

TRAI CONSULTATION PAPER ON REVIEW OF TELEVISION AUDIENCE
MEASUREMENT & RATINGS IN INDIA: BARC INDIA'S RESPONSES

Q1. Whether BARC has been able to accomplish the purpose with transparency and without any bias for which it has been established? Please elaborate your response with justifications. Also, suggest measures to enhance the effectiveness of BARC to give TV ratings with transparency and without bias.

Yes, BARC India has been able to accomplish the purpose for which it was established with transparency and without any bias.

BARC India has been set up in **compliance with Govt's Policy Guidelines** for TV Ratings Agencies in India.

As mandated in the "Guidelines", Broadcast Audience Research Council (BARC) India is an **industry led body**, functioning under a self-regulation model. BARC India is a Joint Industry Body **founded by stakeholder bodies** that represent Broadcasters (Indian Broadcasting Foundation - IBF), Advertisers (the Indian Society of Advertisers - ISA) and Advertising Agencies (the Advertising Agencies Association of India - AAAI). **All board members present on BARC India board represent their respective industry bodies and not their individual organisations.**

BARC India has successfully set up a **transparent, accurate, representative and inclusive** TV audience measurement system, which has been built upon a **robust and future-ready technology** backbone, and best in class systems and processes.

BARC India's measurement system, technology and methodology was arrived at after extensive deliberations with industry and guided by its **Technical Committee that has equal representation of Broadcasters, Advertisers and Agencies.**

BARC India's governance structure, as laid down in its Articles of Association, ensures that **decisions of Technical Committee can only be taken with consensus** – thereby preventing "bias" towards any section of industry. Furthermore, **Technical Committee decisions cannot be overturned by the Board without a minimum 75% majority**, which prevents any single stakeholder body from reversing Technical Committee decisions.

BARC India's operations are **transparent and available in public domain** by way of its **website**, which carries information on its methodology, periodic audit reports, audited financials, pricing and weekly headline data published.

BARC India has ensured that its operations reflect transparency and unbiased ratings by publishing the following reports in **public domain**.

1. BARC India Measurement System's distinguishing features:
<https://barcindia.co.in/key-differentiators.aspx>
<https://barcindia.co.in/KeyDiffFinal.aspx?catid=1&subcatid=2>
2. How BARC India collects Data:
<https://barcindia.co.in/collect-data.aspx>
3. Technology Reports:
https://barcindia.co.in/resources/BARC_Q2_2018-19_Tech_Report.pdf
4. Quarterly Redressal Status:
https://barcindia.co.in/resources/Query_Redressal_Status_June_Aug18.pdf
5. 2018-19 Panel Report:
<https://barcindia.co.in/resources/BARC%20Q1%202018-19%20Panel%20Report.pdf>
6. Weekly Data:
<https://barcindia.co.in/statistic.aspx>

Q2. Do you feel that present shareholding/ownership pattern of BARC ensures adequate representation of all stakeholders to maintain its neutrality and transparent TV ratings? How its credibility and neutrality can be enhanced further? Please elaborate your response with justification.

Yes, the present Shareholding pattern of BARC India ensures adequate representation of all stakeholders, and this maintains neutrality and transparency of TV ratings.

As mandated in our articles of association, our Core Technical Committee has equal representation from all 3 constituents. All methodological decisions of the Technical Committee are by consensus. Any modification to the recommendation of the Technical Committee can only be done by more than 75% voting majority of the Board members. This ensures there is no bias in the system.

The three **stakeholder bodies** which constitute BARC India's board are Indian Broadcasting Foundation (IBF), the Indian Society of Advertisers (ISA) and the Advertising Agencies Association of India (AAAI).

Indian Broadcasting Foundation (IBF) an institution with impeccable reputation, which has 60% representation in BARC India Board, represents broadcasters covering more than 90% of television viewership across India. They are also the ones which have funded BARC Operations majorly

The Indian Society of Advertisers (ISA), which has 20% representation in BARC India board is a 65-year-old body which plays a leadership role in evolving various codes of conduct relating to fair competition and the founder promoter of Advertising Standards Council of India.

Advertising Agencies Association of India (AAAI) is functioning from 1945, consisting of small, medium and large-sized agencies across India, has 20% presentation in BARC India board. The above representation is an inclusive one, comprising of all relevant industry segments, which are also aligned to core recommendations of the Amit Mitra committee report.

It is evident from the above participation by reputed and self-regulated bodies that **BARC India adequately represents the TV sector.**

Further, BARC is regulated by Information & Broadcasting Ministry and TRAI, which establishes the fact that its functioning is **transparent, credible and neutral.**

It is pertinent to highlight the **global context in audience measurement:**

- i) **Canada:** The television measurement is owned and carried out by a body with similar structure as BARC India, viz., Numeris. It is a non-profit tripartite organisation governed by Board of Directors composed of broadcasters, advertisers and agencies, but operationally run by an independent executive team. There are other developed countries which follow similar frameworks such as Australia, UK and France.
- ii) **South Africa:** Measurement is carried out by Broadcast Research Council of South African (BRC), which is represented by industries bodies from various sectors - Print Media South Africa (PMSA), the South African Broadcasting Corporation (SABC), Out of Home Media South Africa (OHMSA), and Cinemark representing cinema advertising. Similarly, the advertisers through their collective body, Marketing Association of South

Africa (MASA)), and the advertising agencies through their industry body, the Association for Communication and Advertising (ACA).

