

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

On 6 April 2026, the Telecom Regulatory Authority of India (TRAI) released the Consultation Paper on “Formulation of a Regulatory Framework for Application-based Linear Television Distribution (ALTD) Services (Including Free Ad-Supported Streaming Television (FAST) Services)” seeking stakeholder comments.

At the outset, IAMAI would like to thank the Telecom Regulatory Authority of India (TRAI) for the opportunity to provide comments on the Consultation Paper.

IAMAI and its members appreciate the Authority’s effort to study the evolving media and broadcasting ecosystem. However, we respectfully submit that the proposals contemplated in the Consultation Paper raise significant jurisdictional, market and operational concerns. In particular, the attempt to extend a telecom/broadcast carriage regulatory framework to internet-based application layer services risks creating regulatory overreach, duplicative regulation, uncertainty for digital businesses, and unintended consequences for innovation and consumer choice. Accordingly, IAMAI respectfully submits that ALTD and FAST services should not be brought within a telecom-style authorisation or broadcasting carriage framework.

I. Preliminary Submissions and Key Principles

1. TRAI lacks jurisdiction to regulate ALTD / FAST services¹

At the outset, it is respectfully submitted that TRAI does not possess the statutory mandate to regulate ALTD or FAST services under either the TRAI Act, 1997 or the Telecommunications Act, 2023.

ALTD and FAST services are application-layer internet services delivered over the open internet. These services do not operate telecom networks, provide carriage infrastructure, or utilise spectrum in the manner traditional broadcasting distribution platforms (DPOs) or telecom service providers do. Instead, such services merely use internet connectivity provided by licensed telecom service providers to deliver content to users.

TRAI’s remit has traditionally extended to the regulation of carriage infrastructure, interconnection, spectrum-linked broadcasting distribution, and telecom services. Extending such regulatory oversight to internet applications would fundamentally alter the established regulatory architecture.

Importantly, Parliament also consciously chose not to include Over-the-Top (OTT) communication or content services within the scope of the Telecommunications Act, 2023. Any attempt to indirectly regulate such services through subordinate regulatory mechanisms would amount to impermissible regulatory expansion beyond legislative intent.

¹ Our member, Airtel, has divergent views from the views expressed under this point.

Further, the services under consideration are already governed by existing legal frameworks, including the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, and the Consumer Protection Act, 2019. There is therefore no regulatory vacuum warranting additional sector-specific intervention.

2. Regulation of internet-based content dissemination raises concerns about freedom of speech and trade²

ALTD and FAST services are mechanisms for the dissemination of lawful speech and creative content over the internet. Subjecting such services to authorisation frameworks, mandatory carriage obligations, pricing controls, or distribution mandates risks imposing disproportionate restrictions on freedom of speech and expression, as well as the freedom to carry on trade and business.

3. The right approach is regulatory forbearance, not expansion

The Consultation Paper appears to be substantially driven by concerns about “regulatory parity” between traditional DPOs and internet-based services. However, parity cannot justify extending outdated regulatory burdens onto innovative digital services.

Where legacy sectors face competitive disadvantages due to historical regulatory burdens, the appropriate policy response is forbearance for legacy sectors rather than expansion of regulation to new digital services.

Registered distribution platform operators (DPOs) remain subject to prescriptive controls on pricing, packaging, and commercial arrangements, which constrain innovation and weaken the sector’s ability to sustain investments in content and infrastructure amid declining linear revenues. To maintain the competitiveness of the broadcasting sector, TRAI should consider regulatory forbearance and ease of doing business. This will enable the industry to transition toward a regime of complete regulatory forbearance for traditional broadcasting services, ensuring long-term viability and sustainability.

India’s digital media and streaming ecosystem has emerged as a significant driver of innovation, consumer choice, investment, employment, regional language content creation, and digital inclusion. Imposing telecom-style authorisation or broadcasting-style obligations on such services would risk undermining this growth trajectory. Thus, IAMAI respectfully submits that ALTD and FAST services should not be brought within a telecom-style authorisation or broadcasting carriage framework.

II. Issue-wise Response to Consultation Questions

IAMAI Submission

² Our member, Airtel, has divergent views from the views expressed under this point.

