

**CONSULTATION PAPER ON ISSUES RELATED TO QUALITY OF  
SERVICES IN DIGITAL ADDRESSABLE SYSTEMS AND CONSUMER  
PROTECTION**

At the outset, we, Sony Pictures Networks India Pvt. Ltd., thank the Authority for initiating the consultation process with respect to “Quality of services (“QoS”) in digital addressable systems and consumer protection”. We are in absolute agreement with the Authority and welcome its desire for the need of developing a unified QoS regulatory framework for all addressable TV platforms to achieve further efficiency and transparency and to protect interests of consumers.

Our stand on the issues raised by the Authority in the Consultation Paper are as follows:

**Issue 1: What should be broad contours for QoS Regulatory framework for digital addressable systems? Please furnish your comments with justification.**

The broadcasting sector is a fragmented sector, with great variations in the market owing to the varied size and volume of the different stakeholders. The regulations, in different forms, have attempted to bind this fragmentation for the effective functioning of the industry.

Amongst the three options provided by the Authority, viz. (a) self-regulatory QoS framework, (b) regulation by an industry led body and (c) regulated QoS framework, we are of the opinion that the third option provided by the Authority, i.e. regulated QoS framework will be the best approach to achieve and ensure QoS. It is submitted that even though the consumer choice has improved, not all the consumers are aware of their interests with respect to choice of services, terms and conditions of services, their rights when it comes to the services that they have opted for, and redressal of their complaints.

Having the regulator lay down a framework around the QoS making it mandatory for the DPOs to provide, will certainly improve both the experience as well as services provided by the DPOs. Following are some of the broad contours for the QoS regulatory framework:

- i) Rights of the consumer- the efficiency of services and redressal mechanism that the consumers can expect from the DPO and the DPOs obligations around quick redressal of the same;
- ii) Customer care- every DPO shall have a mandatory customer care center, the contact details of which shall be provided to all the customers.
- iii) Channel packaging- there should be few packages of channels only. Further, packaging of the channels should be well enforced on ground.

Also, it is essential that all the consumers are informed about all the packages and are not provided with the packages that best suits the DPO.

iv) Removal and replacement of channels- DPOs should not be given the right to drop any channel in package constitution for at least 6 months after a subscriber opts for that package. Only if the broadcaster ceases to continue with the channel opted by the consumer, the DPO can replace the channel by another channel of a similar genre in that package. In such cases, it should be mandatory that the consent of a subscriber is taken in case of such replacement.

v) Billing- billing mechanism should be made more robust and transparent, both consumers and MSOs should have strong visibility of payment.

vi) Disconnection of channels- the reason why the Authority had mandated the requirement of publishing public notices in case of disconnection/discontinuation of the channels was to ensure that the consumers are adequately informed of such drop of channels as well as the reason behind it. Unfortunately, the consumers do not follow newspapers to be informed of such disconnection and generally get to know of the disconnection when the channels are already disconnected. The onus to let the consumer know of a possible disconnection/discontinuation should be on the DPO and that they should immediately notify the same to the consumer as soon as they are notified

of such or if they notify the broadcaster of discontinuation and the reasons for the same. It could be done via OSD, barker. In the current scenario, many a times, the consumers are not informed adequately or misinformed about the disconnection of channels including the timeline for disconnection, and the reasons for such.

vii) EPG- all channels carried must be included in EPG - possibly with a preview of what the channel is showing.

viii) Redressal of consumer grievance: The current regulation states that the consumer can approach either the MSO or its LCO to voice his complaint of poor service. It is expected that the MSO or its linked LCO, as the case may be, will redress the grievances of the consumer as per the regulations. Every MSO or its LCO, as the case may be, are mandated to establish a complaint centre to resolve the complaints of the consumers. The regulations also mandate that the customer care number is toll free. The regulations further state that in case subscriber is not satisfied with the redressal of his complaints through complaint centre, he can approach the nodal officer of the operator. The Authority must understand that these laws do not effectively protect the consumers' interests because, the consumers are left to the mercy of either the DPOs or their nodal officer. Ideally, just the same way the broadcasters and the DPOs have right to approach TRAI and TDSAT in case of grievance, the same rights should be provided to the consumer as well. TRAI should

also have a toll-free number where the consumers can enter their complaint which is not resolved by the DPOs, so that the action against the DPOs is taken by the Authority. This will ensure that the Quality of Service which the Authority wants every subscriber to get, is actually availed by the subscriber on the ground.

ix) Deterrents- To ensure that the QoS regulatory framework is adequately followed by the DPOs, the regulations should contain effective deterrents for non-compliance.

