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To,

**Shri Tejpal Singh**  
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New Delhi - 110002, India

**Sub: Consultation Paper on “Inputs for formulation of National Broadcasting Policy-2024”  
dated 2<sup>nd</sup> April 2024**

Dear Sir,

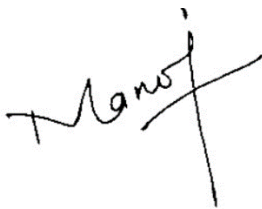
This is with reference to the aforementioned consultation paper on “**Inputs for formulation of National Broadcasting Policy-2024**” published by TRAI, wherein comments are invited from stakeholders. In this regard, please find attached our response to the aforesaid consultation paper attached as Annexure 1.

We hope that our submission will merit your kind consideration.

Thanking You

Yours Faithfully

For, **ALL INDIA DIGITAL CABLE FEDERATION**



**Manoj P. Chhangani**  
**Secretary General- AIDCF**

**Response to TRAI Consultation paper on Inputs for Formulation of “National Broadcasting Policy-2024”**

**Q1. Stakeholders are requested to provide their inputs in framing the Preamble, Vision, Mission, and Broad Objectives for the formulation of the National Broadcasting Policy (NBP).**

**AIDCF response**

The Broadcasting sector comprises of various stakeholders like content creators, Broadcasters, DPOs, OTT applications platforms, customers, many new players will enter and some of the existing players will exit in the time to come. However, the two most important stakeholders, which will remain constant among these many stakeholders will be **Content** and the **Customer**. The Customer has always been termed “King” of the sector, and Authority, while framing its regulation in 2017, has also considered the same while drafting the regulations and has promoted “**Right to choose**” for customers to choose from ala carte channels. However, due to multiple interventions, the same customer is being robbed of his choices and has drifted away from television due to the imbalances. We have seen that the customer is withdrawing from Linear Television and in last 5-6 years, TV subscriptions has reduced from nearly 200 million households to 120 million households.

Some of the major reasons which caused this churn of customers from Television to alternate modes are listed below:

1. Lack of quality content by Broadcasters on Linear Television channels.
2. Regulatory imbalance between the multiple Platforms, due to which legacy platforms, tangled in regulations, couldn’t compete with online streaming applications, which are not regulated.
3. Non allowance of “**Video on demand Services**” on the television by the government despite introduction of parental controls and other features by DPOs.
4. Artificial hike in Pay TV channel prices and deep discounting in Bouquets, which effectively killed consumer choice to choose ala-carte channels for his viewing.
5. Hordes of advertisements on Pay TV channels, which forced consumers to move from Television to OTT applications, having no or minimum advertisements.

Therefore, the broad **Principle** which should be foundation/vision & mission for the “National Broadcast Policy”, with a primary objective to entertain customer with all the benefits shall be:

**Vision 1:**

**To make the Indian broadcasting industry a global hub for media and entertainment by curating an environment that sustains innovation, creativity, and adoption of the latest**

**technologies to achieve 100% penetration of Television viewing to all the Indian Households ensuring content parity and freedom of choice to consumers.**

### **Mission**

1. **Content Parity:** Mandate to provide all the available “**Content**” to consumers, at an affordable price, without any discriminations between distribution platforms.
2. **Same service same rules:** To promote effective competition between the sectors by removing artificial regulatory bottlenecks between the platforms, such as, implementation of similar programming code for all the platforms be it linear, online or terrestrial.
3. **Same rating structure for all platforms:** To evolve a sound, accurate and converged ‘Rating’ systems across all platforms.
4. **Content to be made Local-Global:** To create an eco-system for quality content production and its distribution over various platforms, across the globe. New schemes and platforms to be developed so that the Indian local content can reach global platforms and audience.
5. **Infrastructure Support to promote innovation:** Strengthen and expand infrastructural support to create opportunities for young talent in order to develop potential in the fields of films, online and electronic media.
6. **Financial Schemes to promote technological advancements:** To create a series of financial schemes to support innovation and technological advancements in the sector.
7. To safeguard freedom of the press and media and facilitate free flow of information.
8. **Make in India – “Atmanirbhar Bharat”:** To promote indigenous manufacturing of majority of the equipment related to broadcasting sector.
9. Provide a structured environment of stability and orderly equitable growth for all stakeholders and ease of doing business.
10. Promote the ambience of Self-Regulation, and level-playing field for operating the market forces optimally.

### **Objectives:**

1. **Goal 1:** Bringing in Policy reforms for Ease of Doing Business.

2. **Goal 2:** A central committee/ council to be formulated, having representation from all the states to develop similar policy across all states and ease in ROW charges & centralized, single-window clearance structure.
3. **Goal 3:** Provision of Financial subsidy schemes for penetration of Cable TV & Broadband in rural areas.
4. **Goal 4:** Five-year projections regarding performance of the Indian broadcast Sector, including increased contribution to the economy (GDP) by the Broadcasting Sector and number of jobs created by the sector (NIPFP currently engaged in a study on that aspect).
5. **Goal 5:** To introduce crystal clear and common law, rules, regulations, and policies for similar distribution platforms and bring equality among them.

### **Economy Measures and Contribution**

Q2. There exist data gaps in ascertaining contribution towards economy, revenue generation, employment generation, subscription figures etc. in the broadcasting sector which relies heavily on industry studies to carry out research and estimates. **What should be the parameters, targets and institutional framework for measurement? Provide your comments with detailed justification. Also provide the indicative metrics used for calculating the targeted figures, if possible.**

### **AIDCF response**

To address the data gaps in assessing the contribution of the broadcasting sector to the economy, revenue generation, employment, and subscription figures necessitates the establishment of robust parameters, targets, and an institutional framework for measurement. Recognizing the importance of comprehensive data for informed decision-making, we propose the following framework with justification and indicative metrics:

#### **1. Parameters for Measurement:**

- **Economic Contribution:** Assessing the economic contribution of the broadcasting sector is crucial for understanding its overall impact on GDP and economic growth. The indicative metrics which can be evaluated are GDP contribution, Gross Value Added (GVA), and employment multiplier effect.
- **Revenue Generation:** Revenue metrics provide insights into the financial health and sustainability of the broadcasting industry. The indicative metrics which can be evaluated are Advertising revenue, Subscription Revenue and entire industry revenue.
- **Employment Generation:** Employment metrics are essential for gauging the sector's role in creating jobs and supporting livelihoods. The indicative Metrics related to this can be Total direct employment, indirect employment across associated industries, and job creation trends, skill development institutions.
- **Subscription Figures:** Subscription metrics are critical for understanding market penetration and consumer behaviour. The indicative metrics are Number of subscribers, churn rates, average revenue per user (ARPU), and market share.