- iii) **UK:** Ratings are provided by Broadcasters' Audience Research Board (BARB) which is jointly owned by 5 Broadcasters (BBC, ITV, Channel 4, Channel 5, Sky) and the Body representing Advertising Agencies.
- iv) **Australia:** Ratings are provided by OzTAM & Regional TAM. OzTAM is an independent company owned by Australia's major broadcasters. Regional TAM is a JV comprising 5 FTA regional broadcasters.
- v) **France:** Measurement is carried out by Mediametrie in which TV and Radio Broadcasters have 65% stake, Advertising Agencies have 23%, and Advertisers association has 12% stake

Q3. Is there a need to promote competition in television rating services to ensure transparency, neutrality and fairness to give TAM rating? What regulatory initiatives/measures can be taken to make TV rating services more accurate and widely acceptable? Please elaborate your response with justifications.

Having more than one ratings service / currency would not be in the interests of industry, and hence is not desirable. Instead of increasing number of ratings agencies, it would be advisable to invest in the existing system and make it even more robust and accurate. For this, steps need to be taken to increase the sample/panel through cost effective technologies like Sample RPD (SRPD).

TV viewership measurement systems across most mature markets are carried out by a single agency. The existence of **more than one rating agencies (and currency) will create confusion** and will lead to inefficiency in the market. When there are more than one data sets for a same set of channels, it leads to ambiguity.

Philippines presents a typical example of confusion and ambiguity in market due to presence of more than one measurement agency. TV measurement in the Philippines is conducted by Kantar Media Philippines and AGB Nielsen Media Research Philippines. Data produced by the two companies are often used by competing channels to claim leadership. Placed below are links to some news reports that elaborate on that confusion:

- <https://www.bworldonline.com/abs-cbn-gma-clash-over-tv-ratings-in-july/>

- <https://www.philstar.com/business/2018/08/05/1839654/race-tv-ratings-lead-remains-tight>
- <https://business.inquirer.net/242703/confusing-tv-ratings>

Accuracy of data can be ensured through **larger panel** that can inter alia be **sustained by industry**. To put this in context, the US TV Industry sustains a panel of 108900 individuals with an TV AdEx of \$68 bn. In India BARC India runs a panel of 135,000 individuals with a AdEx of approx. \$4 bn.

BARC India has started exploring **Sample RPD** as a technology that can scale up panel size 4x or 5x without scale up in costs proportionately as would be required for meter-based expansion. But **Regulatory and Government support is essential to make this a success**. Regulatory support would involve mandating digital platform operators (DTH and cable), as well as TV OEM manufacturers (of Smart TVs) to share return path data from samples to measurement provider.

To make data more accurate, there are steps required that go beyond the remit and domain of BARC. **Legal and punitive framework to weed out panel tampering** will go a long way in building further acceptance of our data.

BARC through its stakeholders has undertaken significant investments with a not-for-profit motive in creating measurement platforms, developing technology, licensing various applications, installing panels at home, backbone infrastructures. Setting up multiple agencies for the same purpose would undermine those very investments.

The analogy cited of **Credit Rating agencies is not appropriate** in the context of TV Ratings since:

1. Unlike TV Ratings, Credit Ratings are subjective in nature, as they are not direct outputs of concrete data sets.
2. Credit rating is done by people who may well have their own subjective opinions or preferences which can affect the scores (Analyst bias).
3. Credit rating agencies are commercial entities
4. Credit ratings are based on static studies of past performance and projections of future expectations.

It may be derived from the above, credit rating agencies is not a correct comparison to TV audience measurement agency.

Q4. Is the current audience measurement technique used by BARC apposite? Suggest some methods, if any, to improve the current measurement techniques.

The present measurement technique is most appropriate and suitable for current needs of a market like India. However, it would be advisable to use technologies like SRPD to boost the sample in a cost-effective manner, which would further improve robustness of the data.

BARC uses cutting edge technology that has been adapted for Indian market/homes/conditions, and best in class methodologies to collect, process and report data. BARC has done **76% investment in Tech**, which allows high level of efficiencies and scalability. To cite an example, **technology solutions developed by BARC India allow it to manage a panel which is 4x of the erstwhile system with half the field staff size**. The high investment and focus on technology has allowed us to have a panel that is significantly larger than anything India has ever seen before.

