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Mon, Jun 06, 2022 10:29 AM

Counter Comments on Consultation Paper
Subject 05/2022 dated 07-05-2022 on Issues related to
: New Regulatory Framework for Broadcasting and
Cable Services

To : Anil Kumar <advbcs-2@trai.gov.in>, V.K.
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Cc : V Raghunandan <secretary@trai.gov.in>,
Chairman TRAI <cp@trai.gov.in>

Respected Sirs,

After reading the comments submitted by many stakeholders which are unfortunately based on their conflict of interest, posted on TRAI website, I am pleased to provide the following counter comments based on factual reality free from any misled emotions or conflict of interest.

I request you to kindly make sure that my counter comments are posted on your website as few of my earlier counter comments were not published on TRAI's website. I pray to God and hope the true spirit of TRAI's authority creation survives in protecting our nation, not a few individuals' interests.

Q1. Should TRAI continue to prescribe a ceiling price of a channel for inclusion in a bouquet?

a. If yes, please provide the MRP of a television channel as a ceiling for inclusion in a bouquet. Please provide details of calculations and methodology followed to derive such ceiling price.

b. If no, what strategy should be adopted to ensure the transparency of prices for a consumer and safeguard the interest of consumer from perverse pricing?

Please provide detailed reasoning/ justifications for your comment(s).

Ans 1: The answer to the above question lies in the 3 critical most following aspects of the ecosystem of our existence and operation of our country and Media Industry:

1) Location of the TV Households in India ; 2) Income of the TV households in India, and 3) Source of income for the Broadcasters.

In India out of the 210 million TV households only 23 Million households approximately, 11% are residing in Megacities. So, for 89% of the households, TV is a very critical effective media source of information, learning and entertainment and is in fact the “THE ONLY SOURCE” of information, learning and entertainment. Take an example, the enthusiasm, motivation towards sports and education is possible if the kids are able to watch cricket, football, hockey or many other sports, if they are able to watch these channels without any question of their economic conditions. Similarly, the youth and elders also need information and entertainment to conduct them in a socially cohesive, development and support manner, which is possible only if they can watch channels independent to their economic conditions.

Similarly, another striking and critical factor is the average household income of the TV household. Look at data of numerous Pradam Mantri Schemes rolled out for the citizens of our country. Example, PM Kisan Samman Nidhi scheme where Rs. 6000 per year which means Rs. 500 per month per farmer’s family which translates to Rs. 83.85 per month per individual for a 6 member family of parents and 2 kids of a farmer. PM Kisan Samman Nidhi scheme provides such relief to 80 crores farmers of our country. Data of various PM Schemes are the witness of economic conditions of 100 Crores citizens of our country. The various such PM schemes are proof of economic conditions of our 90% of the citizens and clearly confirm that the subscription fees of the individual channel or bouquet will act as a curse to them and takes away opportunity to learn, get awareness and entertainment of 90% of our citizens as they can’t afford to subscribe TV channels.

Thirdly, we all know Advertisement contributes up to 90 to 100% revenues and are the main source of revenues for every TV channel and can-not be compensated with the subscription revenues. Every citizen’s time of viewership is converted into advertising revenues hence every citizen is already paying for the channel content and not required to be paid by way of subscription form also. Subscription fees acts as an exploitative source of earning and completely destroys the purpose of all regulations of TRAI, in fact destroys the purpose of creation of TRAI itself.

Hence, keeping the limitation of affordability based on location and choice of options, clubbed with socio-economy condition of the TV Households and advertising being the major source of the revenues of broadcasters, MRP of a television channel as a ceiling for inclusion in a bouquet must be regulated by TRAI. The best option to ensure the accessibility and affordability of the TV channels, the subscription price of individual channels or bouquet must be eliminated and subscription fees must be made completely prohibited.

Please understand the responsibility of **TRAI** is to make regulations which are simple for consumers and all stakeholders to understand and exercise. The violations **MUST** be identified by the **TRAI** itself and corrective measures can be taken without going through the waste of time and cost of consumers and other stakeholders. Sorry to say that, authority TRAI has miserably failed to bring the simple and easy to understand easily exercisable regulations and punished the entire country to the extent it has prevented the citizens of our country from making use of the, the most powerful media TV from uplifting of their lives. Kindly remember a well informed and learned citizen is the best source of life and power for any country. Please eliminate and prohibit channel subscription fees of individual or bouquet channels for god's sake. Prohibition of subscription fees of individual channels or bouquet of channels is not anyone's choice **BUT** need of our country, **kindly remove this exploitative unworthy meaningless provision of channel subscription fees. The most important purpose of any regulation is to eliminate exploitative opportunity and establish fair opportunity of all stakeholders. And prohibition of subscription fees will be the first most essential step in bringing fair opportunity to all stakeholders.**

Q2. What steps should be taken to ensure that popular television channels remain accessible to the large segment of viewers. Should there be a ceiling on the MRP of pay channels? Please provide your answer with full justifications/reasons.