The QoS standards for the digital addressable platforms were introduced due to the inherent limitations of capacity constraints and non-addressability, in the analog cable TV systems that posed several challenges in the sector such as limited consumer choice, non-transparent business transactions etc. these provisions were introduced after the QoS Regulations for the Non CAS, CAS and DTH platforms were implemented effectively. However, since these regulations were not notified keeping in mind the digital addressable cable TV systems, another set of regulations specifically applicable to digital platforms were brought in.

The QoS parameters unless mandated by way of a regulation, will have minimal or no binding upon the service providers. If the DPOs are allowed to voluntarily arrive at a consensus to define their QoS parameters, without being bound by any regulation, it will ultimately lead to non-

implementation of the set parameters. Any set of guidelines or parameters, will become effective only if there is an enforcement mechanism behind these regulations.

We believe that the approach suggested by TRAI for setting up an industry led body consisting of multiple stakeholders across the value chain, which will then define the QoS regulations within the prescribed framework for DPOs, will not be effective model on account of conflict of interest between the various stakeholders.

The regulations guiding the quality of standard framework are already in place. The Authority should ensure that these guidelines should be updated as per above and are implemented on the ground effectively so that the stakeholders are in compliance of the same.

**Issue 2: Should there be a uniform regulatory framework for Quality of service and Consumer protection across all digital addressable Platforms? Please provide your comments with justification.**

Yes, there shall be a uniform regulatory framework for QoS and consumer protection. Since most of the country is already digital addressable and the remaining shall become digital addressable by January 1, 2017, having a uniform regulatory framework will be convenient to refer to by all the service providers and compliance of the same will also be easier. It

will also help reducing the ambiguity which otherwise is created due to multiple regulatory frameworks for different platforms. However it is suggested that the technological differences between technology platforms are accounted for while framing the uniform regulatory QoS framework

**Issue 3: Should timelines relating to various activities to get new connection be left to the DPOs for transparent declaration to the subscribers? If so, how can the interest of the subscriber be best protected if the connection is not provided in given time frame?**

**Issue 4: What should be the time limits for various activities, as mentioned below, to get new connection? Please provide your comments with justification.**

**a) Response time for processing new service request and conveying feasibility of providing connection at the desired location.**

**b) Time line for completion of CAF, installation and activation of service.**

Ideally, there should be timelines for various services mandated in the regulations for new connections and DPOs must be mandated to strictly adhere by the same. As provided by the Authority, DPOs should ensure

that their websites and services are customer friendly and that all the options relating to packages, CPE schemes, a-la-carte price of the channels are provided to the consumers beforehand. Consumers should also be made aware of these, and advertisements with respect to consumer awareness should be carried on the channels, so that the consumers know what they need to ask before opting for a particular DPO and a package. The Authority must consider prescribing a fixed timeline within the QoS Regulations itself, for different activities in order to ensure that the effective services are provided to the consumers.

The existing regulations already prescribes the procedure for connection, disconnection, reconnection, transfer and shifting; provision of cable services to every person subject to technical and operational feasibility; response time and time limit for providing connections, etc. Perusal of these provisions demonstrate that certain guidelines exist that determine the procedure for connection and other related activities. However, the Authority must also consider that within the same activity, there are different steps involved which need to be appropriately addressed. The process of providing a new connection should include the activity of making a request by the consumer, populating such request by filling in the request application form or Customer Application Form (CAF), providing the necessary equipment's. All these activities though fall in a particular chain, are independent of each other. There needs to be a



distinct timeline for each activity depending on the complexity of the activity.

