

Subject: **Comments for Consultation Paper Tariff related issues for Broadcasting and Cable services**

Date: 08/16/19 10:15 PM

To: arvind@traf.gov.in, vk.agarwal@traf.gov.in

From: Bishnu Rath <bishnu.rath@gmail.com>

**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 absolutely. We need to remove the bouquet option. Its not needed every channel needs to be subscribed a la carte basis. This is only way we get to know the true price of individual channel. This is the best option if we need to protect the consumer interest.

**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. But 15% cap on discount is arbitrary. Why not 10% ? why not 5% why not 0% ?  
Better to go to the root of the problem remove bouquet option.

**Is there a need to reintroduce a cap on discount on sum of a-lacarte 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?**

No. better to remove bouquet option. Even if you implement 15% discount cap it just surpresses the problem instead of eliminating it. Broadcaster with aggressive adverting will still force consumer to go for bouquet.

**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?**

Yes the number of bouquet options are huge. Very confusing for the end user. Also the DTH provider make there UI in such a way that they push their package then broadcaster bouquet and at the very end a la carte channel. I feel like the UI is designed in such a way to discourage user from selecting channel a-la-carte basis. But again limiting number of bouquets prescribed on the basis of state, region, target market will open new can of worms. As it is arbitrary and how do we decide what is the optimum number.

The consumer does not need bouquet from broadcaster.

The consumer does not need package from DTH or cable provider.

The consumer can select all their channel themselves a-la-carte basis.

Once we remove the above 2 options the consumer will have no confusion and also it will create level playing field across broadcaster/DTH.

**Q 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?**

Consumers interest completely overwritten. The whole exercise by TRAI kinda defeated because of bouquet by broadcaster / pack by DTH provider.

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

I will give you my example. I need to watch 2 channels . But instead taken a bouquet with 7 channels which cost me less than if I taken the 2 channels on a-la-carte basis.

Clearly the a-la-carte price is not proper. Also it creates a false demand for these other 5 channels. Not good for other independent small channels which are competing with big broadcaster.

Bouquet banning will solve all these issues in one shot.

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

yes bouquet needs to go. Every channels needs to compete with each other.

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

Only allow a-la-carte selection. No confusion to the consumers. very straight forward.

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

No. This will create more confusion. Each TV connection should be treated separately.

That way the user should have the ability to select different channels for different TV.

What if a consumer install a second TV then moves the installation themselves to another house. How the DTH provider will know? Chance of fraud increases.

This way consumer are encouraged to take different provider for different TVs encouraging competition.

**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?**

No. We should avoid multi tv connection complexity.

**How should a long term subscription be defined?**

Long term subscription should not be allowed. All connection should be pre paid. Long term connection does not serve consumer interest. Creates Lockin.

**Whether Broadcasters also be allowed to offer discount on MRP for long term subscriptions?**

Complexity will increase. Long term connections should not be allowed.

**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?**

There should be universal channel numbering. The channel numbers should be auctioned by TRAI for individual channels. And all DTH/ DPO cable provider should follow the same numbering for same channel. People can easily remember channel numbers no matter the provider.

**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/ ?**

This clearly shows the 130 rupees NCF is very very high for 100 channels.

The NCF fees should be independent of number of channels. The DTH provider /Cable provider incur a fixed cost per month ...it does not increase or decrease if a consumer watches 10 channels or 100 channels or 500 channels.

NCF should be fixed monthly fee and the provider should set it. Let them set whatever they want/ Let them compete with each other. The TRAI should set a Maximum limit and the providers can either charge that or less.

The market competition will reveal what is the ideal NCF.

But it should be a fixed fee independent of number of channels.

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

NCF fee should be independent of number of channels. if we do that then user does not need to pay anything extra for 25 DD mandatory channel. Issue resolved.

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

Some of the channels are providing SD and HD versions. The a la carte pricing is 19 per both.

But the bouquet designed around SD channels cost less than bouquet designed around HD channels. This is another example of bouquet evilness. SD and HD version of same channel should be treated as one. If a user subscribes to such channels then both versions should be enabled. Differential pricing for SD and HD version of the same channel is looting customer.

If broadcaster is insisting they incur extra cost then they should discontinue SD version after launching HD version. Nobody is asking them to maintain 2 versions. This will also save satellite bandwidth for other channels.

Again why are we allowing SD channels in this day and age. Other countries have moved to 4k.

We are still SD. Unless TRAI pushes then we will continue to have SD channels for the next decade. New customers are still sold SD boxes which should not be allowed especially when they are just a couple of hundred rupees cheaper than HD boxes.

Customers who invested in HD/4k setup boxes are the clear losers as 95% of channels are still SD.

**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. Please see my above answers.

**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

**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?**

Simply banning bouquets will solve all the problems.

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

a-la-carte only solution for everything.

After the new TRAI pricing Tata Sky has pushed a free pack for which they are not charging NCF. The free pack contains the 25 DD mandatory channels and 170 other channels.

And this pack is mandatory. I don't need most of these 170 channels but I cannot unsubscribe to it because it is clubbed with the other mandatory 25 DD channels.

Very cleverly in the name of 25 DD mandatory channels they are pushing unnecessary 170 channels to the consumer. Not charging NCF should not give them the right to push whatever garbage channels to the consumer.

I think other providers have done similar things.

Regards,  
Bishnu