

GTPL Hathway Limited

(Former Name: GTPL Hathway Private Limited)

CIN: L64204GJ2006PLC048908

Registered Office : C-202, 2nd Floor, Sahajanand Shopping Center,
Opp. Swaminarayan Temple, Shahibaug, Ahmedabad – 380004

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November 07, 2023

To,

Shri Anil Kumar Bharadwaj,

Advisor (B&CS),

Telecom Regulatory Authority of India.

Subject: Comments on behalf of GTPL Hathway Limited ("**GTPL**") on the Pre-Consultation Paper on "*Inputs for Formulation of National Broadcasting Policy*" dated 21.09.2023 ("**Pre-CP**").

Dear Sir,

We would like to thank the Authority for providing us with the opportunity to share our comments on the Pre-CP.

At the outset, we would like to put on record our sincere appreciation and gratitude for all the endeavors and measures that the Hon'ble Telecom Regulatory Authority of India (TRAI) has been putting forth in the recent past to improve the functioning of broadcasting and telecommunication sector by periodically introducing diverse regulations and processes with deep involvement of the concerned stakeholders.

The Pre-CP is also a formidable attempt in this direction by virtue of which the Authority in pursuance to the letter issued by the Ministry of Information and Broadcasting ("**Ministry/MIB**") has rightly acknowledged and taken into consideration that a broadcasting policy that can provide a channelized approach for the sector and provide appropriate impetus for development is a pressing priority, especially in the present scenario, wherein the broadcasting sector is undergoing unprecedented changes on account of evolving technologies.

The Authority would acknowledge that the broadcasting industry has undergone significant changes and transformations over recent years, driven by a range of technological, economic and social factors.

Some of the key trends and developments in the industry include:

1. **Proliferation of digital platforms and DD Free Dish**: One of the biggest changes in the broadcasting industry has been the growth of digital platforms, driven by the widespread adoption of the internet and mobile devices. This has enabled new forms of content distribution

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and consumption, such as streaming services and video-on-demand. The Cable TV industry is severely struggling with unjust pay television channel prices from broadcasters, undue and unjust non-implementation of TRAI's regulatory framework by Over the top (OTT) applications and unencrypted Free Dish.

2. **Fragmentation of audiences:** As consumers have more choice in terms of what they watch and how they watch it, the traditional broadcasting model has become more fragmented. Moreover, the disparity in implementation of regulatory framework has led to a decline in the subscribers of traditional broadcasters. The Authority in one of its Consultation Papers has itself acknowledged that the cable television industry has lost nearly 40 million customers in last 4 years i.e., from 110 million to 70 million, nearly 70,000 local cable operators (LCOs) have shut their businesses, around 900 MSOs have become non-operational, and 2.5 lakh people have lost their job.
3. **Increased competition:** The rise of digital platforms has also led to increased competition in the broadcasting industry. This has led to a more crowded and complex market, with new players entering the market and existing players diversifying their offerings.
4. **Changing business models:** The traditional business models of the broadcasting industry have also come under pressure, as companies look to adapt to the new digital landscape. This has led to the emergence of new revenue models, such as subscription-based services and pay-per-view models.

In this regard, it is brought to the kind attention of the Authority that taking into consideration the aforementioned changing facets of the broadcasting sector, it is imperative that the Authority should primarily focus on formulating a comprehensive policy that caters to the subsisting issues that are presently being faced and have been left unaddressed and unexamined across various segments that form part of the broadcasting sector. We vehemently suggest that it is imperative for the Authority to first take a coherent view on all technologies/platforms, which deliver the same result/ same services (*albeit by different medium*), like for instance, deliver the same content as that of the licensed satellite channels to the end consumers.

The Authority would acknowledge and agree that till date, there has not been any attempt to remove the artificial distinction between those who deliver content via a licensed distribution platform (*multi system operators (MSOs), Direct-to-Home (DTH), Internet Protocol and Television (IPTV) and Headend in the Sky (HITS)*); as against via internet (Over-the Top (OTT) players and other

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open-sourced websites) or through the medium of Free Dish. Here it is also pertinent to mention that the interest of the DPOs as well as its consumers has been further sabotaged by the existence of disparity in implementation of regulatory framework on OTT/Free Dish/Open-source website owners etc. As a regulator, the Authority ought to have maintained a level playing field but it appears that the regulator has turned a blind eye to the said existing position. We therefore call upon the regulator to immediately enforce TRAI's regulatory framework on such operators, without any further delay. .

