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Important : Comments Required for consultation paper on Audit related provisions of Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 and The Telecommunication (Broadcasting and Cable) Services Digital Addressable Systems Audit Manual

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To: TRAI Bhopal <traibhopal@gmail.com>

Thu, Sep 5, 2024 at 12:13 PM

DEAR SIR,

PLEASE FIND THE ATTACHMENT
SUGGESTIONS FROM OUR SIDE ARE MARKED YELLOW

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consultation paper SUGGESTIONS.docx

44K

SUGGESTIONS ARE MARKED IN YELLOW

Q1. Should provision of Regulation 15(1) be retained or should it be removed in the Interconnection Regulation 2017?

i) provisions of Regulation 15(1) should be retained then

a. **PRESENT FORM IS VERY LENGTHY MEASURES SHOULD BE TAKEN TO MINIMISE EFFORT**

Q2. Should small DPOs be exempted from causing audit of their systems every calendar year, under Regulation 15(1) of Interconnection Regulation?

A. If yes, then,

1. Should 'subscriber base' of DPO be adopted as a criterion for defining small DPOs for this purpose?

i. If yes,

a) **FOR SUBSCRIBER BASE**

1 LAKH TO 5 LAKH AUDIT SHOULD BE EVERY CALENDER YEAR

20K TO 1 LAKH AUDIT SHOULD BE ONCE EVERY 3 CALENDER YEAR

<20K AUDIT SHOULD BE ONCE EVERY 5 CALENDER YEAR

b) **average of 7th 14th 21st 28th january** into consideration for categorising whether or not the DPO falls in exempted category

- a) **In case any distributor is offering services through more than one distribution platforms e.g. distribution network of MSO, IPTV, etc. then should the combined subscriber base of such distributor be taken into consideration for categorising whether or not the distributor falls in exempted category?**

YES

- ii. **If 'subscriber base' criterion is not to be adopted, then what criteria should be selected for defining small DPOs?**

ANNUAL FINANCIAL REPORT CAN BECOME ONE OF THE FACTOR AS IN METRO CITIES SAME SUBSCRIBER BASE EARNS MORE AND IN VILLAGE AREAS SAME SUBSCRIBER BASE EARNS LESS.

- 2. **In case it is decided that small DPOs may be exempted from causing audit of their systems under Regulation 15(1), then should broadcasters be explicitly permitted to cause subscription audit and/or compliance audit of systems of such DPOs, to verify that the monthly subscription reports made available by the distributor to them are complete, true and correct?**

- i. **If yes, what should be the mechanism to reduce burden on small DPOs that may result due to multiple audits by various broadcasters?**

IT'S A BURDEN FOR SMALL DPOs TO FACE MULTIPLE AUDITS

- ii. **If no, what should be the mechanism to verify that the monthly subscription reports made available by the small DPOs to the broadcasters are complete, true and correct?**

THEY SHOULD HAVE TO SUBMIT REPORT EVERY 3 OR 5

YEARS AS SUGGESTED BASED ON SUBSCRIBER BASE

B. If you are of the view that the small DPOs should not be exempted from the mandatory audit, then

i. how should the compliance burden of small DPOs be reduced?

Not only audit is a burden they have to bear auditors fees but also they have to provide TADA to auditors online audit may help smaller DPO'S

ii. should the frequency of causing mandatory audit by such small DPOs be decreased from once in every calendar year to say once in every three calendar years?

Yes it should be every year for base between 1 lakh to 5 lakh /every 3 year for base between 20k to 1 lakh and/ every 5 year for base less than 20k

iii. alternatively, should small DPOs be permitted to do self-audit under Regulation 15(1), instead of audit by BECIL or any TRAI empaneled auditor?

TRAI AND BECIL CAN GIVE FORMAT FOR SMALLER DPO TO SUBMIT ON YEARLY BASIS STATING AUDIT RELATED INFORMATION

Q3. As per the existing Interconnection Regulation, all the distributors of television channels have been mandated to cause audit of their system once in a calendar year. Should the existing provision of “calendar year” be continued or “ financial year” may be specified in place of calendar year? Please justify your answer with proper reasoning.

CALENDER YEAR IS APT

Q4. As per the existing Interconnection Regulation, the annual audit caused by DPO under regulation 15 (1), shall be scheduled in such a manner that there is a gap of at-least six months between the audits of two consecutive calendar years and there should not be a gap of more than 18 months between audits of two consecutive calendar years. Instead of above, should the following schedule be prescribed for annual audit?

- i) The DPOs may be mandated to complete annual audit of their systems by 30th September every year.**

IT SHOULD NOT BE EVERY YEAR FOR SMALLER DPOs

Q5 In case you do not agree with schedule mentioned in Q4, then you are requested to provide your views on the following issues for consultation:

- i. As per the existing Interconnection Regulation, the annual audit caused by DPO under regulation 15(1), shall be scheduled in such**

a manner that there is a gap of at-least six months between the audits of two consecutive calendar years and there should not be a gap of more than 18 months between audits of two consecutive calendar years. Does the above specified scheduling of audit need any modification? If yes, please specify the modifications proposed in scheduling of audit. Please justify your answer with proper reasoning.

There shouldn't be any scheduling as smaller DPOs have to see their financial condition as well as broadcasters closing month before planning for taking audit's burden

- ii. For the audit report received by the broadcaster from the DPO (under regulation 15(1)), should the broadcasters be permitted to cause audit under regulation 15(2) within a fixed time period (say 3 months) from the date of receipt of that report for that calendar year, including spilling over of such period to the next year?

Fixed time period is ok but it should be kept in rules that one broadcaster cant audit again and again same DPOs consecutively every year as some friendly relations of broadcasting company and bigger DPOs try to suppress competitive network with in the area by disturbing smaller startups

- iii. In case a DPO does not cause audit of its systems in a calendar year as specified in Regulation 15(1) then should broadcasters be permitted to cause both subscription audit and/or compliance audit for that calendar year within a fixed period (say 3 months) after the end of that calendar year? **Audit year shouldn't be every year rest it finE**

