

## Chapter 4

### Issues for Consultation

#### Definition of 'News and Current Affairs Channels' and Non- News and Current Affairs Channels'

**4.1 Is there any need to redefine “News and Current Affairs TV channels”, and Non-News and Current Affairs TV Channels” more specifically? If yes, kindly suggest suitable definitions of “News and Current Affairs TV channels” and Non-News and Current Affairs TV channels” with justification.**

**Ans.** Ref: 4.1 we think that the definition of current affairs TV Channels and Non-News current affairs TV Channels is correct and there is no need for any change to redefine.

#### Net-worth of eligible companies

**4.2 Should net-worth requirement of the applicant company for granting uplinking permission, and /or downlinking permission be increased? If yes, how much should it be? Please elaborate with appropriate justification**

**Ans.** Dear Sir, This thought of net-worth itself is faulty especially for news and current affairs channels. India is a democratic country and journalism is the fourth pillar of this democracy by regulating the voice of journalism and surrendering it to rich businessmen is absolutely faulty and mis-conception.

All Businessmen with money will like to control the voice of the country and will ultimately become the sole worth the voice and the given time government and any dictator can control the voice through this tool. Hence, it is totally **mis-concepted** thinking and against the freedom of press and freedom of expression and free speech and is actually illegal and against the constitution in many ways.

**4.3 Should there be different net-worth requirements for uplinking of News and non-news channels? Give your suggestions with justification?**

**Ans.** There is also and not should be any net-worth requirement for uplinking of non-news channels as this division is also divided in multiple sections for ex: religious, entertainment, education and Tele Marketing. Only the Tele-Marketing channels those are pure business channels can be defined as net- worth required channels.

### **Processing fee for application**

**4.4 Is there any need to increase the amount of non-refundable processing fee to be deposited by the applicant company along with each application for seeking permission under uplinking guidelines, and downlinking guidelines? What should be the amount of non-refundable processing fee? Please elaborate with justification.**

**Ans.** This is also a non-understandable, non- explainable thinking of even charging a processing fee and in case it is necessary for any purpose that it should be only Rs.100 as taken.

### **Grant of license/ permission for Satellite TV Channels**

**4.5 Whether auction of satellite TV channels as a complete package similar to FM Radio channels is feasible? If yes, then kindly suggest the approach.**

**Ans.** This is again a very wrong thinking and suggesting that permitting Satellite TV channels is a business for government. Auctioning of Satellite TV channels simply and wrongly giving all rights to rich and powerful people and not allowing real players and journalists.

**4.6 Is it technically feasible to auction individual legs of satellite TV broadcasting i.e. uplinking space spectrum, satellite transponder capacity, and downlinking space spectrum? Kindly explain in detail.**

**Ans.** As it is even now uplinking charges and downlinking charges are so high that a new comer journalists or a channel player who is more interested in public services and not making money is finding it too costly. Hence, the charges even today need to be reduced rather increased and the auction will only increase the rate as rich and powerful can corner all and kill journalism and lead to dictatorship government service.

**4.7 Is it feasible to auction satellite TV channels without restricting the use of foreign satellites, and uplinking of signals of TV channels from foreign soil? Kindly suggest detailed methodology.**

**Ans.** This thought again a faulty thought and can any time has risk for national security.

**4.8 Is it advisable to restrict use of foreign satellite TV broadcasting or uplinking of satellite TV channels, to be downlinked in India, from foreign soil?**

**Ans.** Yes, foreign satellite should be restricted keeping in mind the effect on Satellite TV Channels any wrong usage at any time.

**4.9 Can there be better way to grant license for TV satellite channel then what is presently followed? Give your comments with justification?**

**Ans.** Yes the present system is totally faulty and completely bent towards big business houses and rich people and has resulted in control to media by a few and has made it a purely business of rich not a public service or journalism. The grant of licenses policy should be based on public welfare and there should not be any investment limit and should be given to people with clean background not to anyone who can invest money even if the person has suspicious background which is the practice now.