The Authority has itself acknowledged that presently, Over the top (OTT) platforms have established themselves as a formidable platform for distribution of video and media content. According to Bain and Company, India's online video user base has increased to more than 350 million people, growing 24% in the last three years.¹ As per another report available in public domain, there are currently over 45 million OTT subscribers in India and the same is expected to reach 50 million by the end of 2023.² Moreover, the subscriber base of Free Dish has also seen an exponential growth and presently stands at over 38 million homes. The Authority would acknowledge that an increasingly and growing digital media environment, like that in the present times, gives internet users access to information from more and more sources, including the OTT platforms as well as various other open-source websites. The Authority would be well aware that presently both Free Dish as well as the OTT platforms are unduly advantaged and are not adhering to the regulatory framework as have been notified and enshrined by the Authority, despite them providing the same services as that of the DPOs.

This definitely subjects the DPOs to an unequal regulatory regime and hence an urgent intervention is sought from the Authority to firstly recommend establishment of a Licensing Framework for the OTT platforms with appropriate and applicable conditions by virtue of which only such licensed OTT platforms are allowed to remain operational in the country. Simultaneously, the regulations as is/are applicable on regulated DPOs, like that of regulations of Interconnection, Tariff Order and Quality of Service should also be strictly adhered by the OTT platforms as well as Free Dish without any exception, as they are engaged in the provisioning of same services as that of the DPOs. Evidently, allowing the OTT platforms and Free Dish to exhibit and transmit the same services (*in addition to other diverse content on OTT platforms*) without subjecting them to any licensing and adherence to

¹ Samarпита Bannerjee, 'Where the Indian OTT Industry is headed in 2022' (Business Insider, 06th January 2022), accessed at <https://www.businessinsider.in/advertising/media/article/where-the-indian-ott-industry-is-headed-in-2022/articleshow/88694261.cms> .

² <https://marketfeed.com/read/en/an-overview-of-indias-booming-ott-market>

regulatory conditions, unlike the DPOs, is clearly arbitrary and devoid of the interests of the consumers as well as the DPOs.

We therefore urge that under the New Broadcasting Policy, the Authority should look at the composite picture as it stands today with a wider approach/definition of broadcasting services including recommending formulating a licensing framework for OTT platforms, ensure unbiased implementation of the Applicable Regulatory Framework to the OTT players and Free Dish and ensure that all stakeholders including the consumers of all the platforms are brought to parity and are subjected to an equitable regulatory regime as the same will usher equal opportunities to all platforms for business growth and expansion.

In view of this backdrop and without prejudice to the aforesaid submissions, we would like to submit our comments on the issues highlighted in the Pre-CP. We stand ready to be involved in further industry dialogues that may be undertaken by the Authority before finalizing the issues for consultation.

ISSUES FOR PRE-CONSULTATION

Q1. Stakeholders are requested to provide their comments on the possible structure and content for National Broadcasting Policy, clearly outlining the specifics along with the justification. The comments may explicitly include the following titles/heads:

- Preamble
- Vision
- Mission
- Objectives
 - Goals
 - Strategies

The stakeholders are requested that against each suggested objective, possible goals and the strategies may be explicitly provided.

Response: We reiterate and suggest that under the new Broadcasting Policy the Authority should first and foremost bring all the platforms delivering similar and/or substitutable services under a common and equitable regulatory framework. A level-playing and equitable framework will lead to

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the furtherance of a more organised and structured growth across all segments and such scenario will be more favourable to address new developments across digital broadcasting infrastructure, which in turn will promote a sustainable broadcasting scenario. Notwithstanding the aforesaid, we now proceed to render our comments on the below-mentioned pointers specified:

Preamble: In recognition of the dynamic and ever-evolving landscape of content distribution, and with a commitment to embracing the latest technological advancements, the New Broadcasting Policy should be a comprehensive policy tailored to the contemporary era. The policy should be meticulously designed to accommodate the intricacies of modern content dissemination, fostering innovation, and leveraging new technologies. It should be the solemn endeavor to establish an equitable framework which in turn will ensure that all platforms and means involved in content distribution, are equitably placed and contribute to the enrichment of our information and entertainment ecosystem.