2. **Targets:** Targets provide benchmarks for assessing performance and progress towards broader economic objectives. Therefore, it is important to set quantitative targets to track the growth and development of the broadcasting sector over specific timeframes. The broad targets should be:
  - Achieve a certain percentage increase in GDP contribution.
  - Increase in TV Homes from current 180 million homes to 300 million.
  - Revenue growth targets for each of the individual sector like TV, OTT, online gaming, digital media, AVGC etc which are part of Broadcasting Industry.
  - Job creation (Direct & Indirect employment)
  - Subscription penetration rates.
3. **Institutional Framework:**
  - **National Statistical Agencies:** Establishing partnerships & collaboration with national statistical agencies to ensure the adoption of standardized methodologies and to develop sector-specific data collection frameworks.
  - **Industry Associations:** Engage industry associations to conduct regular surveys, collect data from stakeholders, and contribute to data analysis.
  - **Regulatory Bodies:** TRAI needs to revisit the entire regulatory framework for the industry to introduce a new regulatory framework. **The regulatory framework should be light touch, regulate only those aspects where there is a threat of Market failure and should provide opportunity to each player for a fair competition between them.**
  - **Research Institutions:** Collaboration & Partnership with research institutions to conduct sector-specific studies, forecast industry growth, and evaluate policy interventions.
4. **Data Collection and Reporting Mechanisms:** Develop online portals or centralized databases for data aggregation, analysis, and dissemination. Also, all the stakeholders of the industry shall be having a common database which should reflect the growth parameters of the industry. For that we need to establish standardized data collection methodologies and reporting formats from all stakeholders of the industry to ensure consistency and comparability of data.

By implementing the above stated framework, it would become easy for the government to address the data gaps in assessing the contribution of the broadcasting sector comprehensively. This will also enable policymakers, industry stakeholders, and researchers to make informed decisions, foster sectoral growth, and contribute to overall economic development.

### **Universal Reach, Indigenous Manufacturing, Skill development and Startups ecosystem**

- Q3. Please suggest the strategies to be adopted by the Government and industry for propelling the growth of broadcasting sector w.r.t. the following:
- i. Provisioning of affordable television services in 'TV Dark' households.

- ii. Augmenting R&D capabilities and promoting indigenous manufacturing of broadcasting equipment.
- iii. Employment generation with emphasis on skill development.
- iv. Promotion of innovation led Start-ups and SMEs.
- v. Any other related area/strategy

Please elaborate with detailed reasoning.

### **AIDCF Response:**

Following strategies can be adopted by the Government and industry for propelling the growth of broadcasting sector.

#### **1. Promote investments in the sector by providing retail pricing forbearance to Distribution Platform Operators (DPOs):**

DPO Industry in India is characterized by high degree of competition due to the presence of large number of DPOs. DPOs, particularly the Cable TV Industry, have served the Nation for decades. However, today Cable TV is facing an existential threat due to the unfavourable regulatory framework that has taken away its business autonomy. Most of its sources of revenue are either heavily regulated by price ceiling or are subject to the broadcasters' discretion as broadcasters have been given the right to decide the retail prices of channels and form bouquets. This has not only curtailed the business autonomy of DPOs but has also led to high prices for consumers as the current framework fails to take advantage of highly competitive forces amongst the DPOs. As a result, there is no incentive for investors to invest in the distribution networks due to uncertainty on return on investments as DPOs lack control over retail pricing of the services.

Hence, DPOs should be granted full flexibility to determine the retail prices of their services by eliminating price ceilings on retail service prices. Additionally, only DPOs should have the authority to establish the retail prices of pay channels and create bouquets that effectively cater to consumer needs as they are the closest to the Customer. This approach will increase the affordability of services by leveraging highly competitive forces amongst DPOs and will encourage investments in distribution networks. Broadcasters should be allowed to set only wholesale price of channels on ala-carte basis and these wholesale prices should be regulated to address the issue of content monopoly. The National Broadcasting Policy should adopt this as a principle for guiding the growth of the sector.

- 2. **Reducing Satellite TV Channel Prices to reach maximum "TV dark" homes:** Initiating regulatory measures in the new regulatory framework for the satellite TV providers to lower subscription costs can significantly enhance affordability for households in 'TV Dark' areas.
- 3. **Reducing Import Duties on Optical Fiber:** To facilitate the expansion of broadband infrastructure necessary for delivering television services, reducing import duties on

optical fiber equipment is imperative. This reduction would lower the overall cost of deploying networks, particularly in remote or underserved regions, thus promoting connectivity and accessibility.

4. **Incentivizing Cable TV Operators:** Recognizing the pivotal role of cable TV operators in last-mile connectivity, providing incentives such as tax breaks or subsidies for extending services to 'TV Dark' households can be instrumental. Emphasizing the importance of inclusive coverage through targeted incentive schemes will encourage operators to invest in infrastructure expansion.
5. **Diversification of Content on Linear TV Platforms:** Broadening the scope of permissible content on linear TV platforms and reducing dependency solely on broadcasters can invigorate the broadcasting landscape. By embracing a wider range of programming, including local and niche content, linear TV platforms can better cater to diverse viewer preferences, thereby enhancing viewer engagement and retention.
6. **Ensure regulatory level playing field between DPO and other Platforms like Free Dish & OTT:**
  - a. The Authority has itself acknowledged that presently, Over the top (OTT) platforms have established themselves as a formidable platform for distribution of video and media content. According to Bain and Company, India's online video user base has increased to more than 350 million people, growing 24% in the last three years.<sup>1</sup> As per another report available in public domain, there are currently over 45 million OTT subscribers in India and the same is expected to reach 50 million by the end of 2023.<sup>2</sup> Moreover, the subscriber base of Free Dish has also seen an exponential growth and presently stands at over 38 million homes. The Authority would acknowledge that an increasingly and growing digital media environment, like that in the present times, gives internet users access to information from more and more sources, including the OTT platforms as well as various other open-source websites. The Authority would be well aware that presently both Free Dish as well as the OTT platforms are unduly advantaged and are not adhering to the regulatory framework as have been notified and enshrined by the Authority, despite them providing the same services as that of the DPOs.
  - b. This subjects the DPOs to an unequal regulatory regime and hence an urgent intervention is sought from the Authority to firstly recommend establishment of a Licensing Framework for the OTT platforms with appropriate and applicable conditions by virtue of which only such licensed OTT platforms are allowed to remain operational in the country.