The Authority should prescribe some deterrence based options in order to keep a check on the strict implementation of the timelines so prescribed for different activities, though financial disincentives exist in the present regulatory framework, which were introduced pursuant to the introduction of Standards of Quality of Service (Digital Addressable Cable TV Systems) (Amendment) Regulations 2015 dated 25.03.2015.

The response time for the DPO to the new service request should be prescribed at three (3) days from the date of receipt of request by the DPO. Within the three day period, the DPO should make all efforts to respond to the requests so made by the subscriber, including mitigation of such information relating to the technical and operational feasibility. Aadhar card or any government proof should be considered as a valid proof. In case, there does not appear to be any technical or operational difficulty in providing the services, the DPO must provide the connection without any further delay.

CAF is a critical document containing all the information pertaining to a subscriber. Hence, it is imperative that the DPO is given sufficient time to validate all the information provided by the subscriber. The SMS and CAS system of the DPO should be fed with the information provided by the

consumer within 3 days from the date of activation of the connection at the house of the subscriber.

For the implementation of the services and for the Authority to ensure compliance, it is important that the Authority encourages consolidation of the DPOs similar to the one prevailing in the Telecom Sector.

**Issue 5: Should minimum essential information that must be included in the CAF be mandated through regulations so as to maintain basic uniformity? Give your suggestions with justification.**

**Issue 6: Should minimum font size be specified for CAF? If not, how can it be ensured that important information provided in CAF is given in a manner such that a consumer can read it easily?**

**Issue 7: Should use of e-CAF be facilitated, encouraged or mandated? Please provide your comments with justification.**

Yes. Minimum essential information must be included in the CAF and mandated through regulations, otherwise, there will neither be uniformity nor the compliance. Minimum font size may be prescribed.

We believe that the model suggested by the Authority is very reasonable and in the best interest of the consumers. CAF, is an agreement between

the DPO and the consumer, which sets out the terms and conditions for the purpose of services being asked for by the consumer and thereafter, to be provided by the DPO. CAF is a document that contains all the information pertaining to the consumer which is provided to the DPO whenever a request is made by the consumer for the provisioning of services. It further contains the information pertaining to the services to be availed and the cost thereof.

Since the consent of the consumer is being sought, with respect to the varied activities related to the provisioning of services, through CAF, it is imperative that the consumer is adequately informed about the terms and conditions contained therein. For the said purpose, the terms and conditions should be printed on the CAF in a readable format, in such fonts, preferably in Arial font - size 11 or 12, that makes it easier for a normal human eye to read. Further, it is also suggested that the CAF should also be printed in the local vernacular language as well as English language so that the consumer can well understand what is written therein before signing of the CAF. The Consultation paper has already prescribed Annexure III which provides for the detailed guidelines and suggestions for formulating a standardized format for CAF.

We believe use of e-CAF should be mandated so that the same can be audited and transparency can be achieved. However the Authority should

bear in mind that the access to e-CAF pose an issue to subscribers who don't have access to internet or who are illiterate.

**Issue 8: Should the minimum essential information to be included in the MoP be mandated through regulations to maintain basic uniformity and to ensure that consumers get all relevant information about the services being subscribed?**

**Issue 9: What should be the minimum information to be included in MOP? Please provide details with justification?**

**Issue 10: Should it be necessary to provide a printed copy of MOP to all the customers at the time of subscription to the service? If not, how it can be ensured that all required information is available to subscribers when required?**

We support TRAI's views that the regulations must contain provisions in order to mandate DPOs to publish the MoP that should contain all the relevant information, including but not limited to relevant regulatory provisions pertaining to the services provided by the DPO, in order to maintain basic uniformity and to ensure that consumers get all relevant information about the services being subscribed. The purpose behind the publication of MoP is that the subscriber is made aware of the different kinds of services that are available with the service providers, packages,

rates, customer service numbers, different beneficial schemes offered, the regulatory provisions, the procedure for availing the services, etc. The MoPs should be published by the DPOs on its website and at least the packages, rates and customer service numbers should be available at the click of the remote. Any subscriber who expressly requests for a copy of the MoP should be provided with the same immediately. The Authority can look at linking the MoP with the CAF that is filled in by the subscriber and details in the MoP may not be reproduced in the CAF, which makes the CAF lengthy and bulky document.

