to the DPOs choice that whether or not they wish to outsource their resources for web based operations. A small DPO may or may not wish to outsource to a third party for various web based operations.

Q35. In case of the use of “In Channel” communication means, what should the guidelines for running scrolls or other onscreen displays, so that it does not impact the viewing experience?

Response: It is submitted here that “In Channel” communication should be permitted at the bottom of the channel. The permission of the broadcaster should not be a mandate, an intimation regarding the same will be provided to the broadcaster. Further, Industry led body can provide for the durations, frequencies and the font in which the scrolls can be displayed on the channel with an exception provided in situations of national emergencies, Act of God, etc.

Q36. What options can be used for verifiability of subscriber communications for any change in service or provision of additional service?

Response: It is submitted here that the change in services is done either on the request of the subscriber or by the DPO. The said verification can be done either by use of a Registered Mobile Number or by a Registered E-mail address.

Q37. What should be the duration to preserve such verifiable subscriber communications requesting change in service or provision of additional services at DPO level?

Response: It is submitted here that the duration for which such communications should be preserved should be 15 months as there are subscribers who have subscribed to the annual packages.

Q38. What should be optimal number of channel packages which meets the subscriber demand and are well understood by the subscribers?

Response: It is submitted here that it should be left to the DPOs to decide the same as they are aware about the needs of their consumers and the packages that are to be offered.

Q39. How the package offerings can be improved in case of cable TV services so that effective choice is made available to the consumers?

Response: It is submitted here that all MSOs are already following the packaging norms prescribed by the TRAI and giving options of a-la-carte channels, in addition to packages to consumers. It is also to be noted that in a country as vast and diverse as India, there cannot be an optimal number of packages. A pan-India DPO would have a larger number of offerings, so as to cater to all regions, whereas a regional player may not require as many offerings as the subscriber base may not be so diverse. The packaging for urban areas would be different than those in rural areas.

Q40. Whether the choice of Pre or Postpaid method should be mandatorily made available to the subscribers?

Response: No. It is submitted here that it should be left at the option of the DPOs that whether they wish to provide for pre or postpaid method or both of them rather than mandating the option of providing both methods.

Q41. What should be the essential information contained in the monthly Bill/ Usage details to be provided to subscribers in postpaid or pre-paid system?

Response: It is submitted that a basic guideline providing for the minimum information that needs to be mentioned in the bill and then the same can be taken into consideration by the DPO. Basic information such as subscription packages, billing cycle, taxes, etc.

Q.42. Should pre-paid method be encouraged in case of cable TV services provided through LCOs? Support your comments with justification.

Response: The efforts are appreciated and it is submitted that although we welcome the encouragement but the same should not be mandated and be left at the option of the DPOs that whether or not they will adopt pre-paid method in cases where LCOs are involved as an intermediary.

Q.43. What should be the billing cycle both for pre-paid and post-paid? Please give your comments along with justification.

Response: It is submitted that the billing cycle for post-paid can be 30 days and it should be left on the DPO to define what will these 30 days include as in whether it will be a cycle from 1st -30th or 2nd -31st. The billing cycle for pre-paid connections shall begin from the date of activation the package of the subscriber.

Q 44. Should deduction of maintenance related charges for CPE from the pre-paid subscription account be prohibited?

Response: Yes. It is submitted here that with the prior consent of the subscriber the deduction can be done and there is no need to prohibit the same. The consumers these days are well aware about the requisites for the delivery of uninterrupted services to them and CPE being of utmost importance, any deduction for its maintenance will not be against the interest of the consumer.

Q 45. How Toll Free number and call centre details can be widely publicised among the subscriber?

Response: The Toll free number and call centre details can be disseminated in the following manners:

- Uploading it on the website of the DPO
- Running "In Channel" scrolls
- Conduction of consumer awareness programmes by TRAI
- Providing the information in the newspaper of each state providing details about the Regional as well as DPOs with PAN India access.

Q 46. How response time and accessibility of call centre including that of the Call centre executive can be enhanced?

Q 47. Please provide your comments on the following performance parameters discussed in preceding paras related to call centre?

