

**From:** Akalya N <[akalya812@gmail.com](mailto:akalya812@gmail.com)>  
**Date:** 15 September 2019 at 5:46:33 PM IST  
**To:** [arvind@traf.gov.in](mailto:arvind@traf.gov.in)  
**Subject:** **New Tariff Order Comments on Consultation paper on Tariff related issues for Broadcasting and Cable services**

Hello Sir, Thank you very much for taking consumer benefit initiatives. I really congratulate for implementing DTH Tariff Order.

Please find the below for my responses to the consultation paper questions.

Q1. Do you agree that flexibility available to broadcasters to give discount on sum of a-la-carte channels forming part of bouquets has been misused to push their channels to consumers? Please suggest remedial measures.

Yes, I strongly agree that both broadcasters and distributors misusing the flexibility.

Remedial measures : There has to be a limit for maximum discount on sum of a-la-carte channels forming part of bouquets. Eg : sum of 10 Ala kart channel cost comes to 100 INR then Bouquet price can not priced below 85 INR (Maximum discount of 15%)

Q2. Do you feel that some broadcasters by indulging in heavy discounting of bouquets by taking advantage of nonimplementation of 15% cap on discount, have created a non-level field vis-a-vis other broadcasters?

Yes, I strongly agree. Especially where Broadcasters also does Distribution.

SUN DTH – DPO packs : Tamil DPO-1 pack available in more than 60 to 70% discounted rate sum of ala-kart channel price. This is possible because Sun DTH does both Broadcasting & Distribution together. This is a case for discrimination and lead to monopoly and non level playing field.

The same can't be matched with any other leading DTH player like TataSky, Airtel..etc

Q3. Is there a need to reintroduce a cap on discount on sum of a-la-carte channels forming part of bouquets while forming bouquets by broadcasters? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

There has to be a limit for maximum discount on sum of a-la-carte channels forming part of bouquets. Eg : sum of 10 Ala kart channel cost comes to 100 INR then Bouquet price can not priced below 85 INR (Maximum discount of 15%)

Q4. Is there a need to review the cap on discount permissible to DPOs while forming the bouquet? If so, what should be appropriate methodology to work out the permissible discount? What should be value of such discount?

DPO discount has to be in line with Broadcaster discount (15%) such that DPO can't influence/push customer to buy more channels.

Q5. What other measures may be taken to ensure that unwanted channels are not pushed to the consumers?

There has to be a limit for maximum discount on sum of a-la-carte channels forming part of bouquets. Eg : sum of 10 Ala kart channel cost comes to 100 INR then Bouquet price can not priced below 85 INR (Maximum discount of 15%)

Q6. Do you think the number of bouquets being offered by broadcasters and DPOs to subscribers is too large? If so, should the limit on number of bouquets be prescribed on the basis of state, region, target market?

User should be given free hand Instead of bouquet ,

Eg: Broadcaster has 20 channels

there should be only fixed discount based on number of channels opted from the broadcaster:

Choose 5 channels and get 5% discount on total sum of ala kart price

Choose 12 channels and get 10% discount on total sum of ala kart price

Choose 15 or more channels and get 15% discount on total sum of ala kart price

Or

Value based :

If customer choose channels worth 20 INR then 5% discount

If customer choose channels worth 40 INR then 10% discount

If customer choose channels worth 50 INR/above then 15% discount

This also address problem when user chooses a Bouquet where one or more channels from selected bouquet is not carried by that DTH

Q7. What should be the methodology to limit number of bouquets which can be offered by broadcasters and DPOs?

Bouquet should be allowed to be formed by customer and discount to be given based on number channels selected Or the Value based.

Q.8 Do you agree that price of individual channels in a bouquet get hedged while opting for a bouquet by subscribers? If so, what corrective measures do you suggest?

Restrict Broadcaster being forming a Bouquet Or enforce the cap of 15% max discount on Channels Ala Kart Price total.

Q.9 Does the ceiling of Rs. 19/- on MRP of a a-la-carte channel to be part of a bouquet need to be reviewed? If so, what should be the ceiling for the same and why?

Yes, It has to be reviewed.

Ceiling should be Rs 9/- Because almost all Bouquets are at discount of 50% of their sum of ala-kart channel price which suggest that broadcasters profitable even in 50% discount.

Q.10 How well the consumer interests have been served by the provisions in the new regime which allows the Broadcasters/Distributors to offer bouquets to the subscribers?

I feel that consumer interest compromised as Broadcasters/Distributors are behaving independently

(I,e) Broadcasters happy with 153 cap

& Distributers happy with bouquet price 60 approx

There need to be done something that force both of them to work together and give benefit to customer. Eg: Basic NCF should include a max of 2 pay channels work 19 INR included. This will force them to work better.

Q.11 How this provision has affected the ability and freedom of the subscribers to choose TV channels of their choice?

Q.12 Do you feel the provision permitting the broadcasters/Distributors to offer bouquets to subscribers be reviewed and how will that impact subscriber choice?

Q.13 How whole process of selection of channels by consumers can be simplified to facilitate easy, informed choice?

Selection has to be routed by third party so that DTH operator can't say or hide or confuse or influence user from selecting a specific set of channels

Q14. Should regulatory provisions enable discount in NCF and DRP for multiple TV in a home?