Audio Watermarking as a mode to capture TV viewership from panel homes, which was suggested as a suitable technology solution, is an advanced technology and has many advantages as mentioned below:

- It is agnostic to broadcast technology/platform (viz., treats signal received from DTH operator and Cable operator in same way).
- Watermarking technology can also detect, and measure simulcast and time-shifted viewing

However, it's also true that **in a high-tech environment like audience measurement, systems and technology needs to constantly evolve**. Consumption and distribution modes and technologies are constantly emerging and evolving (e.g., digital consumption, proliferation of OTT platforms etc). BARC India is therefore exploring **SRPD, 2nd Gen Barometer with newer detection techniques, and other technology solutions for TV measurement**.

BARC India has also made huge progress in **building capability to measure digital consumption with the goal of providing industry with cross platform and cross device video consumption**: linear and time shifted, broadcast and digital. We have a strong foundation, established credibility and necessary transparency and accountability framework on which we can build further with emerging and suitable technologies.

Sample Return Path Data (SRPD) shall be the key in this emerging scenario and a **suitable regulatory framework** that enables us to set up a SRPD based measurement system **is much needed and will benefit all sections of industry.**

Q5. Does broadcasting programmes that are out of their category or in different language for some time during the telecast affect the TAM rating? If so, what measures should be adopted to curb it?

A credible and responsive measurement system should not make any qualitative or subjective interventions based on content/channel position/placement.

Placement of a channel (in category/out of category etc.) may impact “opportunity to see” i.e., probability of it being sampled by an audience. However, viewership being a factor of number of people who viewed it and time spent viewing it, it is content that has a large impact on ratings. Empirically however it is observed that placing channels on landing page can influence their ratings specially for niche and smaller viewership channels.

TRAI has issued a direction (on 3rd Dec 2018) to broadcasters and distributors of television channels restraining them from placing channels on “landing page”. Authority has also sought full disclosure from broadcasters and distributors on pre-existing agreements related to this.

It is thus in the domain of TRAI and MIB to monitor and regulate such activities.

Q6. Can TV rating truly based on limited panel homes be termed as representative?

Yes, a limited sample size can be representative, if designed with proper scientific rigour and backed by strong research fundamentals. In the context of Indian TV measurement, an expanded sample can certainly make data more representative for niche and smaller channels. A cost-effective solution like Sample Return Path Data (SRPD) will help implement that.

The **representativeness of a sample refers to the degree in which the estimates produced from the sample match reality.** Differences between the survey estimates and the population parameter are therefore known as survey errors. Total survey error is a widely studied area in the academic literature

(Groves & Lyberg, 2010)¹ and has been widely equated to survey quality by eminent statisticians such as Kish (2014/1965)² and Zarkovich (1966)³.

Groves (1989)⁴ identifies two categories of errors that can arise from survey samples: those related to observation and those related to non-observation. The first category, errors of non-observation, can be further broken into three sub-categories of error. Any of these errors can result in the estimates from a survey sample not being representative of the true value of the population.

Therefore, it is important that any survey design carefully considers and thus addresses each of these potential errors in order to maximize the representativeness of the sample alone. It is therefore clear that the **representativeness of a sample is not strictly linked to sample size alone, but rather, a carefully constructed and designed survey plan.**

World of TV Rating System

All currency TV rating systems across the world are based on survey sample designs. Viewership Data from a sample/panel homes are as reliable as estimates of Household expenditures arrived at by National Sample Survey Organization (NSSO). Accuracy and representativeness of data is better ensured through quality of sample.

The quality and representativeness of BARC India's sample has been certified by Indian Statistical Institute, Kolkata and Centre d'Étude des Supports de Publicité (CESP), a leading global media research audit organization.

As size of a sample is increased, precision of the data extrapolated from that sample would increase. Larger sample size would allow better coverage of towns and rural areas and reduces sampling error. But the interplay is not linear. At a broad level, **as size of sample increases beyond a certain threshold, the incremental gains in precision of data begins to drop off.**

What is equally relevant to ensure accurate and representative data is “quality” of sample (as opposed to mere “quantity” of sample). This pertains to sample design. **A scientifically designed small sample would yield more accurate and representative results than one which is larger in size, but lower in quality of sample design.**

¹ Groves, R. M., & Lyberg, L. (2010). Total survey error: Past, present, and future. *Public Opinion Quarterly*, 74(5), 849-879.

² Kish, L. (2014). *Survey Sampling*. New Delhi, India: Wiley India Pvt. Ltd. (Original work published in 1965)

³ Zarkovich, S. (1966). *Quality of statistical data*. Rome, Italy: Food and Agricultural Organization of the United Nations

⁴ Groves, R. M. (1989). *Survey error and survey costs*. New York, NY: Wiley.

Quality of a sample, and thus representativeness, can be ensured as per following:

- A good knowledge of the universe structure;
- An understanding of the variables that are drivers of TV viewing minutes; and
- Through sufficient care to ensure that the panel represents the universe on critical variables that are drivers of TV minutes.