Q1. What should be the appropriate definition and scope of Application-based Linear Television Distribution Services, i.e., ‘ALTD Services’ in the Indian broadcasting context, taking into account terminologies available internationally? Stakeholders are requested to provide their comments with detailed justification.³

In this CP, TRAI has introduced 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. The broad definition risks capturing publishers of online curated content (OCCP) within scope. However, OCCPs are already sufficiently regulated under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 and other existing laws.

The Consultation Paper’s approach risks blurring the distinction between content and carriage. TRAI has typically been focused on regulating the technical and economic 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.* To prevent overregulation 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’s Allocation of Business Rules, which empower MIB to regulate matters relating to online content.

All content transmitted over the public internet, regardless of presentation format, is OTT content. Any definition premised on highly specific format-based criteria risks creating an uneven playing field within the OTT ecosystem itself and generating fresh opportunities for regulatory arbitrage.

IAMAI Recommendation

ALTD, including FAST services, needs to be defined strictly as application-layer services. Neither FAST nor ALTD Services are “telecommunications services” as defined under the Telecommunications Act, 2023¹ (“Telecom Act”). Thus, the scope of ALTD, including FAST services, should accurately reflect their status as software applications operating over the open Internet, entirely distinct from carriage infrastructure.

Q2. The ‘ALTD Services’ ecosystem involves multiple entities, including application providers, television equipment manufacturers, operating system providers, broadcasters, content providers, content aggregators and other technology or solution providers. However, the application provider appears to play a central role in the distribution of linear television channels across various business models. In this context, should the Application Provider be designated as the primary stakeholder responsible for obtaining authorization for the provisioning of ‘ALTD Services’?⁴

³ Our member, Airtel, has divergent views from the views expressed in response to this question.

⁴ Our member, Airtel, has divergent views from the views expressed in response to this question.

It is submitted that designating any entity, be it the TV manufacturers, OS providers, or Application Providers, as a “primary stakeholder” will not only be impermissible and ultra vires the provisions of the Telecommunications Act but would also make the framework practically unworkable, given the decentralised nature of service / software deployment. The open Internet architecture of ALTD / FAST services places them squarely outside the scope of regulated broadcasting and distribution services. These services do not involve licensed carriage infrastructure, do not operate within closed networks, and do not satisfy the defining characteristics of ‘distribution services’ under the existing regulatory framework.

IAMAI Recommendation

Application Providers or any other entity involved in ALTD, including FAST services, should not be required to obtain authorisations under the Telecommunications Act. In this regard, it is submitted that ALTD, including FAST services do not constitute telecommunication services, and, as such, no statutory authorisation is required.

Terms and Conditions for Authorization (Q3, Q4, Q5)⁵

Q3. What should be the terms and conditions including fees or charges for the grant of service authorization to the application providers provisioning ‘ALTD Services’ in India, under the ‘Television Channel Distribution Services’ as recommended in Annexure-II of ‘Authorization Recommendations dated 21st February 2025’? Stakeholders are requested to provide their detailed comments, including but not limited to the following conditions:

- a. Service Area**
- b. Validity Period**
- c. Eligibility Conditions**
- d. Minimum Net worth**
- e. Processing Fee**
- f. Entry Fee**
- g. Bank Guarantee**
- h. Authorization Fee**
- i. Security Deposit**
- j. Roll Out Obligations**
- k. Any other terms and conditions**

Further, what terms and conditions/obligations should be put in place for foreign entities providing ‘ALTD Services’ in India?

Q4. What should be the common terms and conditions applicable for the authorized entities provisioning ‘ALTD Services’ in India, under the ‘Television Channel Distribution Services’ as recommended in Part-I of Annexure-III in ‘Authorization Recommendations dated 21st February 2025’? Stakeholders are requested to provide their detailed comments on the following conditions:

- a. Renewal of Authorization**
- b. Renewal Fee**

⁵ Our member, Airtel, has divergent views from the views expressed in response to these questions.

