



IBF response to TRAI Consultation Paper on Making ICT Accessible for Persons with Disabilities

INTRODUCTION

Preliminary Submissions/Response

We understand that the Consultation Paper aims to invite comments from telecom service providers, broadcasters and manufacturers of various kinds of devices used in availing the broadcasting and telecom services so as to explore the practical ways and means to make ICT (including broadcasting services) accessible for PwDs.

We must point out that the Consultation Paper has not deliberated and as such, not identified issues on feasibility and suitability of content for production and broadcast with sign language and closed captioning. We have endeavoured to provide our comments in this regard in response to questions #9 and 18 below. In addition to the same, we would like to point out the following as our preliminary response/submission:

1. We would also wish to bring to your notice that the Ministry of Information and Broadcasting (“**Ministry**”) has also constituted a committee/sub-group (“**Sub-Group**”) under the chairmanship of Director General, Doordarshan comprising of various experts and stakeholders to look at formulating accessibility standards for facilitating accessibility for persons with disabilities (“**PwDs**”) for television content (“**Accessibility Standards for Television Channels**” or “**Accessibility Standards**”). **It is pertinent to mention that there has been a clear cut mandate from MIB that as of now this committee/Sub-Group shall deal with standards to make TV viewing accessible to hearing impaired.**
2. Attention in this regard is also invited to Section 29(h) of the Rights of Persons with Disabilities Act, 2016 wherein it has been stated that it is incumbent upon the Govt. to take measures to ensure that persons with “**hearing impairment**” have access to television programs with sign language interpretation or sub-titles. Thus, the mandate of the Disability Act, 2016 itself explicitly provides for taking measures to make television programming accessible for the persons with “**hearing impairment**” only.
3. The Sub-Group has already held a couple of meetings and has discussed aspects connected to closed captioning in the original language in which the content is being aired on a particular TV channel. The Sub-Group is discussing such accessibility standards which are implementable and practical. Further, they are also discussing phased implementation of such standards over a period of time. It is therefore, suggested that TRAI while analysing the response to the present CP and formulating its recommendations should closely coordinate with the said committee/Sub-Group so as to ensure a uniformity in approach in formulating these standards. The Sub Group may constitute a joint task force with industry to define the next steps on the necessary steps, the costs and their allocation between stakeholders prior to passing onto the consumers, and what is practically possible in a phased manner. This was also recommended in the MIB sub-group meeting for standards to facilitate access to TV for PwDs.



4. As a preliminary thought, we would request the authority to consider that in making content accessible to PWDs, it must be kept in mind that the same content would be viewed by masses (or non-PWDs) as well. Hence to balance the two aspects, we urge that a threshold of 50% of the particularly identified channel content (except certain excluded content detailed later in the response) should be required in compliance with the Accessibility Standards for Television Channels in any week after the initial gestation period (keeping in mind various aspects discussed later in the response). Further, the Authority may also note that India does not have many players assisting in closed captioning in vernacular languages. Also, for a country like India where there are varied languages, dialects and language scripts prevalent such supporting service providers need to be developed and encouraged as well.
5. The Authority would also appreciate that there should be synergies between the capacity building for equipment manufacturers, distributors/re-distributors (DPOs) as well as broadcasters who are working with Ministry for framing the Accessibility Standards for Television Channels and the entire end-to-end chain of broadcasting should be coordinated including amongst distributors and consumer premise equipment providers.
6. As a first step the standards for set-top-boxes and ancillary control devices, used by distribution platforms must be revised/modified by BIS in consultation with the stakeholders so as to make them compatible and capable for receiving and decoding content required for PwDs. All the set-top-boxes whether for digital cable and/or for DTH/IPTV etc. manufactured /imported after a cut-off date must have the necessary capability to facilitate television access for PwDs.
7. Secondly, since in the digital regime the audio-visual content is being disseminated, distributed and accessed through various distribution platforms, the accessibility standards as & when formulated and implemented should apply to all the modes of accessing content irrespective of the technology used in disseminating/delivering the same.
8. Further broadcasters would have to invest heavily in the equipment to include closed captioning in the play-out / uplinked feed of the channels and we would request that the Authority considers the same from the point of view of required incentivisation, supporting development of ecosystem and a phased manner of implementation. It will also have to be determined whether additional bandwidth would be required (especially at broadcasters and DTH operators end) to carry channels with closed captioning without deteriorating quality of channel.
9. Considering the above, we request that the consultation on issues relating to distribution/re-distribution of broadcast signals and related equipment and technical aspects be suspended till the time such Accessibility Standards for Television Channels are issued by the Ministry and thereafter the Authority may circulate revised Issues for consultation on the basis of the Accessibility Standards for Television Channels that are suggested by the Ministry.



