

Date: 27.06.2014

To,  
Mr Wasi Ahmad,  
Advisor (B&CS),  
Telecom Regulatory Authority of India,  
Mahanagar Doorsanchar Bhawan,  
Jawahar Lal Nehru Marg, New Delhi-110002

From:  
Dr. A.K. Rastogi  
President,  
All India Aavishkar Dish Antenna Sangh  
B-262, Indra Nagar, Delhi-110033

**Subject: Reply/Comments on Consultation Paper No. 6/2014 "Tariff Issues Related to Broadcasting and Cable TV Services for Commercial Subscribers"**

Hereby, Dr. A.K. Rastogi, President, All India Aavishkar Dish Antenna Sangh, is pleased to provide reply comments to the issues for consultation.

**General Reply:**

We are of the general opinion that like the definition of "ordinary cable subscribers", there should not be any special sub category in "commercial subscriber" or "commercial establishment" nor any special status should be given in the definition. The shops and factories should also be included in commercial establishments. The act cannot be applied on one category and a relief should be given to its sub-category without any justification and in larger public interest, when the signals are the same for all types of users with no differentiation.

Furthermore, all types of subscribers are paying entertainment tax as well as service tax equally for the same services.

**Reply Point-wise:**

***1. Do you agree with the definitions of "commercial establishment", "shop" and "commercial subscriber" as given in para 1.23?***

Reply: No, they all should come under one category already defined i.e. "commercial establishment". The act cannot be applied on one category and a relief should be given to its sub-category without any justification and in larger public interest, when the signals are the same for all types of users with no differentiation. Though there is no objection for the definition of "commercial subscriber"

***2. If the answer is in the negative, alternate definitions with proper justification may be suggested.***

Reply: "Commercial establishment" already defined in para 1.23 and "shop" should be include in the definition. The shop doesn't enjoy any immunity for its tax liability in municipal commercial tax, commercial electricity and water bill etc.

**3. Do you agree that further sub-categorizing the commercial subscribers into similarly placed groups may not be the way to proceed? In case the answer is in the negative, please give details as to how the commercial subscribers can be further sub-categorized into similarly placed groups along with full justifications.**

Reply: There is no need for any sub categorization of commercial subscribers.

**4. Which of the models, discussed in para 1.27 above, should be prescribed for distribution of TV signals to the commercial subscribers? Please elaborate your response with justifications. Stakeholders may also suggest any other model with justifications.**

Reply: The DPO should be free from any such price war and competition; it should be between the broadcaster and the commercial subscriber to negotiate the rates. The DPO will give its services vis-a-vis ordinary cable subscriber. The big question is that who will pay for the already set-up boxes installed at the establishments which will now be called as "commercial establishments" and what new services or entertainment will be delivered to the end consumer through the commercial signals? What will happen to the Consumer Application Forms (CAF forms) already filled?

**5. In your view which of the 4 alternatives mentioned in para 1.28 above, should be followed? Please elaborate your response with justifications.**

Reply: The DPO will render its services in the same manner as to its ordinary cable subscriber and if there is any tariff order or ROI between the broadcaster and the commercial establishment, they are free to give the services directly to the said establishment. The DPO doesn't want to play a role in the price war and competition.

**6. In case your answer is "alternative (ii)" as mentioned in para 1.28 above, please give full details with justifications of as to what should be the tariff ceiling/dispensation for each category/ group of commercial subscribers.**

Reply: No comments

**7. If in your view, none of the 4 alternatives mentioned above are to be followed, stakeholders may also suggest any other alternative with justifications.**

Reply: No comments