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<sup>1</sup> Samarpita Bannerjee, 'Where the Indian OTT Industry is headed in 2022' (Business Insider, 06th January 2022), accessed at <https://www.businessinsider.in/advertising/media/article/where-the-indian-ott-industry-is-headed-in-2022/articleshow/88694261.cms>.

<sup>2</sup> <https://marketfeed.com/read/en/an-overview-of-indias-booming-ott-market>

- c. Simultaneously, the regulations as is/are applicable on regulated DPOs, like that of regulations of Interconnection, Tariff Order and Quality of Service should also be extended to the OTT platforms as well as Free Dish as they are engaged in the provisioning of same services as that of the DPOs. Evidently, allowing the OTT platforms and Free Dish to exhibit and transmit the same services (*in addition to other diverse content on OTT platforms*) without subjecting them to any licensing and regulatory conditions, unlike the DPOs, is clearly arbitrary and devoid of the interests of the consumers as well as the DPOs.
- d. We therefore urge that under the New Broadcasting Policy, the Authority should look at the composite picture as it stands today with a wider approach/definition of broadcasting services including recommending formulating a licensing framework for OTT platforms, ensure unbiased implementation of the Applicable Regulatory Framework to the OTT players and Free Dish and ensure that all stakeholders including the consumers of all the platforms are brought to parity and are subjected to an equitable regulatory regime as the same will usher equal opportunities to all platforms for business growth and expansion.

### **India as a Content and Uplinking Hub**

**Q4. What other policy and regulatory measures should be adopted in the policy for creation and expansion of quality Indian content to make India the 'Global Content Hub'? Further, suggest how to extend support to local talents and content developers in terms of training, infrastructure, and incentives. Provide your comments with detailed explanation.**

#### **AIDCF Response:**

##### **1. Promotion of Local Content:**

Local channels operated by cable operators are an indispensable part of information and communication to rural masses. It helps to ensure the reach of information both local and from government organizations to grass root level.

- a. Platform channels play a crucial role in disseminating disaster management information to people and if any single head end has some issues multiple platform channels can effectively be utilized to educate people about any impending disasters.
- b. Platform channels are indispensable during pandemic to create consistent awareness among people.
- c. It also helps rural population to get information about Government's initiative in rural job creation and policies to uplift rural population by providing employment opportunities.
- d. Local channels are one of the major tools which help operators to withstand competition from corporate media Companies as they are an integral part of rural population.



- e. Also, the condition of exclusivity for Platform channels in the recently released guidelines and recommendations by TRAI also regarding Platform channels, should be relaxed or withdrawn, as sharing of local content will only help in its promotion.
- f. **Content Library:** In Indian rural and tribal areas, we can create globally demanded content and can formulate content libraries to market it globally through other platforms. We need to conduct research on the local content curated by platform channels on culture, cuisine, art etc. and to create world class content out of this. National Broadcasting policy may chalk out guidelines to promote local content with modern content development technologies.

**2. Content Policy & regulation to Promote quality content relevant to our country:**

- a. The content policy should be progressive, promote freedom of speech and expression, facilitate the development of an eco-system of creativity and innovation, encourage diversity and plurality of opinions and self-regulation.
- b. Linear television is still growing in India though the rate of growth is declining gradually. The penetration of PAY TV in India is at about 66% and there is head room for some more growth. Cord cutting is an emerging trend in the evolved markets, though it is not so evident in India. With the increasing availability of high-speed internet at affordable cost, cord cutting is expected to start from the metros, however it could reflect in the overall numbers only after a few years.
- c. India's diverse population is increasingly demanding and consuming original online content in vernacular languages. Online content is expected to drive the next phase of growth of the broadcasting sector in India. Therefore, a healthy environment to support innovation, freedom of speech and expression and self-regulation will promote the growth of content production and content distribution eco-system.

**3. Equal regulatory framework regarding Content across all the platforms:**

- a. Content in this ever-changing world of technological advancement is available/accessible across several platforms/mediums. Historically, there has been a need to regulate Content as the same not only has a strong potential to influence public opinions but also any relaxation/waiver can result in spread of misinformation in the Society.
- b. Moreover, the argument of content producers/broadcasters on content regulation infringing their freedom of speech and expression has time and again failed judicial scrutiny since such freedom is always subject to reasonable restrictions. A table below summarily indicates Content regulatory framework across mediums/platforms:

Sr No	Platform/Medium	Applicable Content Regulatory Framework
1	Television Channels (Linear)	Programme and Advertisement Code under the <a href="#">Cable and Television Network Rules 2021 (CTN Rules)</a>
2	Films	The Cinematograph Act 1952 and the Cinematograph (Certification) Rules 1983
3	Online Curated Content (Non-Linear)	<a href="#">Information Technology Rules (2021) (IT Rules)</a>

- c. From the summary above, it is evident that while the linear distribution of Content and/or Films has been subject to extensive and effective content regulation, online curated content despite its strong presence and growth on account of data revolution has practically been kept in abeyance through a self-regulatory framework in the form of IT Rules.
- d. Such disparity of Content regulatory framework across platforms/mediums has created an imbalance and diluted the purpose of content regulation itself.
- e. Content delivery across all mediums/platforms including any emerging platforms needs to be effectively regulated under a uniform regulatory framework. Any artificial distinction based on technology/medium should not be encouraged since there cannot be any existence of parallel economy on such a crucial societal aspect.
- f. Therefore, a need arises regarding framing guidelines for Content parity is the need of the hour, so that the all the content, which is developed by Broadcasters, content creators, OTT players must be available to all the distributors irrespective of their Platform, be it Cable TV, DTH, OTT, HITS and IPTV.
- 4. Suggestions to extend support to local talents and content developers in terms of training, infrastructure, and incentives:** To extend support to local talents and content developers in terms of training, infrastructure, and incentives, a multifaceted approach is necessary. The detailed plan and steps can be as:
- a. Training Programs:**
- i. Skills Development Workshops: Organize workshops and training programs focused on enhancing the skills of local talents in content creation, production, editing, and distribution.
  - ii. Industry Mentorship Programs: Establish mentorship initiatives where experienced professionals can guide emerging talents, offering insights, advice, and networking opportunities.
  - iii. Digital Literacy Training: Provide training on digital tools and technologies essential for content creation and distribution, ensuring local talents stay abreast of industry trends and best practices.