**Issue 11: Should there be an initial subscription period while providing a new connection to protect the interest of both the subscriber as well as DPOs?**

**Issue 12: If so, what should be the duration of such initial subscription period?**

**Issue 13: What protections should be provided to subscribers and DPOs during initial subscription period? Give details with justification?**

We think the regulatory framework should provide for the minimum subscription period for which the services should continue so that the interest of the DPO and the subscriber is adequately protected. The DAS QoS already provides that the DPO should not change the subscription

package for a period of six months from the date of enrolment of the subscriber to such subscription package.

**Issue 14: What should be the framework for compensation to the subscriber for dropping of a channel due to its non availability on the DPOs' platform?**

**Issue 15: How should the reduction in subscription charges be calculated in case of discontinuation of channel from DPOs platform? Please provide your comments along with justification.**

The current regulations provide that if a channel becomes unavailable from the platform of the DPO then, the DPO should reduce the subscription charges by an amount equivalent to the a-la-carte rate of such channel, from the date of discontinuance of the channel. The DPO may offer an alternative channel having same genre and language and, if the offer is accepted by the subscriber, the DPO may not reduce the subscription charges for the channel network.

As regards DTH platforms, the DTH operator is prohibited to change the composition of a package subscribed to within 6 months from the date of its subscription. Further, the DTH operator cannot change the composition of package for which the subscription has been paid in advance, if the

channel remains available on platform. In case he removes the channel, the subscriber must be suitably compensated.

We need to bring in the policy of refund in all types of platforms so that the subscribers are adequately compensated in case of channel drops.

We recommend that the compensation for discontinuation of the channel should be the highest a la carte rate of the channel in that particular year, which shall be refunded to the subscriber.

As stated aforesaid in response to issues no. 11 to 13, the regulatory framework should mandate that in any event, the composition of a package as offered to the subscriber and as opted by the subscriber should not change for a minimum period of six months from the date of enrolment of the subscriber.

**Issue 16: In following cases what should the maximum permissible time of disruption beyond which subscriber must be compensated?**

**a) Disruption due to technical fault on the DPO network or at the subscriber's end**

**b) Disruption due to technical fault of CPE at the subscriber's end**

**Issue 17: In following cases what should be the duration of disruption in service warranting compensation to the**

**consumer and how the compensation should be calculated?**

**a) Continued Disruption due to technical fault on the DPO network or at the subscriber's end beyond the pre specified time.**

**b) Continued Disruption due to technical fault of CPE at the subscriber's end beyond the pre specified time.**

The existing regulatory framework Clause 8 provides for the situations where disruption of signals happens for preventive maintenance.

***“8. Disruption of signals for preventive maintenance.-- If signals to a subscriber is required to be disrupted for facilitating preventive maintenance, the multi-system operator or its linked local cable operator as the case may be, shall give a prior notice of at least three days to the subscriber if the disruption of the signals is not likely to exceed twenty four hours and in case the disruption in the supply of signal is likely to continue for a period exceeding twenty four hours, the multi-system operator or its linked local cable operator, as the case may be, shall give prior notice of at least fifteen days to the subscriber.”***

We think this provision should continue to be in operation. In the event the disruption continues to exist even after the intimated period, the subscriber must be allowed to claim refund of the average subscription fee calculated on the day to day basis for the entire period of disruption.



There is already requisite provisions in the regulations on the quality of CPE to be provided to the consumer which takes care of their interest. However, implementation of these provisions needs to be monitored by the Authority so that the same is effective and the issues that normally arise between the consumer and the DPO with respect to the quality of the CPE can be avoided.

On a complaint being made by the consumer in the event of technical disruption, the DPO must make an alternative and speedy arrangement for the replacement of the CPE till the original CPE is repaired. This would ensure that the consumer's interest is protected and the consumer is not able to continuously enjoy the signals of the channels with minimal interventions.