10. The Consultation Paper addresses Telecom and Broadcasting in the same context. Whereas the context and services in telecom and broadcasting are entirely different and also have different requirements for accessibility, with broadcasting needing to factor in extensive programming areas, provision of special services to support different disabilities as well as varying hardware requirements.
11. The Public Broadcaster must take the lead to provide Access solutions for PWDs. The TRAI CP currently asks for steps to be taken to mandate development of certain percentage of content meant only for PwDs viz visual captioning, etc that may be demonstrated in capacity and phased applicability starting with the Public Broadcaster, to enable private broadcasters to develop appropriate programming and technology to meet threshold requirements.

We sincerely hope the Hon'ble Authority will consider our plea to defer the consultation and recommendations till such time Sub-Group / Ministry does not submit its report, so as to enable all stakeholders (especially broadcasters) to share comprehensive comments at a later date.

Without prejudice to the above, we are sharing certain comments focusing on the broadcast of content.

RESPONSES TO QUESTIONS

1. **Which are the disabilities, with specific accessibility requirement, other than those mentioned in para 2.3 that require consideration for preparing a framework?**

Response:

- 1.1 In our view the Consultation Paper covers all the major disabilities that may be evaluated for the framework of making ICT services accessible to PWDs. However, for television broadcast, due to the mandate of Section 29(h) of the Persons with Disabilities Act, 2016, the reference of MIB dated 29.07.2017 to the committee/Sub-Group constituted by MIB and by very nature of the medium/platform, the formulation of accessibility standards qua television programming has to focus on people with impaired hearing.
- 1.2 As already mentioned in the Preliminary Submissions, the Sub-Group constituted by the Ministry is in the process of framing Accessibility Standards for Television Channels focusing on closed captioning in the language of the content for non-news channels.



2. **Apart from the challenges enumerated in para 2.3, what other challenges do PWDs face while accessing telecommunication and broadcasting services?**

Response:

We do not envisage any other challenges other than those outlined in the Consultation Paper. As a broadcasters' body and in line with the context in the preface and our responses to the remaining questions below, people with hearing impairment are the only PWDs that can possibly be covered for accessing broadcasting services is our considered view.

3. **In your opinion, what are the reasons for the desired benefits of ICT (telecom and broadcasting) not reaching the PWDs despite several policy measures and scheme being implemented?**

Response:

RPWD Act has come into force recently in the year 2016. Accordingly, we believe it is not too late for the appropriate incumbent Government authorities under the said Act to undertake an exercise, and rightly so, to formulate and identify clear accessibility standards and measures for implementation on the broadcasting side of ICT to extend the news and entertainment content's accessibility to certain categories of PWDs. This exercise requires a careful study and consensus with stakeholders in order to :

- (a) scope the whole gamut of content that can possibly be made subject to accessibility by certain categories of PWDs;
- (b) identify the media platforms through which content can be made accessible to identified PWDs;
- (c) take stock of current capacity of the creative and broadcast industry to produce content with sign language and closed captions;
- (d) ascertain the constraints that are currently being faced and are likely to be faced by the creative and broadcast industry in producing such content;
- (e) implementation of consistent standards of closed captioning throughout the end-to-end chain of broadcasting including Content Carriers'/DPOs' infrastructure and also include manufacturers of consumer premise equipment (set-top-box);
- (f) review assistance in the form of concessions, subsidies and incentives that can be provided to accelerate the process of providing accessibility by broadcasters and distributors (and also a incentives for support of vendors like service providers creating vernacular closed captioning etc.); and
- (g) realistic and phase-wise timelines for compliance i.e. roll out of content conducive for accessibility by PWDs, etc.



4. What additional or corrective measures can be taken by the Government to enable better access to telecommunication and broadcasting services and devices to PWDs? Please give rationale for your response.

