

### **1 . Question:- What is the present system of viewing of channels:**

**Ans.** The channels that we see through a cable network on our TV screens are created by different broadcasters. These channels are of two types, viz., "pay" channels and "free to air (FTA)" channels. Pay channels are those for which the broadcasters charge an amount, while the FTA channels are given by the broadcasters without any payment. These broadcasters transmit the signals of these channels from satellite to receiving stations owned by Multi System Operators (MSOs). The MSO in turn retransmits these signals through cables to the cable operators, who have their own "last mile" cable network to individual homes and customer premises. The present practice in India is that the MSO, after buying / receiving the signals of various channels (both pay and FTA) from different broadcasters, makes them into one single bouquet or bundle and transmits them to individual subscribers' homes through the cable operators, and charges us for the entire bundle. The subscribers get both free to air and pay channels at a rate fixed by the cable operator. As a result subscriber paying for a channel or channels which he does not want to see, but for which he has to pay because it forms part of the bundle. This is not to say that the MSO is at fault, because the MSO has to cater to different tastes of individuals who are all residing in the same locality being served by him through the cable operator. These rates vary from city to city and even in areas and localities within a city.

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### **2. Question: How will the current system of viewing of channels change with introduction of CAS?**

**Ans.** With the advancement of technology, it is now possible for the consumer to decide and choose which pay channels he wants to see and pay only for such pay channels. Of course, this requires investments to be made both by the MSOs and the consumers (or subscribers) in certain hardware and software. In particular, the subscriber will need a "Set Top Box" with a viewing card/smart card in it. Once this is done, then it becomes possible for the MSO to encrypt the signals for all the pay channels, transmit these encrypted signals of pay channels and unencrypted signals of FTA channels to subscriber's set top box, where the viewing card / smart card decrypts the signals of only those pay channels for which the subscriber has chosen to pay and watch. Of course, FTA channels will automatically be available for viewing because its signals are not encrypted.

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### **3. Question:- What were the major reasons because of which the old scheme of CAS was unsuccessful?**

**Answer:-**There were various reasons because of which the CAS scheme as notified earlier was not successful.

(1) Consumers interest was not adequately addressed. There were issues pertaining to pricing of pay channels, terms and conditions for procurement and maintenance of Set Top Boxes and lack of standards defining quality of service to consumers.

(2) The implementation of the scheme required a coordinated effort on the part of key stakeholders including Broadcasters, multisystem Operator and Local Cable Operators. But there is an adversarial commercial relationship between these stakeholders. As a result they could not enter into mutual agreements.

(3) For CAS to be really beneficial to subscribers and help him control his budget and exercise his freedom to choose any pay channel, prices of individual channels (a-la-carte) should be declared and known to the subscriber. Broadcasters did not declare their prices on an a-la-carte basis and continued to offer channels in groups/bundles/bouquets thus making the entire scheme infructuous. There was no mechanism or penalties provided to force them to do so.

(4)The cost of the Set Top Boxes was high and the subscriber was being forced to purchase it outright. There was no scheme forcing the Multisystem Operators/ Local Cable Operatos to offer STBs in instalments.

Sufficient number of Set Top Boxes were not available. Question of Inter-operability of Set Top Boxes was not

adequately addressed which meant that consumer was not in a position to return the Set Top Box in case he changes locality and was required to purchase a new Set Top Box..

(5) No definite and designated roles were assigned for broadcasters, MSOs, independent LCOs, and Government of India. There was no Regulatory Body to look into, regulate and resolve various issues/ relating to various service providers and subscribers.

(6) The burden of implementation of scheme was on Cable Operator, which neither had the wherewithal nor the resources to make the investments required and provide quality services.

(7) The consumer was not aware of either the benefits or the total financial impact on him.

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**4. Question:- How have these issues been addressed in the new scheme? What steps have been taken to empower the consumer and protect the interests of the consumers?**

**Ans-** Following steps have been taken to empower the consumer and protect his interests under the new scheme.

(1) TRAI has been assigned the role of the Regulatory Body for Broadcasting services and to issue regulations/orders/directions pertaining to issues relating to Tariff, pricing of pay channels, basic service tier, interconnection issues between various service providers, quality of service standards amongst others. TRAI has since issued various regulations/orders/directions which resolve various issues thus adequately protecting consumers interest.

(2) The Cable Television Networks Rules, 1994 have been modified by Ministry of Information and Broadcasting to provide for a new scheme of CAS. The salient features of the new scheme are :-

A well defined implementation schedule delineating specific role/responsibility of various agencies and time period required for each activity to ensure implementation by 31.12.06.

Provides sufficient safeguards to protect consumer interest and their exploitation

Main responsibility of implementation put on MSOs and broadcasters.

Provision of action against them in case of non-compliance.

Enabling provision for TRAI to take interim measures.

Fixation of basic service tier by TRAI.

Detailed steps and methodology for public awareness campaign.

Authorisation of MSOs to operate in notified areas to be given by Government to operate in notified areas so that the consumer gets the best and to ensure that only persons who can safeguard consumer interest are allowed to operate.

Compulsory Set Top Box rental schemes for consumers to be approved by TRAI.