Sampling Distributions and the Central Limit Theorem

Whenever we select a random sample from a population, collect data from the members of the sample, and summarize the data values in the form of a statistic, that statistic is a random variable (depending on which random sample we happen to choose from the population), and thus has an associated probability distribution, called a sampling distribution. The form of the sampling distribution will, in general, depend on the type of statistic we are using.

However, there are certain general properties shared by all sampling distributions. There is also a rather remarkable fact from probability theory that says that, under very general conditions and for large sample sizes, all sampling distributions tend to have approximately the same form. Even if the underlying distribution isn't normal, the sampling distribution can be close enough to normal to be able to use it. A good approximation requires that the sample size be large.

Samples of size 30 or larger generally work well and assume each sample is exactly the same size and you take samples over and over billions of times, assume each sample is chosen at random. These samples will usually differ slightly. The standard deviation of the sampling distribution depends on the size of the sample you're working with. The bigger the sample, the narrower the sampling distribution. In particular, the standard deviation of the sampling distribution will be smaller than the population standard deviation.

BARC has invested heavily in conducting **Universe Estimation Surveys of 300,000 homes every year to understand the structure of TV owning households**. BARC has analysed actual TV viewing data to identify **variables that are drivers of Total TV minutes**. These variables have been used as **panel control variables to design a TV panel that accurately represents the TV owning universe**. BARC India's sample size of 30K (to be expanded to 40K by March 2019) is structured as per universe of TV owning households and an understating of panel control variables. It is therefore representative of the TV universe and is a truly robust sample.

The cost of collecting samples from panel households is an important factor to be evaluated in the context of expansion. The evolution and advancement of

newer technologies and methods must be considered for further panel expansion, which would provide robust insights at minimal cost.

BARC India has initiated **Sample Return Path Data (SRPD) based viewership measurement as a cost-effective technology to add to the current meter-based measurement**. This will help improve quality of planning and business decisions of broadcasters, agencies and advertisers.

With SRPD, sample size could be raised up to 200,000 homes (as compared to currently mandated 50,000), in a cost environment that can be sustained by the Indian media industry.

Rapid and effective implementation of SRPD requires regulatory support from TRAI and Government. DPOs need to be mandated to share data with the TV viewership measurement provider, so that industry can benefit from enhanced robustness and representativeness of the data.

In **Canada**, CRTC (Canadian Radio-Television and Telecommunications Commission) has made it **mandatory for distributors collecting Return Path Data to share it with the joint industry body responsible for TV audience measurement**, Numeris, which is also a non-profit and Joint Industry Body like BARC India. This has been made part of and **a condition of licensing**, for distribution platforms⁵.

Q7 What should be done to reduce impact of manipulation of panel home data on overall TV ratings? Give your comments with justification.

A legal and regulatory framework that defines “manipulation of panel homes” and provides for punitive action against defaulters is urgently required to control this activity. Thus, a separate law and guidelines governing this would need to be brought in by MIB & TRAI.

Panel manipulation is a **legacy issue** faced by the sector. BARC has for the first time not only recognised but addressed the issue squarely. A very strict deterrent and penalty process has been put in place under **Code of Conduct in the End User License Agreement** entered with Broadcasters, Advertisers and Agencies.

While BARC has taken strong measures to control the tampering, industry continues to face challenges in eradicating the activity across India. One of the

⁵ <https://crtc.gc.ca/eng/archive/2018/2018-270.htm>

Appendix 5 to Broadcasting Decision CRTC 2018-270 – Clause 4

biggest challenges has been the **absence of specific laws** under which those suspected of/charged with panel tampering can be acted against – whether this be via police action, FIRs or even prosecution before court of law.

Our own efforts have also been hampered by **absence of a proper legal framework in which such issues may be addressed**. Current MIB regulations that govern the sector, and the TV Ratings activity, do not specifically mention or address “Panel Tampering / Infiltration/Influence”.

The following steps need to be taken to effectively control the activity, and reduce its impact on viewership data:

- i. Define & Recognize “Panel Infiltration/Tampering/Influencing Households” in Ministry of I&B Guidelines and TRAI Act, Rules, Regulation and TTO.
- ii. Guidelines by MIB & TRAI should include provisions for financial penalty and suspension/revoking of licenses of channels found to be indulging in manipulation of panel homes.
- iii. Panel Tampering/Influencing/Infiltration to be brought under ambit of Telegraph Act, Information Technology Act, Indian Penal Code, TRAI Act, Rules and TTOs
- iv. Facilitate the adoption of SRPD based measurement as an addition to meter-based measurement. An expanded SRPD based sample will negate the impact of panel tampering.

Q8. What should be the panel size both in urban and rural India to give true representation of audience?

Sample size is an outcome of a sample design and as such cannot be discussed in isolation of the overall design principles and underlying data.

A smaller sample from a high-quality sample design can yield more representative audience estimates than a larger sample from a poor-quality sample design.

Kish (2014/1965) provides four considerations for a good sample design. These considerations are naturally at odds with one another, therefore, the final sample design should be a pragmatic balance of each of these criteria.