Response:

- 4.1 The Consultation Paper has suitably identified not only the categories of PWDs that should have access to the ICT services but also the ways in which PWDs feel challenged in accessing these services. As for broadcasting services, we believe that the PWDs with hearing disabilities can be covered in a phase-wise manner to give access to content to those people with hearing impairment.
- 4.2 The objective in the consultation paper is that the Broadcasting and Telecom Services be enabled for the hearing disabled at the first instance, by virtue of closed or open captioning of content shown via Networks including Cable, Satellite or IPTV. This enables the person to follow the content via the captions.
- 4.3 The next stage comes in where multiple languages are catered to, which requires only closed captioning, as only one language can be shown with burnt subtitles. It should be mentioned that closed captioning is desirable, as subtitles which are burnt on the video reduce the perceptual Video Quality and Quality of Experience in case of those who do not fall in the disabled category.
- 4.4 We would like to put forth the following in this regard:
- (i) Distribution Networks Need to be Enabled for Closed Captioning. Viewers can benefit from closed captions only if the end distribution networks can carry closed captioning and these can be decoded via the STBs used on Cable TV, DTH and IPTV.

There are two ways to carry Subtitling:

- (a) By Teletext on Line 25 of Video. This method is now outdated, and no longer used with only few exceptions as the teletext tends to cover most of picture.
- (b) DVB-Subtitling

The DVB Subtitling is carried out at the compression layer by carrying a Subtitle stream (ASI) which is then decoded by the STB.

In India there is no network at present where DVB subtitling can be decoded at the customer end. It will require very high investments to have this capability included in the STBs.

Hence it is important to plan ahead as to how the subtitling will be decoded and displayed on various types of STBs and decoders. As the DAS IV has just been completed, it is not expected that the customers will replace all STBs.



- (ii) Broadcast Networks over satellite will need to make significant investments in the Network programming and Playout systems to support multiple language subtitling.
- (iii) The Broadcasters will also have to deal with old content which is frequently repeated, to be able to place subtitles on the content. As a typical broadcaster in India has over 150,000 hours of content across multiple channels, the cost of redoing the subtitling on old content will be in hundreds of millions of dollars.
- (iv) News Content:
News content presents special challenges to provide subtitling specially in multiple languages. Most news items are cut live or within minutes of an event and there is no time to redo the content in multiple languages or provide subtitles. Moreover, the screens in most news channels on the TV are clogged with scrolls and headlines etc. that there is little space available for the additional closed captions to be run.

However some effort can be made to run closed captions in repeat bulletins. Nevertheless the expenditure involved will run into hundreds of million dollars again, as the old clips also need to be captioned apart from currently produced news.

- (v) Networks/platforms such as DD-Direct will not be able to implement DVB-Subtitling Networks such as DD-Direct function on uncontrolled STBs being sold in the market from various sources indigenous or imported and there is no way to upgrade these even if subtitling streams are transmitted on air. With DD-Direct controlling over 50-60 million viewership (estimates in absence of measurement), the impact of a section of population will be huge. In fact it will require DD-Direct to provide only encrypted services with predefined STBs and enable them with sub-titling.

Access solutions would benefit from the public broadcasters taking the lead. The TRAI CP currently asks for steps to be taken to mandate development of certain percentage of content meant only for PwDs viz captioning etc that may be promoted and worked on by the Public Broadcaster. DD-Channels and DD-Direct being public broadcasters should take a lead in implementing multiple language subtitling using DVB-Subtitles and based on their experience further rules should be formulated.



5. **Apart from the measures suggested by ITU, what additional measures can be taken by TSPs and equipment vendors/suppliers and other stakeholders to address the challenges faced by PWDs while accessing telecom and broadcasting services?**

Response:

As for broadcasting services, the biggest technical challenge is the readiness of the Content Carriers/DPOs, in setting up the headends and making available required equipment (like set top boxes) that are compatible with closed captioning of the form and format included by the broadcasters. Please see our response to question # 6 below for more details in this regard.