(3) As a result of above initiatives by the Government of India and TRAI the consumer has got the following rights:

Since the service providers now have to compulsorily provide pay channels on an a-la-carte basis restricted to an MRP of Rs 5/- (exclusive of taxes) per pay channel per month consumer is free to choose any channel/number of channels on an individual basis. In case he finds that bouquets are more lucrative and serve his interests better he can subscribe to bouquets instead but the choice is entirely his own.

Now he does not have to make an outright purchase of Set Top Boxes. As provided for under rules TRAI has directed that two standard schemes (details given elsewhere in FAQ) for hire-purchase of Set Top Boxes have to be mandatorily offered by MSOs/LCOs. This makes a Set Top Box well within the reach of an ordinary consumer. In addition to these two mandated schemes nothing prevents the MSO/LCO to offer better schemes on instalments basis or outright purchase. In case the consumer finds them to be better he can opt for them. But the choice is entirely his as a consumer. After a period of 5 years you will become the owner of the Set Top Box.

As provided under rules prices for basic services tier have been fixed by TRAI as Rs. 77/- (exclusive of taxes) per month per connection. Thus cable operators can not arbitrarily decide on the monthly subscription fee except as provide which will include prices fixed for the basic tier plus the price for the pay channel depending on the number of channels subscribed plus monthly rental for the Set Top Box Scheme you have opted for and applicable taxes. The prices will be uniform throughout the CAS notified area.

To enable you to return your STB taken under any of the mandated schemes in case you are shifting to a new locality or to another MSO/LCO or a DTH service provider or otherwise within a period of five years, it has been provided that the MSO/LCO will have to take it back and give you a refund within the time period prescribed (details elsewhere herein) after deducting a fixed depreciation amount per month of usage. This provides for commercial inter-operability of Set Top Boxes.

In cases of malfunction of your STB your MSO/LCO has been mandated to to arrange for repair/replacement at no extra cost within 24 hours of receipt of complaint.

You have been enabled to change your choice of pay channels at any time subject only to the rider that a choice once indicated will have to be paid for at least for four months.

Whether you want to view pay channels and hence obtain a STB or whether you want to view only free to air channels without obtaining a STB is entirely your choice and nobody can force you to choose either.

Timelimits have been prescribed to respond to your application for connection, for activation/reactivation/shifting/deactivation of your cable connection, attending to different kinds of customer complaints pertaining to service and billing etc

No cable operator can disconnect you for whatever reason without giving you a written notice of at least 15 days indicating the specific reasons for disconnection. He can also not change the positioning of the channels without giving you a 3 days notice. This minimizes inconvenience caused by arbitrary action of cable operators.

To ensure that you are made aware of your rights and duties it is provided that your application form is so designed so that it gives you full details of the scheme. It has also been mandated that an intensive public awareness campaign be launched by permitted MSOs/LCOs starting 15<sup>th</sup> November on various media platforms. This ensures you have sufficient information available before making a choice and ensure protection of your rights after the choice is made.

In case of violation of any of the rights conferred to you as an individual consumer you can go seek redressal from Consumer Courts. In case the infringement of rights pertains to groups of consumers against a service provider a petition can also be filed with Telecom Disputes Settlement and Appellate Tribunal under section 14 of TRAI Act, 1997.

For each State Nodal Officers also have been nominated to ensure redressal of any implementation problems which can also be approached if need arises.

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**5. Question:- What is required to be done at the level of a subscriber for viewing cable TV channels in CAS areas?**

**Answer:-**

**At your end you are required to complete the following activities to continue viewing pay channel from 31.12.2006.**

**(i) Contact your local cable operator and enquire from him whether he has made arrangements to implement CAS?**

**(ii) Apply to him and make requisite deposits for obtaining a STB on Hire-Purchase basis in instalments. Two compulsory schemes have been mandated by TRAI (a) An initial refundable security Deposit of Rs.999/- plus Rs 30/- per month OR**

**(b) An initial refundable security Deposit of Rs.250/- plus Rs 45/- per month**

**You may opt for any of the above two schemes or any other scheme offered by the LCO/MSO or go for an outright purchase. The choice is entirely yours as a consumer. LCO cannot charge anything for activation, installation, smart cards, and repairs (upto five years)**

**(iii) Enquire from your LCO/MSO which channels are FTA and which are Pay. The TRAI website also gives details of channels declared by broadcasters as pay channels in CAS areas. You don't have to take any bouquets if you don't desire. You can order pay channels on individual (a-la-carte) basis. The choice is entirely yours as consumers.**

**(iv) If your LCO/MSO is not prepared to implement CAS or has not made adequate arrangements or is not willing to give you STB on rental basis or pay channels on a-la-carte basis, then inform the Nodal Officer of the State indicated below.**

**(v) Your monthly recurring expenses will consist of payment of Rs 77/- for the basic service tier of a minimum of 30 FTA channels, plus a maximum of Rs 5/- per pay TV channel you select, plus the monthly instalment of Rs 30/ or 45/- depending on the scheme you choose for obtaining STB exclusive of taxes.**

**(vi) You are expected to indicate your preference for STB rental scheme and pay channels from 15<sup>th</sup> October onwards. Please make sure that you give your choice, pay the necessary deposit etc well in time so that LCO/MSO has time to give you the channels under CAS with effect from 31.12.2006. If your LCO/MSO fails to supply the channels by 31.12.06, please inform the nodal officer.**

