



To,

Dr. Deepali Sharma,

Advisor (B&CS)

The Telecom Regulatory Authority of India,
4th, 5th, 6th & 7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi – 110029

Subject: Submissions on behalf of TV Today Network Limited (“**TVTN**”)

Reference: Consultation Paper on Formulation of a Regulatory Framework for Application-based Linear Television Distribution (“**ALTD**”) Services (Including Free Ad-Supported Streaming Television (“**FAST**”) Services) dated 06.04.2026

After reviewing the submissions made by various stakeholders, we take this opportunity to present our counter-comments on their submissions in reference to the captioned consultation.

I. Introduction

- 1.1. TV Today Network Limited is a publicly listed media company and one of India's leading broadcast news organizations. TVTN operates various on-demand and linear channels including, *inter alia*, “Aaj Tak”, “India Today” and “Good News Today” through Distribution Platform Operators, and Application-based Linear Television Distribution Services (Including Free Ad-Supported Streaming Television Services).
- 1.2. TVTN submits these written counter comments in its capacity as a broadcaster and digital content publisher with a direct and material interest in the regulatory framework proposed by 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) dated 06.04.2026 (“**Consultation Paper**”) issued by the Telecom Regulatory Authority of India (“**TRAI**”). The Consultation Paper applies to application-based platforms, that deliver linear television channels and value-added services (“**VAS**”) over the internet, and seeks to bring them within a formal regulatory framework.
- 1.3. The counter comments provided by TVTN are broadly divided as follows: (i) the jurisdiction of TRAI to issue recommendations on ALTD/ FAST services; (ii) existing regulatory framework addressing the issues raised in the Consultation Paper; (iii) the Application Provider as the primary stakeholder; (iv) impact on the FAST ecosystem and specifically content providers; and (v) certain issue-wise comments.

II. TRAI’s Jurisdiction to Issue Recommendations on ALTD/ FAST Services

- 2.1. Through the Consultation Paper, TRAI seeks to regulate ALTD/ FAST services under the Telecommunications Act, 2023 (“**Telecommunications Act**”), and the Telecom Regulatory Authority



of India Act, 1997 (“**TRAI Act**”). Notably, ALTD and FAST services are offered over the internet as ‘over the top’ (“**OTT**”) services, which do not fall within the definition of “telecommunication services” as covered under the aforesaid Acts. It is hence unclear, as examined in further detail below, where TRAI derives its jurisdiction to regulate such services.

2.2. Telecommunications Act:

- 2.2.1. As per Section 2(p) of the Telecommunications Act, “telecommunication” means “transmission, emission or reception of any messages, by wire, radio, optical or other electro-magnetic systems, whether or not such messages have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission or reception”. Section 2(t) defines “telecommunication service” as “any service for telecommunication”.
- 2.2.2. Upon a plain reading of the definition of ‘telecommunication’ (which lends its meaning to ‘telecommunication services’), this fundamentally requires service providers to engage in the “transmission, emission or reception” of data. ALTD/ FAST services simply provide an application over which such data or content can be viewed. However, since the application itself is hosted over the internet, the transmission of the data stream is executed by Internet Service Providers (ISPs) and Telecom Service Providers (TSP) that operate the underlying infrastructure such as, broadband, optical fiber, or cellular network.
- 2.2.3. As such, no OTT services (including ALTD/ FAST services) would fall within the meaning of ‘telecommunication services’ under the Telecommunications Act, thereby excluding them from the purview of the same.

2.3. TRAI Act:

- 2.3.1. The TRAI Act defines ‘telecommunications’ as having “the meaning as assigned to it in the Telecommunications Act, 2023” and ‘telecommunication services’ as “any service for telecommunication”. As discussed above, the ALTD/ FAST services do not fall within the purview of the Telecommunications Act, consequently excluding them from the purview of TRAI Act.
- 2.3.2. However, under the TRAI Act, the Telecommunication (Broadcasting and Cable Services) Interconnection Regulation, 2004 (“**2004 TRAI Regulations**”) further defines “broadcasting services”. This definition was deliberately excluded from the Telecommunications Act. Though there can be no automatic assumption that the 2004 TRAI Regulations expand the application of the TRAI Act in its entirety (by way of an executive notification) to such broadcasting services, it is nevertheless evident that even this definition does not cover ALTD/ FAST services.
- 2.3.3. ‘Broadcasting services’ under the 2004 TRAI Regulations have been defined as “dissemination of any form of communication like signs, signals, writing, pictures, images and sounds of all kinds by

transmission of electromagnetic waves through space or through cables intended to be received by the general public either directly or indirectly". A plain reading of this definition too makes it evident that such broadcasting services refer limitedly to the dissemination of communication through satellite and cable, without reference to internet-based delivery. Hence, internet-based services, including FAST and ALTD services are nowhere covered under the TRAI Act (or its subsequent Regulations) either.

