

Dear Sir.

Representation by West Delhi Cable Operator's Association(WDCOA) on behalf of TV Channel Viewers to TRAI on "standards Of Quality Of Service(Duration Of Advertisements in Television TelevisionChannels) (Amendment)Regulations 2012 issued by TRAI vide press release dated 27th August 2012.

1. At the outset the west Delhi Cable Operator's Association submits that it is

Participating in the present consultation process and submitting the present views strictly keeping in mind the interest of TV Channel viewers(Consumers).

2.The West Delhi cable Operator's Association (WDCOA)Present following views on "standards Of Quality Of Service(Duration Of Advertisements in Television TelevisionChannels) (Amendment)Regulations 2012 issued by TRAI vide press release dated 27th August 2012".

2.1 The WDCOA agree with the regulations of TRAI to lay down the "Quality Of service"and limit the advertisement time to 12 minutes on TV channels.WDCOA would further like to add that the current time limit of 12 minutes should be for Free To Air Channels(FTA) and 6 minutes for Pay Channels.

2.2 As per objections raised by the NBA in their submission to TRAI on "standards Of Quality Of Service(Duration Of Advertisements in Television TelevisionChannels) (Amendment)Regulations 2012 issued by TRAI vide press release dated 27th August 2012."Advertisements are part of free speech guarantee contained in article 19(1)(a)of the Constitution of India.but where does the Constitution of India say that forcing viewers to watch advertisements on TV channels is also the fundamental right of TV Broadcasters.

2.3 The NBA in their submission to TRAI says (vide para 2.9) 'that advertisement revenue is their livelihood, if advertisement revenue is their livelihood then why are they charging the consumers for watching their TV Channels they should (PAY TV Channels) go free and let the people watch their channels without any subscription fee as they are already earning their livelihood through advertisement revenue.

2.4 The NBA further states that no limit on advertisement time is for benefit of consumers as they will have to increase the subscription fee in case there is limit on advt time ,this they have already done by a

shocking increase of rates upto 600% in DAS areas as compared to CAS areas.

2.5 On one hand they don't want TRAI to regulate the advt time citing consumer benefit and on other hand they have imposed a steep hike on consumers.

2.6 Consumers will face double whammy one way they will have to watch the advt they don't want to watch and secondly they will have to pay for watching those advt.

2.7 So far TRAI has not been able to contain the monopolistic policies of TV broadcasters, it seems the writ of TRAI does not run on these channels ,and they don't seem to care whatever regulations TRAI forms for them and they challenge the Authority of Telecom Regulator.

3.The WDCOA's submission is based on the views and feedbacks of the cable tv viewers as LCOs are in direct touch with consumers and LCOs get numerous complaints on the content and duration of advt on TV channel during a programme.

4.There is a definite need and demand from consumers to limit the time of advt on TV channels as consumer is paying to watch the programme not the advt of the products which he does not want.

5. The Audio of the advertisement is excessively loud and consumers have to rush for TV Remote every now and then to reduce the volume of TV set during advt and restore to normal during the resumption of tv programme,this is a nuisance and cause of great inconvenience and thus should be covered under the "Quality of Service".

6. The advertisements are repeated several times in between the programmes, which break the continuity of the programme and giving a consumer an irritating TV viewing experience .

7.As far as consumers are concerned, they have to pay for all the subscribed channels, whether it is pay or FTA. Therefore, it is a legitimate expectation on the part of the consumers to get the programmes for which the channel is subscribed rather than it being loaded with advertisements beyond a point. Thus, the prime irritant

for the consumer with regard to the advertisements is their excessive time duration in programmes. If this issue is addressed, most of the other issues related to advertisements in a TV channel are likely to get addressed,

8. In view of above points the WDCOA submits that the above Amended Regulations MUST be issues and implemented.

Sd..

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