(a) Call centre availability hours

(b) Multiple languages in IVR

(c) Response time for answering IVR and voice to voice calls

(d) Sub menu and accessibility of customer care executive

Response: In response to Q.46 and Q.47 it is submitted that since the bygone years till today, LCOs have been handling the calls by the consumers rather than the customer care executives. Emphasis should be more on empowering, training and making the LCOs accountable for resolution. It is obvious that the services are provided to various states and providing the option of regional languages with other mandatory languages will be cumbersome and not a very cost effective option and will eventually result in consumer dissatisfaction. The LCOs should continue to take care of the consumer complaints as they are in the present time.

Q 48. What should be the timelines for complaint resolution for different type of complaints at call centre and Nodal officer level?

Response: It is submitted here that the timeline for complaint resolution for different type of complains should be left at the option to be defined by the DPOs in their QOS. A broad framework enunciating the maximum duration in which the resolution is to be done is laid down. Further, the regulations as they exist today are also sufficient and suffice the need of effective complaint resolutions.

Q 49. Can outsourcing of call centre and web based complaint monitoring functions to third party help in increasing efficiency and compliance levels?

Response: Yes. It is submitted here that outsourcing of web based complaint monitoring functions to a third party will help in increasing efficiency and compliance levels as the aforementioned tasks will be handled by experienced and skilled human resources.

Q 50. What should be the innovative ways to develop a speedy user friendly complaint registering and redressal framework using Mobile Apps, SMS, Online system etc.

Response: It is submitted that the Authority can formulate/ appoint a Core Working Group which can examine the feasibility and technical aspects of using mobile apps, SMS, Online System etc. Further, once the aforementioned report is published, the stakeholders will be in a better position to give their insight on the same.

Q 51. What should be framework for implementation of electronic PMR?

Response: It is submitted here that the process of generation of the PMR can be automated at the end of the DPO and the Reports generated can be submitted either automatically or manually to the concerned Authority.

Q 52. What should be framework for auditing of the records for QoS regulatory compliance by DPOs? Please suggest appropriate measures along with justifications.

Q 53. What should be framework for carrying out survey for QoS compliance and subscriber satisfaction?

Response: In response to Q52 and Q53 it is submitted that as proposed above an Industry Body is required to lay down the QoS Regulations. Once the Industry Body is formed, it can lay down the framework for auditing records, as also carrying out survey for QoS compliance and subscriber satisfaction. The Industry Body will be well-equipped to lay down a framework which will adequately protect the interest of all stakeholders including consumers.

Q 54. What should be the framework and quantum for financial disincentives for non-compliance to the prescribed QoS benchmarks? Please suggest appropriate measures along with justifications.

Response: It is submitted here that as the industry is undergoing digitization and in that a lot of expenses are being incurred by the DPOs, it is suggested that disincentives for non-compliance be laid down after the digitization process is through with. Further, the same should not be brought into effect immediately on the finishing of the digitization process but a couple of years should be given to the industry to settle down and then any framework relating to disincentives should be brought into play.

Q 55. Should all channels carried on the platform of a DPO must be included and shown in the EPG? Justify your comments.

Response: Yes. It is pertinent to note here that majority of the MSOs show the entire list of channels in the EPG. Further, the way of getting the unsubscribed channels can be informed to the subscriber by way of scrolls or on the channels itself that are not subscribed for by the subscriber.

Q 56. Stakeholders may also provide their comments on any other issue relevant to the present consultation.

Response: Other suggestions include the following:

- Periodical consumer awareness programmes by TRAI to ensure consumer education about the various developments in the Cable TV services and rights and duties of the subscriber.
- LCOs should be given License for at least 5 years.
- Mandatory publishing of Entertainment Tax and Service Tax Number of MSOs on invoices should be done away with as provided under Clause 15(2) of the DAS; QoS Regulations is causing immense hardship and difficulties to the MSOs. Such publication of taxes on the invoice mandates the MSOs to pay the statutory dues and the collection of the same is not under their control. Maximum amount of connectivity of MSOs with their consumers is through LCOs and the responsibility of collection of the statutory amount lies with the LCOs.
- Remotes/ Adapters/AV Leads (wires) etc. are in the nature of consumables and providing a warranty period for the same is not feasible. Often these items are defected due to yhe misuse/mishandling by the customers. If the Authority is not interested in doing away with the warranty on remotes/adapters, etc., the maximum warranty period for such items should not exceed three months.