### **Entry Fee and License Fee**

**4.10 If it is decided to continue granting of licenses for satellite TV channels on administrative basis, as is the case presently, what should be the entry fee for grant of license for uplinking of TV channels from India, downlinking of TV channels uplinked from India, and downlinking**

**Ans.** Yes continuation of granting of licenses for satellite TV channels on administrative basis is correct and the entry fees should be minimum that a common journalist can afford.

**4.11 What should be the license fees structure, i.e. fixed, variable, or semi-variable, for uplinking and downlinking of satellite TV Channels? Please elaborate if any other license fee structure is proposed, with appropriate justification.**

**Ans.** Setting up of license fee structure will only lead to corruption at different levels rather than helping the channels hence there should be no different structure for different people.

**4.12 If the variable license fee structure is proposed, then what should be rate of license fee for TV channels uplinked from abroad, and what should be the definition of AGR?**

**Ans.** Variable license fee should not be imposed.

**4.13 If the semi-variable license fee structure is proposed, then what should be the minimum amount of license fee per annum for domestic channels (uplinked and downlinked in India), uplink only channels, and downlinking of foreign channels (uplinked from abroad)?**

**Ans.** In both cases it should be as little as possible.

**4.14 If the fixed license fee structure is proposed, then what should be the license fee per annum for domestic channels, uplink only channels and downlinking of foreign channels?**

**Ans.** The license fee should either be nil or minimum.

**4.15 What should be the periodicity for payment of the license fee to the Government? Please support your answer with justification.**

**Ans.** This periodical payment of license fee itself is wrong. In the beginning in India the channels did not have to pay any license fee therefore many small players those who were real players entered the channel work but most of them are out now because the license fee is so high that a channel who is working for the welfare of the society and doing journalism cannot survive. Ministry is making it a pure business for rich people.

**4.16 What should be the periodicity for review for the entry fee and license fee rates?**

**Ans.** It should be after 5 year at least after seeing or studying some results of policy.

### **Encryption of TV channels**

**4.17 Should all TV channels, i.e. pay as well as FTA satellite TV channels, be broadcasted through satellite in encrypted mode?**

**Ans.** The FTA satellite channels should not be encrypting only the pay channels should be encrypted which they are already done.

## **Operationalization of TV channels**

**4.18 Is there a need to define the term “operationalization of TV channel” in the uplinking guidelines, and downlinking guidelines? If yes, please suggest a suitable definition of “operationalization of TV channel” for the purpose of the uplinking guidelines, and the downlinking guidelines separately.**

**Ans.** We do not think there is any need for Government to monitor licensed TV channels and increase its work load unnecessarily. The licenses granted should be minimum for 10 years which was the earlier policy. Let the small journalist and investors take their own time to arrange and make operationalize.

**4.19 Maximum how many days period may be permitted for interruption in transmission or distribution of a TV channel due to any reason, other than the force-majeure conditions, after which, such interruption may invite penal action? What could be suggested penal actions to ensure continuity of services after obtaining license for satellite TV channel?**

**Ans.** This is the same related question of 4.18, hence the ministry should not interfere in this and increase its work load unnecessarily.

**4.20 Whether the existing provisions for transfer of license/ permission for a TV channel under uplinking guidelines, and downlinking guidelines are adequate? If no, please suggest additional terms and conditions under which transfer of license/permission for a TV channel under uplinking guidelines, and downlinking guidelines may also be permitted? Please elaborate your responses with justification.**

**Ans.** Though Prime Minister Shri Narendra Modi ji is against the licensing but MIB is more and more heading towards licensing.

This is only possible if a free system is in place and the businessmen who corner the licensee and the licensee does not get any money for selling his license.

Now the Government policy is very faulty. Licensing has been made a valuable item which people are buying and selling with black money under many grasps like change of Directors change of shareholders etc. In last 70 years and Prime Minister Modi ji is totally against licensing. There will not be any need for transfer of licensing if it has no

value to sell. Licensing is a very big source of black money which has been created by wrong policy.

