

Prasar Bharati
(India's Public Service Broadcaster)
Prasar Bharati House, Copernicus Marg,
New Delhi-110001

File No: P-1/013(59)/2019-Ops

Dated:23.09.2019


To,
Shri Arvind Kumar,
Advisor (B&CS),
Telecom Regulatory Authority of India,
Jawahar Lal Nehru Marg,
New Delhi – 110 002

**Subject : Comments on the issues raised in the Consultation Paper on
“Tariff related issues for Broadcasting and Cable services”**

Sir,

Please find enclosed the comments on behalf of Prasar Bharati on the issues raised in the consultation paper on ““**Tariff related issues for Broadcasting and Cable services**” issued by the Authority on 16 August, 2019.

2. It is requested to consider the view of Prasar Bharati while framing/amending the policy/orders/regulations on the subject.


(Prakash Veer)
DDG (Ops.)

Encl. As above

Comments on certain consultation issues raised in the Consultation Paper - "Tariff related issues for Broadcasting and Cable Services"

Consultation Issues:

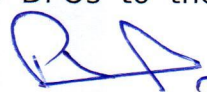
- Q. 28. Whether 25 DD mandatory channels be over and above the One hundred channels permitted in the NCF of Rs. 130/-?

Comments

In exercise of the powers conferred to it by sub-section (1) of section 8 of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995), the Central Government has, from time to time, by notification in the Official Gazette, specified the names of Doordarshan channels and the channels operated by or on behalf of Parliament, to be mandatorily carried by the cable operators in their cable service and has also prescribed the manner of reception and re-transmission of such channels. And, for other TV distribution platforms viz. DTH and IPTV, in line with the DTH License condition /IPTV Guidelines, the Ministry of I&B has been issuing Office Memoranda asking such platform operators to mandatorily include such channels in their services.

In the notification regarding provisioning of the notified channels by various Distribution Platform Operators (DPOs), it has been provided that every operator shall provide the notified channels to the subscribers, irrespective of any bouquet(s) or a-la-carte channel(s) being subscribed by them.

As of now, 26 television channels, comprising Doordarshan channels and the channels operated by or on behalf of Parliament, have been notified by the Central Government. These channels are primarily Public Service Broadcasting channels intended to inform, educate and entertain the masses of India. In fact, the intent of the Government, and rightly so, is to provide these channels of Public Service Broadcaster and channels of Lok Sabha and Rajya Sabha to the citizens of India, free of cost, through any possible mean of licensed/authorized delivery mechanism. Therefore, it is necessary that, in provisioning of these channels by various DPOs to their


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subscribers, no condition should be prescribed by them which affects reachability of such channels to the masses.

In this respect, the regulations/tariff order prescribed by TRAI should also not link provisioning of such channels with any condition including but not limited to the network capacity of the operator, technology adopted by the platform, tariff plan offered by the operator to its subscribers etc.

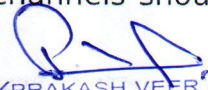
In the context of the consultation issues, Prasar Bharati is of the view that, in the larger public interest, the channels notified by the Central Government shall be made available to subscribers over and above the network capacity subscribed by the subscriber without any additional monetary burden on the subscriber. This would be in line with the intent of the Cable TV Act.

Further, since the STBs are not yet technically interoperable, Prasar Bharati is of the view that in case a subscriber does not renew its subscription, the notified channels should continue to be available to such subscribers in order to benefit the subscribers to avail public broadcasting services. This will ensure dissemination of any information of national importance to the subscribers, whether his connection is active or not at that time. However, for such subscribers, any repair or maintenance charges towards customer premises equipment shall be payable by the subscriber as per the rates prescribed by the operator. This will also help containing e-waste.

Consultation Issues:

- Q. 29. In case of Recommendation 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?

Comments: There is perhaps no need to recommend to the Ministry for any change at this stage, as in the consultation paper itself the Authority is of the view in Para 4.27 that there is no additional cost associated in providing mandatory channels by DPOs, therefore, all these channels should be provided to all the subscribers at all the times, free of charge in national interest. These channels should be


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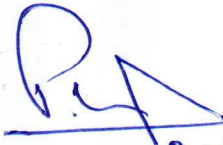
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excluded while calculating NCF, as these are mandatorily to be provided to the subscribers.

However, for the sake of clarity, Authority, if felt appropriate, may recommend to the Ministry of Information and Broadcasting in the Government of India to amend the first proviso to the clause 1 of the notification S.O. No. 2693(E) dated 5th September 2013 as under:

“Provided that every cable operator shall provide the above channels to the subscribers irrespective of any bouquet(s) or a-la-carte channel(s), or both being subscribed by them; and without linking provisioning of above channels with any condition, including but not limited to, the network capacity of the operator, technology adopted by the platform, tariff plan offered by the operator to its subscribers, payment made by subscriber for continuing cable services etc.”

Authority may also recommend the Ministry for issuing notifications/orders/OMs etc. for DTH, IPTV service providers and OTT platforms that also stream linear TV channels of Prasar Bharati or those TV channels licensed by MIB so as to have same intent for the benefit of the consumers of DTH/IPTV/OTT-Streaming services at large.


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