- c. Equity Holding and Management Control**
- d. Restriction on cross-holding of equity shares/capital contribution between**
 - i. TV broadcasters and application providers provisioning ALTD services**
 - ii. Application Providers provisioning ALTD services and other DSPs**
- e. Transfer/Surrender of Service Authorization**
- f. Sharing of Infrastructure**
- g. Any other terms and conditions**

Q5. What should be the specific terms and conditions applicable for the authorized entities provisioning ‘ALTD Services’ in India, under the ‘Television Channel Distribution Services’ as recommended in Part-II of Annexure-III in ‘Authorization Recommendations dated 21st February 2025’?

Stakeholders are requested to provide their detailed comments on the following conditions:

- a. Reservation of operational channel capacity by Vertically Integrated Entity**
- b. Platform Services (PS) offered by application providers provisioning ALTD services**
- c. Monitoring and Inspection of facilities**
- d. Supply of Information to Central Government/TRAI**
- e. Contravention of terms and conditions of authorization**
- f. Any other terms and conditions**

Further, whether the mandatory sharing of Sports Broadcasting Signals with Prasar Bharati and the compulsory transmission of certain channels as mandated for DTH, HITS and IPTV services should be made applicable to the application providers provisioning ‘ALTD Services’.

Stakeholders are requested to provide their comments with detailed justification on all such obligations that should be made applicable on such entities.

ALTD services operate at the application layer over the open internet and do not involve licensed carriage, spectrum usage, or closed network distribution. As such, they fall outside the scope of “telecommunication services” under the Telecommunications Act. Consequently, no authorisation framework, whether in the nature of licensing, registration, or otherwise be imposed upon such services under the existing statutory regime. Similarly, imposing minimum net worth, entry fees, or bank guarantees on Internet applications, inter alia, violates the fundamental right to carry on trade and business and aggressively stifles digital innovation.

Digital service providers, such as OTT service providers, do not have any control over critical national resources, such as spectrum, as they merely provide their services on the application layer. Spectrum is a rivalrous, finite public resource, as recently reiterated by the Supreme Court in *State Bank of India vs Union of India*⁶ on 13 February, 2026. In contrast, services available on the internet over the app layer, including OTTs and FAST channels, do not utilise spectrum. There is no regulatory rationale that justifies a licensing or authorisation regime for such services available over the internet, especially in the absence of any market failure.

⁶ State Bank of India vs Union of India, 2026 INSC 153 (13 February 2026).

Therefore, as internet carriage does not rely on scarce resources, we request TRAI to refrain from any carriage regulation of OTT services, including OCCPs (i.e., publishers of online curated content), that are available over the internet.

We humbly submit that obligations such as mandatory sharing of sports broadcasting signals with Prasar Bharati and the compulsory carriage of designated channels are rooted in public-interest considerations intrinsically linked to the use of licensed spectrum, as well as in the doctrine of scarcity that underpins the regulation of traditional broadcasting services. However, extending such requirements to ALTD services would be legally unsustainable and fundamentally inconsistent with their nature as internet-based, application-layer content platforms.

IAMAI Recommendation

IAMAI submits that no authorisation or licensing framework should be imposed upon ALTD or FAST services. These services are not telecom service providers, do not operate spectrum-based infrastructure, and do not provide carriage networks.

Further, mandatory obligations such as the sharing of sports signals with Prasar Bharati or ‘must-carry’ rules, tied to licensed spectrum scarcity, should not be extended to providers of ALTD Services, given the distinct nature of these internet-based application-layer platforms.

Device Integration, Content Assurance, and Value-Added Services (Q6, Q7, Q8).⁷

Q6. What type of assurance or certification mechanism should be prescribed for television manufacturers and operating system providers to ensure that applications provisioning ALTD services (whether pre-integrated with television sets or made available for download through application stores or web platforms) are duly authorised by MIB.

Q7. What kind of assurance mechanisms should be instituted to ensure that the applications providers authorized for provisioning ALTD services carry only those channels which are authorized/permitted by MIB for distribution in India. What kind of penalty/disincentive/deterrent be instituted for non-compliance? Provide your comments with justification.