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## **B. Conditional Access System /Addressable System, CAS Area, Non CAS Areas etc.**

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### **1. Question:- What is CAS or Addressable System?**

**Answer :-** Conditional Access System (CAS) or Addressable System is a description normally used for a set of hardware devices and connected software (including a set top box) used at different stages of distribution of a TV channel through which normally the pay channels are transmitted in encrypted form. The subscriber is given an authorization depending upon his request to view one or more of such encrypted pay channels of his choice. The subscriber will pay for those pay channels which he or she has chosen to view in such a system. The authorization is given and controlled by the Multi System Operator (MSO) who owns the Conditional Access System in a Cable Television Network. In this, he is often assisted by the Local Cable Operator. The words "Conditional Access System" and "Addressable System" are quite often used interchangeably. "Addressable system" signifies that a subscriber is identifiable. The Multi System Operator and the broadcaster will know the exact number of subscribers of a pay channel or a bouquet of pay channels and the amount that is due from that subscriber.

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### **2. Question :- What is a CAS area ?**

**Answer:-** Section 4A(1) of The Cable Television Networks (Regulation) Act 1995,empowers the Central Government to make it obligatory for every multi system operator/cable operator to transmit or retransmit programmes of any pay channel through an addressable system from a specified date by issue of a notification in the Official Gazette. Such a notified area or area(s) is known as "CAS area(s)". This in effect means that the pay channels in that area will be encrypted and for viewing the pay channels in such area, a subscriber will have to have a Set Top Box.

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### **3. Question:- How Non CAS is different from CAS ?**

**Answer:-** Under a Non Conditional Access System or a Non Addressable System, the pay channels are sent in unencrypted form and the subscriber will not have any option to choose a pay channel of his choice and pay for that only. Under this system, which is prevalent in the country excepting in Chennai (and from 31.12.2006 in parts of three metros of Mumbai, Delhi, and Kolkata), a subscriber has to pay for all the channels that he receives from the cable operator irrespective of the fact whether he wishes to view a particular channel or not. On the other hand, a subscriber under CAS regime will be free to choose channels of his choice and pay only for such channels.

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### **4. Question :- How would one know whether 'CAS' system is applicable to his area or location? When will CAS be implemented?**

**Answer.** CAS would be applicable in certain notified areas of Delhi , Mumbai and Kolkata and the entire Metropolitan area of Chennai. For the details of areas where CAS would be applicable, the notification of Ministry of Information & Broadcasting No.S.O.1231(E) dated 31.7.2006 read with No. S.O. 792(E) Dated 10.7.2003 may be referred to. In Chennai CAS is already in force and in the notified areas of Mumbai, Delhi and Kolkata it will take effect from 31.12.2006. This would mean that with effect from 31.12.2006, all pay channels will be encrypted and the subscriber can view them only with the help of Set Top Box. A trial run will be done for at least 15 days before 31st December 2006 when channels will be available

both in encrypted and unencrypted form. It is clarified that it is only in the area or area(s), which is notified for CAS implementation, that a set top box to watch the pay channels through the Cable Television Network will be required for all the subscribers living in that notified area.

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**5: Question: What are the CAS notified Areas of Delhi ?**

**Answer.**In the National Capital Territory of Delhi, the area covering Chanakyapuri, Motibagh, Vasant Vihar, Safderjung, Vasantkunj, Chattarpur, Madangir, Kalkaji, Sarita Vihar, Maharani Bagh; bounded in the East by Yamuna River (from Delhi-Haryana border near Badarpur to Bhairon Marg; bounded in the West by Wellington Crescent, Sardar Patel Marg, NH8 (from Dhaulakuan to Gurgaon Border); bounded in the South by Delhi-Haryan border (from Gurgaon to Badarpur and Yamuna river); bounded in the North by Bhairon Marg, Rajpath (from National Stadium to Vijay Chowk), Parliament House, Talkatora Road upto Ram Manohar Lohia Hospital.

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**6. Question :- What are the CAS notified Areas of Mumbai?**

**Answer:-** In the Municipal Council of Greater Mumbai, the area to the West of the main line of Central Railway between Chatrapathi Shivaji Terminus (CST) station and Sion Railway Station, including the area from Navy Nagar (in the south) upto the CST railway Station (in the north), including Ballard Estate, bound by the Sion-Bandra Link Road and the Mahim Causeway on the northern side and includes the areas Colaba, RC Church, World Trade Centre, Maker Towers, Nariman Point, Cuffe Prade, Fort, Fountain, Bombay Stock Market, Prince of Wales Museum, CIDCO, Marine Drive Gateway of India, Horniman Circle, Reserve Bank of India, Churchgate, Ballard Estate, Town Hall, Shahid Bhagat Singh Road, Madam Cama Road, Veer Nariman Road, Mahatma Gandhi Road, Dr. Dadabhai Navroji Marg, Marine Lines, Charni Road, Kalbadevi, Thakurdwar, Girgaum, Walkeshwar Road, Nepensea Road, Cumbala Hill, Malabar Hill, Grant Road, Khetwadi, Breach Candy, Peddar Road, Hajiali, Mahalaxmi, Worli, Tardeo, Altomout Road, Dr. Dadasheb Bhadkamkar Marg, Sardar Vallabhai Patel Road, Saat Rasta, Lala Lajpatrai Marg, Mahalakshmi Race Course, Dr. Annie Besant Marg, N.M. Joshi Marg, Gokhale Road, Dr. Moses Road, Prabhadevi, Dadar (West), Shivaji Park, Cadell Road, Lady Jamshedji Road, Sitladevi Road, Mahim, Gen Arunkumar Vidya Marg.

