

BY HAND/ELECTRONIC MAIL

Date: 01.02.2019

To,

Advisor (B&CS)  
Telecom Regulatory Authority of India,  
Mahanagar Doorsanchar Bhawan,  
Jawahar Lal Nehru Marg, Old Minto Road,  
New Delhi - 110 002

Dear Sir,

**Re: Submissions to Telecom Regulatory Authority of India ("TRAI") in response to the Consultation on "Consultation Paper on Review of Television Audience Measurement and Rating in India", 2018.**

At the outset, we would like to thank the Authority for giving us an opportunity to tender our views on the **Consultation Paper on Review of Television Audience Measurement and Rating in India.**

In regard to the present consultation process, we submit that we have perused the said paper highlighting the intricacies of the draft carefully. We hereby submit our comments attached as Annexure. The said comments are submitted without prejudice to our rights and contentions, including but not limited to our right to appeal and/ or any such legal recourse or remedy available under the law.

The same are for your kind perusal and consideration.

Yours Sincerely,



Encl: As above

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**Re: Submissions to Telecom Regulatory Authority of India ("TRAI") in response to the Consultation Paper on Review of Television Audience Measurement and Rating in India"**

Kind Attention:

**Advisor (B&CS)  
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## INTRODUCTION

Television Audience Measurement (TAM) has naturally evolved from the conventional ways being from diaries, fieldworkers, coincidental telephone interviews and questionnaires to audiometers in the present time, both in terms of the methodologies and technologies deployed. With throat neck competitions amidst broadcasters, broadcasters have turn to advertisers for financial support, it created a need to authenticate the size and makeup of audience as a basis for advertising pricing models. Ever since the earliest attempts at audience measurement, advertiser support has been more than any other factor, responsible for the emergence of audience measurement practices.

Audience figures become vital to the life of television channels throughout the world, these data are used to negotiate and calculate the hourly rate of advertising time, to sell content on national and international market, to comparatively to assess broadcast performance, and so on. These figures also acquired a new visibility, widely disseminated in the public sphere. Television audience figures like election results and opinion polls, are more than a professional instrument, they speak for the people. Furthermore, at a time when television has become a quasi-universal medium, they speak for all the people.

Television audience measurement is a resource being used to answer many questions from broadcasters and advertisers in their daily work. Broadcaster need to know the audience in order to offer the best content in the most appropriate schedule so as to reach the most valuable audiences. Advertisers need to know the television audience and how to communicate with their actual and potential consumers. To answer all these questions, broadcasters and advertisers need a quantitative measurement of television audiences. Further with millions spent annually on TV programs and commercial, valid and reliable television audience measurement is vital to evaluate and maximise the effectiveness of the investment. These rating if reliable and valid become the common currency for the market's commercial airtime.

Television Audience measurement (TAM) system needs to be independently carried out a number of times, the system can be independent only when the rating agency operates from a position of neutrality recognized by all the stakeholders. Further TAM system required transparency which only can be when every component of the system is comprehensible and accessible to qualified auditing by the market.

With modern digitalization in the present generation, it is well established that today, viewers watch television content on many screens other than television (TV) sets and usually do so via the internet, using a variety of connected devices. Viewing behaviour have evolved faster than the audience measurement techniques that form the basis of advertising transactions, and the whole industry, audience measurement system and data analytics must be adapted to the new reality. To ensure the next generation of audiovisual audience measurement meets the needs of both Broadcasters and Advertisers, future TAM system need to be tailored to make the most of the combined benefits of television and Video on Demand (VOD) coupled with wide spread internet, rather than exposing the differences between the them, wherever possible it is recommended that Television Audience Measurement must aim for a holistic system that covers all video exposures in a single harmonized database for different screens

With the speedy change in technology and consumer adaptability behaviour to the technology of viewing broadcasting content on multiple screens as well as through various other digital platforms vide internet coupled with the population of the country, the methodology of the viewing pattern needs to be at pace with the constant development for providing a robust, accurate and valuable rating, further with the known issue of panel tampering within the already minimal number of panel of household, the accuracy of television Audience measurement is an alarming issue that needs to be considered.

The need for the hour is to firstly increase the panel homes and that can be done by doing away with the conventional method of measuring vide Bar-o-meter being placed in the selected pool of household from the panel, by replacing with the methodology of Return Path Data(RPD) vide digital set-top boxes (STB)being used by consumers for receipt of signals , which in turn would reduce the risk of tampering of data and would further addresses coverage of all consumers viewing television, hence larger viewing data to enable the actual television ratings. Further doing away with the issues of a particular geographical areas not being counted in the audience measuring rating system. Digital set top boxes are now mandated and are the only way of receiving signal of television channels through addressable systems, which would undoubtedly reduce the expenses involved in placing bar-o-meter and its ancillary requirements thereto.

With the present time taking methodology of selection of panel homes created through establishment survey on distribution of target viewership for a particular segment like age group, socio-economic class, gender, working status can also be done away with introduction of RPD embedded STBs thus reducing the burden of privacy breach of information being collected by the said households. The broadcasting contents already in existence are made keeping in mind catering to a particular audience, the data collected vide the RPD embedded STBs would inevitably act as a resource to determine the viewing pattern of consumers in a more detailed format without the need to collect information through surveys or through obtaining personal data of the consumers.

With the introduction of Digital India and improved online infrastructure to have increased internet connectivity, resulting to further online viewing, Wi-Fi routers can also be considered to be used as a medium to capture audience measurement for viewing of broadcasting content.