**Issue 18: What should be the framework and terms and conditions for shifting of connection including timelines in respect of PAN India DPOs where provision of connection at new location is feasible?**

The existing regulatory framework, while prescribing the procedure for shifting, however, does not prescribe any timeline within which such arrangement may be finalised between the subscriber and the DPO. In the case of shifting of the subscriber, the DPO would be intimated prior to the shifting process itself. Hence the DPO upon receiving such

intimation, should immediately start the process of checking the technical and operational viability and should not take more than 2 days' time. In case of remote locations, the DPO should inform the customer well in advance about the timelines for shifting since it will take a longer time.

**Issue 19: Is there a need to prescribe procedure for transfer of the TV connection? If so, what should the procedure, terms and conditions for transfer of services connection and timelines?**

We do not think that transfer of connection by an existing subscriber to another subscriber should be allowed. As stated herein above, when a CAF is filled and signed by a customer, the same becomes a binding agreement between the subscriber and the DPO. Each party's rights and liabilities are enumerated in the said agreement. The CAF is customer specific and the details of which are of prime importance during the audit conducted by the broadcaster in accordance with regulations and thus, such information should not be allowed to be tampered with in any circumstances. The customer should be made to surrender of the equipment if not required and for a new subscriber a new CAF should be filled and the entire process followed.

**Issue 20: What should be the framework to address the concerns of stakeholders (Subscribers and DPOs) relating to temporary suspension of service?**

The current regulations state that the subscribers can suspend the cable services for a period of 1 month to 3 months upon providing 15 days' notice. However, the concerns of the DPOs are also legitimate as frequent suspensions do adversely affect their revenue estimation and business planning. We believe that the period of suspension should be reduced to maximum of 2 months. Further, a subscriber shall not be allowed to suspend the services for more than once in a year. This will prevent frequent unjustified suspensions. In case of suspension for more than 2 months, rent should be charged to the subscriber even for the suspension period. The DPOs should be mandated to suspend the services within 1 day of the request being made by the subscriber in that regard. In case of suspension for more than 2 occasions and more than 2 months in a year, the Authority can think of keeping a charge for reactivating the services. This would also act as a deterrent and would keep a check on the number and period of suspension.

**Issue 21: How issue of abrupt closure of service due to non payment can be addressed while protecting the interest of subscribers and DPOs?**

**Issue 22: Is gradual closure of service as discussed in para 8.23 is a feasible option? If so what should be procedure and the framework?**

**Issue 23: What should the procedure and timeframe to inform the subscriber regarding closure of service due to closure of business?**

In case of default of consumers- Abrupt closure of service is not a reasonable way to conduct any business even if it is because of non-compliance with the payment obligations. A reasonable period of time should be provided to the consumers by the DPOs for e.g. 15 to 21 days cure period to clear the outstanding. During the said cure period, the DPO can remind the customer and request him to clear the outstanding urgently to enjoy uninterrupted provision of signals of the channels subscribed by the customer. If the same is not cleared within the aforementioned period, the services can be disconnected. Due care and caution should be exercised by the DPO n in order to secure the interest of the subscriber.

In cases where the DPO has to shut down its business owing to financial constraints or due to regulatory issues DPO should inform the subscriber well in advance say 30 days before. In such circumstances, running of scrolls/OSDs can be undertaken by the DPO. This would allow the subscribers time to look out for alternate service provider.

**Issue 24: Why uptake of mandated schemes for set top box (Outright purchase, Hire purchase, and on rent) is so low at present? How consumer awareness on these issues can be increased?**

**Issue 25: What should be the consumer friendly common framework of CPE Schemes for providing CPE to consumers in digital addressable system? Please provide your comments with justification?**

**Issue 26: What should be minimum essential information related to a CPE scheme that must be made available to the consumers to safeguard their interests? Please provide your comments with justification.**

**Issue 27: What measures may be adopted to ensure availability of good quality CPE to consumers?**

**Issue 28: Should any charges such as visit charges, etc. be charged from the subscribers during guarantee-warranty period?**

**Issue 29: What should be provisions for maintenance of CPE after the expiry of guarantee- warranty period?**

**Issue 30: What should be the simplified provisions for surrender of CPE in case of closure of service by the subscribers in order to protect their interest?**

We believe that the consumer should be well informed about the cost of the equipment being used by him.

