

--- On Fri, 3/5/13, SEKHAR BANERJEE <sekhar.bucn@gmail.com> wrote:

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Subject: Opinion on consultations invited by TRAI

To: "advbcs" <advbcs@traigov.in>, "traicable" <traicable@yahoo.co.in>

Date: Friday, 3 May, 2013, 7:42 PM

Respected Sir,

As per draft notification by TRAI dated 11/4/2013 posted in web site for consultation, I am writing my opinion.

- 1) Notification contains standard tariff package to be offered by all MSO to the subscribers mentioned accordingly option I to option IV and with that you have calculated a rental charge for each STB per month which is to be adjusted by monthly basis. against STB which is to be considered as security deposit and with the continuous adjustment for 60 months the security charge (refundable) becoming zero.
- 2) All STB should have a life span for 5 years viz warranty should stay for 5 years from the date of activation of STB.
- 3) Within 5 years no servicing, repairing charges should be charged.
- 4) No activation charge, smart card/viewing card charges can levied by cable operator on the subscriber during 5 years warranty period.

Sir,

I have gone through the entire notification given by you in your web site. I feel this is necessary to mention that the operator shall compulsorily offer the consumer the standard tariff package for CPE. On this context I would like to say you this notification could have been given on the starting time of STB seeding as because in practice the situation is just opposite of your directives like this mentioned below-

- 1) In the beginning MSO started declaring the STB price Rs. 799.00 per box and they were issuing a document in the name of LCO where it was being mentioned as activation charge Rs. 640.00 .

They were not issuing any proper document describing the STB status whether it is security deposit or one time payment against STB as there was no such document operator has filled to issue any bill/cash memo to the consumer. Only a SAF was filled up in three copies with some supporting documents.

After few months the MSO declared the increased price Rs.999.00 per box and at present the price has gone up to Rs.1199.00. In this situation where the security deposit actually lies in black and white so that we the operators can clearly describe the matter to subscribers and also can issue the proper document(s) against each STB.

2) Now MSO is allowing the subscriber only one year warranty of STB after crossing the period they will charge for repairing and servicing if needed.

Sir,

Your notification is cent percent friendly to subscriber but what is going on in practice is totally detrimental to the interest of the subscribers.

You have directed that the Smart card/ Viewing Card is also under 5 years warranty period and is the property of MSO. After expiring of 5 years MSO may take back the card if subscriber does not want to continue with the MSO on the other hand after 5 years the STB/CPE should be the property of the subscriber. But if with the same CPE subscriber wants to change the service provider the old box will be of no use as the system incorporated like CDMA not like GSM. Hence it is needed to consider the matter prior to expiry of 5 years warranty period.

3) Boxes (STB) being supplied are not standard as a result different boxes work in different signal span. Some boxes are not having any base control. If remote commander becomes defective boxes will remain idle and can not be operated at all. I think dual provision of operation for the boxes are necessary.

Moreover your complete notification is good and the present practice should be changed more rigidly for the benefit of the viewers. All MSO should be directed to remain within TRAI directions of your notification and what previously done should be rectified, proper document to be delivered to LCO and to subscribers so that they can get all legal support in case of any anomalies observed or enforced on the LCO or subscriber.

Lastly a law is an instrument which should be used for benefit of the society. If it is misused that should be addressed properly after investigation and redirected or punished as per provision exists.

Moreover as per your above notification (mandatory) you have kept an option open for MSO that they can create separate options for the DAS users, it is not clear in that case too the money deposited against STB will be considered as security money or not. If the options given by you and created by MSO differ it may not send a uniform message to the users.

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