Goal orientation

The sample size must consider the final goals of the research project. For instance, factors related to the distribution and nature of the population should be taken into consideration in the selection of the sample frame. The overall sample size should also be aligned to the desired reporting cuts to ensure quality reportability for each cut of interest. BARC India's sample design has been carefully tailored to the various reporting needs of the industry. At the same time, the sampling procedures have been set to recognize the distribution of the Indian population, both rural and urban.

Measurability

Measurability refers directly to considerations related to accuracy and precision. Sample frames and selection processes must be designed to minimize bias in audience estimates. BARC India accomplishes this through the usage of random probability sampling, controlling against several primary and secondary control variables and by sampling the majority of pan India⁶. At the same time, sample sizes must be set to allow for useful levels of relative error in most of produced audience estimates.

Practicality

Practicality refers to the ability of a research organization to ensure that the measurement occurs as designed. These include considerations related to the difficulty in measuring areas of civil unrest or harsh geographic conditions (e.g., Kashmir Valley, Arunachal Pradesh), considerations related to panel corruption, and considerations related to operational procedures and field staff. BARC India has developed highly sophisticated vigilance systems and manages one of the largest and most sophisticated field teams in the country. All research procedures operate with the highest level of transparency and all mechanisms allow for accountability to not only the Indian Television Industry, but also all government mandates and guidelines.

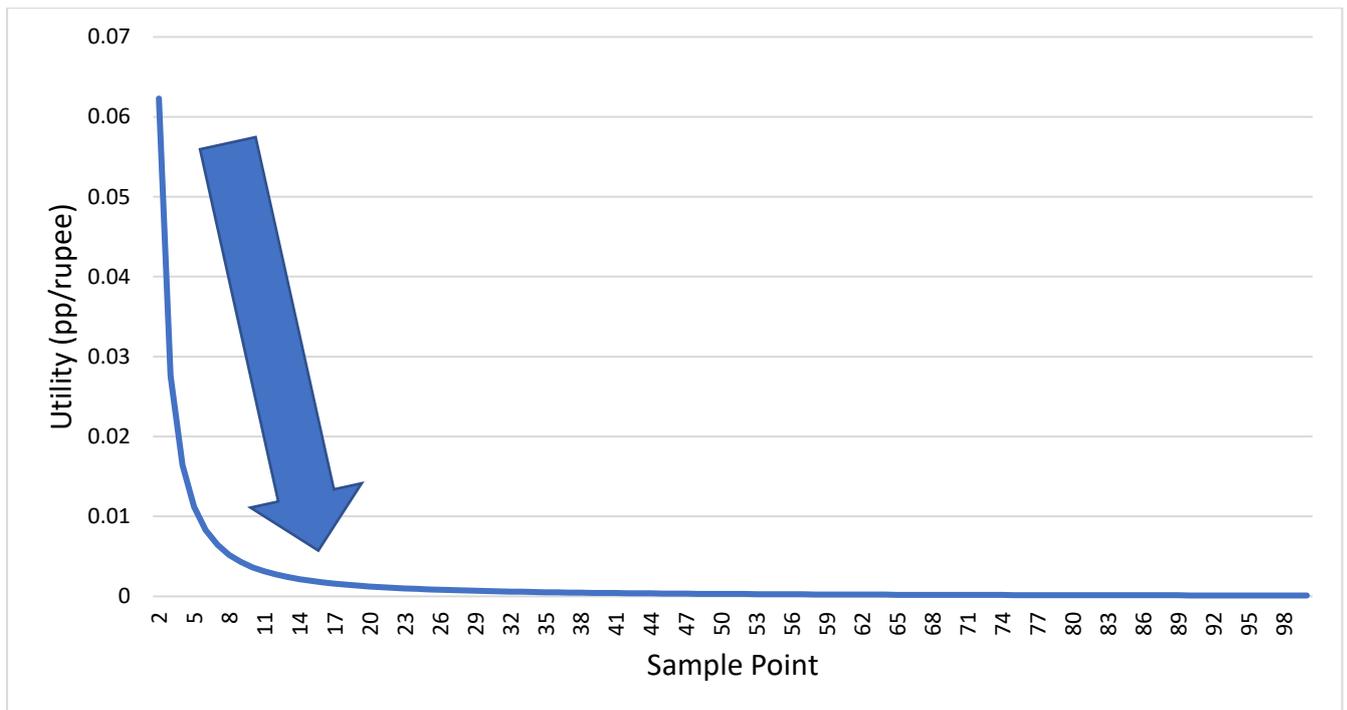
Economy

While this criterion may seem obvious, it is often overlooked when evaluating sample designs. A good sample design should maximize accuracy and precision within as cost effectively as possible. A larger sample size often produces a more precise estimate, but the efficiency of the investment decreases at an exponential

⁶ 99.4% of Indian households and 99.3% of Indian individuals are included in the BARC India sampling frame based on 2011 Census estimates.

rate (Figure 1). Increases in sample size must be carefully evaluated against their utility – the relative increase in precision.

