

IndusInd Media & Communications Limited (“IMCL”) is pleased to submit its comments to the Telecom Regulatory Authority of India (“TRAI”)’s draft “Interconnection (Addressable Systems) (Amendment) Regulations 2019”.

As both a Multi-Service Operator (“MSO”) and headend-in-the-sky (“HITS”) provider, IMCL agrees with the Authority that there should be an audit manual used by independent auditors to assess and review the digital addressability of all Digital Platform Operators (“DPOs”) and not just that of the larger players. The audit manual should be created in order to ensure commonality of functionality and capability of digital addressable systems, irrespective of the platform used or the size of the DPO. This will ensure that all DPOs are assessed on par with each other without any favoritism based on size or location of DPOs.

The Authority’s proposal to have independent auditors doing the assessment will also ensure that there is potentially less bias during audits from auditors who are paid for by broadcasters and therefore may not be impartial or fair when completing audits of a DPO’s digital addressable system.

Please find below are comments on the draft regulations:

1. Overall the draft regulations have taken into cognisance many of the issues raised by DPOs to TRAI as part of the Consultation Process. However, there are a few missing elements that need to be amended to ensure a level playing field for all DPOs during audit.
2. Section (C) clause 4 states that “The distributor of television channels shall validate that the CAS, in use, do not have facility to activate and deactivate a set top box (STB) directly from the CAS terminal. All activation and deactivation of STBs shall be done with the commands of the SMS.

The reality is that all CAS systems enable operators to activate/deactivate STBs from the CAS terminal. This feature is there to enable CAS operators to test the working of the CAS system itself. It is simply a process that is implemented within a DPO to ensure that only those commands that are sent via the SMS system are processed by the CAS. DPOs must demonstrate that they have

- (a) Process for ensuring that the SMS is integrated with the CAS.
 - (b) That any activations/deactivations done via the CAS are logged so that any such activities can be assessed by auditors
 - (c) That any activations/deactivations done via the CAS are logged, including indication which user ID was used for such activities.
3. Section (C) clause 6 states that “The distributor of television channels shall validate that the CAS has the capability of upgrading STBs over-the-air (OTA) so that the connected STBs can be upgraded.”

The CAS is not the only device that can send the OTA to the STBs. It is possible to use a PSI/SI server to achieve the same capability, which has been implemented in the case of IMCL as this ensures that we have a common method for sending OTA, irrespective of the CAS that we are using.

Further, there was no requirement in the DAS regulations of 2012 for the CAS to deliver the OTA to the STBs. The only requirement was that “The STBs should be addressable over the air to facilitate Over The Air (OTA) software upgrade”, which IMCL is fully compliant with. There was no definition or limitation on how the OTA is to be achieved in the 2012 DAS regulations. Further in the current draft regulations, this original requirement is still included under section E clause 10. The requirement, therefore, for adding this clause 6 in section (C) is therefore superfluous and unnecessary, and puts limitations on DPOs on delivering OTAs in other acceptable methods which neither affect security or have any service impact. We request the TRAI to therefore remove this clause.

4. Section (D) clause 12 states that “Scroll messaging should be only available in the lower part of the screen”. Older STBs that were purchased prior to the definition of the QoS regulations in March 2017 will not be able to offer scroll messaging as (a) the STB manufacturers may no longer exist or be in business in India (b) may no longer be providing support to DPOs as more than 7 years have gone by in order to update the STB software/middleware to support scroll messaging. We therefore request that TRAI maintain this clause but put a caveat that this will only be applicable for those STBs purchased by any DPO post March 2017 when the QoS regulations were released. Without this caveat, DPOs with older STBs would not be able to meet these draft regulations for all their STBs.
5. Section (E) clause 8 states that “The STB should have forced messaging capability including forced finger printing display”. We would request a clarification on whether this means that the STB must be able to support, separately, forced OSD or BMail messaging and forced fingerprinting. Or whether the request is for the forced OSD to contain the fingerprint within it. It is to be noted that not all CAS are able to send forced OSD which contains fingerprint within it.
6. Section (E) clause 9 states that “The STB must be compliant to the applicable Bureau of Indian Standards”. We request to understand whether this means that each STB model must be certified by the BIS specifically, or that self-certification of compliance against the applicable standards is sufficient in order to meet the draft regulations. We request to understand whether the auditors will test the STBs for BIS compliance, and how this will take place.