In an era where the boundaries between traditional and digital media blur, the policy should acknowledge the importance of creating a level playing field for all stakeholders, irrespective of their size or stature. The policy should strive to champion an environment that fosters innovation, encouraging the birth of new technologies and services, and, in turn, enabling the dissemination of content that resonates with diverse audiences.

Additionally, the policy should place significant emphasis on the proliferation of high-quality public service broadcasting. It is our goal to ensure that the broad spectrum of relevant subject matter is made readily accessible to viewers. In a world filled with an ever-expanding array of information, the policy should be committed to provide programming services that enrich the knowledge, culture, and entertainment experiences of our society.

The policy should embark to set forth a vision where the distribution of content transcends the conventional boundaries, harnessing the potential of technology and innovation to create a more inclusive, diverse, and equitable media landscape.

Vision Statement: To create a vibrant, inclusive, and globally recognized broadcasting ecosystem in India, fostering creativity, innovation, and information access for all.

Mission:

To develop a dynamic broadcasting sector that:

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1. Ensures affordable and universal reach, making content accessible to every Indian.
2. Establishes India as a global content hub, creating and promoting content that resonates globally.
3. Builds state-of-the-art Research and Development (R&D) infrastructure, enabling cutting-edge technologies and services.
4. Promotes capacity building and skill development, forging partnerships for a skilled workforce in line with technological advancements.

Objectives:

A. Ensuring affordable and universal reach of Broadcasting.

Goals:

- To provide affordable and equitable broadcasting access to every Indian citizen, irrespective of geographical location or economic status.
- To support community broadcasting initiatives, preserving the cultural and linguistic diversity of India.

Strategies:

- Develop a framework for cost-effective broadcasting infrastructure expansion.
- Implement pricing parity across mediums of content distribution through regulations to keep broadcasting services affordable.
- Encourage community participation in broadcasting content.

B. Establishing India as a global content hub

Goals:

- To create and promote world-class content originating from India.
- To develop strategies for promoting Indian content globally.
- To enhance institutional capacity for content creation and processing, fostering a conducive environment for the creative industry.

Strategies:

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- Offer incentives and support for the creation of high-quality content within India.
- Facilitate collaborations and exports to promote content generated in India for worldwide distribution.
- Establish and enhance institutional capacity for content creation and processing.

C. Developing state-of-the-art R&D infrastructure

Goals:

- To invest in research and development in the broadcasting sector, promoting innovation and indigenous manufacturing.
- To leverage Artificial Intelligence and cloud services technologies for broadcasting advancements.
- To create a dedicated fund for R&D and establish a Center for Excellence in the broadcasting sector.

Strategies:

- Allocate resources and funding for research and development in broadcasting technologies.
- Encourage innovation through cloud services technology and sensible, controlled usage of AI technology.
- Establish a dedicated fund for R&D and a Center for Excellence in the broadcasting sector.

D. Capacity Building and Promoting Skill Development

Goals:

- To promote skill development and capacity building for a workforce adept in new-age skills.
- To encourage training and re-skilling of human resources in the broadcasting sector.
- To develop industry-academia-government partnerships to meet future technological needs.

Strategies:

- Implement skill development programs to create a skilled workforce.
- Promote training and re-skilling initiatives.
- Foster partnerships to align capacity and skills with the industry's technological requirements.

The New Broadcasting Policy should envision to drive the broadcasting sector towards excellence, innovation, and inclusivity. By ensuring affordable and universal access, establishing India as a global content hub, fostering cutting-edge R&D, and building a skilled workforce, the policy should aim to create a broadcasting ecosystem that is a source of pride and utility for all Indians. The policy should guide the sector in embracing technological advancements, through a robust regulatory framework, while preserving our rich cultural diversity.

Q2. Stakeholders may provide specific comments and suggestions for identifying objectives, goals and strategies for National Broadcasting Policy including the following aspects:

i. Public Service Broadcasting

a) Requirement, Relevance and Review

b) Support and Validation

c) Content Priority

d) Mandatory Sharing of television programmes

e) Enhance global reach

iii. Promotion of Local Content

iv. Piracy and Content Security

v. Technology innovation & Standardization

vi. Convergence

vii. Specific Regulatory Authority for Broadcasting

viii. Robust grievance redressal mechanism

ix. Role of Broadcasting during Disaster

x. Audience Measurement System:

xi. Social Goals

xii. Environmental Responsibility

xiii. Animation, Visual Effects, Gaming and Comics (AVGC)

Response: Public service broadcasting (PSB) has an important role to play in providing access to and participation in public life. Especially in developing countries like India, PSB can be instrumental in promoting access to education and culture, developing knowledge and fostering interactions among citizens.