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**7. Question:- What are the CAS notified Areas of Kolkata?**

**Answer:-** In the Kolkata Metropolitan Area, the areas whose northern boundary is the eastern bank of the river Hooghly up to the confluence with Tolly's Nalla on the right; eastern boundary is the line along the western bank of Tolly's Nalla starting from its confluence with river Hooghly in the north, running south down along the Tolly's Nalla/Kaorapukur Khal to the mouzas of Magurkhali; Southern Boundary is along the line following the southern boundaries of mouzas Magurkhali, Ramjibanpur, Sajnaberia, Gopalnagar, Kalua, Hanspukuria area within Police Station Behala proceeding towards the southern boundaries of mouzas Kalagachhia, Sankharipota, Naoabad, Khanberia, Chandigar, Shibhugli and Rameshwarpur within Police Station Maheshtola.

**Thereafter the same line following the southern boundaries of mouzas Betuabi Rajarampur, Santoshpur, Uttar Raipur, Benjan Haria Charial, Eastern and southern mouzas of Nischintapur and southern boundaries of mouzas of Uttar Ramchandrapur, Raghunathpur, Rajarampur, Achhipur within Police Station Budge Budge.**

**And then proceeding further westward in a straight line and meeting the western boundary-line of District 24 Parganas in the river Hooghly; and western boundary is the line**

along the east bank of river Hooghly starting from the confluence of Tolly's Nalla running south-south-west where it meets the line of District 24 Parganas in the river Hooghly.

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8. Question :- What are the CAS notified Areas of Chennai?

Answer: Chennai Metropolitan area.

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9. Question:-Who are the nodal officers on behalf of the State Governments for implementation of CAS?

Answer:- For further details one can contact the nodal officers appointed by the State Governments. The details of the Nodal Officers are as follows:-

S No	City	Nodal Officer	Telephone	Fax
1	Delhi	Shri <b>A.R.Talwade, Dy. Commissioner (taxes)</b> , Excise, Entertainment & Luxury Taxes Deptt.,L-Block, Vikas Bhawan,ITO, New Delhi-110002	011-23370033	011-23370033
2	Mumbai	<b>Smt. Sheela Sail, D.C.P. (Enforcement)</b> <b>Mumbai Police Commissioner Campus, (Opposite Mahatama Phule Market), Mumbai-400001.</b>	022-22692515	022-22620043
3	Kolkata	Shri Abhijit Sanyal,  Jt Secretary & Ex Officio Director of Film, I&CA Department, Government of West Bengal, WritersBuildings, Kolkata-700001	033-22145943	033-22143776
4	Chennai	Shri <b>R. Thiagrajan, IAS</b>  <b>Additional Secretary (Home)</b> Government of Tamil Nadu, Secretariat, Fort St George, Chennai.	044-25679169	044-25670596

C. Set Top Box, Smart Card, STB Tariff package etc

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10. Question :- What is a 'set top box' ?

Answer:- "Set top box"(STB) means a device, which is connected to a television set at the subscribers' premises and which allows a subscriber to view encrypted pay channels of his choice on payment. The basic

function of the Set Top Box is to decrypt the signals of those pay channels which the subscriber has been authorized by the multi system operator to receive and to convert the digital signals into analogue mode for viewing on television sets.

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**11. Question :- What is a smart card or viewing card ? How is a subscriber given authorization in CAS?**

**Answer:-**A smart card or a viewing card essentially functions like an ATM Card and comes along with the Set Top Box and allows the signals of only those pay channels to be seen which the subscriber has contracted to pay for a particular period.

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**12. Question:-Does one have to buy a new smart card if one wants to change the subscription to pay channels (i.e., opt for a different pay channel) ?**

**Answer:-**No. Since in CAS subscriber is addressable, a subscriber has to only intimate the change in package to the multi system operator directly or through the Cable Operator, the multi system operator can change the privileges attached to the viewing card or smart card attached to the Set Top Box.

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**13. Question :- Will the Set Top box allow free to air channels to be received in the Television set ? Does one require a set top box to view only Free to Air Channels?**

**Answer :** The installation of Set Top Box to view pay channels will not prevent the free to air channels also to be received by the subscriber along with the pay channels to which he has subscribed for. In case if a subscriber does not want any pay channel to be subscribed and wants to view only FTA channels, he need not have a set top box attached to his television set.

