



**Dr. Ranjeet Mehta**  
CEO & Secretary General

13<sup>th</sup> May 2026

*Dear Shri Anil Kumar Lahoti ji,*

**Comments on TRAI's Consultation Paper on "Formulation of a Regulatory Framework for Application-based Linear Television Distribution (ALTD) Services (Including FAST Services)"**

**1. Erroneous Classification of Scheduled OTT Content as Linear Television Channels:**

- a. At the outset, we respectfully submit that the Consultation Paper proceeds on an incorrect premise by classifying content delivered over the internet in a scheduled or "channel-like" format as "linear television channels."
- b. The defining characteristic of OTT media services lies in their delivery over the public internet, independent of the manner in which such content is curated or presented. The presence of scheduling, continuity of programming, or advertisement insertion cannot, by itself, alter the underlying nature of such services.
- c. Accordingly, the classification of scheduled OTT content as equivalent to linear television channels is conceptually flawed and inconsistent with the technological and regulatory distinctions that exist between broadcasting services and internet-based content delivery.

**2. Fundamental Distinction Between OTT Content and Television Channels:**

- a. OTT media services and traditional television broadcasting operate within fundamentally different ecosystems, both structurally and functionally.
- b. Television channels are distributed through licensed Distribution Platform Operators (DPOs), including cable TV, DTH, HITS, and IPTV platforms, which rely on dedicated and managed networks using a one-to-many broadcast architecture. These services involve bundled delivery of carriage and content under a unified subscription framework.
- c. In contrast, OTT content is delivered over the public internet through unicast transmission, without any control over or ownership of the underlying access network. Consumers independently procure internet connectivity from service providers and access content directly from OTT platforms, thereby establishing a direct relationship between content providers and end users.
- d. In TV Channel broadcasting, the carriage cost and content costs are bundled in the subscription charges collected by DPO. However, in the OTT content consumption, customers pay for the data charges separately to ISP. Therefore, OTT content providers do not have any control over the data charges paid by subscribers.
- e. Further, traditional broadcasting utilises regulated resources such as licensed spectrum and dedicated carriage infrastructure, thereby justifying regulatory oversight.

OTT services, on the other hand, operate over open, general-purpose internet infrastructure without exclusive allocation of such resources.

- f. These structural differences underscore the need for maintaining a clear regulatory distinction between the two categories.

### **3. Presentation Format Does Not Determine Regulatory Characterisation:**

- a. It is submitted that content over the internet is inherently heterogeneous and is presented in multiple formats, including live streaming, on-demand access, scheduled programming, curated playlists, webinars, and hybrid models.
- b. The organisation or curation of content into a scheduled or “channel-like” format, such as in FAST services, does not alter its fundamental character as OTT-delivered content. Scheduling is merely a content discovery and engagement mechanism and does not constitute a distinguishing attribute for regulatory classification.
- c. Notably, scheduled and live formats are widely prevalent across numerous digital platforms offering diverse content, including news, sports, cultural programming, and user-generated content. Any attempt to classify such formats as “linear television channels” would introduce artificial and impractical distinctions within the internet ecosystem. Any such differentiated regulatory treatment of OTT content based on such artificial distinctions will lead to regulatory asymmetry.
- d. Therefore, regulatory classification cannot be premised on the format of presentation of content and all OTT content, irrespective of scheduled/non-scheduled must be subject to same regulatory framework.

### **4. Inapplicability of Broadcasting Regulatory Framework to OTT Services:**

- a. We respectfully submit that the Consultation Paper’s consideration of extending elements of the broadcasting regulatory framework, such as tariff regulation, interconnection obligations, and quality of service (QoS) requirements, to OTT services is misplaced.