- 2.4. Even if ALTD/FAST services could otherwise be brought within TRAI's jurisdiction, TRAI's regulatory mandate is limited to the *transmission* side of telecommunication and broadcasting services, and not to the regulation of content. However, the stated intent in creating a regulatory framework as proposed in the Consultation Paper heavily relies upon the issues with the content broadcasted over ALTD/ FAST services (for example, by discussing the "display of inappropriate content" in paragraph 1.6). It is thus clear by way of the proposed regulatory framework, there is high likelihood of conflation of carriage and content, which are otherwise kept separate.
- 2.5. The only explanation provided for the inclusion of FAST services within the fold of TRAI is that "*FAST channel services, to the extent they are streaming TV channels, are quite similar to traditional broadcasting*". However, similarity alone cannot justify inclusion of a type of service within the jurisdiction of an authority, which otherwise does not exercise any such jurisdiction over such service. In fact, the Consultation Paper itself provides that ALTD/ FAST services offered over the internet *may* be brought within a framework under the Ministry of Information and Broadcasting ("**MIB**"), which currently regulates linear television broadcasting services in India.
- 2.6. Given that MIB already governs broadcasting and online content through its various extant laws and regulations, there is no further occasion for overreaching regulation into this domain by TRAI through the proposed regulatory framework.

III. Existing Regulatory Framework Addressing the Issues Raised in the Consultation Paper

- 3.1. TVTN's linear television channels are *inter alia* regulated under the following:
- MIB Uplinking and Downlinking Guidelines: All channels hold valid permissions under the Policy Guidelines for Uplinking and Downlinking of Satellite Television Channels in India, 2022 ("**Uplinking and Downlinking Guidelines**"), which require compliance with the Programme Code, Advertising Code, and other content standards.
 - Programme Code and Advertising Code: TVTN's channels comply with the Programme Code and Advertising Code as prescribed under the Cable Television Networks (Regulation) Act, 1995. These have also been extended to digital news and current affairs content under Part III of the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, and thus extend to news content published, for instance, on YouTube.

- iii. News Broadcaster and Digital Association (NBDA): TVTN is a member of the NBDA, which operates a self-regulatory framework for news content for its broadcasting and digital content.
- 3.2. TVTN's digital publishing operations are governed by the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (“**Intermediary Rules**”) under the Information Technology Act, 2000 (“**IT Act**”), which specifically govern digital news publishers and online curated content providers. It further complies with the Programme Code and Advertising Code in so far as those standards are made applicable to digital news publishers under the Intermediary Rules.
- 3.3. The Consultation Paper does not engage with this existing regulatory framework as it applies to content providers. Instead, it focuses on the absence of regulation at the distribution layer (i.e., the ALTD platform) and then proposes to extend new authorisation requirements to content providers as well. This approach incorrectly conflates regulation of the distribution platform with regulation of the content itself and would result in duplicative compliance obligations for entities like TVTN that are already fully regulated. Rather than developing a new regulatory architecture, the focus should shift to the aforesaid extant rules and regulations, which already cover content regulation, age-based classification, and grievance redressal for digital media.

IV. The Application Provider as the Primary Stakeholder

- 4.1. Under the existing broadcasting regulatory framework, there is a clear and well-established distinction between: (i) content providers, who are regulated under various extant laws, as discussed above; and (ii) Distribution Platform Operators (DPOs) such as DTH operators, MSOs, HITS operators, and IPTV service providers, who are regulated separately by MIB through their respective licensing frameworks and by TRAI through tariff, interconnection, and quality-of-service regulations.
- 4.2. These are distinct regulatory layers. TVTN, as a content provider, should not be required to obtain a new 'ground-based broadcasting' or ALTD-related authorisation merely because its already-licensed and already-regulated content appears on a FAST platform. The obligation to obtain authorisation and comply with DPO-equivalent obligations should rest with the ALTD platform operator and not with the content provider.
- 4.3. Content providers like TVTN create and license programming. They do not control the application through which that programming reaches the viewer, the advertising displayed through it, or the user data that is collected from viewing it. Those are functions of the ALTD platform operator. Imposing an additional regulatory layer at the content level, simply because the distribution medium is an internet application rather than a satellite or cable network, is disproportionate. It would subject content providers to compliance costs and administrative burdens for activities over which they exercise no operational control, without producing any corresponding benefit in terms of content accountability or consumer protection that is not already achieved through existing laws.