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**14. Question :-Where and from whom can I get a Set Top Box?**

**Answer:-The following options are available to the subscriber:**

i) A subscriber is free to get a Set Top Box on a rental basis from the Multi System Operator under a Standard Tariff Package prescribed by the Telecom Regulatory Authority or under any alternative tariff package offered by the multi system operator. The details of the Standard Tariff Package are given elsewhere in this FAQs.

ii) A subscriber is also free to buy outright the set top boxes from the Multi system operator.

iii) A subscriber can opt to purchase a set top box outright from the open market if available. It has to be ensured that it is as per the specifications of Bureau of Indian Standards and technically compatible with the multi system operator's system.

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**15. Question :-What do I have to do to get the Set Top Box?**

**Answer:-** A subscriber has to make an application in a format prescribed by the multi system



operator /Cable operator and comply with the formalities as required in the application to get a set top box. Alternatively, a subscriber can purchase a Set Top Box from the open market, if available. As per the requirements of QOS regulation one can make an application commencing from 15<sup>th</sup> October 2006 subject to the readiness of the Multi System Operator to accept applications.

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**16. Question :- Where and how one can know as to what the BIS specifications are; places from where I can get the boxes from the open market; and whether the Conditional Access System of a purchased box is compatible with the Multi System Operator ?**

**Answer:-** For the purpose of facilitating the subscribers the Quality of Service Regulation of 23<sup>rd</sup> August 2006 and the Tariff Order of 31<sup>st</sup> August 2006 issued by TRAI has provided that the multi system operator shall publicise the sources, models and the procedure for obtaining the Set Top Boxes. He is also required to publicize the schemes including the standard tariff package prescribed by TRAI. The multi system operators have been required to conduct a public awareness campaign for a period of 30 days commencing from 15<sup>th</sup> October 2006 . In case of difficulty you can get in touch with the Nodal Officer appointed by the State Government or the Multi System Operator of your area either directly or through the Cable Operator in your neighbourhood.

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**17. Question: - What are the details of the Standard Tariff Package prescribed by Telecom Regulatory Authority (TRAI) of India for Set Top Boxes (STBs) ?**

**Answer:-** Vide its Tariff order dated 31.8.2006, TRAI has provided for a Standard Tariff Package for supply of STBs. The package provides that every multi system operator / cable operator in a CAS area shall compulsorily offer to the subscribers both Option I (Rental of Rs.30 P.M+ Refundable security Deposit of Rs.999/-) and Option II (Rental of Rs.45 P.M+ Refundable security Deposit of Rs.250/- ) as a standard tariff package (STP). No monthly rental will be payable after 5 years and the Set Top Box will become the property of the subscriber

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**18. Question :- Can I return the Set Top Box taken on Rental Basis?**

**Answer:-**Yes, one can return the Set Top Box taken on rental Scheme under the Standard Tariff Package within a period of five years, provided the set top box has not been tampered with. On return of the Set Top Box under the Standard Tariff Package, Multi System Operator is entitled to make a deduction @ Rs. 12.50 / Rs 3.00 per month of use on account of depreciation from the security deposit under option I or option II respectively. However, where a subscriber has already taken a Set Top Box under the Standard Tariff Package and takes a refund after surrendering the Set Top Box then that subscriber will not be entitled to a new Set Top Box under the Standard Tariff Package (from the same service provider) unless he/she is shifting residence to another city or to another area in the same city where the service is not available from the same multi system operator. The details are available on TRAI's website [www.traigov.in](http://www.traigov.in) .

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**19. Question :- In how many days will I get the refund of security deposit in case of return of Set Top Box taken under Rental Scheme?**

**Answer:-** In cases where a customer chooses to return a set top box, the refund of security deposit, if any, shall be made within seven days as per the prescribed scale. This will not apply to cases of return of set top box where it is found that the set top box returned has been tampered with by the subscriber. In such cases the cable operator /MSO shall inform the subscribers within 4 weeks about their decision in the matter.

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**20. Question:- What are the remedies if set top box supplied by the Multi System Operator malfunctions?**

**Answer:** In cases where there is a malfunction of a set top box supplied, by a cable operator / MSO, then he will arrange for repair or replacement, (without any extra charge upto five years) as the case may be, within 24 hours of receipt of the complaint of malfunctioning. This will not apply to cases of complaints of malfunctioning where the set top box has been tampered with by the subscriber.

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**21. Question:- Is the Standard Tariff Package the only package?**

**Answer:-** No. In addition to the two mandated schemes nothing prevents the MSO/LCO to offer better schemes on instalments basis or outright purchase basis. In case the consumer finds them to be better he can opt for them. But the choice is entirely his as a consumer. After a period of 5 years you will become the owner of the Set Top Box.

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**22. Question : Has TRAI prescribed any scheme for outright purchase of Set Top Boxes?**

**Answer:-**TRAI has not prescribed any scheme for outright purchase from open market or from the MSO.

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**23. Question :- Whether any charges are to be paid for installation, repairs etc. of the STBs at the place specified by the subscriber ?**

**Answer:-** No charges for activation, installation, smart cards, and repairs (upto five years) are to be paid by the subscribers either in the standard tariff package or in the alternative tariff package.

**D. Free to Air Channel, Pay channel, Basic Service Tier Tariff**

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**24. Question: - What is meant by `pay channel`?**

**Answer:-** "Pay channel" means a channel for which fees is to be paid to the broadcaster and which would require the use of an addressable system ( a set top box) attached with the TV set of a subscriber in CAS notified areas.