**b. Infrastructure Development:**

- i. **Content Creation Hubs:** Establish dedicated spaces equipped with state-of-the-art facilities for content creation, such as studios, editing suites, and recording booths, accessible to local talents at subsidized rates.
- ii. **Digital Platforms:** Develop online platforms or marketplaces where local talents can showcase and monetize their content, reaching a broader audience both domestically and internationally.
- iii. **Access to Equipment:** Facilitate access to filmmaking, broadcasting, and audiovisual equipment through rental schemes or equipment-sharing programs, reducing barriers to entry for aspiring content creators.

**c. Incentives and Support Programs:**

- i. **Grants and Funding:** Offer grants, subsidies, or seed funding to support the development and production of original content by local talents, encouraging experimentation and creativity.
- ii. **Tax Incentives:** Introduce tax incentives or rebates for production companies that invest in local content development, incentivizing private sector involvement and investment in the creative industries.
- iii. **Content Development Funds:** Establish dedicated funds or financing schemes specifically earmarked for the creation of high-quality local content across various media platforms, fostering a vibrant and diverse cultural landscape.
- iv. **Recognition and Awards:** Institute awards and recognition programs to celebrate excellence in local content creation, raising the profile of talented individuals and incentivizing further innovation and artistic expression.

**d. Collaboration and Partnership:**

- i. **Public-Private Partnerships:** Foster collaboration between government agencies, industry associations, and private sector stakeholders to pool resources, expertise, and networks in support of local talents and content developers.
- ii. **International Collaboration:** Facilitate partnerships with international organizations, production companies, and distribution platforms to facilitate co-productions, cross-cultural exchange, and international distribution opportunities for local content.
- iii. **Academic Institutions:** Forge partnerships with universities and educational institutions to integrate content creation and media production courses into curricula, nurturing the next generation of content creators and industry professionals.

By implementing the aforementioned strategies, the government can provide comprehensive support to local talents and content developers, empowering them to unleash their creative potential, contribute to cultural enrichment, and drive economic growth in the broadcasting sector.

**Q5. Suggest the measures to promote the uplinking of television channels owned by foreign companies from India, which is now permitted by the Government to make India an 'Uplinking Hub'.**

**AIDCF Response:**

To promote uplinking of television channels from India owned by foreign companies Government should adopt the following measures.

**1. Holistic Transponder Landscape:**

- **Satellite Capacity Assessment:** Conduct a comprehensive assessment of the available satellite capacity in India, including both domestic and foreign-owned satellites, to ascertain the existing transponder availability and future capacity requirements.
- **Transponder Utilization Analysis:** Analyze the current utilization levels of transponders across different satellites to identify potential gaps and opportunities for optimizing capacity allocation and utilization.
- **Satellite Footprint Coverage:** Evaluate the satellite footprint coverage over India and neighbouring regions to determine the suitability of different satellite platforms for uplinking television channels and ensuring adequate coverage and reach.

**2. Licensing Guidelines:**

- **Transparent Licensing Process:** Establish transparent and streamlined licensing guidelines for uplinking television channels owned by foreign companies from India, outlining the eligibility criteria, application procedures, and compliance requirements.
- **License Duration and Renewal:** Specify the duration of uplinking licenses and renewal procedures, providing clarity and certainty to foreign broadcasters regarding the validity period of their licenses and the process for extension or renewal.
- **Security and Encryption Standards:** Implement robust security measures and encryption standards to safeguard the integrity and confidentiality of uplinked content, mitigating the risks of unauthorized access, piracy, and content infringement.
- **Monitoring and Compliance Mechanisms:** Establish monitoring mechanisms and regulatory oversight to ensure compliance with licensing conditions, technical standards, and content regulations, including periodic audits, inspections, and reporting requirements for licensed uplinking operators.

**3. Promotion and Facilitation:**

- **Investment Promotion:** Promote India as an attractive destination for uplinking television channels through targeted investment promotion

campaigns, roadshows, and investor outreach initiatives highlighting the benefits of investing in India's broadcasting ecosystem.

- **Capacity Building and Training:** Provide capacity building and training programs for foreign broadcasters and uplinking operators on licensing procedures, regulatory compliance, technical standards, and best practices for satellite broadcasting in India.
- **Single Window Clearance:** Establish a single window clearance mechanism for licensing and regulatory approvals, facilitating expedited processing of applications and reducing administrative burden for foreign broadcasters seeking to uplink channels from India.

#### **4. Incentives and Benefits:**

- Offer tax incentives, rebates, or financial subsidies to foreign-owned television channels uplinking from India, encouraging them to establish a presence and invest in the country's broadcasting ecosystem.
- Provide incentives for technology transfer, research and development collaborations, and capacity building initiatives to foster innovation and skill development within the domestic broadcasting industry.

#### **5. Infrastructure Support:**

- Facilitate access to satellite uplinking facilities, teleport services, and satellite bandwidth at competitive rates, ensuring foreign broadcasters have the necessary infrastructure to uplink their channels from India.
- Establish dedicated uplinking hubs or satellite parks equipped with state-of-the-art facilities, offering integrated services such as satellite earth stations, broadcast studios, and content delivery networks.

#### **6. Investment Facilitation:**

- Create a conducive investment environment by liberalizing foreign direct investment (FDI) regulations in the broadcasting sector, allowing greater participation from foreign companies in uplinking operations.
- Foster partnerships between foreign broadcasters and domestic entities, encouraging joint ventures, co-productions, and content collaborations that leverage India's rich cultural diversity and creative talent pool.

By adopting a holistic approach encompassing the transponder landscape assessment, transparent licensing guidelines, and promotion and facilitation measures, India can position itself as a preferred destination for the uplinking of television channels owned by foreign companies, fostering investment, innovation, and growth in the broadcasting sector.

### **Public Service Broadcasting:**

#### **Q6. What broad guiding principles, measures and strategies should be considered in the NBP to strengthen India's public service broadcaster (i.e. Prasar**

**Bharati) to promote quality content creation, dissemination of DD and AIR channels and maximizing its global outreach? Also suggest, what support and measures should be provided for the proliferation of television and radio broadcasting services provided by the public service broadcaster in fulfilment of its mandate?**

