

To,

[All Multi System Operators (MSO) (including independent Cable Operators) permitted to provide cable service in CAS notified areas under sub-rule (3) of Rule 11 of the Cable Television Network Rules 1994 as amended and Cable Operators getting feed from such approved Multi System Operators in CAS notified Areas.]

Subject: Direction under Section 13 read with sub-clause (v) of clause (b) of sub-section (1) of Section 11 of the Telecom Regulatory Authority of India, Act, 1997 (24 of 1997) to Multi System Operators (MSO) (including independent Cable Operators) permitted to provide cable service in CAS notified areas under sub-rule (3) of Rule 11 of the Cable Television Network Rules 1994 as amended and Cable Operators getting feed from such approved Multi System Operators in CAS notified Areas.

Sir,

WHEREAS a division bench of the Hon'ble Delhi High Court in a judgment, on 20.7.2006 in an appeal against the judgment of single bench, ordered implementation of Conditional Access System (CAS) in the three Metros of Delhi, Kolkata and Mumbai by 31st December 2006, and further directed that all the co respondents (Telecom Regulatory Authority of India was one of the co-respondents) shall assist the Appellant (Ministry of Information and Broadcasting, Government of India) in the implementation of CAS;

2. WHEREAS, CAS is in force in Chennai, the Government of India vide notification number SO 1231(E) dated 31st July 2006, declared the areas in the three metros of Delhi, Mumbai and Kolkata where CAS would be implemented with effect from 31.12.2006;

3. WHEREAS in exercise of the powers conferred upon it under section 36 and sub clause (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), read with notification No.39 [No.S.O. 44(E) and 45 (E) dated 9th January, 2004], issued from file No.13-1/2004–Restg. by the Government of India under clause (d) of sub-section(1) of section 11 and proviso to clause (k) of sub-section(1) of section 2 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and in deference to the orders and direction of the Hon 'ble Delhi High Court, TRAI, has notified the Standards of Quality of Service (Broadcasting

and Cable Services) (Cable Television –CAS Areas) Regulation, 2006 (8 of 2006) (hereafter referred to as ‘QOS Regulation’) on 23rd August 2006;

4. WHEREAS clause 9 of QOS Regulation provides that the Authority (TRAI) may from time to time, issue directions, orders requiring service providers in CAS Areas to furnish information in such form and at such intervals as may be required for the purpose of monitoring the performance of quality of service standards;

5. WHEREAS in terms of rule 14 of the Cable Television Networks Rules, 1994 [as amended by the Cable Television Networks (Second Amendment) Rules, 2006] (hereinafter referred to as ‘amended Cable Rules), every multi system operator shall interalia be obliged to maintain quality of standards as may be determined by the Authority (TRAI) and that the Authority (TRAI) is required to look into the efficacy of arrangements and issue necessary directions to the concerned parties for compliance;

6. NOW, THEREFORE, in exercise of the powers vested with it under Section 13 read with sub-clause (v) of clause (b) of sub-section (1) of Section 11 of the Telecom Regulatory Authority of India, Act, 1997 (24 of 1997) and clause 9 of the QOS Regulation as well as rule 14 of the amended Cable Rules notified on 31.07.2006, Telecom Regulatory Authority of India hereby, directs that:

- i) the multi system operators (including the independent cable operators) who are approved to provide cable service under sub-rule (3) of Rule 11 of the amended Cable Rules in CAS Areas and the Cable Operators taking feed from such approved multi system operators (including independent cable operators) shall report actual performance vis a vis the Quality of Service Standards prescribed in the above said QOS regulations in the manner indicated below:
 - a) the report shall be in the form and format annexed to this direction;
 - b) the information in respect of part 1- 6 of the annexed format shall at the option of the multi system operator /Cable Operator, as the case may be, be given in print or in electronic form (if in electronic form, then it should be in word or excel file format in a non writable CD bearing the signature of the authorized signatory on the top) and the certificate of compliance contained in part 7 of the format annexed in print form duly signed by the Authorized signatory;

- c) the reporting shall be done on or before the expiry of 15 days from the end of the quarters and shall pertain to the quarters ending with 31st March, 30th June, 30th Sept and 31st December of each calendar year; and
 - d) in the case of Chennai the first reporting shall be for the quarter ending December 2006 and in the case of notified areas of Mumbai, Delhi and Kolkata it shall be for the quarter ending 31st March 2007;
- ii) In respect of Multi System Operators and Independent Cable Operators having their own head end(s), the above-mentioned reports shall be furnished to TRAI, New Delhi, and in respect of other Cable Operators in CAS notified areas taking feed from the approved Multi System Operators, such reports shall be furnished to Authorised officers designated for the purpose of implementation of provisions of Cable Television Networks (Regulation Act: 1994) for the specified CAS notified areas with a copy endorsed to TRAI.
- 7 The directions contained in para 6 above shall not apply to services provided in areas other than CAS notified areas.
8. A copy of this direction is being endorsed to the concerned officers in the respective State Governments of the CAS notified areas for information.
9. This issues with the approval of the Authority.