Utility of additional sample points based on a reach% estimate of 8.0 and a cost per sample of ₹500.



The target BARC India sample of 50,000 households, or 2 lakh individuals, would yield a 95% margin of error of at most 0.1 on a Reach% estimate of 10. If one was to double the investment to a sample size of 4 lakh, the corresponding margin of error would only decrease to 0.09, a decrease of only 1/100th percentage points.

BARC India remains engaged with leading educational and research institutions to periodically align its methodology’s and sample size/design with needs of the market.

Q9. What method/technology would help to rapidly increase the panel size for television audience measurement in India? What will be the commercial challenge in implementing such solutions?

Sample RPD is a viable technology that can add to the current meter-based sample. Sample size can be increased significantly, yielding richer and more

robust data. Rather than offer a commercial challenge, Sample RPD is a cost-effective solution for a market like to India. However, rapid and effective implementation of SRPD based viewership measurement with require Regulatory support and mandate.

With 2nd generation Bar-o-meters with Audio matching technology, BARC India has been able to considerably reduce cost of meter further from what it had achieved earlier. This has helped in current expansion of panel, even as operational and incidental costs to measure the data has increased proportionately due to external factors and market conditions.

At the same time, BARC India has been able to realize economies of scale and hence, provide a lower marginal cost per meter in subsequent years of operation.

Television and broadcasting sector is undergoing significant technology changes and evolution, which have given consumer a great variety of communications and media consumption alternatives. Convergence is changing the way in which consumers use communication services and consume content, as it is available on new platforms and on various wireless portable devices. The technological developments affect television industry in several ways, including underlying costs and extent of barriers to enter new technologies.

BARC India recognizes and has suggested **Sample Return Path Data (SRPD) based viewership measurement as a cost-effective technology to add to the current meter-based measurement to enhance efficiency of decision making and planning by broadcasters, agencies and advertisers.** Sample size could be raised up to 200,000 homes (as compared to currently mandated 50,000), in a cost environment that can be sustained by the Indian Media industry. Rapid and effective **implementation of SRPD requires regulatory support from TRAI and Government.** DPOs need to be mandated to share data with the TV viewership Measurement provider, so that industry can benefit from enhanced robustness and representativeness of the data.

Sample RPD based measurement involves fetching viewership records from a sample of homes of partner DTH/Cable operators and fusing it with the current meter-based measurement to yield a single trading currency for the Indian Broadcast Sector.

SRPD based panel expansion will come at a much lower cost than meter-based expansion. The panel can be scaled up to 4-5 times that of the mandated meter-based sample. SRPD will allow significant expansion of the sample, which will also make it extremely challenging to tamper with BARC India sample homes and thus SRPD will also help **control panel infiltration.**

Broadcasters too will benefit from SRPD as outlined below:

1. Sample RPD will add robustness to Viewership Measurement. Data will be reported on a much larger sample (potentially 5 times that of meter-based sample).
2. More robust data for Niche and HD viewership will be particularly helpful for regional channels, news channels, and those with very limited distribution.
3. Marketing and Carriage costs can be calculated objectively on viewer base, rather than on subscriber base.

Benefits for DPOs (Cable and DTH service providers):

1. Sample RPD will offer insights to DPOs based on actual “viewing data”, and not just “subscriber base numbers”. This will enable better understanding of subscriber preferences, and therefore lead to better subscriber management, improved service quality, and attractive channel packs.
2. SRPD will also allow data driven monetization of advertising on DPO’s in-house channels, EPG etc. This may help DPOs/DTH players lower dependence on Carriage Fees.
3. SRPD will aid content acquisition and improve offering of VoD and Interactive Services.

Rather than offer a commercial challenge, Sample RPD is a cost effective and viable solution to significantly expand sample size in a market like India. Towards this, BARC India has proposed an equitable commercial model to all DTH and Cable DPOs. However, rapid and effective implementation of SRPD based viewership measurement will require Regulatory support and mandate.

Q10. Should DPOs be mandated to facilitate collection of viewership data electronically subject to consent of subscribers to increase data collection points for better TRP ratings? Give suggestion with justification.

DPOs must be mandated to collect viewership data from their STBs and transfer the same - under a secure governance and tech environment - to current measurement provider for the benefit of industry. For this DPOs must be enabled to ensure their STBs are technologically capable of capturing and sending back viewership data. This will ensure expansion of sample and more

robust ratings. This need not be at census level but based on a sampling grid recommended by BARC

A periodic third-party audit of the process should be conducted to ensure transparency and credibility.