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**25. Question :- What is a `free to air channel` ?**

**Answer:-** "Free to air channel" (FTA Channel) means a channel for which no fees is to be paid to the broadcaster and which would not require the use of Set Top Box for viewing such channels. Since the channels are carried through the distribution chain using the infrastructure created for transmission, a charge has to be paid for the same to the cable operator which is known as 'Basic Service Tier Charges'.

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**26. Question :- What is meant by 'Basic Service Tier' ?**

**Answer:** - 'Basic service tier' means a package of free-to-air channels provided by a multi system operator /cable operator which can be viewed without any Set Top Box attached to the television set and the Basic Service Tier Charge is single price payable by the subscribers to the local cable operator for such package consisting of Free to Air channels.

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**27. Question:- What is the amount of Basic Service Tier Charges that is required to be paid to the local cable operator for FTA channels ?**

**Answer:-**The TRAI vide its order dated 31.8.2006 has provided that the maximum amount that a multi system operator /cable operator can demand for receiving programmes transmitted in the basic service tier cannot exceed Rs.77/- per month (excluding taxes) for a minimum of 30 FTA channels. In case if additional FTA channels are offered over and above 30 minimum FTA channels, no additional amount will be chargeable for such additional FTA channels. The amount of taxes will depend upon the tax notifications issued by the Government of India /Concerned State Governments from time to time.

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**28. Question:- What is the maximum retail price that has been laid down by the TRAI for a pay channel ?**

**Answer:-**The TRAI vide its Tariff Order dated 31.8.2006 has fixed a ceiling on maximum retail price (MRP) of Rs.5/- per channel per month per connection (excluding taxes). The broadcasters can fix the MRP of their channels within this ceiling. The details of declarations of MRP made by the broadcasters are available on TRAI's website <http://www.traigov.in/traigov/upload/Reports/30/report13oct06.pdf>

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**29. Question :- Do I have to subscribe to bouquets of pay channel compulsorily?**

**Answer:-**No. The Tariff Order issued by TRAI mandates that the pay channels will be offered on a-la-carte basis by the broadcasters /multi system operator and Cable operator. A-la -carte basis means that the pay channels will be offered individually with a maximum retail price for each channel fixed by the broadcasters within the ceiling of Rs 5/per channel per month. Bouquets of pay channels can also be offered only in addition to the a-la-carte offer and not otherwise, and the right to choose will remain with the subscriber.

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**30. Question: - Can one subscribe to a pay channel for any period of time?**

**Answer:-**The Tariff Order issued by TRAI on 31.8.2006 stipulates a minimum subscription period of 4 months for any pay channel. In effect this would mean a subscriber opting for a subscription period of less than four months would have to pay at least Rs. 20 per pay channel ie., Rs. 5 per pay channel for a minimum of four months.

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**31. Question :- Will the cable operators be eliminated because of CAS?**

**Answer:-** No. But the competition from DTH will help to improve quality in service.

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**32. Question :- Will I need two set top boxes if I have two TVs at home, and will I have to pay twice the amount for pay channels as compared to a single TV?**

**Answer:-** The subscriber will need two set top boxes if he has two TVs at home, otherwise with one set top box connected to two TVs, he will be able to watch only one programme at any give point of time on the two TVs.

As far as subscription amounts for pay channels/free to air channels are concerned, the tariff fixed by TRAI is on per connection (i.e. per TV) basis. However, a lower subscription for the second TV in a home is possible at the option of the service providers (i.e. broadcasters, MSOs and cable operators).

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**33. Question :- I do not wish to subscribe to basic service tier consisting of free to air channels. Is it possible for me to subscribe to pay channels only?**

**Answer:-** No. This is because regulations presently provide for compulsorily carrying the basic service tier consisting of free to air channels in an unencrypted, analog form in the same cable which carries encrypted signals of pay channels. This has been done to protect the interests of those who wish to watch only free to air channels without installing a set top box. The consequence is that a subscriber of pay channels will have to compulsorily subscribe to basic service tier consisting of FTA channels.

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**34. Question :- Why do I have to pay for the free to air channels?**

**Answer:-** When we pay for a pay channel, we are mainly paying for two components of it, viz., payment to the broadcasters who own the channels and who charge for the "content", and payment to the MSO/Cable Operators who own the cable network infrastructure and who have to be paid for transmitting signals to our homes (which is the "carriage" part). In the case of FTA channels, there is no payment for "content" component to the broadcasters, but payment will have to be made for the "carriage" component because the physical infrastructure of cable network is used for transmitting signals.

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**35. Question :- How do I know which channels are free to air and which are pay? What are the Maximum Retail Prices declared by broadcasters for pay channels?**

**Answer:-** Your local cable operator and multi system operator has been asked to give you the details along with the application form. The details will also be available on the Broadcasters site. Press releases of Broadcasting and Cable services division as available on TRAI's website [www.traigov.in](http://www.traigov.in) also give the details. They can also be seen here.

