

FEDERATION OF CONSUMER ORGANISATIONS  
TAMILNADU & PONDICHERRY-FEDCOT

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Dated: 10.07.2014

To  
Mr.Agneshwar Sen,  
Advisor (B&CS),  
Telecom Regulatory Authority of India,  
New Delhi-110 002.

Sir

Sub:- Comments to Consultation Paper No.7/2014 on "Regulatory Framework for Platform Services".

We are federation of voluntary consumer organization in Tamil Nadu and Pondicherry.

Please find the enclosed comments for the consultation paper on Regulatory Framework for Platform Services.

Thanking you  
yours truly  
For FEDCOT

K.Murugan|  
Chairman

## FEDCOT'S COMMENTS

**1. Do you agree with the following definition for Platform Services (PS)?**

**If not, please suggest an alternative definition:**

*The word " own subscriber" may not be necessary, when the geographical area is to be discussed in another query.*

*The definition is meant for DPOs acting as PS, but in practice we find lot of third parties running quality PS which are better than DPO run PS. So a mechanism to adopt and allow those third party PS should be incorporated in the definition itself.*

**2. Kindly provide comments on the following aspects related to programs to be permitted on PS channels:**

**1. PS channels cannot transmit/ include**

**2.1.1 Any news and/or current affairs programs,**

*Like satellite channels these Platform Services should also be allowed to transmit any NEWS and Current affairs programs, subject to the fulfillment of Advertisement Code and Programme Code as contemplated in the Cable Act.*

**2.1.2 Coverage of political events of any nature,**

*The Purpose of media is to disseminate the message to the end consumers. The Platform services should be allowed to carry the Political events of any nature.*

**2.1.3 Any program that is/ has been transmitted by any Doordarshan channels or TV channels permitted under uplinking/ downlinking guidelines, including serials and reality shows,**

**2.1.4 International, National and State level sport events/ Tournament/ games like IPL, Ranji trophy, etc.**

**Ans for 2.1.3 and 2.1.4:** When the provisions of copy right is in subsistence, this may not be necessary and the PS can transmit the programs.

## **2. PS channels can transmit/ include**

### **2.2.1 Movie/ Video on demand**

*Accepted*

### **2.2.2 Interactive games,**

*Accepted*

**2.2.3 Coverage of local cultural events and festivals, traffic, weather, educational/ academic programs (such as coaching classes), information regarding examinations, results, admissions, career counseling, availability of employment opportunities, job placement.**

*Accepted*

**2.2.4 Public announcements pertaining to civic amenities like electricity, water supply, natural calamities, health alerts etc. as provided by the local administration.**

*Accepted*

**2.2.5 Information pertaining to sporting events excluding live coverage.**

*Accepted*

**2.2.6 Live coverage of sporting events of local nature i.e. sport events played by district level (or below) teams and where no broadcasting rights are required.**

*Accepted*

**3. What should be periodicity of review to ensure that the PS is not trespassing into the domain of regular TV broadcasters?**

*This review is not going to help neither the PS nor the DPO. It is in turn will overload the work of the Authority. Therefore, it may be left to the party concern to adjudicate before concern forum.*

**4. Should it be mandatory for all DPOs to be registered as Companies under the Companies Act to be allowed to operate PS? If not, how to ensure uniform legal status for all DPOs?**

Whether it is LCO or MSO in DAS as the case may be, they are already registered with the Authorities as LCO or MSO. Therefore further Registration under Companies Act, may not be necessary. However, to bring uniformity among DPOs some directions, guidelines may be prescribed.

**5. Views, if any, on FDI limits?**

FDI should not be allowed.

**6. Should there be any minimum net-worth requirement for offering PS channels? If yes, then what should it be?**

*Minimum networth may not be necessary for running a PS Channel..*

**7. Do you agree that PS channels should also be subjected to same security clearances/ conditions, as applicable for private satellite TV channels?**

*Not agreed*

**8. For the PS channels to be registered with MIB through an online process, what should be the period of validity of registration and annual fee per channel?**

*Any attempt of bringing hard rules in running a PS, would ultimately be a unwanted expenses for the consumer. Therefore, this registration and annual fee should be very nominal.*

**9. What is your proposal for renewal of permission?**

*Should be automatically on request.*

**10. Should there be any limits in terms of geographical area for PS channels? If yes what should be these limits.**

*As per the mechanism, the MSO/LCO can transmit the PS only to their own customer, therefore specifying geographical area may not be relevant.*

**11. Should there be a limit on the number of PS channels which can be operated by a DPO? If yes, then what should be the limit?**

*No limitation may be imposed. It may be left to PS to decide.*

**12. Do you have any comments on the following obligations/restrictions on DPOs:**

**12.1. Non-transferability of registration for PS without prior approval of MIB;**

*No comments*

**12.2. Prohibition from interconnecting with other distribution networks for re-transmission of PS i.e. cannot share or allow the re-transmission of the PS channel to another DPO; and**

*No comments*

**12.3. Compliance with the Programme & Advertisement Code and TRAI's Regulations pertaining to QoS and complaint redressal.**

*Inspite of stringent laws and regulations, the TV channels are not following the programme code and Advertisement code. Therefore, some stringent provisions has to be in built to ensure, that in PS in the interest of end consumers.*

**13. What other obligations/ restrictions need to be imposed on DPOs for offering PS?**

*The DPOs should not be allowed to change and shift the PS according to their whims and fancies without prior notice to the consumers.*

**14. Should DPO be permitted to re-transmit already permitted and operational FM radio channels under suitable arrangement with FM operator? If yes, then should there be any restrictions including on the number of FM radio channels that may be re-transmitted by a DPO?**

*No comments*

**15. Please suggest the mechanism for monitoring of PS channel.**

*A taluk or district level committee with power formed by giving due representation to the voluntary consumer organization, NGOs, Whistle Blowers, so as to monitor the PS channel..*

**16. Do you agree that similar penal provisions as imposed on TV Broadcasters for violation of the terms and conditions of their permissions may also be imposed on PS? If not, please suggest alternative provisions.**

*The first time violater should be given a chance to rectify themselves. In case of regulation of violation, it may be referred to a committed and an advise of the committee , a necessary action may be taken.*

**17. What amendments and additional terms & conditions are required in the existing registration/ guidelines/ permission/ license agreements w.r.t. DPOs for regulating the PS channels?**

No comments

**18. What should be the time limit that should be granted to DPOs for registration of the existing PS channels and bring them in conformity with the proposed regulatory framework once it is notified by MIB?**

*No comments*

**19. Stakeholders may also provide their comments on any other issue**

**relevant to the present consultation including any changes required in the existing regulatory framework.**

*No comments*