

Date : 03/10/2023

From
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To
The Secretary,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi-110002

Sub.: Submission of Comments on Consultation Paper '**Review of
Regulatory Framework for Broadcasting and Cable services**'
– Consultation Paper No.13/2023.

Sir,

I would like to submit my personal comments on consultation Paper '**Review of Regulatory Framework for Broadcasting and Cable services** – Consultation Paper 13/2023' as a consumer of B&CS sector for consideration of the Authority.

Yours faithfully,

(S.T. Balamurugan)

Encl.: As above.

Tariff related issues

- Q1. Should the present ceiling of Rs.130/- on NCF be reviewed and revised?**
- a. If yes, please provide justification for the review and revision.
 - b. If yes, please also suggest the methodology and provide details of calculation to arrive at such revised ceiling price.
 - c. If not, provide reasons with justification as to why NCF should not be revised.
 - d. Should TRAI consider and remove the NCF capping?

Comments : In view of availability of a number of TV channels across different platforms, the present ceiling of Rs.130 need not be revised. NCF/ Channel/Bouquet MRP capping is required so that TV Channels may be available in affordable prices.

- Q2. Should TRAI follow any indices (like CPI/WPI/GDP Deflator) for revision of NCF on a periodic basis to arrive at the revised ceiling? If yes, what should be the periodicity and index? Please provide your comments with detailed justification.**

Comments : TRAI may revise the price of channels as per the channel cost arrived by the Broadcasters on a scientific method in every five years.

- Q3. Whether DPOs should be allowed to have variable NCF for different bouquets/plans for and within a state/ City/ Town/ Village? If yes, should there be some defined parameters for such variable NCF? Please provide detailed reasons/ justification. Will there be any adverse impact on any stakeholder, if variable NCF is considered?**

Comments : DPOs may be permitted to offer different bouquets within the price cap of NCF

- Q4. Should TRAI revise the current provision that NCF for 2nd TV connection and onwards in multi-TV homes should not be more than 40% of declared NCF per additional TV?**

- a. If yes, provide suggestions on quantitative rationale to be followed to arrive at an optimal discount rate.

- b. If no, why? Please provide justification for not reconsidering the discount.
- c. Should TRAI consider removing the NCF capping for multi TV homes? Please provide justification?

Comments : Multi TV homes /Multi Dwelling Unit homes should get the channels at a discounted prices as the CPE is shared.

Q5. In the case of multi-TV homes, should the pay television channels for each additional TV connection be also made available at a discounted price?

- a) If yes, please suggest the quantum of discount on MRP of television channel/ Bouquet for 2nd and subsequent television connection in a multi-TV home. Does multi-TV home or single TV home make a difference to the broadcaster? What mechanism should be available to pay-channel broadcasters to verify the number of subscribers reported for multi-TV homes?
- b) If not, the reasons thereof?

Comments : Multi TV homes /Multi Dwelling Unit homes should get the channels at a discounted prices as the CPE is shared.

Q6. Is there a need to review the ceiling on discount on sum of MRP of a-la-carte channels in a bouquet (as prescribed through the second proviso to clause 4 (4) of the Tariff Order 2017) while fixing the MRP of that bouquet by DPOs?

- a. If yes, what should be the ceiling on such discount? Justify with reasons.
- b. If not, why? Please provide justification for not reviewing the ceiling.

Comments : No need to review at present.

Q10. Should there be a provision to mandatorily provide the Free to Air News / Non-News / Newly Launched channels available on the platform of a DPO to all the subscribers?

a. If yes, please provide your justification for the same with detailed terms and conditions.

b. If not, please substantiate your response with detailed reasoning.

Comments : Variety of channels comprising all genres may be made available in Bouquets to cater the needs of all.

Q11. Should Tariff Order 2017, Interconnection Regulations 2017 and Quality of Service Regulations 2017 be made applicable to non- addressable distribution platforms such as DD Free Dish also?