6. **What are the areas where collaboration between various stakeholders would be useful and how?**

Response:

- 6.1 In the broadcasting sector, the broadcasters not only produce their own content but also acquire content from third parties in India and abroad. The content that is originally produced by the broadcasters for their television channels and digital platforms can be produced along with closed captions. However, with respect to the content that is procured by the broadcasters for their channels platforms in foreign languages (including English) or other third party content may not be supported by closed captioning. Further, in such and similar cases, availability of content rights to include closed captioning may also be an issue for the broadcasters (especially for old library of content). Hence, the challenge will be ensuring that foreign language content, especially from foreign entities that do business through their Indian offices, is subject to closed captioning for broadcast on television and digital platforms in India. In the same vein, the producers of Indian content should equally participate in this movement to make content accessible to PWDs. The onus cannot only be on the broadcaster for effective implementation of the law but should be on the producers of content too. This will help the broadcasters to enable effective roll out, ensure costs are equitably distributed and there will be participation amongst all stakeholders. Further the levels of compliance are likely to be much higher when content creators, producers, distributors and hardware suppliers share the responsibility.
- 6.2 Another stakeholder we recognize that must collaborate with the broadcasters in making it possible for the PWDs to access the content on television side are the DPOs or the platforms that distribute the television channels. Barring few pockets in India, the whole country is digitized as of today. The headends and set top boxes of these DPOs must support the closed captioning functionality to be turned on and turned off. We understand that most of the set top boxes deployed in India are not currently capable of facilitating the use of closed caption functionality even if the content broadcast on the channels has in-built closed captioning. Also, not all set top boxes may be compatible with all formats of closed captioning and hence compatibility is critical. Unless the distribution landscape readies itself to support the closed captioning of the



content broadcast on the television, the efforts of broadcasters alone will not yield desired results. The broadcasters and DPOs must work in tandem with contiguous timelines in which both can ready themselves to broadcast and distribute the channels respectively that can support closed captioning.

- 6.3 There has been a constant refrain for consistency in technical standards for STBs and adherence to BIS standards and there is a need to enforce these standards across the country. As pointed out in the Preliminary Submissions, the required revision/modification is also required to be done in BIS standards and the set top boxes manufactured/imported after a notified date should be compliant to these revised standards so as to facilitate the access to PwDs. Unless this initiative is progressed, the multiplicity of standards and manufacturers will make it difficult to introduce these measures for persons with disabilities.

7. **Should the Government/TRAI direct the telecom and broadcasting service providers to provide information pertaining to billing, usage, pricing and contracts in the form accessible to PwDs? Please provide a rationale for your response.**

Response:

The broadcasting industry operates in a B2B environment on the distribution side. Broadcasters do not have a direct interface with consumers since the television channels are distributed by the DPOs and all billing and collections from consumers are done by DPOs (including DTH, IPTV, HITS, and on the cable side by MSOs and LCOs). But whether it is feasible to provide billing information in a form readable by persons with visual impairment i.e. in Braille is unascertained. Billing is done for a household/establishment and the assumption is that there will be some member of a household / establishment who is not visually impaired. The provision should be on an exception basis, if at all, so it can address the purpose of access, in the event there is a requirement, in the absence of any support, for such assistance to be provided by the distributor, or at the customer facing interface.

8. **Should the Government/TRAI mandate that the devices used for watching television provided through cable, satellite/DTH, fibre, etc. should be made accessible to PwDs?**

Response:

This is one of the critical aspects in implementing the RPWD Act. Without the set top boxes being made compatible with the content that supports closed captioning the entire exercise would be defeated since the content (which is made accessible) can only be distributed to last mile consumer through the set top boxes. Thus, without such a mandate, and supporting steps to enable implementation, the Government/TRAI will not be able to ensure that PwDs are able to access content with closed captions. The onus to make content accessible to PwDs must be shared by the relevant service providers and stakeholders, e.g. the distributors as broadcasters do not control the distribution of content to the end user. Even if broadcasters were to ensure that the



content was produced, played out and broadcast with closed captions, it still needs to be supported by Headend of the DPO and consumer premise equipment / devices (set top boxes) deployed by the DPO that facilitate the viewing of content on television screens. Therefore, it is imperative that the DPO headend and set top boxes are compatible with closed captioning otherwise efforts of the broadcasters will go in vain. As of date, standardisation of set top boxes has not happened on the ground and this will be a major impediment.

9. Should international accessibility standards be adopted for telecommunication and broadcasting services and devices in India? Please suggest steps required to ensure their adoption by the service providers/device manufacturers.