Prasar Bharati, as the public broadcaster of the country, is the most important vehicle of information,

education, entertainment and engagement for people especially in the remote areas of the country. As India embarks on shaping a new broadcasting policy, it's paramount to address the facet of public service broadcasting with a fresh perspective. In this regard, we proceed to provide our comments against the below-mentioned pointers:

1. Requirement, Relevance and Review:

PSB in India has historically played a significant role in informing, educating, and entertaining the nation's diverse population. PSB is essential in upholding democratic values by providing balanced, unbiased, and reliable information. It serves the public interest by facilitating informed citizenry, promoting civic engagement, and ensuring access to essential information. In a country as culturally diverse as India, PSB is crucial for preserving and promoting cultural and linguistic diversity. **It provides a platform for regional, local, and niche content that is otherwise overlooked.** PSB remains relevant in the digital era by combating misinformation and ensuring accountability. As a trusted source, it can help counter the spread of sham(s) and fake news and provide verified information.

The Authority would acknowledge that a comprehensive review mechanism shall be formulated to assess the effectiveness of PSB in achieving its objectives. This includes evaluating content quality, audience reach, and public engagement rendered by the provisioning of services of PSB. Review processes in the context of PSB should always consider evolving audience needs and preferences. It is imperative to state in this context that the digital age has revolutionized media consumption. PSB must adapt to new platforms and technologies. Streaming services, online content, and social media offer opportunities to reach a wider audience. Hence, all the content distribution platforms, including the ones that are presently unregulated should also be compulsorily subjected to the obligation of mandatory broadcast of content that are telecasted on the channels which have been specified by the Ministry for mandatory carriage by the regulated DPOs. This will ensure that PSB services continue to remain available and accessible by audience across all platforms, and will consequently result in proliferation of PSB services. A forward-looking broadcasting policy should continuously assess the relevance of public service broadcasting in the digital age. The policy must determine the extent to which it meets contemporary needs and reassess its objectives periodically. This review process ensures that public service broadcasting remains dynamic and aligned with evolving societal needs.

2. Support and Validation:

The new broadcasting policy should underline the importance of public service broadcasting and the critical role it plays in providing balanced and impartial content. Public broadcasters should receive adequate funding and support to maintain high-quality programming and their independence should be upheld to safeguard against political interference. Public service broadcasters have a pivotal role in promoting cultural diversity, preserving regional languages, and catering to niche audiences. To incentivize public service broadcasters for the production of local and niche content, we must acknowledge their significant contributions to the cultural and linguistic tapestry of our nation.

Local content preserves and promotes cultural heritage, traditions, and regional identities. Niche content caters to specific communities and interests, ensuring that their voices are heard and represented. Local and niche content is often more relatable and engaging for specific target audiences. It fosters a sense of connection and community, leading to increased viewership.

Incentive Strategies for Public Service Broadcasters:

• Financial Support:

Financial incentives, such as grants or subsidies, can be provided to public service broadcasters for the production of local and niche content. This support can offset production costs and encourage investment in quality programming.

• Tax Benefits:

Tax benefits or exemptions for content produced in regional languages or aimed at niche markets can be a compelling incentive for public service broadcasters.

• Recognition and Awards:

Recognizing excellence in local and niche content through awards and accolades can motivate broadcasters to invest in high-quality programming.

• Public-Private Partnerships:

Collaboration with private entities can provide resources and expertise for the production of local and niche content. Public service broadcasters can leverage these partnerships for better quality and wider reach.

- **Content Development Funds:**

Establishing content development funds, in partnership with both government and private sector organizations, can support the creation of local and niche content.

- **Community Involvement:**

Involving local communities and niche audience groups in the content creation process ensures that the programming is authentic and resonates with the intended audience.

- **Audience Feedback Mechanisms:**

Public service broadcasters should establish mechanisms for audience feedback and suggestions to continually improve and refine their local and niche content.

Incentivizing public service broadcasters for the production of local and niche content is not just a financial investment, it is an investment in cultural preservation, community engagement, and audience satisfaction. By recognizing the value of such content and providing the right incentives, the public service broadcasters will continue their vital role in celebrating our cultural diversity and serving niche communities. This, in turn, contributes to a richer, more inclusive media landscape, where the voices and stories of every region and community find a place to be heard and celebrated.