**4.21 Should there be a lock in period for transfer of license/ permission for uplinking, or downlinking of a TV channel? If yes, please suggest a suitable time period for lock in period. Please elaborate your responses with justification.**

**Ans.** It will be a non- required question as the license should not have any value in terms of money and licensing should be given to worthy people not to rich and powerful. This question has been

**4.22 Should the lock in period be applicable for first transfer after the grant of license/ permission or should it be applicable for subsequent transfers of license/ permission also?**

**Ans.** My answer is same as 4.21

**4.23 What additional checks should be introduced in the uplinking, and downlinking permission/ license conditions to ensure that licensees are not able to sub-lease conditions to ensure that licensees are not able to sub-lease or trade the license? Please suggest the list of activities which are required to be performed by Licensee Company of a Satellite TV channel and can't be outsourced to any other entity to prevent hawking, trading or subleasing of licensees.**

**Ans.** In case the licensee does not have any monetary value then this question will not arise.

### **Meaning of a teleport**

**4.24 Whether specific definition of a teleport is required to be incorporated in the policy guidelines? If yes, then what should be the appropriate definition? Please elaborate responses with justification.**

**Ans.** Existing definition is good enough. As it is a business proposition unless given to channel operators.

**4.25 Is there any need to increase the amount of non-refundable processing fee to be paid by the applicant company along with each application for**

**teleport license? If yes, then what should be the appropriate definition? Please elaborate responses with justification.**

**Ans.** Ministry should support development rather than TRAI to be a businessman and earn but government should only govern not become a businessman.

**4.26 Should entry fee be levied for grant of license to set up teleport? If yes, what should be the entry fee amount? Please give appropriate justification for your response.**

**Ans.** Same as 4.25.

**4.27 What should be the license fee structure for teleport licensees? Should it be fixed, variable or semi-variable? Please elaborate if any other license fee methodology is proposed, with appropriate justification.**

**Ans.** Same as 4.25.

**4.28 What should be the rate of such license fee? Please give appropriate justification for your response.**

**Ans.** Same as 4.25.

**4.29 What should be the periodicity for payment of the license fee to the Government? Please support your answer with justification.**

**Ans.** Same as 4.25.

**4.30 What should be the periodicity for revision of the entry fee, and license fees rate for teleport licensees?**

**Ans.** Same as 4.25.

### Restriction on the number of teleports

**4.31 Whether there is a need to restrict the number of teleports in India? If yes, then how the optimum number of teleports can be decided? Please elaborate your responses with justification.**

**Ans.** There should not be any restrictions in number of teleports, as more and more investments in the teleports will make the operation cheaper.

**4.32 Whether any restriction on the number of teleports will adversely affect the availability or rates of uplinking facilities for TV channels in India?**

**Ans.** Yes any restrictions on teleport will be another nail in the coffin of small channels.

**Location of Teleports**

**4.33 What should be the criteria, if any, for selecting location of teleports? Should some specific areas be identified for Teleport Parks? Please elaborate your responses with justification.**

**Ans.** Location of teleport should be left with the teleport operators and ministry should not enter in this business fair chance of increase corruption.

**Optimum use of existing teleport infrastructure**

**4.34 Please suggest the ways for the optimal use of existing infrastructure relating to teleports.**

**Ans.** There should not be ways but the answer simply cancellation of teleport license. Penalties, Negotiations and Replies are called licensing Raj and allowing and more licensee to make it cheaper.

**Any other issue**

**4.36 Stakeholders may also provide their comments on any other issue relevant to the present consultation.**

**Ans.** Any other issue, Yes there are many issue which small news channels are facing.

1) Why there is any licensing subject to 20 crores investment.

2) Why there is a bank guarantee required for licensee.

3) Why BARC a monopoly organization is the only monitoring is essential for Government Advertisement.

4) Why DAVP has taken a retrospective, back dated decision to stop advertisement to small TV Channels who were not registered in BARC in 2016.