The existing regulations provides that the subscriber, who takes the CPE on outright purchase basis, is not required to pay any cost towards the maintenance or repair of the CPE. However, similar provisions are not available for the subscribers taking the CPE on rent basis. We think there should be uniformity in provisions. . Further the DPOs should keep the consumers informed about the various schemes being offered by him so that the consumers are in a position to take a well-informed decision. The make and model of the CPE to be installed should be approved by the Authority so that there is uniformity PAN India and the DPOs cannot misuse the same to their advantage by installing substandard CPE. At the time of surrendering, the subscriber should get refund of the deposit amount in a timely manner.

**Issue 31: Please suggest the standards and essential technical parameters for ensuring good quality of service for the following digital addressable platforms:**

- a). Digital Cable TV**
- b). DTH**
- c). HITS**
- d). IPTV**

**Issue 32: What are the different methods to effectively increase consumer awareness?**

**Issue 33: How consumer related information can be effectively provided to Subscribers through DPO website. What minimum information should be provided through consumer corner?**

**Issue 34: Can outsourcing to the third party for various web based operations be permitted especially for smaller DPOs? If yes, what precautions are taken to ensure that such provisions are not misused?**

**Issue 35: In case of the use of “In Channel” communication means, what should the guidelines for running scrolls or other onscreen displays, so that it does not adversely impact the viewing experience?**

It is recommended that the Authority should evaluate the possibility of prescribing the minimum standards and essential technical parameters for ensuring good QoS. For e.g. the Authority can lay down the minimum requirements necessary in order for a channel to be considered as a “standard definition” channel. The quality of the channels would be maintained by ensuring that the standards do not fall below that particular threshold. .

Marketing and advertisements (in print/radio/TV) of the rights of consumers are effective way to increase consumer awareness.

### **Local channels operated by MSOs/LCOs**

As the Authority is aware that in addition to the re-transmission of permitted TV channels of various broadcasters, cable TV operators (MSOs and/ or LCOs) also operate their own “local ground based channels” which generally provide movies, music related programs, local community based programs, local news and current affairs to their own subscribers. These “local ground based channels” operated by cable TV operators are presently not subject to any specific guidelines unlike private satellite TV channels permitted under the uplinking/downlinking guidelines of MIB.

Earlier, the Authority in its recommendations on ‘Restructuring of cable TV Services’ dated 25 July, 2008 had, *inter alia*, recommended that LCOs shall be permitted to transmit their ground based channels, which will be subjected to Programming code and Advertisement code as prescribed in the Cable Television Network (Regulation) Act, 1995 and any other instructions issued by MIB from time to time. As part of the recommendations, the Authority had requested MIB to issue detailed guidelines for provision of ground based channels by LCOs.



To summarise, cable TV (MSOs in areas covered by DAS and MSOs and/or LCOs elsewhere (“cable operators”)), operate certain kind of programming services which are specific to their platform and are not obtained from broadcasters (hereinafter referred to as “Platform Services (PS)). Cable Operators use PS to offer innovative services and product differentiation. It acts as unique selling proposition (USP) for cable operators and also helps them in meeting the specific needs of their subscribers. Provisioning of such services also results in an additional source of revenue for the cable operators as they earn revenue not only from their subscription but also from the advertisements transmitted along with such PS. Unlike TV channels broadcast by the authorized broadcasters, PS is largely unregulated at present. There is no requirement for registration of PS channels. The Authority had proposed to put in place a proper regulatory framework for PS channels being operated by the cable operators and with that end in view had rolled out a detailed consultation paper dated 23<sup>rd</sup> June, 2014 on “Regulatory Framework on Platform Services” . However, the regulations in this regard has not seen the light of the day so far. It is suggested that the Authority should revisit the same and bring out suitable regulations with an intent to address the concerns and protect the interests of all stakeholders adequately.

In addition, the scrolls can also be run across television channels. Consumer awareness is of utmost importance while the contours of quality of service provided by the DPO are being examined.

The Authority can determine the font and the placement of OSDs or scrolls to ensure that same do not intervene the viewing experience of the consumers. The Authority has put forth the information that it believes should be made a part of the consumer corner and we are in agreement with those. It is imperative that the consumer corner should be a part of the homepage and such shall be clearly visible amongst the other set of information provided by the DPO.