- 4.4. The Consultation Paper itself acknowledges this logic in Question 2, where it states that “*the application provider appears to play a central role in the distribution of linear television channels across various business models*” and asks whether the application provider should be the primary stakeholder. TVTN strongly supports that framing, and submits that it should be reflected consistently throughout the regulatory framework

V. Impact on the FAST Ecosystem and Specifically Content Providers

- 5.1. FAST and ALTD services are fundamentally different from traditional broadcasting and therefore should not be regulated through the same framework. Unlike cable or satellite television, FAST services operate through internet-based platforms and rely on flexible, technology-driven models. Their content delivery, monetisation mechanisms, and commercial arrangements are entirely distinct from those applicable to traditional broadcasters or DPOs. Accordingly, importing traditional broadcasting regulations into the FAST ecosystem would fail to account for the unique nature of these services.
- 5.2. The introduction of authorization and regulatory framework at this stage would seriously harm the FAST ecosystem and the content providers operating within it. FAST services in India are still at a nascent stage and have grown rapidly because of low entry barriers and operational flexibility. Imposing DPO-level compliance obligations would significantly increase costs and regulatory burdens for content providers, and application developers.
- 5.3. The proposed framework would also adversely affect investment and innovation in the broader smart television and digital streaming ecosystem. Increased compliance obligations and regulatory uncertainty are likely to deter both domestic and foreign investment in this sector. The proposed framework also risks creating uncertainty for foreign investors participating in India’s rapidly growing digital streaming and connected television ecosystem (especially since the Consultation Paper proposes for the regulatory framework to include overseas entities). This may ultimately slow innovation, reduce competition, and adversely affect the growth of India’s digital economy. Protecting the FAST ecosystem is vital, especially as the regulatory landscape in India begins to take shape. For content partners, the primary goal is ensuring that the agility and innovation of streaming are not stifled by legacy broadcast rules.

VI. Certain Issue-Wise Counter Comments

- 6.1. The following issues pertaining specifically to TVTN, as a content provider, though broadly addressed above, require specific attention:
- 6.2. **Question 8:**
- 6.2.1. This question discusses whether there is a need to prescribe specific terms and conditions should be prescribed for VAS offered by ALTD service providers. As per paragraph 2.43, VAS includes catch-up content, library content, and on-demand access to programmes.

TVTN's unambiguous position on this question is that VAS offered alongside linear channels on ALTD platforms should not be brought within the ALTD regulatory framework. They should continue to be governed by the Intermediary Rules.

6.2.2. On-demand content is categorically different from linear broadcasting. The user selects what to watch and when. There is no scheduled transmission. The regulatory concerns that purportedly justify distribution-platform regulation, such as channel capacity, carriage fees, tariff parity for subscription channels, do not apply to on-demand content.

6.2.3. Additionally, VAS including on-demand digital content is already regulated under the Intermediary Rules. Subjecting the same content to an additional ALTD VAS framework would create duplicative, inconsistent, and potentially conflicting obligations on content providers.

6.3. **Question 9:**

6.3.1. This question specifically addresses content owners providing television channels on ALTDS services and whether they should be mandated to obtain authorization for either satellite-based broadcasting and/or ground-based broadcasting.

6.3.2. As discussed above in detail, content providers are already subject to extant laws and regulations such as the Uplinking and Downlinking Guidelines, Programme Code and Advertising Code, and the Intermediary Rules and IT Act. Through these laws, specifically the Uplinking and Downlinking Guidelines (as acknowledged even by the Consultation Paper *inter alia* in paragraph 2.47), broadcasters must obtain permission for their channels from MIB. The delivery medium, i.e., satellite for traditional DPOs, and internet for ALTD platforms, does not change the fundamental character of the content. Requiring a separate ground-based broadcasting authorisation for internet distribution would mean that the same channel, with the same content, produced by the same broadcaster, requires a separate licence simply because the signal travels over the internet rather than via satellite.

6.3.3. Furthermore, as previously mentioned, regulatory obligations in respect of ALTD/ FAST services should exclusively rest upon the distributor and not the content provider. The ALTD platform operator, as the entity that aggregates channels, serves advertisements, and delivers the experience to the end viewer, is the appropriate regulatory subject. Content providers like TVTN should not be subject to regulations over or along with ALTD service providers through a mandatory prior licensing requirement.

VII. Conclusion

7.1. In view of the above, TVTN respectfully submits that any regulatory framework for ALTD/FAST services must be approached with caution and must account for the fundamental differences between



T.V. TODAY NETWORK LIMITED

India Today Group Mediaplex
FC 8, Sector 16 A, Film City, Noida – 201301
Tel: +91 120 4908600 Fax: +91 120 4325028
Website: www.aajtak.in
CIN No : L92200DL1999PLC103001



internet-based streaming services and traditional broadcasting. At the outset, there must be clarity regarding the statutory basis for TRAI's jurisdiction over such services, particularly in light of the existing framework in this regard. It is submitted that MIB is best placed to lead any policy determination in this regard. Further, any regulatory obligations, if considered necessary, should be directed only at platform operators and not at content providers who already hold valid MIB permissions. The definition of ALTD services should also be carefully and narrowly drafted so as to exclude on-demand and catch-up content, which are already regulated separately.

- 7.2. Any framework adopted should therefore be proportionate and should not disrupt the continued growth and accessibility of the FAST ecosystem in India. At the same time, TVTN remains committed to complying with all applicable legal and regulatory requirements and to engaging constructively with TRAI and MIB in the development of a balanced and proportionate framework for the sector.

For **T.V. Today Network Limited**

M.N. Nasser Kabir
Group General Counsel