The same has been mandated in **Canada**. The Canadian Radio-Television and Telecommunications Commission (CRTC) has made it **mandatory for distributors collecting Return Path Data to share it with the joint industry body responsible for TV audience measurement**, Numeris, which is also a non-profit and Joint Industry Body like BARC India. This has been made part of and a **condition of licensing**, for distribution platforms (<https://crtc.gc.ca/eng/archive/2018/2018-270.htm> **Appendix 5 to Broadcasting Decision CRTC 2018-270 / CLAUSE 4**)

Sample Return Path Data (SRPD) based viewership measurement is a cost-effective technology which shall add to the current meter-based measurement, will enhance the present business decision and planning done by broadcasters, agencies and advertisers. Sample size could be raised up to 200,000 homes (as compared to currently mandated 50,000), in a cost environment that can be sustained by the Indian Media industry. Rapid and effective implementation of SRPD requires regulatory support from TRAI and Government. DPOs need to be mandated to share RPD with the TV viewership Measurement provider, so that industry can benefit from enhanced robustness and representativeness of the data.

Q11. What percentage of STB supports transferring viewership data through establishing a reverse path/connection from STB? What will be the additional cost if existing STBs without return path are upgraded? Give your suggestions with justifications.

The cost appears to be very limited but DPOs could give better figure

Q12. What method should be adopted for privacy of individual information and to keep the individual information anonymous?

Data collected through SRPD would be anonymised (i.e., no individual information is captured or relayed). This would preclude the possibility of breach of privacy of individuals. Also, SRPD model proposed by BARC India is not a Census Measurement, but a Sample based survey. Data would be collected from a randomized subset of each sample, which would further ensure anonymity of the reporting sample.

BARC India SRPD being a Sample-based survey, data would be collected from representative samples (i.e., a small representative subset) of each partnering platform's subscribers. Since data from Household level sample would be up-weighted to yield universe level data, questions regarding intrusions into individual level privacy does not arise.

BARC India's SRPD proposal does not involve collecting personally identifiable information of subscribers who form part of the reporting sample. Since **names address etc. will not be collected**, it will not be possible to trace back homes/individuals in the SRPD panel. Hence questions related to privacy would not be relevant.

Q13. What should be the level/granularity of information retrieved by the television audience measurement agency from the panel homes so that it does not violate principles of privacy?

BARC India's current (and proposed SRPD) data collection models do not violate principals of privacy.

BARC India collects only such information from its sample homes, as are relevant for conducting effective TV measurement. The same is done with full written consent of the homes that agree to be part of the BARC India sample.

BARC India's Television audience measurement system collects only that information which enables it to do the following:

- a. Structure the panel on panel control variables
- b. Report the viewership data at an aggregate level by reporting variables such as Age, Gender, Socio-economic status, etc.
- c. Analyse the TV viewership and identify what drives TV viewership. TV viewership is dynamic behaviour and can change over a period of time. Television audience measurement agency must capture information on all those variables which could possibly impact TV viewership and perform periodic analyses to identify/update panel control variables.

No identifier of personal information such as names, Aadhar card numbers, mobile numbers, telephone numbers and household addresses are shared with users of data.

Q14. What measures need to be taken to address the issue of panel tampering/infiltration? Please elaborate your response with justifications.

Government must bring in changes in laws/regulations whereby panel tampering/infiltration and influencing panel homes to change their normal viewing habits with unfair means/incentives are recognised as violations of law, specifically provisions under TRAI Act Rules & Regulations, Telegraph Act, Information Technology Act and Indian Penal Code. “Panel Infiltration/Tampering/Influencing Households” must be defined & recognized in Ministry of I&B Guidelines pertaining to channel uplink/downlink permission. Violations must attract financial penalties and/or suspension/revoking of channel licenses.

Panel tampering/infiltration is a legacy issue faced by the Sector and it comes in different forms not limiting to Tampering/Infiltration/influencing the households. With the inception of BARC, it has for the first time not only recognised but addressed the issue squarely. A very strict deterrent and penalty process has been put in place under Code of Conduct in the End User License Agreement entered with Broadcasters, Advertisers and Agencies.

While BARC has taken measures to control the tampering, infiltration or influencing the households and the meters, industry continues to face challenges across India from such activity. **One of the biggest challenges has been the absence of specific laws** under which those suspected/charged for panel tampering can be acted against – whether this be via police action, FIRs or even prosecution before court of law.

BARC India’s efforts to control panel tampering have been hampered by absence of a proper legal framework in which such issues may be addressed. Current MIB regulations that govern the sector, and the TV Ratings activity, do not specifically mention or address “Panel Tampering / Infiltration/Influence”.

The following steps need to be taken to control the activity, and curb its impact on viewership data:

- i. Define & Recognize “Panel Infiltration/Tampering/Influencing Households” in Ministry of I&B Guidelines and TRAI Act, Rules, Regulation and TTO.
- ii. Guidelines by MIB & TRAI should include provisions for financial penalty and suspension/revoking of licenses of channels found to be indulging in manipulation of panel homes.

- iii. Panel Tampering/Influencing/Infiltration to be brought under ambit of Telegraph Act, Information Technology Act, Indian Penal Code, TRAI Act, Rules and TTOs
- iv. Facilitate the adoption of SRPD based measurement as an addition to meter-based measurement. An expanded SRPD based sample will negate the impact of panel tampering.

