

Suggestions of Prasar Bharati on the QoS aspects of the TV distribution services offered by various Digital Addressable Platform Operators and Consumer Protection

A. Regarding provisioning of Mandatory channels

1. Govt. of India has, through notifications issued from time to time, notified certain channels of Doordarshan including Rajya Sabha & Loka Sabha channels as must carry. These notifications have been issues as per the provisions of the Cable Television Networks (Regulation) Act, 1995. Similarly, through MIB instructions, issued under the provisions of the DTH Guidelines and IPTV Guidelines, the said channels have been mandated to be carried by all DTH and IPTV operators over their TV distribution networks. As such, all the Distribution Platform Operators (DPOs) viz. Cable Operators, Multi-System Operators (MSOs), DTH Operators, HITS operators and IPTV operators have been mandated in this regard.
2. These notifications/instructions also specify name and number of channels as well as the manner of offering of these channels by them to their subscribers. The notifications under the Cable TV Act also specify that operators are required to take only C-band satellite signals of Doordanhan channels by dish antenna / Television Receive only of not less than 12 feet diameter dish, for re-transmission on their cable service to ensure good quality reception.
3. It has been made obligatory for every DPO, offering its services through digital platform, to provide the above channels to the subscribers, irrespective of any bouquet(s) or a-la-carte channel(s) being subscribed by them. DPOs are also required to place the above channels in the respective genre and display them in full television screen.
4. It has been observed that some of the DPOs do not comply with these provisions. Some of them do not carry all the mandated channels, some DPOs do not carry channels in the manner specified for reception and re-transmission of the mandated channels. As a result, either some/none of the mandated channels are carried or the channels are carried with poor quality to the subscribers. Therefore, Prasar Bharati requests TRAI to consider the following:
 - i. The proposed QoS regulation should carry provisions in line with the notification/instructions issued by Govt. with regard to carriage of mandated TV channels by all the DPOs.
 - ii. The Manual of Practice (MoP) should prominently mention the responsibility on the part of the DPO for provisioning of these mandated channels irrespective of any bouquet(s) or ala-carte

channel(s) being subscribed by the subscribers. The standard language of this provision should be prescribed by TRAI so that the provision remains the same across the platforms/DPOs.

- iii. The periodical returns to be submitted by the DPOs under the Tariff Order/Regulations should provide for submission of a certificate/undertaking by the DPO that it provides all the mandated channels to its subscribers in the manner specified in the said Govt. notification/instructions.

B. Provision against unnecessary disabling of STBs

1. It has been observed that the CPE (especially the STB) provided by a DTH operator to its subscriber is generally such that its capability is restricted, through in-built hardware/software means, to receive services of that operator only. As a result, in case he intends to opt out from his operator's services, and, even though the subscriber does not have any pending dues, his STB cannot receive services even from Free DTH. This leads to unnecessary e-wastage.
2. It is a fact that there is no effective interoperability available with the consumers; TRAI should ensure that subscribers at least do have flexibility to move to FTA DTH.
3. Accordingly, TRAI should prescribe suitable provisions in the proposed QoS Regulations which results in effectively restricting DPOs from devising any hardware/software mechanism in the CPEs so that CPEs can be utilised for reception of any available FTA service.

C. For better Consumer Awareness

- i. TRAI should come up with FAQs with answers, on its website, on various aspects such as subscription options, payment options, billing, provisioning of mandatory channels, consumer grievance redressal mechanism etc. These should be updated frequently enough to remain relevant.
- ii. For better dissemination of information, DPOs should be mandated to carry a Barker channel on their network to carry the said FAQs with answers, as available on the website of TRAI.
- iii. Similar to other regulators such as IRDA, SEBI etc., TRAI should run advertisements on TV channels/radio channels, from time to time, cautioning the subscribers against mal-practices adopted by DPOs, malicious or misleading self-promotion by any DPO etc.