3. **Content Priority:**

To fulfill its public service mandate, the policy should specify that public broadcasters prioritize content that educates, informs, and entertains while adhering to high journalistic and applicable regulatory standards. This includes a commitment to diverse, culturally sensitive, and region-specific content that reflects the pluralistic nature of India.

Educational Content:

PSB should place special emphasis on educational content, encouraging public service broadcasters to produce and air programs that enhance knowledge and skills, catering to learners of all ages.

News and Current Affairs:

News and current affairs programs are pivotal in public service broadcasting. PSB should ensure that these programs adhere to strict journalistic standards, providing unbiased, balanced, and accurate news to the public.

Local and Regional Content:

PSB should be encouraged to produce and promote content that reflects the local and regional nuances of different areas within India. This content should be relevant and engaging for local communities.

Events of National Importance:

All events that are recognized by the Government as events of national importance like elections, Independence Day and Republic Day Celebrations, cultural events, sporting events like Olympic games, Commonwealth games, Asian games and other sports like cricket, tennis, badminton, football *et cetera*; should mandatorily be broadcasted by public service broadcasters.

4. Mandatory Sharing of Television Programs:

To foster the widest reach and content diversity, public broadcasters should be encouraged and mandated to share certain programs, like that of events of national importance with other DPOs for enabling the subscribers of such DPOs to have access to such programs. This approach can promote the dissemination of relevant information and programs across all segments, thereby fostering a dynamic broadcasting landscape that will ensure that public service content reaches a wider audience.

5. Enhance Global Reach:

The new broadcasting policy should encourage public service broadcasters to expand their global reach to ensure that the Indian community across the globe stay informed and connected to the Indian Culture. This can be achieved by developing partnerships with international broadcasters, making content accessible to a global audience. Online platforms and streaming services should be leveraged to reach a broader international viewership.

Public service broadcasting is a cornerstone of a democratic society. The new broadcasting policy

should not only sustain its relevance but elevate its status in the digital age. By promoting transparency, accountability, and a commitment to the public good, the policy can ensure that public service broadcasting remains a beacon of trust, serving the diverse and dynamic needs of the Indian public while reaching out to the world.

A renewed focus on public service broadcasting and content priority aligns with the values of a democratic and diverse nation like India. Such new broadcasting policy will aim to elevate the role of public service broadcasting, ensuring it continues to inform, educate, and entertain while promoting cultural diversity and adhering to the highest standards of journalistic integrity and regulatory standards. By emphasizing the significance of content that serves the public interest, such policy will pave the way for a broadcasting landscape that reflects and respects the diverse needs and aspirations of the Indian public.

iii. **Promotion of Local Content:**

In today's globalized world, the importance of promoting and incentivizing local content cannot be overlooked. Local content serves as a unique reflection of a region's culture, language, and identity, offering a diversity of perspectives that enrich our global media landscape. One of the most potent tools in this endeavor is broadcasting on account of the following:

1. **Wide Reach and Accessibility:** Broadcasting, through television, radio, and digital platforms, enjoys an extensive reach. It brings local content to a broad and diverse audience, exposing them to the richness of their own culture and heritage.
2. **Cultural Preservation:** Broadcasting can play a pivotal role in preserving local culture and traditions. It gives local artists and creators a platform to showcase their work, ensuring that traditional stories, music, and arts are not lost in the wave of globalization.
3. **Education and Awareness:** Local content often carries essential messages related to history, education, and societal issues. Broadcasting helps raise awareness about these issues and educates the public about local problems and solutions.
4. **Fostering Language Preservation:** In regions with linguistic diversity, broadcasting in local languages can contribute to the preservation and development of those languages. This is crucial for maintaining cultural identities.
5. **Celebrating Diversity:** By promoting local content, broadcasting helps celebrate the diversity of a region. It showcases the many facets of local life, demonstrating that every culture has its own unique charm and value.