Further, **Government and Regulator must facilitate adoption of SRPD based measurement** as an addition to meter-based measurement. An expanded SRPD based sample will **negate the impact of panel tampering**.

Q15. Should BARC be permitted to provide raw level data to broadcasters? If yes, how secrecy of households, where the people meters are placed, can be maintained?

BARC India should be permitted to provide raw level data to Broadcasters in a secure environment, so that channels may benefit from sharper insights into viewership behaviour possible from analyses of RLD. With the panel size expanded to 40,000 by March 2019, the sample is robust enough for release of RLD to Broadcasters, especially those with large all-India reach, and higher viewership base.

Big-data driven efficient decision making has become the norm in today's connected digital world. This applies to data intelligence-driven decision making in the broadcast sector as well. Analyses of minute-by-minute TV viewing data collected by BARC India gives actionable insights for better targeting of content, social messaging and advertisements, impacting an industry that is estimated to be worth INR 734 billion⁷.

Weekly data released by BARC India comprises of weighted estimates of individual panel (sample) level data – which provide industry with a high level of granularity. However, in a dynamic TV market like India, it is critical to understand TV viewing patterns beyond the traditional Reach and Ratings. It is here that analysis of Raw Level Data (RLD) can add valuable insights.

Actionable insights – drawn from analysis of Raw Level Data – makes it possible to extract timely, actionable insights which can help in more effective programming, scheduling, promo planning, distribution and media planning, ultimately driving better efficiency in the sector.

⁷ FICCI-Frames Report 2018

BARC India has given secured access to its RLD to media agencies, based on which advertisers are able plan their media spends efficiently. The RLD is provided securely, ensuring that no Personally Identifiable Information (PII) of any member of the panel is revealed to the agency. Broadcasters too can gain from RLD based analyses, as they would get sharper insights into viewership behaviour, which would allow for better targeting of viewers with appropriate content. With the current sample size at 30,000, and shall be expanded to 40,000 by March 2019, the panel size is robust enough for release of RLD to Broadcasters, especially those with large all-India reach, and higher viewership base.

Integrity of RLD service to Broadcasters would also be ensured with the right check & balances and encryption in the delivery mechanism, as has been done in the case of Media Agencies. **We can set up a framework wherein the technical readiness and capability of a broadcaster to use RLD in a responsible and secure environment will be evaluated by a high-powered executive committee, before they are given access to RLD.** Only with the consent of the committee would RLD access be given to a broadcaster. RLD is already sufficiently anonymized to prevent misuse from the perspective of gaining information on Household and Individual IDs. Addresses of panel homes are not available in RLD, and Household IDs are encrypted and delivered directly to client via a software intermediary that allows the BARC application to deliver the data in a secure manner to the Broadcasters.

Q16. Will provisioning of raw level data to broadcasters, in any manner, either directly or indirectly contravene the policy guidelines for television rating agencies prescribed by MIB?

Release of raw level data (RLD) does not contravene Policy Guidelines that regulate BARC India.

Data from the panel is fully anonymised and strong checks and balances are in place to ensure security of that data. Users only get viewership data but not personal information.

Q17. Is the current disclosure and reporting requirements in the present guidelines sufficient? If no, what additional disclosure and reporting requirements should be added?

Changes in current MIB Regulations governing TV Ratings would help improve operational efficiency without compromising governance norms.

The pre-approval for appointment of senior leadership and board members should be modified to post-appointment which will enable swift operations. However, the present disclosure guidelines and reporting requirement is sufficient and brings in good governance and transparency the way BARC operates, which in our view is self-servient.

BARC India was directed to conduct establishment survey annually to reflect growth of TV homes. While TV homes continue to rise, rate and pace of change is stabilizing, therefore an annual survey may not be required. However, when substantial changes occur, the need to update universe estimate can be met with a periodic establishment survey, frequency of which may be decided by BARC India, in consultation with stakeholders.

BARC India has been directed to establish call centre and appellate authority for redressal of complaints. BARC India is primarily a Business to Business service provider. There are practically no customer touchpoints and hence BARC India has set up IT-based system for logging & resolution of client/data-user queries. Email, Social Media and Internet allows for redressal of non-client queries

Q18. Stakeholders may also provide their comments on any other issue relevant to the present consultation

Convergence is changing the way in which consumers use communication services and consume content, as it is available on new platforms and on various wireless portable devices. The technological developments affect a range of things to the television industry including underlying costs and extent of barriers to enter new technologies. The regulatory approach to go beyond traditional TV and Distribution network. The authority shall also bring in a unified rating which involves mandating DPOs (DTH and cable)

All platform operators, TV OEM manufacturers (of Smart TVs) and OTT platforms to share return path data to BARC India. This unique currency of linear TV & digital will provide measurement for the evolving Indian viewership universe.

- END -