

The response & Comments with reasons and justifications are submitted, in relation to the consultation posted by Telecom Regulatory Authority of India vide consultation paper No.3/2015, dated 14/07/2015, same areas under ;

1. Is there a need to define and differentiate between domestic subscribers and commercial subscribers for provision of TV signals?

**Comment:** No, the issue and question is based on misconception, More so in view of the fact that the definition has already been given by Authority for Ordinary Subscriber and Commercial Subscriber, in both regimes DAS and Non-DAS regimes, therefore when the definition is already in place, question dose only arises for altering the definition already in existence or with the purpose to give more appropriate, comprehensive and exhaustive definition, which will subserve the present and future requirement of the industry, first that issue has to be crystalized. This lead to another question and that is, what is the requirement for defining or differentiating the Commercial subscriber and Ordinary Subscriber?

The entire process of consultation and Commercial Tariff issues is at the instance of few Broadcasters only and due to the fact that they started charging additional sum from some Hotels and related bodies which gave rise to such Hotels to approach court and issue became grave. The entire process will lead to direction which is, that except "end consumer", any party or stake holder in value chain may get bad / good, rise/down in revenue sharing and profit margins, but ultimate burden will come on "end Consumer", (he may not be subscriber). Hence the very premises of this consultation are not been supported & propagated by any other stake holder except Broadcasters, least by any consumer body/association. Therefore in present market scenario and conditions when market is behaving slow, and this statement is supported by the fact that dates of DAS Phase III and IV, have already been deferred,

the issue of such commercial subscriber and tariff fixation does not hold good and effects the industry for core issue . The only result of this exercise would be nothing, except the additional revenue rise or determination of issue at present, under the guise of pending litigations at different forums.

Further the value chain shall also look at and include content maker/ author/ copy right holder (from whom Broadcaster buy's content) and "end consumer" with empathy in entire process as in entire consultation process.

Now who is this "end consumer"/Consumer, this has not been defined in entire regulations except in section 2 (d) of The Telecommunication Consumer Education and Protection fund Regulations,2007 which reads

"Consumer means a consumer of service provider under the Act and includes a customer and subscriber thereof",

So the definition excludes the actual consumer (viewer/watcher) who may not be actual subscriber.

In common parlance consumer is any person who enjoys, watch and witness the cable services or services, notwithstanding the fact whether he is subscriber or not.

At the same time the core issue remained un answered that "what the purpose of this entire process and exerciseis, without first determining that how it will affect the "ultimate" or "end consumer"/consumer.

This fact become more grave in view of the fact that entire TRAI Act1997, is guided by the thought of protecting the interest of telecom service provider and **Consumers"**