**AIDCF Response:**

1. Public sector broadcasting both television and radio have an extensive reach as compared to private sector broadcasting. They should aim to be the independent voice of the nation and be viewed as the credible source for news, views, and value-based entertainment content. **To achieve this objective, complete autonomy both financially and editorially for public sector broadcasters is desirable. Also it is of utmost importance that Public sector Broadcasting shall also be mandatorily be encrypted to avoid piracy of content.**
2. **The distribution platforms should not be mandated to carry the entire bouquet of public sector channels as it casts an unnecessary burden on their resources instead of only a few channels. Only 5-10 channels that solve the purpose of a public messaging system should be mandatorily carried by DPOs.**
3. Public sector broadcasters should be encouraged to compete in the market and secure distribution in market terms on the merits of their content. Unviable TV channels and radio services should be shut down and the savings be invested in improving the services of public sector broadcasters.
4. The broadcast policy should enable financial and editorial independence of public sector broadcasters, promote quality news reporting and content, sustain only a smaller number of public sector radio services and TV channels, and reduce the number of channels mandatorily carried by DPOs.
5. Moreover, to avoid the overlap between Public Service Broadcasting and commercial broadcasting services the scope of Public Service Broadcasting should be limited so that, it does not create an unhealthy & unfair competition between the Private enterprises and the public sector enterprises. The policy should balance the roles of public sector enterprise and the private enterprises.
6. Therefore, it is high time, that DD Free Dish, which is also the biggest DPO in the country and serving allegedly 45 million households, should be subject to the same regulatory framework as applicable to the other DPOs as has also been acknowledged by TDSAT by declaring the DD Free Dish as a Licensee. Otherwise,

continuation of uneven playing field in favor of DD free Dish would severely impact the prospects of the entire Industry.

### **Various Segments of the Sector**

- Q7. What policy measures and regulatory aspects should be adopted in the NBP to nudge the growth of Indian regional content through OTT platforms?
- Q8. What new strategies and measures should be envisaged in the policy for the film industry to enhance audience engagement, infrastructure development, upskilling artists, reduce piracy, increase foreign direct investment or any other aspect? What steps are required to make India a preferred filming destination? Provide your comments with detailed justification.
- Q9. Online gaming being a rising sector holds potential for contributing to economy, what policy and regulatory aspects should be adopted for the orderly growth of online gaming in India? Further, suggest measures to support local game developers to compete and grow. Also suggest safeguards to protect general public (especially underage players) from negative and psychological side effects, while promoting healthy gaming.
- Q10. What further steps and initiatives should be adopted by the Central and State Governments and the industry for the growth of animation, VFX and post-production segment? Provide your comments with detailed reasoning and justification.
- Q11. What strategies and measures should be included in the policy for the music segment to enhance infrastructure development, upskilling artists, financial certainty and to resolve other challenges being faced by artists? What steps should be taken to encourage the global promotion of Indian music and artists? Please provide your comments with detailed reasoning.
- Q12. What measures and strategies should be included in the National Broadcasting Policy to encourage expansion and ensure orderly growth and sustainability of FM Radio Stations and Community Radio Stations in the various cities of country including hilly and border areas? In what ways the policy can facilitate the integration of digital radio technologies into the existing FM radio infrastructure to improve audio quality, functionality and spectrum efficiency?

### **AIDCF Response for Q7 to Q12:**

As the aforementioned questions are more industry specifics related to Film, Online gaming, VFX, music and FM radio etc., we have no comments in this regard.

## **Policy and Regulations**

Q13. With the continuous advancement of technologies and convergence of the telecom, information technology and broadcasting sectors, what policy and regulatory measures are required, beyond the existing ones, to facilitate the growth of the broadcasting sector with ease of compliance? Elaborate your comments with proper reasoning and justifications to the following issues:

- i. To enable healthy and competitive environment amongst the existing and emerging services and ensuring parity among comparable distribution mediums, while being technology neutral.
- ii. To allow and encourage infrastructure sharing among the players of broadcasting and that with the telecommunication sector.
- iii. Any other suggestion for policy and regulatory framework.

### **AIDCF Response:**

1. As stated above in aforementioned response, the current regulatory framework i.e. NTO 2017, which is presently governing the regulatory framework of the Cable and satellite TV industry should be holistically reviewed and light touch regulation may need to be brought in, which should be technology agnostic and ensure that all platforms are treated at par.
2. The broadcasting policy should facilitate innovations, development of an eco-system of convergence of latest technologies like Artificial Intelligence and Cloud, increase broadband penetration for a digitally enabled India.
3. Convergence is appreciated, but the need of the hour is:
  1. To bring the Regulatory level playing field between the distribution platforms i.e. DPOs (MSOs, IPTV, HITS, DTH), OTT & Free Dish.
  2. Convergence will be majorly dependent on economies of scale of operation and change in regulatory and licensing framework. The cable television operators may not be able to sustain and may get annihilated from the Broadcasting industry landscape.
  3. Therefore, Authority should enable the Cable TV industry to navigate this changing landscape with crucial reforms which are required before any convergence between platform and technologies takes place.
  4. Cable TV operators are not able to show the content which is shown on the OTT platforms by the same broadcasters, due to selective sharing of content. Therefore, convergence will be meaningful only if Cable TV operators are enabled to show all the content, which is available on other platforms.



Therefore, we request Honourable Authority to bring about crucial reforms for the growth of the Cable TV industry like content parity, regulatory level playing field for all the platforms so that convergence in the sector can be achieved for a healthy competition.

### **Combat Piracy and Content Security**

**Q14. What additional measures should be adopted to combat piracy and ensure content security through copyright protection in the broadcasting sector? How can the technology driven solutions be developed and deployed to prevent unauthorised distribution and detection of the source of original content. Provide your comments with detailed explanations.**

#### **AIDCF Response:**

To combat piracy and ensure content security through copyright protection in the broadcasting sector, additional measures are crucial. Leveraging technology-driven solutions is essential to prevent unauthorized distribution and detect the source of original content. Here are some strategies along with detailed explanations:

#### **1. Advanced Digital Rights Management (DRM) Systems:**

- Implement robust DRM systems that encrypt content during transmission and storage, ensuring that only authorized users with valid licenses can access and view the content.
- Utilize sophisticated encryption algorithms and digital watermarking techniques to embed unique identifiers into the content, enabling traceability and tracking of unauthorized copies.

#### **2. Content Monitoring and Anti-Piracy Tools:**

- Deploy automated content monitoring and anti-piracy tools that scan the internet, social media platforms, and peer-to-peer networks to identify and remove infringing copies of copyrighted content.
- Employ fingerprinting technologies to create digital signatures of original content, enabling rapid detection and takedown of pirated copies across various online platforms.

#### **3. Blockchain-Based Solutions:**

- Explore blockchain technology for copyright management and content authentication, creating immutable records of ownership, licensing rights, and distribution transactions to prevent unauthorized duplication and distribution.
- Leverage smart contracts to automate copyright licensing, royalty payments, and content distribution, ensuring transparency, accountability, and fair compensation for rights holders.