Ans 2: Answer is same as Answer to Q No. 1. Please act in a manner which serves the purpose of creating an authority like TRAI meant to first establish a fair opportunity environment for all stakeholders otherwise it appears to be protecting the exploitative interest of few stakeholders and pretending to protect the massive damage or showing its helplessness .

Q3. Should there be ceiling on the discount on sum of a-la-carte prices of channels forming part of bouquets while fixing MRP of bouquets by broadcasters? If so, what should be appropriate methodology to work out the permissible ceiling on discount? What should be value of such ceiling? Please provide your comments with justifications.

Ans 3: Answer is same as Answer to Q No. 1. TRAI will always fail in its purpose of existence to protect the consumer and other stakeholders from exploitative forces in case subscription fees of channels are not prohibited. Subscription fees method is exploitative, meaningless and curse to the 99% of the stakeholders of consumers and broadcasters industry itself. Please acknowledge the reality of the ecosystem and protect the stakeholders and do not allow a few exploitative forces to take control of TRAI's thought process and wisdom.

Q4. Please provide your comments on following points with justifications and details:

a. Should channel prices in bouquet be homogeneous? If yes, what should be an appropriate criteria for ensuring homogeneity in pricing the channels to be part of same bouquet?

b. If no, what measures should be taken to ensure an effective a-la- carte choice which can be made available to consumers without being susceptible to perverse pricing of bouquets?

c. Should the maximum retail price of an a-la-carte pay channel forming bouquet be capped with reference to average prices of all pay channels forming the same bouquet? If so, what should be the relationship between capped maximum price of an a-la-carte channel forming the bouquet and average price of all the pay channels in that bouquet? Or else, suggest any other methodology by which relationship between the two can be established and consumer choice is not distorted.

Ans 4: Answer is same as Answer to Q No. 1. TRAI will always fail in its purpose of existence to protect the consumer and other stakeholders from exploitative forces in case subscription fees of channels are not prohibited. Subscription fees method is exploitative, meaningless and curse to the 99% of the stakeholders of consumers and broadcasters industry itself. Please acknowledge the reality of the ecosystem and protect the stakeholders and do not allow a few exploitative forces to take control of TRAI's thought process and wisdom.

Q5. Should any other condition be prescribed for ensuring that a bouquet contains channels with homogeneous prices? Please provide your comments with justifications.

Ans 5: Answer is same as Answer to Q No. 1. TRAI will always fail in its purpose of existence to protect the consumer and other stakeholders from exploitative forces in case subscription fees of channels are not prohibited. Subscription fees method is exploitative, meaningless and curse to the 99% of the stakeholders of consumers and broadcasters industry itself. Please acknowledge the reality of the ecosystem and protect the stakeholders and do

not allow a few exploitative forces to take control of TRAI's thought process and wisdom.

Q5. Should there be any discount, in addition to distribution fee, on MRP of a-la-carte channels and bouquets of channels to be provided by broadcasters to DPOs? If yes, what should be the amount and terms & conditions for providing such discount? Please provide your comments with justifications.

Ans 5: This question numbering is incorrect. Answer is same as Answer to Q No. 1. TRAI will always fail in its purpose of existence to protect the consumer and other stakeholders from exploitative forces in case subscription fees of channels are not prohibited. Subscription fees method is exploitative, meaningless and curse to the 99% of the stakeholders of consumers and broadcasters industry itself. Please acknowledge the reality of the ecosystem and protect the stakeholders and do not allow a few exploitative forces to take control of TRAI's thought process and wisdom.

Q6. Stakeholders may provide their comments with full details and justification on any other matter related to the issues raised in present consultation.

A6: The question numbering is incorrect. We have to acknowledge that the subscription fee is an exploitative method. Any method which is inherently exploitative cannot be made fair by way of regulation and will fail miserably. Sorry to say on record, authority TRAI has failed the purpose of its existence by not eliminating the exploitative opportunities of few stakeholders. Please for God's sake make the subscription fee of a channel prohibitive and protect the consumers, broadcasters and country from exploitation by few and allow the country to use the, the most powerful TV media to reach every citizen of the

country in a fair manner and act as learning, information and entertainment part of supportive life.

Once again, I pray to God and hope the true spirit of TRAI's creation survives in protecting our nation and should not result in protecting a few individuals' interests.

Thanking you,

Yours faithfully

For Shreya Broadcasting Private Limited

ANIL KUMAR SINGH

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