Response:

- 11.1 India is a diverse country which produces and broadcasts content in multiple languages including Hindi, English and almost every regional language. India has its own unique challenges in content production and distribution which are different from many international markets. India is at the last stage of digitization (barring few pockets in the country). In this digitized era, the content can only be accessed and viewed through addressable set top boxes which have been provided by the DPOs (distributors of the television channels) to the consumers. These set top boxes are of many makes and types and at present most of these set top boxes do not support closed captioned content (a very few mainly advanced DTH set top boxes may support different standards of closed captioning as well). The cost of these set top boxes is ultimately passed on to the consumers by the DPOs. To retrofit or replace these set top boxes and expect the consumers to again bear the cost is highly unlikely and almost impossible.
- 11.2 Further it may require the DPOs to upgrade the existing set top boxes or buy compatible set top boxes which will require a huge capital expenditure on their part. Owing to digitization being at the last stage in India, the DPOs have invested heavily in purchasing existing set top boxes and many of them have subsidized the cost of these set top boxes to consumers. Expecting the DPOs to reinvest capital in set top boxes in a short span of time to implement the RPWD Act, when Government could have coordinated its efforts in this regard with the nearly completed digitization, is likely to be rigorously resisted by the distribution industry. Therefore, the only way, and to be fair to the distribution industry, is that TRAI must ensure there is sufficient gestation period for capacity building and arranging investments to upgrade/purchase new set top boxes on the distribution side of the television channels failing which we are of the view that the implementation of the legislation will be almost impossible.
- 11.3 As for the capacity building for production and broadcast of the content, this Consultation Paper is silent. To ensure accessibility of content by PWDs, it is imperative that the capacity building is contiguous on both sides of television industry – production/broadcast controlled by the broadcasters and distribution controlled by the DPOs as briefly explained above.
- 11.4 Content is of various types, produced and licensed locally and internationally, broadcast live, deferred live and recorded. As stated above in our response, the only categories of



PWDs that can be addressed by a broadcasting industry are people with hearing impairment. It is critical that the feasibility of content production to make it available to the said category of PWDs must be analysed to define accessibility standards of each category of content. Our views as a broadcaster are as follows:

- (i) Content is viewed for entertainment value which inherently emanates from the creative and presentation (look & feel) aspects of such content. In making content accessible to PWDs, it must be kept in mind that the same content will be viewed by masses (or non-PWDs). Accessibility must not distort the creative and presentation of content for the non-PWDs.
- (ii) Broadcasters will have to get the content produced with sub-titles that support closed captioning. This adds a layer of cost and time to the production process of content. Whether there are sufficient service providers to produce captioned content for all 850-plus operational television channels in India remains questionable. Therefore, the broadcasters will require sufficient time to effect the closed captioning of almost entire content of their channels and budget the costs which the Government must allow a set off against their CSR budget and/or provide other support, subsidies and incentives. The government may consider for requiring such accessibility tools, a threshold percentage of the content on a channel, and a fewer number of channels that can address the genre, audience, region spread to be able to start with. For addressing the investment and development costs, one of the incentives could be to allow weighted deduction under the Income Tax Act in respect of the expenditure incurred by broadcasters/DPOs in this behalf on the lines of the deduction available under Section 35 of the Income Tax Act towards expenditure incurred on scientific research.
- (iii) Further, broadcasters will have to make technological changes in their play out / uplinking of channels to support the broadcast of closed captioned content. This adds further costs (both capex and operational costs). A sudden implementation of legislation without giving the broadcast industry sufficient time to grapple the technological changes/advancements required to play out the captioned content together with the costs associated with it will throw the industry out of gear. Again, the costs in upgrading the play out technology must be allowed both as a weighted deduction from the taxable profits as well as a CSR expenditure and relevant support, subsidies and incentives should be provided.
- (iv) Most importantly, and where the major concern will lie, is that the existing IRDs (Integrated Receiver Decoders) /PIRDs (Professional Integrated Receiver Decoders) of broadcasters given to the DPOs or where PIRDs are procured by DPOs (used with VCs received from broadcasters) for receiving the signal satellite channels from a broadcaster (for onward distribution by DPOs to consumers (through LCOs or directly in case of certain platforms like DTH)) are not capable in most cases to transmit the closed captioned content. Therefore, the broadcasters / DPOs will have to make huge capital expenditure



to replace the existing IRDs / PIRDs with the ones that support transmission of the closed captioned content.