**4. Geo-Blocking and IP Tracking:**

- Implement geo-blocking measures to restrict access to content based on the user's geographical location, preventing unauthorized viewing or distribution in regions where rights have not been granted.
- Use IP tracking and geolocation technologies to trace the origin of unauthorized streams or downloads, enabling enforcement agencies to identify and prosecute infringers effectively.

**5. Collaboration with Internet Service Providers (ISPs):**

- Forge partnerships with ISPs to implement voluntary agreements or industry codes of conduct for combating online piracy, including measures such as website blocking, bandwidth throttling, and account suspension for repeat offenders.
- Establish mechanisms for ISPs to promptly respond to takedown notices and requests from rights holders to remove infringing content or disable access to pirated websites.

**6. Public Awareness and Education:**

- Launch public awareness campaigns to educate consumers about the negative impacts of piracy on content creators, artists, and the overall creative ecosystem, emphasizing the importance of respecting intellectual property rights.
- Provide resources and tools for content creators, rights holders, and industry stakeholders to navigate copyright laws, enforce their rights, and report instances of piracy effectively.

**7. Legal and Regulatory Framework:**

- Strengthen copyright laws and enforcement mechanisms to deter piracy, impose penalties on infringers, and provide legal remedies for rights holders to seek damages and injunctions against piracy.
- Collaborate with international partners and participate in multilateral efforts to combat cross-border piracy and enforce copyright protection globally, including extradition treaties and mutual legal assistance agreements.
- It is also requested that Content Monitoring Cells shall be made across regions of India in line with DOT's TERM cells for effective monitoring of Piracy related issues.

By adopting these additional measures and leveraging technology-driven solutions, the broadcasting sector can enhance content security, protect copyright holders' interests, and create a level playing field for legitimate content distribution, fostering a vibrant and sustainable digital ecosystem.

## **Digital Terrestrial Broadcasting**

Q15. What policy and regulatory provisions would be required in the policy to enable and facilitate growth of digital terrestrial broadcasting in India. Stakeholders are requested to provide strategies for spectrum utilization, standards for terrestrial broadcasting, support required from the Government, timelines for implementation, changes to be brought in the current ecosystem and the international best practices. Please provide your comments with detailed justification and proper reasoning.

### **AIDCF Response:**

Any new broadcasting services shall be introduced in accordance with the principles of a level playing field, according to the broadcasting policy. The implementation of Direct to Mobile (D2M) broadcasting services on the open spectrum allotted by MIB has been the subject of recent discussions. D2M service proponents assert that their offerings will relieve mobile network congestion. This is obviously untrue, as TSPs have added enormous capacity to mobile networks following the introduction of 5G services. Furthermore, the majority of traffic on mobile networks even now consists of video data, and these networks have been able to transport it without experiencing congestion. As a result, D2M services directly compete with TSPs and are not intended to relieve network congestion. Instead, they are direct replacements for TSP services.

Given the foregoing, advocates of D2M services seek to circumvent the licensing regulations that apply to mobile services in addition to constructing D2M services using free spectrum allotted by MIB to obtain an unfair edge over current service providers.

The cable TV industry, which has been supplying the services in accordance with the relevant legal framework, would likewise suffer from the provisioning of D2M services over the free spectrum and by avoiding the licensing system. Use of spectrum shall be only based on auction basis.

## **Audience Measurement and Rating System**

Q16. How the strategies with respect to audience measurement and rating system in National Broadcasting Policy can ensure, address and encourage:

- i. Establishment of a transparent, credible, and technologically equipped television audience measurement system that accurately reflects viewer preferences and behaviour.
- ii. Expansion of the sample size to adequately represent the diverse landscape of television viewership, considering the anticipated growth in TV households.

- iii. Integration of data from non-linear sources from digital media to cover cross-platform content consumption habits.
- iv. Establishing a policy framework for conducting radio audience measurement in India
- v. Encouraging multiple agencies to ensure healthy competition and enhancing service quality of measurement and methodologies.
- vi. Adoption and utilization of modern technologies.

### **AIDCF Response:**

Content delivery technologies are converging, and the same content is available over different delivery platforms. To promote orderly growth of the sector, viewership metrics, which are the basis for revenue spending, need to be upgraded to incorporate the convergence of technologies. The viewership metrics should be able to measure the viewership of the same content/ program irrespective of the platform over which it is consumed i.e., linear television and online.

There is an increasing need for increasing the sample size to measure the viewership patterns of the diverse population of the country and minimize sample tampering. **Return Path Data (RPD) enabled STBs can be used to quickly scale up the sample size for audience viewership measurement and neutralize the effects of sample tampering.**

Currently no reliable metrics are available for online content consumption. An accurate and unified audience viewership metrics will lead to better revenue monetization for content across both offline and online platforms. Online content platforms are expected to fuel the next level of growth. Development of the online content platform ecosystem in India will result in the following economic benefits:

1. Increase employment opportunities in: App development, Content creation, technical infrastructure set-up and maintenance.
2. Drive investments in: Clouds, Data Centers, Terrestrial TV, Content distribution infrastructure such as – cable TV, fiber optic cable network, telecom infrastructure, earth stations etc.

The policy should promote audience viewership measurement metrics that captures viewership patterns irrespective of the platform, has a diverse, robust, tamper proof and large sample size, has a transparent methodology and encourages competition in the sector.

### **Grievance Redressal Mechanism**

Q17. What other strategies should be adopted in the policy document for ensuring a robust grievance redressal mechanism to address and resolve complaints with

respect to content as well as services effectively? Provide your comments with proper explanation.

**AIDCF Response:**

To ensure a robust grievance redressal mechanism in the Indian broadcasting sector, the policy document should incorporate the following strategies:

**1. Establishment of a Self-Regulatory body by the individual Industry associations.**

- a. Industry Associations shall be tasked with overseeing grievance redressal in the broadcasting sector, equipped with the authority to receive, investigate, and adjudicate complaints related to content and broadcasting services by their self-regulatory bodies.

**2. Clear and Transparent Complaint Handling Procedures:**

- a. Define clear and transparent procedures for lodging complaints, including designated channels for submission, prescribed formats for complaints, and timelines for resolution.
- b. Ensure accessibility and user-friendliness of complaint submission mechanisms, including online portals, toll-free helplines, and physical complaint centers, catering to the diverse needs and preferences of complainants.
- c. Creating Single window for lodging complaints and their end-to-end resolution status.

