

----- Original Message -----

From: Anil Khare <[khareas42\\_nsk@yahoo.co.in](mailto:khareas42_nsk@yahoo.co.in)>

Date: Wednesday, September 10, 2014 10:22 pm

Subject: comments on consultation paper

To: "[sksinghal@traigov.in](mailto:sksinghal@traigov.in)" <[sksinghal@traigov.in](mailto:sksinghal@traigov.in)>

Cc: "[cp@traigov.in](mailto:cp@traigov.in)" <[cp@traigov.in](mailto:cp@traigov.in)>, "[secretary@traigov.in](mailto:secretary@traigov.in)" <[secretary@traigov.in](mailto:secretary@traigov.in)>, "[pradvbcs@traigov.in](mailto:pradvbcs@traigov.in)" <[pradvbcs@traigov.in](mailto:pradvbcs@traigov.in)>

> Dt:-10-09-2014

>

Nashik, Maharashtra

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> To,

> Mr.Sunil Kumar Sighal,

> Advisor,(B &C S),

> T R A I., Delhi

> **Without prejudice**

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> Sub:-Comments on consultation paper Dt:-28<sup>th</sup> Aug (Ammendments to QoS)

> Sir,

> Thank you for the consultation paper on the above mentioned subject. I would like to state that we ,Nashik District Cable Operators Association, have challenged the provisions of Quality Of Service Regulations in Hon.High Courts,Mumbai and you have received the notices of the same and the matter is subjudice. In the petition we have challenged sec.14.(1) which empowers the Multi System Operator to generate Bills to our subscribers along with other sections.

>

> Sir , It is not correct on your part to equate Cable sector with Telecom Sector & / or DTH as you are wel aware that in Cable sector the entity of Local Cable Operator exists, who provides the last mile connectivity and the entire client base has been developed by LCO's and by introducing electronic pre-paid mechanism for online payments you are in effect trying to change the flow of revenue and make the LCO dependant on his competitor(MSO) to meet his daily expense. By introducing online payments / prepaid card system the LCO will be totally wiped out of the value chain and/or will have to depend on whims of his competitor. In the absence of local level mechanism, the MSO, who are in dominant position are bound to take disadvantage of this system.

> I request you to take into consideration the prevalent state laws before

making any amendments else it will give rise to anomalies in law ,as has happened before .

> You are aware that LCO"s having subscriber base of 100-300 subscribers exist.and because of the differing entertainment tax structure and state laws the LCO"s are finding it difficult to survive in business and by levying financial penalties, the livelihood of such LCO"s will be affected.

> The authority has turned a blind eye to the fact that the client base of DTH and cable sector differs (on economic level) and the consumers are also not benefitting as was widely publicised, even after two years of implementation of DAS as monthly rates have shot up after digitization and its only the broadcasters and vertically integrated MSO who seem to be benefitting from it. The proposed amendments will become another tool at the hands of MSO to further exploit the LCO"s ,most of whom are uneducated and do not understand English language.

> The authority has not established any local level/state level mechanism making it extremely difficult, if not impossible for the LCO"s to travel all the way to Delhi to make representation.

> On behalf of Members of Nashik District Cable Operators association I , Object and oppose(without prejudice) any amendments like introduction of Pre-paid cards, levying of financial disincentives, etc.which are detrimental to LCO"s.

> Thanking you

> Anil S Khare

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> Vise Mala,

> College Road, Nashik-422005

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