(v) The aggregate potential investment cost highlighted in points 2, 3 and 4 above for broadcasting industry will be impossible for private broadcasters, if it is to be accomplished in a narrow timeframe. The Government must recognize this issue, and roll out the implementation with a reasonably long gestation period, and incentivise the broadcasters (including by way of allowing weighted deduction on the lines of Section 35 of the Income Tax Act, deployment of CSR funds and other support, subsidy and incentives) to incur the remaining cost over a period of at least 5 years.

(vi) The standards and guidelines for closed captioning need to be defined which must factor the following:

- A. Live and deferred live content such as sports cannot support closed captioning. Therefore, sports as genres must be excluded.
- B. Similarly, live news and live and deferred live events like live music shows and award shows etc. cannot be closed captioned. Therefore, these genres of programming must be excluded. Further content like music shows, debates and certain reality shows, etc. may be excluded due to the very nature of the content.

(Content referred to in points A and B shall be collectively referred to as “Excluded Content”).

Channels with only Excluded Content may also be excluded from the requirements of the Accessibility Standards.

C. Sign language for the hearing impaired is possible only for news bulletins that are pre-recorded. It is not possible for live news (which has extempore debates, live reporting from various places while the anchor is based in studio, etc.). Sign language is also not possible for general entertainment content as a box appearing on the screen will distort the creativity and look & feel of the content. As against pre-recorded news, the entertainment content is viewed for its creativity and presentation.

D. The closed captions must only be in the language of the content and not in a different language since the purpose is to enable hearing impaired viewers.

E. While certain content on a broadcast channel may be made accessible for the Persons with Disabilities, in making such content accessible to PWDs it must be kept in mind that the same content will be viewed by masses (or non-PWDs) as well. Hence to balance the two aspects, we urge that at least 50% of the channel content (except Excluded Content and excluded channels) should be in compliance with the Accessibility Standards for Television Channels during any week after the initial gestation period.



- F. We would urge that the said Accessibility Standards be implemented in a phased manner and broadcasters shall ensure that at least 25% of content is accessible with closed captioning (except on excluded channels and Excluded Content) as prescribed under the said Accessibility Standards by the end of first 24 months from the implementation of such Accessibility Standards.
- G. The channels should be in complete compliance with the requirement of Accessibility Standards (i.e. 50% of the content on the channel be accessible by PWDs through closed captioning) by the end of 48-60 months. The costs incurred by the broadcasters must be allowed as weighted deduction on the lines of Section 35 of the Income Tax Act and should also qualify to be covered under CSR expenditure and other subsidies / incentives should also be considered. This will encourage and incentivise broadcasters to adopt these measures.

10. What additional measures can be taken or technologies can be deployed by service providers or equipment manufactures to assist PWDs?

Response:

Please refer to our comments above

11. Should device manufacturers be mandated to allow in their device's operating system those applications which are meant to assist the PWDs? Please justify your response.

Response:

In today's digital era, the content is viewed on all types of screens. Consumption of content digitally on mobile phones and other non-television screens is increasing exponentially. The purpose of the legislation will be defeated if the content is produced and broadcast in a compatible way but the devices fail to support the access by PWDs of such content. Atleast one model by a manufacturer of all such devices which can be connected with internet connection and have the capability to stream content must make it technologically possible to view content in closed captioning.

12. What measures can be taken in India so that emergency services are made more accessible for PWDs? Should the implementation of these measures by TSPs be made mandatory by the Government?

Response:

Insofar as the emergency services are concerned, all the television channels are already ensuring that important announcements such as natural disasters, important broadcasts by President/Prime Minister and similar important telecasts are available to PwDs (hearing impaired) either through sign language and/or through subtitling on news channels so as to enable them to have an access thereof.

Some of the news channels are already running a regular news bulletin in sign language.



13. **Should the device/handset manufacturer be mandated to manufacture at least one model of handsets for PWDs which is having accessibility features and which are compatible with assistive technology features such as hearing and visual aids including emergency buttons?**

Response: As above

14. **How should companies be encouraged to utilise their CSR funds for development of applications, devices and services for the PWDs? What kind of devices and applications can be envisaged/ designed to make achieve ICT accessibility for PWDs?**

Response:

The Government should clarify that utilization of CSR funds for making content accessible to PWDs is permissible by stakeholders who are bound to see a surge in costs such as broadcasters (for producing and broadcasting), distributors of TV channels (for making set top boxes compatible) and manufacturers of such enabling devices like set top boxes. As pointed out hereinabove, other concessions/incentives under the Income Tax Act should also be extended to these stakeholders.

