

CABLE OPERATOR PLAYING TRUANT? DEMAND YOUR DEPOSIT BACK

In a short span, the Cable Television Network (CTV) has become big business. With the increase in demand for more channels and different programmers, a number of CTV operators have entered the market each one offering a different mix of entertainment.

However, there is no law to regulate the CTV operators as far as protecting the interests of subscribers go. CTV operators are having a field day.

Firstly, CTV operators are charging anything between Rs 500 and 1,500 as non-refundable deposit besides a monthly rent ranging from Rs 100 to Rs 250. Secondly, CTV subscribers are not in habit of taking receipts for the money given. Subscribers are asked to affix their signature on a card while paying the monthly rent. Since the card is taken back by the operators, the subscriber is left with no proof of having paid the rent.

Many subscribers complain about the bad quality of transmission. There are also instances where the CTV does not work for days. Yet, subscribers are compelled to pay the full rent at the end of the month. In some cases, the promised channels are not shown, denying subscribers programmes of their choice.

Some of the deficiencies of the CTV operators attract the provision of the Consumer Protection Act 1986. For example, if the subscribers feel that the quality of transmission is not satisfactory, they can ask the operator to refund the deposit even if it is non-refundable. That is what the Bangalore District Consumer Disputes Redressal Forum has decided.

Mr. R. Ranganna of Swimming pool Extension, Bangalore had paid a non-refundable deposit of Rs 600 to Rakesh Dish and Cable, Vylivaval, Bangalore. After one year, the quality of transmission was not satisfactory and he asked that his deposit be returned.

A complaint was filed in a consumer forum which ordered refund of the deposit with interest at 10 per cent per annum and Rs 200 towards cost..

The order said the fact that the deposit is not non-refundable presupposes the operator ensures clear, uninterrupted and distortion-free cable service. The Cable Television Network (regulation) ordinance 1994 has some provision which is very general in nature but does not provide relief to subscribers. However, they can bring pressure on the operators to follow these rules in the larger interest of society.

As per the rules, no person can operate a cable television network unless he/she is registered as a cable operator. The head postmaster of the area is recognized as the registering authority who is empowered to register a CTV network.

A cable operator is under obligation to display the registration certificate on the premises. So before you go in for a CTV connection, ensure that the operator has registered.

The cable operator is under obligation to follow the programme and advertisement codes. For instance, programmes meant for adults should be carried after 11 pm and before 6 am.

From the subscribers point of view, the advertising code is more important, for it provides many safety nets to the consumers/subscribers. For example, the rules provide that the goods or services advertised in the cable network programmes shall not suffer from any defect or deficiency as mentioned in the Consumer Protection Act. Advertisements which endanger the safety of children or create in them an interest in unhealthy practices must be prohibited.

It is very common for subscribers to find advertisement running on the top or bottom of the screen, which is prohibited. The rules provide that all advertisements should be distinguishable and should not interfere with the main programme.

The rule makes it mandatory for the cable operator to use equipment in his cable television network, which are as per the standards formulated by Bureau of India Standards. This provision is made to ensure good quality of transmission.

DO's & Don'ts

- Ø Before getting a CTV connection, insist on a written agreement containing clauses with regard to deposit, monthly rent, channels to be provided, timings etc., as there is stiff competition, this will be agreed to by the operator.
- Ø Ensure that you will be free to withdraw membership in case of deficiency in service. Provide a clause in the agreement to the effect that you are entitled to rebate if you do not receive the channel/programmes for a specified number of days.
- Ø Include a clause in the agreement to the effect that the operator is bound by the rules contained in the CTV network regulation 1994.
- Ø Try to mobilize subscribers and form a CTV subscribers association as the CTV operators have already done.