These regulatory constructs are intrinsically linked to the structural characteristics of the broadcasting sector, wherein:

- Content distribution is mediated through licensed DPO networks;
  - Consumers’ access to content is contingent upon carriage agreements between broadcasters and DPOs; and
  - Regulatory safeguards such as “Must Provide” and “Must Carry” are necessary to prevent denial of access and ensure non-discriminatory availability of channels.
- b. In the OTT ecosystem, these structural conditions do not exist. Content providers can directly reach consumers without requiring carriage arrangements with internet service providers, and consumers can access content from any OTT platform using a single internet connection.
  - c. Consequently, there is no requirement for regulatory intervention in areas such as tariff prescription, interconnection, or carriage-related QoS parameters. Extending such regulations to OTT services would not only lack conceptual justification but would also be impractical in implementation.

**5. Adverse Implications of Regulating OTT Based on Scheduled Formats**

The imposition of a regulatory framework on OTT content based solely on its scheduled or "channel-like" format would result in significant distortions and unintended consequences:

**a. Regulatory Asymmetry Within the OTT Ecosystem**

Differential regulatory treatment based on presentation format would create an uneven playing field within the OTT ecosystem. Identical or substantially similar content could be subjected to varying regulatory obligations depending on whether it is offered as scheduled programming, live streaming, or on-demand content.

Such an approach would encourage regulatory arbitrage and incentivise artificial structuring of content formats to circumvent compliance requirements, thereby undermining regulatory certainty and efficiency.

**b. Structural Imbalance Between OTT Services and Television Broadcasting**

Applying broadcasting-centric regulatory obligations to OTT services would also create a non-level playing field between OTT platforms and traditional broadcasting systems. In the OTT ecosystem, consumers incur separate data charges payable to internet service providers for accessing content, in addition to any subscription or platform-specific costs. In contrast, traditional broadcasting services bundle carriage and content costs within a single subscription paid to the DPO.

Ignoring this fundamental structural distinction while imposing comparable regulatory obligations would place OTT services at a relative disadvantage and distort competition between the two ecosystems.

**6. OTT content (including FAST) must continue to be governed under existing framework for OTT Content Services:**

- a. OTT content services, whether scheduled or non-scheduled, should continue to be regulated under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. These rules already provide a comprehensive and appropriate framework, including provisions for consumer grievance redressal and content regulation.
- b. As elaborated above, broadcasting-centric regulatory frameworks, such as TRAI's Tariff Order and Interconnection Regulations, are not applicable to OTT content services due to their fundamentally different structure. OTT services operate on a model that enables a direct relationship between content creators/aggregators and consumers. In contrast, the traditional broadcasting sector does not permit broadcasters to establish a direct relationship with end users.
- c. Similarly, Quality of Service (QoS) Regulations are not applicable to OTT content services, as these regulations are primarily focused on infrastructure-related aspects such as Customer Premises Equipment (CPE) and connection provisioning. OTT services do not involve such elements; instead, consumers independently procure internet access from Internet Service Providers (ISPs) to access OTT content.
- d. Finally, provisions relating to entry fees, authorisation tenure, bank guarantees, and cross-holding restrictions are also not relevant to OTT content services. These requirements are designed for infrastructure-based service providers, whereas OTT services are non-infrastructure-based and operate through a direct-to-consumer model.

**7. Summary:**

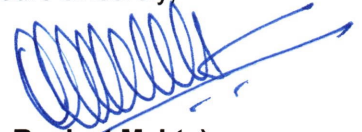
In view of the foregoing, it is respectfully submitted that:

- Content delivered over the internet, irrespective of whether it is scheduled or non-scheduled, must continue to be treated as OTT media content;
- The format or manner of presentation cannot form a valid basis for regulatory classification;
- The broadcasting regulatory framework, including tariff, interconnection, and QoS regulations, is not applicable to OTT content services (including FAST); and
- Any attempt to regulate OTT services based on scheduled formats would result in regulatory asymmetry, market distortions, and implementation challenges.

Accordingly, OTT media services, including FAST, should continue to be governed under the existing legal and regulatory framework applicable to OTT digital media, without the introduction of any specific regulatory distinctions.

**Thanking you.**

Yours sincerely,



**(Dr. Ranjeet Mehta)**

**Shri Anil Kumar Lahoti,**  
Chairman,  
Telecom Regulatory Authority of India (TRAI)