

# GTPL Hathway Limited

CIN : L64204GJ2006PLC048908

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29<sup>th</sup> August, 2019

To,

**Mr. Arvind Kumar, Advisor (B&CS),**

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan

Jawahar Lal Nehru Marg,

New Delhi – 110002

**Sub:** Comment to the Consultation Paper on Draft Amendment to the QOS Regulations 2017  
("Consultation Paper").

Respected Sir,

We write to you in reference to the Consultation Paper.

In this regard, we submit that we have perused the same carefully and have set forth our response on behalf of GTPL Hathway Limited. The said response is without prejudice to our rights and contentions available under law.

The same are for your kind perusal and consideration.

Yours faithfully,

For, GTPL Hathway Limited

  
  
Authorized Representative

## Comments to the CP on API specifications

### Principal issues:

#### 1. Amendment only confined to few compliant DPOs:

At the advent, we would like to place on record that while the Authority through the present consultation purportedly intends to enhance the customer experience with respect to channel selection process by using third party Applications (Apps), till date the Authority has unfortunately failed to take cognizance of the blatant non-compliance by several Distribution Platform Operators (DPOs) of the regulatory framework notified by the Authority. Despite being fully aware of such scenario, the Authority has failed to take concrete steps against such non-compliant DPOs. Such inaction clearly defeats the purpose of introduction of the new regulatory regime.

Hence, we are of the opinion that while the Authority by way of an amendment has recommended that the DPOs should encourage use of Apps for the said purpose, the Authority is yet to take any material steps against DPOs who are non-compliant with the principal regulations. Thus, it appears that the current amendment shall stay confined to few DPOs who are already in compliance with new regulatory framework which is not fair and equitable.

#### 2. CP is Premature:

TRAI in its Consultation Paper (CP) on Tariff related issues for Broadcasting and Cable services dated August 16, 2019 has itself acknowledged that subscribers are not able to make informed selection of channel(s)/bouquet(s) from amongst the available options available to them on account of large number of bouquet(s) offered by the broadcaster(s)/DPO(s). TRAI has further rightly acknowledged that certain premier broadcaster(s) have created more bouquet(s) than the total number of channel(s) offered by them on a-la-carte basis with a clear intent to create confusion in the minds of the subscribers and to discourage subscription of their channel(s) by subscribers on a-la-carte basis, which is the very essence of regulatory framework designed by the TRAI.

We are therefore of the opinion that till such time the issues relating rationale for formulating bouquet(s), rate(s) of such bouquet(s) including capping of discounts on the bouquet(s) offered by the broadcaster(s) is settled, it is premature to share the views on the current consultation paper floated by the Authority.

#### 3. No Need at this Juncture:



3. **No Need at this Juncture:**

The compliant DPOs are currently providing several option(s)/medium(s) to their subscribers for making informed choices through Channel 999, Website, Call Centers, LCOs etc. Additionally, subscribers of compliant DPOs are able to use Apps which facilitates channel selection process and hence the usage of any third party App to make choices is not required at this juncture.

We reiterate that the customers are not only being offered all the available options i.e. a-la-carte, broadcaster bouquet(s), recommended pack(s) but also are able to make selection of their favorite channel(s) using the aforesaid mediums.

4. **Confidentiality Issues:**

Using a third party App for channel selection process also exposes the DPOs to leakage of confidential subscriber data including location, mobile number, email id etc. Such confidential data of the subscribers may be misused thereby causing distress to the subscribers of the DPOs.

5. **Investment of time and money:**

Using a third party App for channel selection process inter-alia involves integration of the systems of the DPOs and that of the third party App owner(s), which not only involves huge investment in terms of monies but also considerable time for integration to achieve the result as expected by the Authority. Additionally, such integration also involves upgradation of existing systems including SMS, CAS and related systems which requires sizable capex as well as time to design, test and implement.

We reiterate that till the time there is effective implementation of the new regulatory regime on a non-discriminatory basis, the current consultation itself is premature and a futile activity. As far as our observation(s) on the suggested API specifications is/are concerned, we wish to state we will not able to comment at this juncture.