The Consultation Paper contemplates obligations relating to device manufacturers, operating systems, and pre-installed applications. Original Equipment Manufacturers (OEMs), including TV Manufacturers and Operating System providers, are hardware and software vendors, not telecommunications service providers. Mandating them to act as regulatory gatekeepers, enforcement agents, or censors is untenable. Regarding Ministry of Information and Broadcasting (MIB) permitted channels, the onus of compliance regarding content legality rests with the content creators under the general law of the land (e.g., laws against hate speech, obscenity, defamation, etc.). ALTD platforms, operating in a free market, voluntarily curate safe, high-quality content to attract advertisers and/or viewers. Imposing rigid certification mechanisms is unnecessary and creates an environment of prior restraint and censorship.

⁷ Our member, Airtel, has divergent views from the views expressed in response to these questions.

IAMAI Recommendation

IAMAI respectfully submits that OEMs, operating systems, app stores, and device ecosystems should not be transformed into regulatory gatekeepers for online content or application services.

Q8. Whether there is a need to prescribe any specific terms and conditions for value-added services offered by ALTD service providers? If yes, what should be the terms and conditions? Stakeholders are requested to provide their detailed comments with justification.

It is submitted that, for reasons stated herein, there is no need to prescribe any specific terms and conditions for value-added services. It is further submitted that the Authority should also take note of the Government of India's position that online content is regulated under the Information Technology Act (as amended) and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

IAMAI Recommendation

Online content and digital media services are already subject to existing frameworks under the IT Act and Intermediary Guidelines. Introducing additional authorisation-linked obligations through device ecosystems would create overlapping compliance burdens and operational uncertainty.

Pricing Parity

Q9. Whether the broadcasters/content owners providing or intending to provide television channels on ALTD platforms operating in India be mandated to obtain authorisation either for:

- **Satellite-based Broadcasting and/or**
- **Ground-based Broadcasting along with its applicable terms and conditions, before entering into the agreements with authorised entities provisioning ALTD services to consumers? If yes, provide reasons with justifications.**⁸

ALTD/FAST services operate in an altogether different environment, competing with numerous other Internet-based apps and websites for viewers' attention and engagement. Any regulation of ALTD/FAST service would disadvantage them completely with respect to other such Internet-based services, and the same would also amount to their (ALTD / FAST services) discrimination vis-à-vis other Internet-based services.

IAMAI Recommendation

It is submitted that broadcasters / content owners providing or intending to provide television channels on ALTD platforms operating in India should not be mandated to obtain authorisation under the Telecommunications Act before entering into agreements with entities providing ALTD services to consumers.

⁸ Our member, Airtel, has divergent views from the views expressed in response to this question.

Q10. In view of the availability of the pay television channels on ALTD platforms, what pricing methodology should be adopted for price parity of television channels across these platforms? Please provide detailed justification for your response.⁹

It is submitted that ALTD platforms are Internet applications that do not constitute telecommunication services under the Telecommunications Act. Accordingly, the Authority has no jurisdiction to determine the pricing methodology for price parity of television channels across these platforms.

If traditional DPOs perceive a regulatory disadvantage arising from legacy tariff regulation, the appropriate solution is to remove artificial tariff restrictions applicable to DPOs rather than impose unworkable pricing controls or tariff obligations on digital applications.

IAMAI Recommendation

Accordingly, no pricing-parity framework should be prescribed for ALTD platforms, and the pricing of digital services should continue to be driven by dynamic market conditions, consumer demand, innovation, advertising models, subscription models, and competitive differentiation.

Consumer Protection and Audience Measurement (Q11, Q12, Q13).¹⁰

Q11. What obligations are required to be specified for the authorized entities provisioning ALTD services, with respect to consumer protection and grievance redressal mechanism, considering the different modes of service access such as smart televisions, websites, mobile applications etc.? Please provide your comments with detailed justification.

ALTD platforms and digital services are already subject to the comprehensive provisions of the Consumer Protection Act, 2019, and other laws governing misleading advertisements and consumer rights, etc. This is not unique to ALTD / FAST services but universally applies to all Internet-based apps / websites. Further, the digital ecosystem inherently features immediate, highly effective grievance feedback loops (e.g., app store reviews, social media engagement, direct in-app support ticketing). Moreover, the ALTD provider does not control the user's Internet bandwidth (the ISP does), which is the primary determinant of video streaming service quality.