**3. Independent and Impartial Adjudication Process:**

- a. Ensure independence and impartiality of the adjudication process by appointing qualified and impartial adjudicators or ombudsmen responsible for reviewing complaints, conducting investigations, and issuing decisions.
- b. Establish safeguards against conflicts of interest, undue influence, and bias in the adjudication process, such as transparent selection criteria, tenure limitations, and recusal mechanisms for adjudicators.

**4. Timely and Effective Resolution of Complaints:**

- a. Set clear timelines for acknowledging, investigating, and resolving complaints, ensuring prompt and efficient handling of grievances to minimize delays and inconvenience to complainants.
- b. Implement escalation mechanisms and priority handling procedures for urgent or high-priority complaints, such as those involving serious violations of content standards or public interest concerns.

**5. Transparency and Accountability:**

- a. Foster transparency and accountability in the grievance redressal process by publishing annual reports, statistics, and summaries of complaint outcomes,

detailing the number of complaints received, types of grievances addressed, and resolutions achieved.

- b. Require broadcasting entities to maintain records of complaints, actions taken, and outcomes, subject to periodic audits and review by the regulatory authority to ensure compliance with grievance redressal obligations.
- 6. Mediation and Alternative Dispute Resolution (ADR) Mechanisms:**
- a. Promote the use of mediation, conciliation, and other alternative dispute resolution mechanisms to facilitate amicable resolution of disputes between complainants and broadcasting entities, reducing the burden on formal adjudication processes.
  - b. Provide training and support for mediators and ADR practitioners to enhance their skills in conflict resolution, negotiation, and communication, fostering a culture of dialogue and mutual understanding in resolving grievances.
- 7. Public Awareness and Education Initiatives:**
- a. Conduct public awareness campaigns and educational initiatives to inform consumers about their rights and options for lodging complaints, raising awareness about the grievance redressal mechanism and its role in ensuring accountability and transparency in the broadcasting sector.
  - b. Develop informational materials, FAQs, and online resources to guide complainants through the complaint submission process, clarify expectations, and provide guidance on available remedies and recourse options.

By incorporating these strategies into the policy document, the Indian broadcasting sector can establish a robust grievance redressal mechanism that promotes transparency, accountability, and consumer confidence, ensuring that complaints related to content and broadcasting services are addressed and resolved effectively in accordance with regulatory standards and public interest considerations.

### **Socio-Environmental and Disaster Responsibilities**

**Q18. What role the broadcasting sector should play to fulfil social and environmental responsibilities? Provide in detail the key focus areas and the strategies the sector should consider. Also provide strategies on the following specific issues:**

- i. To empower Person with Disabilities (PwDs) to access the information and entertainment programmes.
- ii. To encourage gender equality w.r.t. the participation and safety of the women workforce
- iii. To raise awareness about the issues of marginalized tribal communities, minorities and LGBTs
- iv. To adopt green broadcasting practices

## AIDCF Response

The broadcasting sector has a significant role to play in fulfilling social and environmental responsibilities by leveraging its reach, influence, and communication platforms to address pressing social issues and promote sustainable practices. Here are key focus areas and strategies the sector should consider:

### 1. **Empowering Person with Disabilities (PwDs):**

- a. **Accessible Content:** Produce and broadcast content that is accessible to PwDs through features such as closed captioning, audio descriptions, sign language interpretation, and accessible user interfaces.
- b. **Collaboration with Disability Organizations:** Partner with disability organizations and advocacy groups to ensure that the needs and preferences of PwDs are considered in content development, programming decisions, and accessibility standards.
- c. **Training and Employment Opportunities:** Provide training and employment opportunities for PwDs in various aspects of broadcasting, including content creation, production, hosting, and technical roles, fostering inclusion and diversity in the workforce.

### 2. **Encouraging Gender Equality:**

- a. **Equal Representation:** Promote gender equality in programming by ensuring equitable representation of women in on-screen talent, leadership positions, and decision-making roles within broadcasting organizations.
- b. **Safe Work Environment:** Implement policies and measures to create a safe and inclusive work environment for women, including anti-harassment policies, gender-sensitive reporting mechanisms, and support services for survivors of gender-based violence.
- c. **Capacity Building and Mentorship:** Offer capacity-building programs, mentorship initiatives, and leadership development opportunities to empower women in the broadcasting industry and enhance their professional growth and advancement.

### 3. **Raising Awareness about Marginalized Communities:**

- a. **Diverse Representation:** Amplify the voices and stories of marginalized communities, including tribal communities, minorities, and LGBTs, through dedicated programming, documentaries, and special features that raise awareness about their challenges, aspirations, and contributions.
- b. **Sensitivity Training:** Conduct sensitivity training sessions for content creators, journalists, and broadcasters to increase understanding and empathy towards marginalized communities, promoting accurate and respectful portrayal in media representation.

- c. **Community Engagement:** Foster partnerships with grassroots organizations, community leaders, and advocacy groups to co-create content, organize outreach events, and facilitate dialogue that promotes social inclusion, acceptance, and solidarity.
4. **Adopting Green Broadcasting Practices:**
- a. **Energy Efficiency:** Invest in energy-efficient broadcasting equipment, studio lighting, and transmission technologies to minimize energy consumption and reduce carbon emissions associated with broadcasting operations.
  - b. **Waste Reduction:** Implement waste reduction and recycling initiatives within broadcasting facilities, including proper disposal of electronic waste, paperless workflows, and sustainable procurement practices.
  - c. **Environmental Education Campaigns:** Produce and broadcast educational programs, public service announcements, and documentaries that raise awareness about environmental issues, climate change, and sustainable living practices, inspiring viewers to adopt greener lifestyles.

In addressing these specific issues, the broadcasting sector can contribute significantly to social progress, environmental sustainability, and inclusive development, leveraging its unique platform to inform, educate, and inspire positive change in society.

Q19. Keeping in mind the immense role of broadcasting during disasters, how can the latest technologies be effectively utilized to provide disaster alerts and timely updates on television/mobile/radio during disasters? Elaborate with proper justifications.

### **AIDCF Response**

The latest technologies can be utilized in collaboration with the National Disaster Management Authority (NDMA), disaster alerts and timely updates can be effectively disseminated on television, mobile, and radio platforms during disasters. The following infrastructure can be developed.