DPO should have a website on which all the relevant information should be made available.

Each subscriber can be provided with a unique login id and a password by the respective DPOs so that the subscriber can view the data pertaining to him and rectify the same, if required.

**Issue 36: What options can be used for verifiability of subscriber communications for any change in service or provision of additional service?**

**Issue 37: What should be the duration to preserve such verifiable subscriber communications requesting change in service or provision of additional services at DPO level.**

We think that any change of service or availing of new service should be undertaken only after the express consent of the subscribers. Any new services introduced by the DPOs should be informed to the subscribers along with its detailed features so that the consumer can take a well informed decision. Only after the consumer conveys his willingness to the DPO and opts for the new services, should the said services be activated by the DPO for the said consumer. No new services should be forced upon the consumers by any DPO since not every consumer may be able to afford extra cost. As regards the period for preservation of the subscriber communication is concerned, we believe the Authority can look at a period of 3 months from the date of the communication requesting change in service.

**Issue 38: What should be optimal number of channel packages which meets the subscriber demand and are well understood by the subscribers?**

**Issue 39: How the package offerings can be improved in case of cable TV services so that effective choice is made available to the consumers?**

The DPOs have the liberty to package the channels offered by the different broadcasters in order to suit the taste of the subscribers and also considering their own commercial benefits. The DPOs should be free to package and any restrictions imposed will hamper this right of the DPO. However, the DPOs should not be allowed to have any package which carries less than 24 channels. Further, it should be the duty of the DPO to keep the consumers adequately informed about all the available packages.

The existing regulations do not impose any restrictions on the DPOs as regards the limits on the number of packages that can be offered by the DPO. Care should be taken by the DPOs that they come out with packages which would be in the interest of the consumers and not look at their own interest by tagging couple of new channels with a range of existing channels and forcing consumers to opt for another package in case they opt to get new channels. This would unnecessary burden the consumer with more subscription cost.

**Issue 40: Whether the choice of Pre or Post-paid method should be mandatorily made available to the subscribers?**

**Issue 41: What should be the essential information contained in the monthly Bill/ Usage details to be provided to subscribers in post paid or prepaid system?**

**Issue 42: Should pre-paid method is encouraged in case of cable TV services provided through LCOs? Support your comments with justification.**

**Issue 43: What should be the billing cycle both for pre-paid and post paid? Please give your comments along with justification.**

**Issue 44: Should deduction of maintenance related charges for CPE from the pre paid subscription account be prohibited?**

We have already in an earlier consultation paper rolled by the Authority on the “Issues Relating to Broadcasting Industry” had recommended that pre paid model should be encouraged for the billing purposes. This would also ensure that litigations between LCOs and MSOs is minimised and there is stability in the Industry since non-receipt of subscription monies is the major issues being faced by the Broadcasters.

Further, the Authority should encourage payment through NEFT transactions, mobile wallet services etc.

In order to address the issue of timely payments by the stakeholders at the various levels, the Authority should explore the possibility of issuing Regulation for adoption of pre-paid model from consumers to MSOs as is prevalent in the DTH Sector. This model would also ensure that the

litigations between MSOs and LCOs are kept at minimal. The Pre-paid model is already existing in the Telecom space and it is a huge success. We feel that this model can be easily replicated in the broadcasting sector too. Further there are many mobile payment options available, which the consumers are well aware of and adapt to ensure success of this model.

The existing regulations provide that the post paid subscribers to have access to the information pertaining to the usage details, similar liberty is not given to the pre-paid subscriber. We believe that Pre paid model, if introduced would ensure smooth flow of money from the subscriber to the DPO and further in the chain to the respective broadcasters. This model would also help the consumers since they can decide how much amount to be recharged to their account on a monthly basis and further they need not pay during the period of disruption of discontinuation of service.

There should be a uniform billing cycle and the Authority can prescribe a “monthly billing cycle” to be followed by the DPOs. In case any consumers wants to make the payment in advance they should be at a liberty to do so. The DPOs can also pass on some benefits to the consumers in such cases.