IAMAI Recommendation

Thus, there is no need to prescribe any additional obligations for consumer protection or grievance redressal for ALTD services, as they are already adequately covered under the existing legal framework.

Q12. With the revised guidelines now including multiple viewing platforms in audience measurement, stakeholders are requested to furnish their comments on the right

⁹ Our member, Airtel, has divergent views from the views expressed in response to this question.

¹⁰ Our member, Airtel, has divergent views from the views expressed in response to these questions.

methodology for integrating ALTD service data into the television ratings framework, as well as the proposed timelines for implementation, supported by detailed justifications.

Q13. Under the revised guidelines, television distribution platforms and/or OTT platforms may publish periodic viewership data of broadcasters/channels they carry on their platforms and/or on their websites, without prior registration. In this context, stakeholders are invited to provide their comments on how such an enablement can be aligned with the proposed authorisation framework for application providers provisioning ALTD services, along with any related considerations.

IAMAI Recommendation

Audience measurement falls outside TRAI's jurisdiction. Such matters are best left to independent industry-led rating agencies and market-based mechanisms.

Future Considerations and Hybrid Models (Q14 & Q15).¹¹

Q14. Considering the scenario wherein application providers provisioning ALTD services may adopt a hybrid business model offering free and/or paid services, stakeholder comments are invited on how such services should be subject to the regulatory framework, particularly with respect to tariff, interconnection and quality of service aspects. Please provide your comments with justification.

The CP also overlooks a significant competitive distortion that its proposals would create. In the OTT ecosystem, consumers pay separately for content subscriptions and data services. In traditional broadcasting, DPOs bundle carriage and content charges. Imposing tariff or pricing regulations modelled on the broadcasting framework onto OTT services would place OTT providers at a structural competitive disadvantage, without any corresponding public benefit.

IAMAI Recommendation

ALTD services should not be subject to any such regulations under the Telecommunications Act and/or the TRAI Act. Whether a digital application utilises a free, paid, or hybrid model is a purely commercial strategy. Imposing interconnection obligations, tariff mandates, or carriage-related restrictions upon such evolving business models would undermine innovation and adversely impact the economics of India's streaming sector.

Q15. Whether there are other issues (such as channel positioning on home screen, EPGs, revenue sharing, interconnection agreements including marketing and placement agreements, etc.), not specifically covered in this consultation paper, which may be relevant for consideration while formulating the regulatory framework for ALTD services? Stakeholders are also requested to share relevant international best practices or regulatory approaches, if any, along with appropriate justification.

Electronic Programme Guides (EPGs), UI/UX design, channel positioning, and search algorithms on a smart TV application are proprietary software features protected by intellectual

¹¹ Our member, Airtel, has divergent views from the views expressed in response to these questions.



property and copyright laws. Unlike a monopolistic cable set-top box, an ALTD app is just one of the numerous applications a user can choose to download and open. Mandating UI design, dictating algorithmic prominence, or interfering in B2B revenue-sharing agreements between app developers and content owners is an extreme measure, inter alia, impinging on the freedom of contract and has no basis whatsoever.

CONCLUSION

ALTD and FAST services are internet-based application layer services that operate within an already well-established legal and regulatory framework and therefore should remain outside the scope of telecom-style authorisation to preserve innovation, competition, and consumer welfare in India's evolving digital media ecosystem.¹²

Rather, TRAI should consider removing artificial tariff restrictions on DPOs rather than impose unworkable pricing controls or tariff obligations on digital applications.

About IAMAI

Established in 2004, the Internet and Mobile Association of India (IAMAI) is a not-for-profit industry body representing India's digital industry with more than 750 members, including Indian and multinational corporations, as well as start-ups. We advocate for free and fair competition, and progressive and enabling laws for businesses as well as for consumers. Our overarching objective is to ensure the progress of the internet and the digital economy. Our major areas of activity are public policy and advocacy, business-to-business conferences, research, promotion of start-ups, and fostering consumer trust and safety.

¹² Our member, Airtel, has divergent views from the views expressed under this point.