Further with the question raised of creating competition in the rating services, it is best that the television audience measurement/ rating remains with a single self-governed body with representation of various stakeholders from the industry as already existing in the present scenario. The change of methodology as suggested above would certainly remove the issues and concerns being raised. More than one rating agency body would only create duplication of data and chaos in the system than increasing accuracy and quality in the rating system.

**RESPONSE TO ISSUES FOR CONSULTATION:**

**Q.1. Whether BARC has been able to accomplish the purpose with transparency and without any bias for which it has been established? Please elaborate your response with justifications. Also, suggest measures to enhance the effectiveness of BARC to give TV ratings with transparency and without bias.**

- A. The present methodology as were being adopted by BARC is certainly tedious and time taking and expensive, leaving loop holes for discrepancies. However with the introduction of RPD embedded STBs and data, the information generated would be system generated and processed thus leaving minimal space for discrepancies and further permitting scope of verification of data through audit as and when required.

**Q.2. Do you feel that present shareholding/ownership pattern of BARC ensures adequate representation of all stakeholders to maintain its neutrality and transparent TV ratings? How its credibility and neutrality can be enhanced further? Please elaborate your response with justification.**

- A. The present shareholding/ ownership patter of BARC does ensure adequate representation of all stakeholders, further the advent of RPD technology would enhance the neutrality coupled with scope of Audit to enhance credibility.

**Q.3. Is there a need to promote competition in television rating services to ensure transparency, neutrality and fairness to give TAM rating? What regulatory initiatives/measures can be taken to make TV rating services more accurate and widely acceptable? Please elaborate your response with justifications.**

- A. It is not advisable to promote competition as blooming of one or more agency would create chaos and duplication of date which in turn would give scope for tampering of data. A single self-governed body would rather be more accountable and responsible. The introduction of RPD embedded STBs would certainly make the ratings more accurate and transparent, however, the procedure of extracting the television rating should be established and laid down to bring in transparency.

**Q.4. Is the current audience measurement technique used by BARC appropriate? Suggest some methods, if any, to improve the current measurement techniques.**

- A. The current audience measurement technique being used by BARC is tedious, time consuming, expensive and provides loop holes for discrepancies and issues as being raised, further with a huge population and limited panel numbers does not justify the ratings measured. Further with the issues raised of tampering within the limited panel number even further reduces the validity of the rating especially when millions are invested based on the rating as measure by BARC, however with the introduction of RPD technology as stated above in this response. The accuracy of the rating would largely improve, with detailed report enabling to understand consumer behaviour further.

**Q.5. Does broadcasting programmes that are out of their category or in different language for some time during the telecast affect the TAM rating? If so, what measures should be adopted to curb it?**

- A. No it does not affect the TAM rating.

**Q.6. Can TV rating truly based on limited panel homes be termed as representative?**

- A. No, limited panel homes cannot be termed as representative especially when the number of panel homes are minimal in number against the large Indian population watching television. The ratings construed cannot justify the true correct numbers of viewer actually watching a particular broadcasting content.

**Q.7. What should be done to reduce impact of manipulation of panel home data on overall TV ratings? Give your comments with justification.**

- A. With the introduction of RPD technology, the scope of manipulation of panel home data does not rise as the RPD would be embedded in the STBs provided to the viewers and any tampering with the STBs itself would lead to loss of quality of signals or signals of channels in totality.

**Q.8. What should be the panel size both in urban and rural India to give true representation of audience?**

A. The RPD technology should be embedded in all STBs being provided by DPOs to its subscribers in order to get actual real time figures.

**Q.9. What method/technology would help to rapidly increase the panel size for television audience measurement in India? What will be the commercial challenge in implementing such solutions?**

A. As been stated above, the introduction of RPD embedded STBs would rapidly increase the panel size of television audience measurement, however, it would be a time taking process initially to convert the already existing STBs with RPD embedded STBs. However the same can be done in phases.

**Q.10. Should DPOs be mandated to facilitate collection of viewership data electronically subject to consent of subscribers to increase data collection points for better TRP ratings? Give suggestion with justification.**

A. Yes, the DPOs should be mandated to facilitate collection of viewership data. As the subscriber data is already available with them hence it would make the process time efficient and the process easier in toto.

**Q.11. What percentage of STB supports transferring viewership data through establishing a reverse path/connection from STB? What will be the additional cost if existing STBs without return path are upgraded? Give your suggestions with justifications.**

A. As stated above, all STBs should facilitate RPD technology, however the same can be considered to be done in phases. The additional cost would only be limited to include the requisite software and hardware to support the technology.

**Q.12. What method should be adopted for privacy of individual information and to keep the individual information anonymous?**

A. The present existing framework for privacy of individual information suffices the same.

**Q.13. What should be the level/granularity of information retrieved by the television audience measurement agency from the panel homes so that it does not violate principles of privacy?**

A. The subscriber data as already available with the DPOs suffice, with the introduction of RPD technology, no further data is required.

**Q.14. What measures need to be taken to address the issue of panel tampering/infiltration? Please elaborate your response with justifications.**

A. The contents in the introduction and the response to the above questions may be read herein.

**Q.15. Should BARC be permitted to provide raw level data to broadcasters? If yes, how secrecy of households, where the people meters are placed, can be maintained?**

A. With the introduction of RPD, this question stands irrelevant.

**Q.16. Will provisioning of raw level data to broadcasters, in any manner, either directly or indirectly contravene the policy guidelines for television rating agencies prescribed by MIB?**

A. No.

**Q.17. Is the current disclosure and reporting requirements in the present guidelines sufficient? If no, what additional disclosure and reporting requirements should be added?**

A. Yes the current guidelines are sufficient.

**Q.18. Stakeholders may also provide their comments on any other issue relevant to the present consultation.**

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