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**36. Question :- Why should there be advertisements when a consumer is required to pay for pay channels?**

**Answer:-** There are two streams of revenue for a broadcaster. One is the subscription revenue the other is the advertisement revenue. A rough estimate is that approximately 70% of the revenue is from advertisements and 30% from subscription. If the revenue stream from advertisements is reduced to nil a

broadcaster will have no other option but to meet expenses from subscription revenue. Hence cost to consumer will further increase. One can quote the example of newspapers which are being provided at such a low price only because of advertisement revenue. The ceiling on MRP of Rs 5/- per pay channel per month by TRAI has been decided by TRAI taking into account this important factor.

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**E. Procedures for subscribing to pay channels or Free to air channels**

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**37. Question: - I want to subscribe to a one or more pay channel ? What is the procedure?**

**Answer:-** A prospective subscriber for a pay channel is required to fill in an application form that would be made available either by the local cable operator or the MSO catering to the area. Every subscriber whose application has been accepted will be given a unique ID number.

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**38. Question :- What are the contents of the application form ?**

**Answer:-** The application form will contain details such as payment terms, reasons on which the application is liable for rejection, number of TV sets requiring STBs, location where connection desired, individual channels and/ or bouquet(s) desired, value added services, if any, procedure for handling complaints either in the application form or separately in the form of booklet /pamphlet indicating, possible areas /causes of complaint, contact details of at least two persons responsible for redressal of the complaint, procedure to be followed in getting the complaint redressed, areas of complaint, maintenance / service policy either as a part of the application or as a separate booklet/pamphlet.

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**F. Benchmarks and Timelines for Quality of Service**

Timelines for response to the request for cable connection

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**39. Question: - Is there any time limit in which my application for cable connection is to be responded to by the cable operator?**

**Answer:-** An application duly signed and complete in all respects for subscribing to pay channels, or a request only for basic service tier, from any subscriber, residing in the area specified in the Registration Certificate of the cable operator should be responded to by the cable operator within five working days of receipt of application, indicating the deficiencies shortcomings, if any, in the application or request, as the case may be, expected date of activation of the connection /reactivation of connection.

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**40. Question:- Is there any time limit for activation/reactivation of the cable connection ?**

**Answer:-** In case, the cable operator finds that it is possible to provide connection, i.e, there is no technical non-feasibility, the activation/reactivation of the connection should be completed within two working days of the completion of the formalities on the part of the subscriber

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**41. Question: - Would I be excluded from the purview of the TRAI's QOS Regulation dated 23.8.2006 if I do not opt for pay channels?**

Answer:- The requirement of application form for subscribers of pay channel but not for subscribers of basic service tier, comprising of free to air channels, in CAS Areas should not be construed as exclusion of the latter category of subscribers from the applicability of the clauses providing for standards of quality of service relevant to them.

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**42. Question :- Can a subscriber's application be rejected on the ground that the premises where the connection is to be provided falls within other cable operators area ?**

Answer:- No request from a subscriber for cable service at a location which falls within the area for which a cable operator has a valid registration certificate to provide cable service shall be rejected by that cable operator, solely on the ground that the location or the household has been demarcated for that other cable operator authorized to provide cable service in the same area.

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**43. Question :- Whether there is a system for shifting of the connection within the same area or from one area to another area ?**

Answer:- Each MSO shall prescribe a procedure to be followed by the cable operators for handling requests for shifting by the subscribers within MSO's network/area of operation. For this purpose, the MSOs/their affiliates may evolve a mutually agreed procedure and this procedure should provide for the details of steps to be followed by the cable operators, formalities to be completed by the subscriber and the maximum time limit within which the shifting should be completed. They may lay down different time limits for different situations but it will however be ensured that the procedure prescribed is such that the subscribers are able to get the services from the new cable operator within a maximum of five working days from the date of request for shifting.

**Benchmarks for Complaint Handling**

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**44. Question :- Whether there is a provision for complaint handling ?**

Answer:- All complaints received by a cable operator/ MSO in a CAS area should be registered and a serial number of the complaint given to the complainant. The complaints should be taken up for redressal preferably in chronological order of registration.

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**45. Question :- What is the arrangement for lodging complaints as per the QOS regulations ?**

Answer:- Each cable operator/MSO must maintain a customer service center or help desk 24 hours a day, 7 days a week. A facility for automatic recording of complaints or some other mechanism for registering of complaints will be in place. It may be ensured that the staff at customer service center or help desk are qualified and competent enough to handle the requirements of service.

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**46. Question :- Whether there is a time limit for attending to the complaints ?**

**Answer:-** The following benchmarks are to be observed in regard to the redressal of complaints:

- i) All complaints will be attended or at least responded within eight hours of receipt of complaint, except those received during the night which will be attended to the next day and satisfaction report obtained from subscriber. Where it is not possible to attend /respond to the complaint within this time limit, the response should indicate the anticipated time for redressal of the complaint. If it is not feasible to comply with the benchmarks indicated hereafter for reasons beyond the control of the cable operator /MSO, the reasons for the same will be communicated to the subscriber, while responding to the complaint.
- ii) A system of rebates in the form of discounts to the subscriber due to interruptions on account of no signal or weak signal or disruption of service, will be put in place by the cable operator or MSO, as the case may be, and the subscriber should be made aware of the same.

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**47. Question :- Whether a notice has to be given for disruption in service ?**

**Answer:-** In case signals have to be disrupted for facilitating preventive maintenance, the subscriber should be given a clear notice of atleast 3 days, if the disruption is likely to be for one day or less and the notice period shall be 15 days if the disruption is likely to be for more than a day. The cable operators / MSOs can choose their own method of providing prior notice of possible disruption.

