

TRAI's consultation paper on Policy issues on uplinking/downlinking television channels in India

Responses

4.1 In the present scenario how to determine the maximum number of satellite TV channels possible? Please elaborate with appropriate reasoning.

RESPONSE: In a supposedly free market like India, it is wise to let technologies accept what ever number of satellite channels, which are registered under the downlinking and uplinking guidelines in India.

Cable is the largest reach platform in India and with digital cable at 860 Mhz networks with MPEG2 over 1100 channels are possible.

- India is trying to move towards a non – analogue platform within a time frame for cable.
- IPTV can move ahead with choice for as many channels possible with choice.
- DTH can move to MPEG4

All above platforms (especially cable and IPTV) can easily go beyond considering the dynamics of India, because f following:

- Young age profile
- Multicultural and multi lingual large population
- Indians reaching globally in all developed countries.
- The aspiration urge for knowing the world and becoming truly global; these parameters are sufficient to leave free the downlinking and uplinking registration as policy and there cannot be any cap on number of channels.
- A group company broadcaster when applies for an uplink or downlink license, he is fully aware of the market in India and it is his business call to decide whether he would like the channel to be initiated in India , if it allows the code of conduct for programming and Ads and is as per the policy and guidelines.

4.2 Is it desirable to cap the number of channels? Please justify your response with detailed rationale.

RESPONSE: No, as discussed above. Internationally, no forward looking democracy has so called "caps" for number of TV channels!

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4.3 If it is desirable to cap the number, what according to you should be the number in each category?

RESPONSE: We do not suggest or propose any cap in any genre of TV channels. We strongly believe that a highly media consumption market like India cannot have any such arbitrary capping. It will be for complex to decide the parameters on the genre, language, Indian or Foreign and so on...

Please see our points above.

4.4 Whether there is a case for putting a cap on the number of teleports/DSNG and uplinking facility in other satellite based distribution networks such as DTH and HITS. If yes, please specify the number along with justification.

RESPONSE:

Cap on

- **Teleport / DSNG!**
- **DTH!**
- **HITS!**

Difficult to understand, why the issue of capping is considered. There are fee structures, licensing policies and business analysis by each group, who wants to start any of these services.

As the market stabilizes, the consolidation may take place in some platforms/services which is normal in any business life cycle.

4.5 Should it be mandated for the broadcasters to switch from MPEG-2 to MPEG-4 encoding w.e.f. a particular date? If so then what should be that date and if not then why?

RESPONSE: This can be considered, linked to digitalization of Cable Industry changing from MPEG2 to MPEG4 by broadcasters is an ideal situation. However, if it is being considered for spectrum allocation, then it is important that the distribution platforms particularly cable can start implementing addressable digital system as a mandation.

However, the issue will be to resolve the issue of existing MPEG2 Set top boxes likely; so it can be of recommendatory nature than mandation. Such groups can benefit additional incentives.

The Broadcasters can independently decide based on their own business parameters for switching over toMPEG4, may be in line with mandation of cable digitalization.

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4.6 Should net worth requirement of Applicant Company for permission of TV channels under uplinking and downlinking guidelines be enhanced? If yes, how much it should be? Please elaborate with appropriate reasoning.

RESPONSE: Net worth requirement for uplinking channels can be further increased to have only genuine serious players. However for downlinking the net worth is sufficient especially for fully programmed foreign broadcasters.

In case of uplinking it should be doubled.

4.7 Should experience of the applicant company be introduced in eligibility criteria? If yes, what do you suggest?

RESPONSE: Eligibility criteria can become cumbersome for a company, as many companies form a small company from a larger group to continue business.

However, it is desirable that a company (or any company who has equity or any group company) should have some Media business experience

4.8 Should experience and expertise of the promoters of Applicant Company be introduced in eligibility criteria? If yes, what do you suggest?

RESPONSE: This is not desirable

4.9 Should the permission fee be enhanced to ensure participation of serious players?

RESPONSE: As mentioned above, the permission fee can be further enhanced along with Net worth

4.10 Should one time permission fee be converted into annual permission fee? If yes, what should be the quantum?

RESPONSE: Yes, this would be more desirable.

This can be one time Rs.20 lakhs for 10 year. The permission grant can be cancelled, if a company desires so or if it continuously flouts rules on content and ad code guidelines

4.11 Should a commitment from the applicant company to stay in business for certain period be prescribed?

RESPONSE: Minimum two years is desirable. However, if the channel discontinues all the one time amounts can be forfeited

4.12 If yes, what should be that period? Please elaborate with appropriate reasoning.

RESPONSE: As above

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4.13 Whether permission of a channel should be revoked in case the channel is closed down for certain fixed period. If so, what should be the period? Should this period be same or different if the non operation is continuous or intermittent?

RESPONSE: It can be considered, that if a channel is non operational (require detailed technology and commercial parameters) for over 6 months, the permission can be revoked and a new it can be treated as a new channel again.

4.14 What should be the policy for renewal of permission of channels under uplinking/downlinking guidelines? Please elaborate with appropriate reasoning.

RESPONSE: The policy for renewal should be automatic upto 10 years, until and unless there are issues relating to not adhering on the codes of conduct for Programming and Ads. Also, if a Company itself voluntarily wants to stop further permission, this should also be considered.

4.15 Whether transfer of permission to a TV channel under uplinking/downlinking guidelines should be permitted. If so, under what terms and conditions.

RESPONSE: No, this should not be permitted, let both the companies- channel company and in case of downlinking ,the new company planning to hold rights for India, should re apply. All the clearances should be afresh.

4.16 Whether India should be developed as a Teleport/hub centre for channels uplinking, which are not meant for viewing in India. In such case, should the channels be covered under uplinking and downlinking guidelines?

RESPONSE: Yes, this can be considered. However, these channels should have a new set of guidelines, which can worked with Media Legal, technical and commercial groups of India and some key international

4.17 If India is to be developed as a Teleport/hub centre for channels uplinking, then what facilities should be provided to the companies to make India a Teleport/hub centre for uplinking of channels? Whether this will in any way adversely affect the transponder availability for uplinking of TV channels to be viewed in India.

RESPONSE: Needs to be discussed more elaborately and possibly can start with an independent Project on same. Also, basic views of Government of India is required

4.18 Any other related issue, you would like to comment upon or suggest.

RESPONSE: Nil