

Dear Mr. Upadhyay,

We refer to aforesaid consultation paper, and wish to offer our comment on two key issues affecting us. We represent leading broadcaster Viacom 18 and provide host of content to telecom operators. **our comments on question 4.4 and 4.6 of the consultation paper are as follows:**

4.4 How do we ensure that the VAS providers get the due revenue share from the Telecom Service providers, so that the development of VAS takes place to its full potential? Is there a need to regulate revenue sharing model or should it be left to commercial negotiations between VAS providers and telecom service providers?

As suggested in the beginning of the consultation paper, there is too much power resting with mobile operators in the MVAS value chain. Invariably, last mile connectivity is with mobile operators, consumer pricing is controlled by mobile operator, even platform is also controlled by mobile operators, therefore, mobile operators dominate other players in the value chain and impose unreasonable commercial terms on other players in value chain. Therefore, it is extremely critical that there should be regulated revenue share model for MVAS, although end user pricing could be left to mobile operators. As observed in consultation paper, currently copyright owner gets merely 10% of the End User Price. This is extremely low compare to investments made by copyright owner in content. We suggest that in case content is directly provided by Content owner it should get 60% of EUP and if through content aggregator than 50% of EUP should be provided for copyright owner, and rest 10% can be retained by content aggregator.

4.6 Do you agree that the differences come up between the MIS figures of the operator and VAS provider? If yes, what measures are required to ensure reconciliation in MIS in a transparent manner?

Yes, most of the time there is difference between MIS figures of the operator and VAS provider. In this case also mobile operators imposes unreasonable terms on VAS providers. In case operators is unable to bill subscriber or collect monies from subscribers due its own inefficiency although content is downloaded by subscriber, mobile operator do not pay VAS provider for such content. Mobile operator should be regulated to provide automated content download report which mobile operators system do generate and must pay VAS provider based on

that report. VAS provider/copyright owner can't be penalised for inefficiencies of mobile operator in billing and collection.

Regards,

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