Yes, definitely.

Q15. Is there a need to fix the cap on NCF for 2nd and subsequent TV connections in a home in multi-TV scenario? If yes, what should be the cap? Please provide your suggestions with justification.

Cap should be 50% of 1<sup>st</sup> TV NCF as It's generating additional income in the same house.

Q16. Whether broadcasters may also be allowed to offer different MRP for a multi-home TV connection? If yes, is it technically feasible for broadcaster to identify multi TV connection home?

Can be allowed. But, look at my earlier answers. I am in for doing away with bouquets which consfueses and influences a lot to push unwanted channels.

Q17. Whether Distributors should be mandated to provide choice of channels for each TV separately in Multi TV connection home?

Yes,

Q.18 How should a long term subscription be defined?

1 quarter / 2 quarter / 3 quarter / 4 quarter

3/6/9/12 months

Long term should not be given for more than one year simply because channels rates might be reduced or drop out from our selected packs will not be benefited to customer.

Q.19 Is there a need to allow DPO to offer discounts on Long term subscriptions? If yes, should it be limited to NCF only or it could be on DRP also? Should any cap be prescribed while giving discount on long term subscriptions?

It can be given including both NCF & DRP

Q.20 Whether Broadcasters also be allowed to offer discount on MRP for long term subscriptions?

Yes, why not broadcasters when Distributer can give

Q 21 Is the freedom of placement of channels on EPG available to DPOs being misused to ask for placement fees? If so, how this problem can be addressed particularly by regulating placement of 65 channels on EPG?

It can be placed Language – genre wise

Q 22 How the channels should be listed in the Electronic Program Guide (EPG)?

Language – genre wise

Q 23 Whether distributors should also be permitted to offer promotional schemes on NCF, DRP of the channels and bouquet of the channels?

Yes, as long as promotional schemes are applicable to everyone without discriminating. Reason being, distributors smartly give schemes only to inactive customers and new customers. This should be done away and all offers should be given to all instead of selected few.

Q 24 In case distributors are to be permitted, what should be the maximum time period of such schemes? How much frequency should be allowed in a calendar year?

1 quarter / 2 quarter / 3 quarter / 4 quarter

3/6/9/12 months

Q 25. What safeguards should be provided so that consumers are not trapped under such schemes and their interests are protected?

By keeping the cooling period such that if customer not happy in 1<sup>st</sup> 15 days then they can roll back Or get money back by only paying a prorated or marginal fee for the used time.

Q 26 Whether DPOs should be allowed to have variable NCF for different regions? How the regions should be categorised for the purpose of NCF?

Having same Tariff/NCF for all category won't be right thing. Say eg : people in village wants to watch only two of their favorite channels. But they are forced pay for NCF for 100 channels though they watch only two channels. This is the same case with my grand father where He watches only two or three religion channel but pays 100 channel NCF. While, people in higher income group who watches 100 channel also pays same NCF as the person who watches two channel.

To address this TRAI/DTH can propose : Exclusive 5 channel only pack where customer can only choose 5 channels. This can be costed Brocaster price of 5 Channels + (NCF for 5 channel or 20 Rupees). This would greatly help rural and marginal segment as they would get Digital entertainment for 50 or 70 Rupees.

DTH need not worry as this will not be opted/misused by urban segment as max number of channels limited as 5 here. This would actually open up new segment of people adopting DTH digital revolution.

Q 27 In view of the fact that DPOs are offering more FTA channels without any additional NCF, should the limit of one hundred channels in the prescribed NCF of Rs. 130/- to be increased? If so, how many channels should be permitted in the NCF cap of Rs 130/-?

Q 28 Whether 25 DD mandatory channels be over and above the One hundred channels permitted in the NCF of Rs. 130/-?

Q 29 In case of Recommendations to be made to the MIB in this regard, what recommendations should be made for mandatory 25 channels so that purpose of the Government to ensure reachability of these channels to masses is also served without any additional burden on the consumers?

Q 30 Stakeholders may also provide their comments on any other issue relevant to the present consultation.

Other question1 : During the Tariff Order rollout , Regulators/News agency confirmed that more than 90% consumers watching less than 50 channels. Then why the minimum network fee set for 100 channels instead of 50 channels. If the NCF set for 50 channels say 65 INR then that would greatly reduce the NCF price by half where more than 90% customer gets benefited.

Other question2 : There are different category/sections of customer based on income (low,medium,),Area type (rural,town,city),People type(elders,kids,regular)..etc

Having same Tariff/NCF for all category won't be right thing. Say eg : people in village wants to watch only two of their favorite channels. But they are forced pay for NCF for 100 channels though they watch only two channels. This is the same case with my grand father where He watches only two or three religion channel but pays 100 channel NCF. While, people in higher income group who watches 100 channel also pays same NCF as the person who watches two channel.

To address this TRAI/DTH can propose : Exclusive 5 channel only pack where customer can only choose 5 channels. This can be costed Brocaster price of 5 Channels + (NCF for 5 channel or 20 Rupees). This would greatly help rural and marginal segment as they would get Digital entertainment for 50 or 70 Rupees.

DTH need not worry as this will not be opted/misused by urban segment as max number of channels limited as 5 here. This would actually open up new segment of people adopting DTH digital revolution.

Thanks,  
Akalya