15. **Should any other funding mechanism for the development of applications, devices and services meant for the PWDs be considered? Please give a rationale for your response.**

Response:

The Govt. should come out with concessional rate loan/ funding for implementing various initiatives required for facilitating access to the PwDs.

16. **How can effective campaigns be designed to create awareness about use of ICT accessibility tools? Can such campaigns be funded by CSR funds? If not, what other mechanisms can be used to fund such campaigns?**

Response:

As has been the practice of the Government, it engages with specialized agencies to devise awareness campaigns on important issues and makes radio and TV spots in addition to advertisements in print media. Accessibility tools for PWDs as an issue should be identified by Government and its awareness disseminated using the said media once the capacity across the spectrum is built and the accessibility of content across the board is rolled out by broadcasters, distributors and device manufacturers. These awareness campaigns reach the masses across the length and breadth of the country. In our view, there is a great merit in using TV, radio and print medium to spread the awareness on accessibility tools for PWDs. The broadcasters can additionally contribute by airing the ad spots of this campaign and the commercial air



time used for broadcast of the ad spots for such a campaign should be considered as CSR expenditure to incentivise the broadcasters to participate.

- 17. Should the Government incentivise the manufacturing and development of ICT tools and devices viz. tools for mobile accessibility, TV accessibility or for web accessibility for PWDs? Please give a rationale for your answer.**

Response:

Apart from utilization of CSR funds towards development of ICT tools and devices, the Government should consider providing incentives and subsidies to the service providers and manufacturers which will speed up the implementation of accessibility of content by PWDs. Implementation requires a concerted effort by the stakeholders across the ecosystem and there are huge costs involved. Incentives will help the stakeholders to prioritise their services and manufacturing which will in turn make the market place conducive for speedy and effective implementation of the legislation.

- 18. Please give inputs/suggestions/comments on any other issues which you feel are relevant to the subject matter.**

Response:

The standards and guidelines for closed captioning need to be defined which must factor into the following:

- (i) Live and deferred live content such as sports cannot support closed captioning. Therefore, sports as a genre must be excluded.
- (ii) Similarly, live news and live and deferred live events like live music shows and award shows etc. cannot be closed captioned. Therefore, these, as genres of programming, must be excluded. Further content like music shows and debates, should be excluded due to the very nature of the content.

(Content referred to in points 1 and 2 shall be collectively referred to as “Excluded Content”).

Channels with only Excluded Content may also be excluded from the requirements of the Accessibility Standards.

- (iii) Sign language for the deaf/hard of hearing is possible only for news bulletins that are pre-recorded. It is not possible for live news (which has extempore debates, live reporting from various places while the anchor is based in studio, etc.). Sign language is also not possible for general entertainment content as a box appearing on the screen will distort the creativity and look & feel of the content. As against pre-recorded news, the entertainment content is viewed for its creativity and presentation.



- (iv) The closed captions must only be in the language of the channel and not in a different language since the purpose is to enable hearing impaired viewers.
- (v) Also, while certain content on a broadcast channel may be made accessible for the Persons with Disabilities, but in making content accessible to PWDs, it must be kept in mind that the same content will be viewed by masses (or non-PWDs) as well. Hence to balance the two aspects, we urge that a threshold percentage of 50% of the channel content (except Excluded Content and excluded channels) should be in compliance with the Accessibility Standards for Television Channels during any week after the initial gestation period.
- (vi) We would urge that the said Accessibility Standards be implemented in a phased manner and broadcasters shall ensure that a threshold percentage of 25% of content is accessible with closed captioning (except on excluded channels and Excluded Content) as prescribed under the said Accessibility Standards by the end of first 24 months from the implementation of such Accessibility Standards.
- (vii) The channels should be in complete compliance with the requirement of Accessibility Standards (i.e. 50% of the content on the identified channel, besides the Excluded channels, may be accessible by PWDs through closed captioning) by the end of 48-60 months.
- (viii) The costs incurred by the broadcasters must be allowed as weighted deduction on the lines of Section 35 of the Income Tax Act and should also be covered under CSR expenditure and other subsidies / incentives should also be considered.

As mentioned above, the broadcasters are already discussing Accessibility Standards for Television Channels as a part of the Sub-Group constituted by the Ministry and we urge that the Authority wait for the same to be concluded and the relevant consultations for implementation of the same be sought thereafter.
