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Consultation Paper on the Formulation of a Regulatory Framework for Application-based Linear Television Distribution (ALTD) Services (Including Free Ad-Supported Streaming Television (FAST) Services).

AVIA welcomes the opportunity to comment on the Consultation Paper on the Formulation of a Regulatory Framework for Application-based Linear Television Distribution (ALTD) Services (Including Free Ad-Supported Streaming Television (FAST) Services). AVIA is the trade association for the video industry and ecosystem in Asia Pacific. It serves to make the video industry stronger and healthier through promoting the common interests of its members. Our membership consists of a combination of local, regional and multi-national companies, many of which are substantial cross-border investors; creating and purchasing video content to meet rapidly expanding consumer demands and investing in India's communications and creative industries.

AVIA appreciates the opportunity to comment on the important issues covered in this consultation paper.

Firstly, AVIA is concerned by the proposal to regulate services provided over the internet. The Telecom Regulatory Authority of India (TRAI) regulates carriage and interconnection of broadcasting services, as these services utilise spectrum. Spectrum is a rivalrous, finite public resource, as recently reiterated by the Supreme Court in [State Bank of India vs Union of India](#) on 13 February, 2026. In contrast, services available on the internet over the app layer, including OTTs and FAST channels, do not utilise spectrum. Therefore, as internet carriage does not rely on scarce resources such as spectrum, we request TRAI to forbear from any carriage regulation for OTT services, including Online Curated Content Publishers (OCCPs; i.e. publishers of online curated content), that are available over the internet as it lacks the jurisdiction to do so under the Telecommunications Act and the TRAI Act. Parliament deliberately excluded all OTT services from the final text of the Telecommunications Act 2023. Attempting to 'force-fit' them retrospectively via regulation is ultra vires the jurisdiction of TRA.

Furthermore, ALTD/FAST services are 'users' of telecommunications networks, not 'providers' of telecommunications services. Packaging content into data packets for the internet does not equate to the 'transmission' or 'emission' of signals via electromagnetic systems.

Secondly, AVIA would like to highlight that content and carriage should continue to be regulated separately. TRAI's proposal to regulate FAST channels or Application-Based Linear Distribution Services (ALTD) blurs the clearly established content-carriage separation. Imposing an authorization and regulatory regime on internet content dissemination infringes upon the fundamental right to freedom of speech and

expression and the freedom of trade. TRAI regulates the technical and carriage aspects of broadcasting. This regulatory remit has also been upheld by the Supreme Court of India in [Star India Private Limited v. Department of Industrial Policy and Promotion & Ors.](#) Further, TDSAT has held that audience measurement falls outside TRAI's jurisdiction. These issues should be left to independent ratings agencies. In any event, this was not part of MIB's reference to TRAI. To prevent over-regulation and regulatory uncertainty for businesses, we request that content regulation be limited to the Ministry of Information and Broadcasting (MIB). This aligns with the Government of India Allocation of Business Rules, which empowers MIB to regulate matters relating to online content.

Additionally, ALTD/FAST services compete with other online services. Treating ALTD/FAST applications as traditional distribution platform operators (DPOs) and applying similar carriage and tariff regulations would result in discrimination against ALTD/FAST services *vis-à-vis* other online services.

Instead of pulling innovative digital services into a restrictive framework to create a 'level playing field' for DPOs, TRAI should introduce forbearance for DPOs. Whether an app uses a free, paid, or hybrid model is a purely commercial strategy. Imposing interconnection or tariff mandates would destroy the economics of the Indian streaming sector.

FAST Channels:

FAST services operate under several distinct models, but they all combine traditional TV-style programming with internet streaming, funded entirely by advertising.

In India, as elsewhere, the FAST ecosystem is still at an early and experimental stage, and its economic sustainability remains fragile. Indeed, we note that very few governments have sought to implement FAST-specific regulations given their still-evolving nature. Seeking to introduce carriage and tariff regulation on this new and emerging type of industry could significantly increase operational costs for both broadcasters and content providers and compromise the viewing experience of end-users.

Further, requirements such as specific licensing or authorisation for each individual FAST channel; administrative processes comparable to those applied to DTH, HITS or IPTV; mandatory content archiving; and possible technical and integration obligations on platforms and service providers, could add significant administrative burdens, particularly on small and emerging providers of FAST channels, as well as introduce new and unintended regulations on parts of the industry, including device manufacturers. Original equipment manufacturers (OEMs) and operating system (OS) providers should not be turned into regulatory gatekeepers. Given that FAST business models rely almost exclusively on advertising revenue, such added costs may adversely impact the already tight profitability equation for FAST in India.

Accordingly, AVIA recommends that a nascent and fragile part of the industry should not be burdened with onerous regulation. Instead, the focus should be on fostering innovation and market growth. Introducing heavy regulatory mechanisms will hinder an ecosystem that has not yet proven its long-term viability in India. This is particularly true when considering proposals such as requiring a mandatory carriage of public channels or offering FAST Channels as FTA to DPO's etc.

ALTD Services:

In this consultation paper, TRAI has proposed the definition of Application-Based Linear Television Distribution (ALTD) Services, which includes value-added services such as on-demand content delivered over the internet, free to consumers with revenues primarily generated through advertising. TRAI also

proposes to introduce infrastructure-centric DPO obligations designed for managed physical networks onto agnostic application layers that operate over the public internet.

As ALTD (including FAST) services are not telecom services and do not compete with telecom service providers, no authorization framework should be imposed. Further, there should not be any mandatory sharing of sports signals with Prasar Bharati or 'must-carry' rules, as these requirements are historically tied to licensed spectrum scarcity, which does not apply to the internet.

Further, online content is already sufficiently regulated under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 and other existing laws. Given that there is no regulatory vacuum, TRAI's interventions are unwarranted. Additionally, as highlighted above, we recommend that content regulation be limited to MIB.

Imposing carriage regulation on application-layer services goes beyond TRAI's mandate and risks creating business uncertainty and introducing friction into the market. It may also give rise to overlapping regulation, resulting in a lack of clarity and enforcement-related challenges.

AVIA would welcome the opportunity to engage in future discussions, if that would be helpful.