

GTPL Hathway Limited

(Former Name: GTPL Hathway Private Limited)

CIN : L64204GJ2006PLC048908

Registered Office : 202, 2nd Floor, Sahajanand Shopping Centre,
Opp. Swaminarayan Temple, Shahibaug, Ahmedabad-380004, Gujarat.
Phone : 079-25626470 Fax : 079-61400007



(By Email)

4th October, 2019

To,
Shri Arvind Kumar, Advisor (B&CS)
The Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi - 110002

Subject: Response to Consultation paper on Platform Services offered by DTH Operators

We, GTPL Hathway Limited ("GTPL"), are grateful to The Telecom Authority of India ("Authority") for granting us the opportunity to share our comments/response on the Consultation Paper captioned as "Platform Services offered by DTH Operators" and would further like to thank you for taking up the initiative to address the concerns raised in the said Consultation Paper.

Please find attached our response to the Consultation Paper as "Annexure A" for your consideration.

Thanking You.

Yours Sincerely,

Authorised Signatory



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ANNEXURE-A

COMMENTS ON CONSULTATION PAPER ON PLATFORM SERVICES OFFERED BY DTH OPERATORS

On bare perusal of the letter dated July 02, 2019 issued by Ministry of Information & Broadcasting ("MIB"), it becomes clear that the scope of the present Consultation Paper ("CP") is limited to providing comments for TRAI to recommend new provisions for incorporation in proposed DTH guidelines ("Purpose"). Therefore, in this regard, we place our comments to the present CP, the scope of which is limited to the Purpose.

Q 1: Do you think programmes of the PS should be exclusively available on one single DTH operators' network only to qualify as a PS channel for the DPO? Should there be any sharing of such programmes with other DPOs? If yes, please provide justification and if no, the reasons thereof.

GTPL Comments: Yes, since the DTH operator is charging a sizeable fee, as high as Rs.75/- per month per service, from its subscribers for the PS, therefore programmes on such PS should be exclusively available only on that particular DTH operators' network or platform. Furthermore, such PS should be advertisement free.

Q 2: In case answer to Question 1 is no, how it can be ensured that programmes of the PS are exclusively available only on single DTH operators' network? What conditions are to be imposed in registration/license/guidelines?

GTPL Comments: In continuation to our response to the previous question which is in affirmative and therefore, in order to ensure that the programmes of the PS are exclusively available only on



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single DTH operators' network, following conditions may be imposed in DTH registration/license/guidelines:

- a. DTH operators should be required to provide an undertaking of exclusivity of programme.
- b. In the event, the programmes of PS are not self-produced, it is recommended that the DTH Operators enter into an exclusivity contract with the producer/distributor of the programme(s) and the same may be filed with the respective authority i.e. MIB.
- c. Number of PS should be declared by the DTH operator and any revisions in such number(s) should be notified to MIB, at least thirty days in advance.

Q 3 : Is there a need to revisit/review the earlier recommendations of the Authority dated 11th November, 2014, relating to keeping recording of all PS channel programs for a period of 90 days and maintaining a written log/ register of such program for a period of 1 year by the DPO from the date of broadcast and the role of Authorised Officer and the State/ District Monitoring Committee and MIB as monitoring authorities.

GTPL Comments: We state that while we agree with the requirement of recording of all PS channel programs for a period of 90 days and maintaining a written log/register of such program for a period of 1 year by the DTH Operator, the role of the "Authorised Officer and the State/ District Monitoring Committee" is not relevant. We suggest that MIB should be the only monitoring authority and the DTH Operator should be required to follow all licensing guidelines as prescribed by MIB for the uplinking and downlinking of satellite channels.

In this regard, we would like to highlight that as per extant policy, for satellite-based channels, the permission process comprises a number of stages, such as, payment of prescribed processing fee; checking of eligibility of the applicant company by MIB; security clearance from the Ministry of Home Affairs and satellite use clearance from the Department of Space (wherever required); signing of the Grant of Permission Agreement (GOPA) with MIB; wireless planning and co-ordination cell



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(WPC) clearance; issue of operating license from WPC; and payment of spectrum and royalty fee by the applicant company. Since the platform services being offered by the DTH operators are satellite based, the provisions as applicable to satellite-based channels should be applicable to such platform services in entirety.

Q 4: What should be the Registration fee/Annual fee for PS per channel? And how it is to be estimated?

GTPL Comments: Since we have suggested that PS offered by DTH operators should be equated with satellite-based channels, the registration fee/annual fee should be the same as applicable to the satellite-based channels.

Q 5: How many PS channels are to be allowed to DTH operators? and Why?

GTPL Comments: In order to ensure that channels of small/regional broadcasters get an opportunity to be carried to cater to their large subscriber base having different choices, the total number of PS should be restricted to 2% of the total number of satellite channels, (irrespective of HD/SD) carried by the DTH-operator. Needless to mention permission for PS should be obtained from MIB as applicable to satellite-based channels.

Q 6: Whether PS channels should be placed separately on EPG to distinguish them from regular TV channels? If yes, how these channels are to be placed?

GTPL Comments: Yes, a separate genre should be created on the EPG under the heading "PS", which must be placed after the mandatory genres as declared by TRAI.

Q 7: Should there be any provision for displaying name and sequence number of PS channels in a particular font size under the heading 'PS' or 'Value Added Services' on TV screen so as to distinguish them from the regular TV channels? If yes, please provide justification.



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GTPL Comments: There is definitely a need for introducing a provision for displaying the name and sequence number of PS channels in a particular font size under the heading 'PS' so as to distinguish them from the regular TV channels, which shall make the process of channel selection easier for the subscribers. For this purpose, the color/font type/ font size of the PS channels should be different from the mandated genres as well as names of broadcaster channels.

Q 8: Should PS channels be also categorised in specific genre such as 'Devotional' or 'General Entertainment' or 'Infotainment' or 'Kids' or 'Movies' or 'Music' or 'News and Current Affairs' or 'Sports' or 'Miscellaneous'? Please provide proper justification for your answer.

GTPL Comments: In this regard, we request you to kindly refer to our response to Q7.