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**48. Question: - Whether carrying identity cards is necessary for the employees of cable operators?**

**Answer:-** Yes, All cable operators / MSOs will ensure that their representative(s) carry proper identification along with a photograph, and are polite in their behavior with the subscribers.

**Benchmarks for Billing Related Issues**

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**49. Question :- Is there any specific billing procedure ?**

**Answer:-** Subscribers in CAS areas will generally be billed on monthly basis and the bill should indicate the Service Tax Registration Number, Entertainment Tax Registration number of the MSO or the cable operator, as the case may be, as applicable. The entries in the bills must be itemized to separately indicate price of individual pay channel(s) or bouquet(s) of pay channels and the names of channels in the bouquet, as applicable, charges for basic service tier and the channels comprised therein, charges for set top box, amount of each type of tax levied and the rate thereof. This, however, does not preclude a cable operator /MSO, from promoting different schemes of payment in which case the bills can be raised at such periodicity as per the scheme opted by the subscriber.

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**50. Question :- Whether there is a time limit for making payments and penalties for delayed payments ?**

**Answer:-** The subscribers will ensure prompt payment of all bills within 7 days from the date of receipt of the bill. Any payment done after the expiry of 7 days will attract simple interest @ 15% p.a on the amount of bill delayed. The interest for such delayed payment will be calculated on a pro-rata basis for the number of days of delay. For each and every payment made by a subscriber, the cable operator/ MSO, as the case may be, will issue a proper receipt.

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**51. Question :- What is the procedure for raising of bills and delivery thereof?**

**Answer:-** The following procedure will normally be followed for raising of bills, delivery of bills and collection of payments thereof:

In respect of subscriber opting to watch pay channels through a set top box, a single bill will be generated by the MSO, indicating the charges for pay channels as well as charges for channels forming part of the basic service tier .The subscriber should be required to make only one payment.

In respect of subscribers who do not opt to watch pay channels through the set top box, the monthly bill will be raised for FTA channels and the proceeds collected by the cable operator.

The billing system should be such that the following benchmarks are met:

- ) Complaints relating to billing will be addressed within 7 days of notice from the subscriber.
- ) Refunds must be issued within 30 days following the resolution of the complaint or before the next billing cycle whichever is earlier.

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**52. Question :- Whether a notice period has been prescribed prior to disconnection of service by Local Cable Operator ?**

**Answer:-** No cable operator will disconnect a subscriber for whatever reason without giving written notice of at least 15 days, clearly indicating the specific reasons for disconnection. The period of 15 days for the purpose will be reckoned from the date of receipt of the notice for disconnection by the subscriber.

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**53. Question :- Whether there is a provision for change in positioning of channels ?**

**Answer:-** In CAS areas, change of positioning of TV channels comprised in the basic service tier by the MSO should not normally be done. In case of pressing technical reasons requiring changes of TV channel position,



the subscriber will be notified at least 3 days in advance of such occurrence. For the purpose of information to the subscribers, a scroll indicating the frequency in which a particular channel is placed will be run at periodic intervals. In no circumstances, unless it is beyond the control of the MSO, a channel positioned in a particular frequency shall be taken off the air without giving prior notice of at least three weeks along with the reasons for taking it off the air. This notice must be given to all subscribers through an advertisement in two local newspapers or by running a scroll in the relevant channel(s).

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**Miscellaneous:**

**54 Question :- Who is a multisystem operator?**

Answer: "Multi-System Operator ( MSO )" as defined in rule 2(ee) of the Cable Television Networks Rules, 1994 means a cable operator who receives a programming service from a broadcaster and/or his authorized agencies and re-transmits the same or transmits his own programming service for simultaneous reception either by multiple subscribers directly or through one or more local cable operators (LCOs), and includes his authorized distribution agencies by whatever name called.

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**55 Question :- Can any multisystem operator continue to work in CAS area ?**

Answer:- No, for a multi system operator to continue working in CAS area beyond the date notified i.e. 31.12.2006, he has to seek permission to do so from Ministry of Information and Broadcasting. The Ministry of Information & Broadcasting after considering its suitability or otherwise in respect of its existing operational area, actual number and addresses of its subscribers in each of the notified areas, commercial arrangements with the broadcasters and local cable operators, if any, financial strength, management capability, security clearance and preparedness to supply and maintain adequate number of set top boxes for its subscribers, installation of its subscriber management system and compliance with all other quality of service standards as prescribed by the TRAI grants or refuses permission.

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**56. Question: What is the role assigned to a multisystem operator with respect to CAS area?**

Answer. Introduction of addressable systems requires large investments in equipment such as headend, encryption, subscriber management system and set top boxes. This level of investment can not be done by your local cable operator. Hence an MSO sets the platform to receive signals from the broadcasters, adapts it to provide for addressability, keeps the consumer database, ensures compliance of quality of service and other regulations of TRAI and through Local cable operators or in some cases directly provides channels to subscribers. Thus your local cable operator is supposed to enter into an agreement with one of the permitted MSOs. Check up whether your MSO has done so .