Comments : No. DD free dish is non-addressable platform and hence the regulations for addressable platforms will not be applicable to DD Freedish.

Q12. Should the channels available on DD Free Dish platform be mandatorily made available as Free to Air Channels for all the platforms including all the DPOs?

Comments : Yes. The channels available on DD Free Dish platform be mandatorily made available on Free of cost in all the platforms. TRAI is requested for usage of the terminology 'Free of cost channel' instead of 'Free To Air Channel' in the addressable platform regulations.

Q13. Whether there is a need to consider upgradation of DD Free Dish as an addressable platform? If yes, what technology/ mechanism is suggested for making all the STBs addressable? What would be the cost implications for existing and new consumers? Elaborate the suggested migration methodology with suggested time-period for proposed plan. Please provide your response, with justification.

Comments : No need. DD Freedish is the largest FTA service. Freedish platform is a win-win situation for all viz., Broadcasters, Government and public members. TRAI is requested to recommend to Government to retain Freedish as a FTA Platform so that marginal section of the society may continue to get TV & Radio services free of cost.

Quality of Service related issues

Q24. Whether the extant charges prescribed under the 'QoS Regulations' need any modification required for the same? If yes, justify with detailed explanation for the review of:

- e. Installation and Activation Charges for a new connection**
- f. Temporary suspension of broadcasting services**
- g. Visiting Charge in respect of registered complaint in the case of DTH services**
- h. Relocation of connection.**
- i. Any other charges that need to be reviewed or prescribed.**

Comments : TRAI may review and revise the charges as per the inputs received from the consumers.

Q26. Whether the Electronic Programme Guide (EPG) for consumer convenience should display

- a. MRP only**
- b. MRP with DRP alongside**
- c. DRP only?**

Justify your response by giving appropriate explanations.

Comments : MRP may be displayed in the EPG.

Q30. Is there a need to re-evaluate the provisions outlined in the 'QoS Regulations' in respect of:

- a. Toll-free customer care number**
- b. Establishment of website**
- c. Consumer Corner**
- d. Subscriber Corner**
- e. Manual of Practice**
- f. Any other provision that needs to be re-assessed**

Please justify your comments with detailed explanations.

Comments : TRAI may issue directions to the DPOs as per the inputs received from the consumers in case of deficiency in services.

Financial Disincentive

Q31. Should a financial disincentive be levied in case a service provider is found in violation of any provisions of Tariff Order, Interconnection Regulations and Quality of Service Regulations?

- j. If yes, please provide answers to the following questions:**
 - i. What should be the amount of financial disincentive for respective service provider? Should there be a category of major/ minor violations for prescription of differential**

financial disincentive? Please provide list of such violation and category thereof. Please provide justification for your response.

ii. How much time should be provided to the service provider to comply with regulation and payment of financial disincentive. and taking with extant regulations/tariff order?

iii. In case the service provider does not comply within the stipulated time how much additional financial disincentive should be levied? Should there be a provision to levy interest on delayed payment of Financial Disincentive?

1. If yes, what should be the interest rate?

2. In no, what other measures should be taken to ensure recovery of financial disincentive and regulatory compliance?

iv. In case of loss to the consumer due to violation, how the consumer may be compensated for such default?

k. If no, then how should it be ensured that the service provider complies with the provisions of Tariff Order, Interconnection Regulations and Quality of Service Regulations?

Comments : TRAI may impose financial disincentive on the service provider for violations of any provisions of Tariff Order, Interconnection Regulations and Quality of Service Regulations for the orderly growth of the sector.

Any other issue

Q32. Stakeholders may provide their comments with full details and justification on any other matter related to the issues raised in present consultation.

Comments : TRAI is requested for usage of the term 'free of cost channel' in the place of 'Free to Air channel' in Tariff Orders, Interconnection Regulations and Quality of Service Regulations. An amendment may also be issued, if required, so that the term 'free of cost channel' may be used instead of 'Free to Air channel' in the Tariff Orders, Interconnection Regulations and Quality of Service Regulations already issued.