**Issue 45: How Toll Free number and call centre details can be widely publicised among the subscriber?**

**Issue 46: How response time and accessibility of call centre including that of the Call centre executive can be enhanced?**

**Issue 47: Please provide your comments on the following performance parameters discussed in preceding paras related to call centre?**

**a. Call centre availability hours**

**b. Multiple languages in IVR**

**c. Response time for answering IVR and voice to voice calls**

**d. Sub menu and accessibility of customer care executive**

**Issue 48: What should be the timelines for complaint resolution for different type of complaints at call centre and Nodal officer level?**

**Issue 49: Can outsourcing of call centre and web based complaint monitoring functions to third party help in increasing efficiency and compliance levels?**

**Issue 50: What should be the innovative ways to develop a speedy user friendly complaint registering and redressal framework using Mobile Apps, SMS, Online system etc.**

We welcome the suggestions put forth by the Authority with respect to the call centre facilities. A call centre facility when integrated with the services being provided by the DPO, will always result in the enhancement of the services and the consumer-service provider relationship becomes stronger. This will not only lead to an effective, speedy and transparent mechanism but also help in having an independent redressal system for consumer complaints. Since the DPOs lack infrastructure facilities, the concept of having a call centre will really help the DPOs and would also minimise their infrastructural costs. It should be operational throughout the day i.e. 24 hours for the convenience of the subscribers. The customer care number should be a toll free number where the consumers can dial in and register their complaints. Each complaint should be allotted a unique compliant registration number so that the consumer can follow it up by quoting the said number till the complaint is redressed to the satisfaction of the consumer.

The existing regulations already provide for the time limit during which the complaints of the subscriber are redressed by the DPO and the Nodal Officer. We believe the Authority should ensure that there should be effective implementation of the same by the DPOs.

**Issue 51: What should be framework for implementation of electronic PMR?**



**Issue 52: What should be framework for auditing of the records for QoS regulatory compliance by DPOs? Please suggest appropriate measures along with justifications.**

**Issue 53: What should be framework for carrying out survey for QoS compliance and subscriber satisfaction?**

**Issue 54: What should be the framework and quantum for financial disincentives for non compliance to the prescribed QoS benchmarks? Please suggest appropriate measures along with justifications.**

We believe that the regulations governing the QoS compliance and reporting requirements should be detailed out and effectively implemented since it is very critical for the broadcasting industry. The Authority should include technical standards, billing provisions, data pertaining to complaint redressal, subscriber base of the DPO in the PMR to be filed with the Authority on a periodical basis. In the event of any non-compliance or false reporting, the Authority should issue show cause notices to the DPOs and the defaulting DPOs should face penal consequences. There should also be provisions for audit of the DPOs system to check the compliance of the QoS standards prescribed by the Authority. The frequency of such audit can be 2 times in a year.

The Authority may suo motto carry out surveys of residential households at random places to check on the level of grievances being faced by such

consumers and the manner it has been taken care of by the DPOs. This would also ensure proper checks and balances and keep the DPOs very alert to ensure that the grievances are redressed in a time bound manner.

**Issue 55: Should all channels carried on the platform of a DPO must be included and shown in the EPG? Justify your comments.**

Yes. We submit that all channels that are carried on the platform of the DPO shall be included and shown in the EPG so that the consumers are well aware of the other channels that the DPO is carrying. This would not only serve the consumers in terms of greater visibility and transparency of the channels carried by the DPO, but will also enable the consumer to approach the DPO to opt for a channel which it may later want, or change the package as per his/her wish. As pointed out rightly by the Authority, this would enable the consumer to exercise his choice or preference. We agree with the Authority that it will enable the consumers to subscribe more channels. Further, as pointed out by the Authority, a message informing a subscriber about how to subscribe to a channel which the subscriber has not chosen should also be displayed. . The EPG should be user friendly and should further have an option of preview of the highlights of the major content of the channel free of cost in order to facilitate the subscriber to make informed choice along with the cost of

subscribing to such channels to enable the consumer to take an informed decision accordingly.

**Issue 56: Stakeholders may also provide their comments on any other issue relevant to the present consultation.**

None.