

15th November, 2016

Consultation on the draft Standards of Quality of Service and Consumer Protection (Digital Addressable Systems) Regulations, 2016

In response to TRAI's consultation paper on Consultation on the draft Standards of Quality of Service and Consumer Protection (Digital Addressable Systems) Regulations, 2016, dated 10th October, 2016, our comments are stated herein under.

You may kindly note that below comments are without prejudice to our rights and contentions, including in any ongoing or future litigations and we reserve our rights to modify, change and submission of further comments or counter comments to clarify our position on the issues under this consultation paper.

Maximum permissible time of disruption beyond which subscriber must be compensated under draft Regulation 10

We suggest that TRAI may prescribe reduction in maximum permissible time for disruption as 48 hrs instead of 72 hours.

The draft regulation should expressly include the procedure and timeframe to inform the subscriber regarding closure of service due to closure of business.

We suggest that in case of closure of business by the DPO at least a 21 days' prior notice by way of an on screen display, including prime time, should be given to the consumer.

Provision of TV broadcasting services by DPO Regulation 3 (7)

There should be a more well-defined regulatory framework for disclosure and publicity of types of schemes to be offered by DPO to consumer (including mandated schemes for set top box such as outright purchase, hire purchase, and on rent), cost of CPE, transparency in maintenance, guarantee and warranty of CPE, simple and cost effective return or surrender of the CPE/STB. It may be expressly provided that all the aforesaid offerings of the DPO shall be published over the DPOs website.

Interoperability- Provisions should be made in the regulations such that the consumer is able to switch from one DPO to the other as per his wish with minimum financial burden.

“In Channel” communication and the guidelines for running scrolls or other onscreen displays, so that it does not impact the viewing experience -

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We recommend that TRAI may standardize the “In Channel” communication by prescribing the parameters like font and the screen display ratio etc. of the in channel communication, such that it does not become a cause of annoyance to the consumer at the same time does not go unnoticed.

Billing and Payment

Regulation 21 - It should be mandatory to issue bills in the name of subscriber to ensure complete transparency and accuracy.

Second Proviso to Regulation 24 (4) - Electronic acknowledgement should also be issued for payment received by SMS *and* email to Pre-paid *and* Post-paid subscribers.

Draft Regulation 25, Billing for Pre-paid subscriber- Pre-paid model should be allowed with the same billing and transparency standards as the post-paid method. Each pre-paid subscriber should receive an invoice in line with all the details prescribed under Regulation 25. An express and more elaborate provision may be included to this effect under draft Regulation 25. Also it should be provided in the regulation that invoice shall be sent to each subscriber, pre-paid through email or post as per the communication address and option selected by the consumer in CAF.

Collection of money in pre- paid system - In case of manual collection of the pre-paid amount by the LCO, he should be able to e-recharge the subscriber account using a prepaid terminal, while continuing to collect the payment manually from the subscriber. Electronic acknowledgement should also be issued for payment received by SMS and email to Pre-paid subscriber.