

# Haryana Technical Association

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To,

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Consultation Paper No. 07/2014 Dated: the 23rd June, 2014

**Sub:- Comments on Consultation paper on "Regulatory Framework for Platform Services"**

Resp. Sir,

Kindly refer to your office press release dated 23-06-2014 on the subject mentioned above vide which you have called for the written comments on the said consultation paper from all concerned stakeholders. We organize 28 consumers meeting, 11 NGOs meeting and 5 cable operators meeting throughout Haryana to know views of public at large. Finally we try to conclude views as HTA's point wise comments are as follows.

1. Do you agree with the definition for platform services proposed in paragraph 1.6? If not, please suggest an alternative definition. Please elaborate your response with full justification.

**> Yes**

2. Kindly provide comments on the following aspects related to programs to be permitted on PS channels:

1. PS channels cannot transmit/ include

- 2.1.1. Any news and/or current affairs programs,

**> PS channels cannot transmit**

- 2.1.2. Coverage of political events of any nature,

**> PS channels cannot transmit**

- 2.1.3. Any program that is/ has been transmitted by any Doordarshan channels or TV channels permitted under uplinking/ downlinking guidelines, including serials and reality shows,

**> PS channels can transmit with prior permission of producer.**

- 2.1.4. International, National and State level sport events/ tournament/ games like IPL, Ranji trophy, etc.

**> PS channels can transmit**

2. PS channels can transmit/ include

2.2.1. Movie/ Video on demand

**> PS channels can transmit**

2.2.2. Interactive games,

**> PS channels can transmit**

2.2.3. Coverage of local cultural events and festivals, traffic, weather, educational/ academic programs (such as coaching classes), information regarding examinations, results, admissions, career counseling, availability of employment opportunities, job placement.

**> PS channels can transmit but should have a local committee to approve that program before telecasting. That approving committee should have members of TRAI or member of CAG's with members of respective District Administration or Department. This committee will receive public reviews on transmitted programs and guide to MSO / LCO.**

2.2.4. Public announcements pertaining to civic amenities like electricity, water supply, natural calamities, health alerts etc. as provided by the local administration.

**> PS channels can transmit**

2.2.5. Information pertaining to sporting events excluding live coverage.

**> PS channels can transmit but not live coverage because these events are not up to standards and during program there may be any dispute at any time. So for these types of programs there should have a local committee to approve that program before telecasting. That approving committee should have members of TRAI or member of CAG's with members of respective District Administration or Department. This committee will receive public reviews on transmitted programs and guide to MSO / LCO.**

2.2.6. Live coverage of sporting events of local nature i.e. sport events played by district level (or below) teams and where no broadcasting rights are required.

**> PS channels can transmit but not live because these events are not up to standards and may any dispute at any time. So for these types of programs there should have a local committee to approve that program before telecasting. That approving committee should have members of TRAI or member of CAG's with members of respective District Administration or Department. This committee will receive public reviews on transmitted programs and guide to MSO / LCO.**

3. What should be periodicity of review to ensure that the PS is not trespassing into the domain of regular TV broadcasters?

**> Every Quarter (3 Months)**

4. Should it be mandatory for all DPOs to be registered as Companies under the Companies Act to be allowed to operate PS? If not, how to ensure uniform legal status for all DPOs?

**> Yes**

5. Views, if any, on FDI limits?

**> No views**

6. Should there be any minimum net-worth requirement for offering PS channels? If yes, then what should it be?

**> No, as someone registered as MSO should be eligible to telecast such channel**

7. Do you agree that PS channels should also be subjected to same security clearances/conditions, as applicable for private satellite TV channels?

**> Yes**

8. For the PS channels to be registered with MIB through an online process, what should be the period of validity of registration and annual fee per channel?

**> We suggest maximum 3 years for registered PS channels with nominal fee up to Rs 10,000/- per year. But there should be condition for minimum advertisement and maximum local self produced programs.**

9. What is your proposal for renewal of permission?

**>After satisfactory report of a registered PS channel can be renewed further for 1 to 3 years.**

10. Should there be any limits in terms of geographical area for PS channels? If yes what should be these limits. Please elaborate your response with justifications.

**>Yes , there be limits in terms of geographical area for PS channels because if there is not limit than not possible for PS Channel to be interactive in terms to speak their own voice to solve local issues. If there is no geographical area limit for PS channels than it will work like national or state channels.**

11. Should there be a limit on the number of PS channels which can be operated by a DPO? If yes, then what should be the limit?

**> Yes, there should be a limit on the number of PS channels operated by a DPO. As per review of public at large limits of channel is 1% with maximum 2 channels. At the same time 1% more PS channels should be allowed as community channel similar to community radio and compulsion to all to transmit that channel.**

12. Do you have any comments on the following obligations/ restrictions on DPOs:

12.1 Non-transferability of registration for PS without prior approval of MIB;

**> There should be restrictions on transferability of registration for PS without prior approval of MIB**

12.2 Prohibition from interconnecting with other distribution networks for re-transmission of PS i.e. cannot share or allow the re-transmission of the PS channel to another DPO; and

**> As per review of public at large may be allowed for re-transmission of PS with conditions. There may be conditions like Re-transmission is allowed for 20- 30% time of PS Channel transmission and maximum 4 hrs a day.**

12.3 Compliance with the Programme & Advertisement Code and TRAI's Regulations pertaining to QoS and complaint redressal.

**>Yes there should be compliance with the Programme & Advertisement Code and TRAI's Regulations pertaining to QoS and complaint redressal**

13. What other obligations/ restrictions need to be imposed on DPOs for offering PS?

**> As per review of public at large there should be option to operate local NGO/ self help group to transmit PS channel for social revolution like community radio with compulsion to transmit.**

14. Should DPO be permitted to re-transmit already permitted and operational FM radio channels under suitable arrangement with FM operator? If yes, then should there be any restrictions including on the number of FM radio channels that may be re-transmitted by a DPO?

**>Yes, but there is no need to restrict number of FM radio channels. At the same time there should be compulsion to transmit Community Radio.**

15. Please suggest the mechanism for monitoring of PS channel.

**> Similar mechanism to telecom sector with active role of registered CAG of TRAI. There should be compulsion to organize consumer education workshop every month.**

16. Do you agree that similar penal provisions as imposed on TV Broadcasters for violation of the terms and conditions of their permissions may also be imposed on PS? If not, please suggest alternative provisions with full justification.

**> Yes**

17. What amendments and additional terms & conditions are required in the existing registration/ guidelines/ permission/ license agreements w.r.t. DPOs for regulating the PS channels?

**>There should be compulsion to transmit Community PS Channels for DPO.**

18. What should be the time limit that should be granted to DPOs for registration of the existing PS channels and bring them in conformity with the proposed regulatory framework once it is notified by MIB?

**> 90 days**

19. Stakeholders may also provide their comments on any other issue relevant to the present consultation including any changes required in the existing regulatory framework.

**> As per review of public at large these PS Channels should be like community radio that helps community in development and to raise their voice. But due to no act now a day's these channels are operated by cable operator or MSO in unorganized manner to run movie by pirated CDs in day and adults movie in night to increase their cable connection.**

Yours sincerely  
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Member, HTA