Yours faithfully,

Rakesh Kacker
Advisor (B&CS –I)

Proforma for reporting of performance of Quality of Service during the period from _____ to _____

[Refer to clause 9 of the Standards of Quality of Service (Broadcasting and Cable Services) (Cable Television – CAS Areas) Regulation 2006 (8 Of 2006 dated 23rd August 2006 (QOS regulation)]

A. Part 1: General Information

1.1	Name of Cable Operator/Multi System Operator	
1.2	Complete Address for Communication	
1.3	Telephone/Mobile/Fax/Email/Website Address	
1.4	Names of contact persons and Telephone numbers of at least two	
1.5	Address (es) of the customer service center/help desk and names of persons incharge and contact number	
1.6	Details of Registration/Approvals obtained: a) Registration No. and period of validity and name and address of HPO obtained under Section 3 of the Cable Act b) Details of approval No. date of area of operation obtained to provide cable service in CAS notified area i) Number and Date of approval ii) Area approved in CAS notified areas c) Entertainment Tax/Service Tax Registration Number	
1.7	Number and Name(s) of Channels indicating whether PAY or FTA carried through the network. If Local channels are transmitted they may also be given.	
1.8	Capacity of the Network (Also indicate whether Digital or Analogue)	

Note: 1.1 The columns in this section need not be given in every report. If there are no changes from the first report only “no changes” may be specified.

1.2 The cable operators shall furnish the report to the concerned authorized officer of the area designated under the Cable Television (Networks) Regulation Act 1994. The Multi System Operator shall furnish the report to the Senior Research Officer, Broadcasting and Cable Services Division, Telecom Regulatory Authority of India, A2/14, Safdarjung Enclave, New Delhi - 110029)

B. Part 2:Connection/Disconnection/Reconnection/Shifting)

2.1 Details of number of applications Received, Number Responded, Number of Connections given finally and of applications rejected as under::

Particulars (1)	Number of Applications Received (2)	Number of applications out of col (2) Responded /attended within		No of Connections given finally within days of completion of formalities	
		Within 5 days (3)	After 5 Days (4)	Within 2 days (5)	After 2 days (6)
Pay Channel/ Bouquets of Pay Channel					
Basic Service Tier only					
No of applications /requests pending for response or for giving connections as at the end of quarter					
No of Applications /Requests rejected during the quarter					

Note : Attach a copy of prescribed format of application

C. Part 3: Complaint handling and Redressal of grievances

3.1 Details of complaints received/complaints responded redressed as under:

Particulars (1)	“No Signal” complaints (2)		Other complaints (other than repairs /replacements of STB) (3)	
	Within 8 hours	After 8 hours	Within 8 hours	After 8 hours
A. Number of Complaints Received				
B. Number of complaints attended / Responded out of A above:				
C. % of complaints corrected /redressed in and customer satisfaction report obtained	Within 24 hours	Beyond 24 hours	Within 48 hours	Beyond 48 hours

3.2 Details of instances of disruption of service and notices as under:

Disruption of service for number of days (1)	No. of Instances of disruption (2)	% of instances out of column (2) where notice as required given (3)
a) More than one day		
b) One or less than one day		

3.3 Specify the system and procedure for rebate for disruption of service.

D. Part 4: Billing procedure and Billing related complaints

4.1 Details of billing complaints received, number of complaints resolved as under:

Total number Received (1)	Number resolved/ Addressed from the date of notice		
	Within 7 days (2)	Beyond 7 days (3)	Number not resolved as at the end of quarter (4)

4.2 Details of number of cases of request for refund and number settled as in the table below:

Number of Requests Received	Number of Cases Resolved /not resolved within		
	Within 30 days in next billing Cycle	After 30 days or after next billing cycle	Not Resolved at all and pending

4.3 Specify the procedure of billing/delivery and collection of payments Subscribers opting for pay channels Subscribers of Basic Service Tier only:

4.4. Number of instances where interest has been charged for delayed payments:

E. Part 5:STB Related issues and complaints thereof

5.1 Details of number of complaints received for repair /replacement of Set Top Boxes and performance thereof as under:

Number of complaints received for		Number repaired out of column (1)			Number replaced out of column (2)		
Repairs (1)	Replacements (2)	Within 24 hours (3)	Beyond 24 hours (4)	Not done at all (5)	Within 24 hours (6)	Beyond 24 hours (7)	Not done At all (8)

5.2 Details of cases of Return of STB and refunds made on return as under:

Particulars (1)	No. of requests for return of STB (2)	Refund of Security Deposit made		
		Number of cases where refund done within 7 days (3)	Number of cases where refund done after 7 days (4)	Cases where no refund given (5)

Part 6: Channel positioning etc.

6.1	Is a scroll indicating the frequency in which a particular channel is shown is run	
6.2	If yes what is a periodicity in which it is run	
6.3	a) Specify Records kept to generate information on frequencies as contemplated in clause 7.2 of QOS Regulation b) Number of instances of change in frequency of channel. <ul style="list-style-type: none"> i) With 3 or more than 3 days notice ii) Less than 3 days of notice iii) Without notice 	

6.4	No. of instances when a channel i) was taken off Air a) With notice as prescribed b) With notice less than the prescribed time c) Without notice (broad reasons for taking of Air may be indicated)	
6.5	No of instances of disconnection of customer i) with notice of atleast 15 days ii) with notice of less than 15 days iii) without notice	

Part 7 Verification and Certificate of Compliance

I----- (*Name of Authorised Signatory & Designation*) **of** M/s. ----- (*Name of Cable Operator /MSO reporting*) verify that the information contained in the report of performance including the tables and documents appended thereto for the period from --- - to ----- is true and correct to the best of my knowledge and belief. It is further certified that compliance of the requirements prescribed in the QOS Regulations vide clauses 3.1(a) regarding prescribed format of application, clause 3.7 for non refusal for request for connection, clause 3.8 for procedure for shifting of subscribers from one operator to another, clause 4.1, 4.2 relating to complaint handling procedure, clause 4.5 for provision for power backup, clause 4.7 regarding conduct of personnel of cable operator, clause 6.1 relating to publicity of schemes /availability of STBs etc, clause 8 relating to technical standards and applicable to above said organisation, have also been ensured.

Date :

Signature :

Place :

(Authorised Signatory