1. **Integrated Alert Systems:**
  - a. Develop integrated alert systems that leverage emerging technologies such as geospatial mapping, IoT (Internet of Things) sensors, and AI-driven analytics to detect, monitor, and predict disasters in real-time.
  - b. Integrate these alert systems with the NDMA's database of disaster-prone areas, vulnerability assessments, and early warning systems to enable targeted alerts and evacuation notifications based on specific risk factors and hazard scenarios.
2. **Broadcasting and Communication Infrastructure:**



- a. Strengthen broadcasting and communication infrastructure to ensure reliable and resilient transmission of disaster alerts and updates across television, mobile, and radio networks, even in remote and disaster-affected areas.
  - b. Establish redundant communication channels, backup power supplies, and emergency broadcasting facilities to maintain continuity of service during disasters, including satellite-based broadcasting systems for remote regions with limited connectivity.
- 3. Multi-Platform Alert Delivery:**
- a. Implement multi-platform alert delivery mechanisms that enable seamless dissemination of alerts and updates across multiple channels, including television, mobile apps, SMS, social media, and radio broadcasts, reaching a diverse range of audiences.
  - b. Develop cross-platform compatibility and interoperability standards to ensure consistent message formats, delivery protocols, and accessibility features across different communication channels and devices.
- 4. Location-Based Alerting:**
- a. Utilize GPS and location-based services to deliver targeted alerts and updates to individuals and communities in disaster-affected areas, providing location-specific information on evacuation routes, shelter locations, and emergency assistance services.
  - b. Collaborate with mobile network operators and technology providers to implement Cell Broadcast Systems (CBS) or Wireless Emergency Alerts (WEA) that deliver geo-targeted alerts to mobile devices based on their geographic location.
- 5. Public-Private Partnerships:**
- a. Foster public-private partnerships between government agencies, telecom operators, broadcasters, technology vendors, and civil society organizations to leverage their respective expertise, resources, and networks in disseminating disaster alerts and updates.
  - b. Establish Memoranda of Understanding (MoUs) or agreements with telecommunications companies and media broadcasters to facilitate the rapid dissemination of NDMA-approved alerts and messages through their platforms.
- 6. Community Engagement and Capacity Building:**
- a. Conduct community outreach programs, awareness campaigns, and training workshops to educate citizens about the importance of disaster preparedness, early warning systems, and response protocols.
  - b. Empower local communities to actively participate in the dissemination of disaster alerts and updates through community-based radio stations,

volunteer networks, and citizen journalism initiatives, enhancing the reach and effectiveness of alerting efforts.

By leveraging the latest technologies and collaborating with the NDMA, the broadcasting sector can play a pivotal role in delivering timely and actionable disaster alerts and updates to the public, helping to mitigate the impact of disasters and save lives through effective communication and preparedness measures.

### **Any other Issue**

**Q20. Stakeholders may provide their comments with full details (measures/ strategies) and justification on any other subject matter which may be considered to be incorporated as the inputs for the National Broadcasting Policy.**

### **AIDCF Response**

**1. Ease of doing business, Level playing field and Improving Quality of Services (QoS) to consumer.**

To stimulate and sustain the growth momentum of the sector, the broadcasting policy should promote ease of doing business, promote a level playing field and raise the bar for Quality of Services.

**Ease of doing business is a key factor in driving growth and investments into the sector such as:**

- a. Introduction of light touch similar regulation for the Cable TV industry, OTT, Free dish, and other Distribution platforms.
- b. To make content available at affordable prices to consumers.
- c. Standardizing right of way (ROW) charges across the country and development of a single window clearance.
- d. Specifying timelines for permissions and clearances
- e. Online application and automation of regulatory registrations and licenses.
- f. Easing requirements for Platform TV channels to promote local content.

The policy should pave the way for convergence of technologies and promote a level playing field for Indian Apps. A level playing field can be achieved by introducing reasonable restrictions on data outflows from the country and establishing an infrastructure to stimulate innovations by sharing data with Indian startups and in view of this the broadcast policy should be aligned with the personal data protection bill.

A key factor of growth for a sector is the provision of quality services at a reasonable price to the consumer. The large number of subscribers in the country has enabled economies of scale to provide quality services at reasonable costs to consumers as

in the case of telecom services. Migration to digital cable TV systems resulted in better picture quality and number of services to the consumer. Digitization led to more transparency and better realizations for industry stakeholders and the government. This led to an increase in investment in the sector, drove the growth of the sector over the last few years.

Quality of Services (QoS) for the end customer can be ensured by constantly raising the QoS norms, better QoS enforcement and adoption of the latest consumer centric technologies.

**2. Promoting FDI in the Cable & Broadcasting sector.**

Cable & Broadcasting is a capital-intensive business that requires constant infusion of funds in both content creation as well as content distribution. Investments in content and content distribution have a high gestation period, the return of investments is low and therefore the sector does not attract enough investment.

**3. Granting of “Infrastructure status” to Cable & Broadcasting sector.**

Granting of ‘infrastructure status to the sector will encourage investments in the sector by improving its profitability and have several cascading effects such as:

1. Development of content distribution infrastructure for cable TV operators.
2. Increase penetration of wired broadband through cable TV operators – increase consumption of online services and growth of economy.
3. Create opportunities for employment in content production, distribution, and broadcasting services.

The policy should encourage investments and incentivize broadband services delivered over cable TV networks by according to it ‘**Infrastructure Status**’ through fiscal incentives, including accelerated depreciation, tax incentives and low-cost financing. Infrastructure Status to the broadcast sector will accelerate the growth of cable TV - broadband infrastructure throughout the country and accelerate the economic and social development of the country.

**4. Assign spectrum for DTH services through fair and transparent method of auctions to ensure level playing field and protecting revenues of National Exchequer:**

Today, DTH networks have outpaced the Cable TV sector in terms of subscriber growth. Both Cable TV and DTH provide the same services but have different network architectures as DTH uses spectrum that provides it a huge advantage over Cable TV networks. Unlike Cable TV and other providers of terrestrial wireline services, who are obligated to invest in terrestrial infrastructure and pay Right of Way Charges, DTH operators do not rely on ground-based networks. This grants DTH a competitive advantage over Cable TV, enabling them to attain nationwide coverage without the requirement for terrestrial infrastructure investments. Terrestrial networks, like Cable TV, are also burdened with allocating resources for the maintenance and upkeep of their infrastructure.

Therefore, it should be a fundamental principle that services like DTH, which utilize spectrum – a public resource, should reimburse the National Exchequer based on market-driven rates. This principle not only ensures equitable compensation to the National Exchequer for the commercial use of a public resource but also levels the playing field for competing service providers that do not rely on spectrum, especially when compared to wireless network.

Further, it is important to note that these license fees serve as partial compensation to the National Exchequer for the fact that DTH is assigned spectrum almost free of charge. Therefore, the continuation of license fees for DTH is essential. Without this, it would not only exacerbate the financial loss to the National Exchequer but also further tip the competitive balance in favor of DTH