Incentivizing Local Content Production through Broadcasting:

1. **Financial Support:** The Policy can formulate a mechanism for offering financial incentives, grants, or subsidies to local content producers. These incentives can help offset production costs and encourage the creation of high-quality local content.
2. **Dedicated Time Slots:** Allocating dedicated time slots for local content on television and radio schedules ensures that producers have a guaranteed platform for showcasing their work. This predictability can attract more content creators.
3. **Awards and Recognition:** Broadcasting networks can establish awards and recognition programs for outstanding local content. This not only encourages production but also sets a standard for quality.
4. **Training and Skill Development:** Supporting local talent by providing training and skill development programs can enhance the quality of content production. Broadcasting networks can collaborate with educational institutions to achieve this.
5. **Collaborations and Co-Productions:** Encouraging collaborations between local content producers and international entities can bring in expertise and resources, making it an attractive option for creators.

Broadcasting has the potential to be a powerful force in promoting and incentivizing local content production. It is an essential bridge between creators and audiences, preserving culture, raising awareness, and celebrating diversity. By providing financial support, dedicated time slots, and recognition, broadcasters can play a pivotal role in nurturing and expanding the production of local content, enriching our global media landscape with the beauty of local cultures and stories.

iv. Piracy and Content Security:

As India's broadcasting industry continues to grow and evolve, it faces the persistent challenge of piracy and content security. The new broadcasting policy in India must address these issues comprehensively to safeguard the intellectual property rights of content creators, ensure fair revenue distribution, and maintain the integrity of the broadcasting ecosystem. The new policy should emphasize the importance of copyright laws, making it explicit that broadcasting without proper authorization is illegal and should subject the offenders to strict penalties for copyright infringement and piracy. The policy should also ensure that strict Digital Rights Management (DRM) standards are in place mandating the use of DRM technologies that can help prevent unauthorized copying and

distribution of content. The broadcasting policy should require the adoption of secure DRM standards, ensuring that content remains protected throughout its lifecycle. Further, all means and technologies that are engaged in content distribution should be equitably subjected to an encrypted and addressable system including the implementation of anti-piracy technologies of content-watermarking, fingerprinting, conditional access system (CAS) and subscriber management system (SMS) in due adherence with the standard parameters.

v. Technology innovation & Standardization:

As India's broadcasting industry continues to transform in the digital era, it is essential that the country's new broadcasting policy promotes technological innovations and advancements. By embracing emerging technologies, the policy can drive growth, enhance the viewer experience, and position India as a leader in the global broadcasting landscape. The Policy should strive for a framework to stimulate technological innovation in the industry. The new broadcasting policy should incentivize broadcasters and technology providers to invest in R&D. Offering tax benefits or grants for R&D initiatives can stimulate innovation in areas such as content delivery, immersive technologies, and broadcasting infrastructure. India has a thriving technology sector, and the policy should prioritize indigenous technology companies, fostering homegrown innovations and enabling them to compete on the global stage.

vi. Convergence:

Placing reliance and reiterating the contents of our introductory comments, we suggest that the Authority should ensure that all the platforms delivering similar and/or substitutable services adhere to a common and equitable regulatory framework. The Authority may then issue a fresh consultation for formulating administrative policies towards building synergies and convergence across various dimensions, segments and ministries.

It is specifically suggested that any form synergies and/or consolidation must ensure that it does not hinder competition and access to diverse views and opinions. As evident, the situation of convergence may lead to markets facing intense consolidation activity throughout the broadcasting and telecommunication segments. As entities merge, it is important that convergence across sectors, does not result in a monopolistic market structure. Significant control of a single entity/group over multiple segments may lead to a situation whereby the public at large are deprived of the avenue to have access to multiple views and opinions for forming a holistic and independent view on any subject-matter.

vii Separate Regulatory Authority for Broadcasting:

The Indian broadcasting sector, currently regulated by the Telecom Regulatory Authority of India (TRAI), is a dynamic and diverse industry, constantly evolving in response to technological advancements and changing consumer preferences. To address the unique requirements of the broadcasting sector, it is essential to establish an independent regulator, solely dedicated to broadcasting services. This document also delves into the need for a dedicated regulator and outlines a suggested statutory and organizational structure for this purpose.

The broadcasting sector is multifaceted, encompassing various mediums and content types. It demands a regulator with a deep understanding of the intricacies involved, particularly in content regulation, licensing, and spectrum management. Broadcasting stakeholders, including content creators, broadcasters, and distribution platforms, have diverse and at times, conflicting interests. An independent regulator can provide focused attention to the specific concerns of each stakeholder group. An autonomous broadcasting regulator will bring clarity in regulatory measures and licensing, ensuring that regulations are designed to meet the unique requirements and challenges of the sector.

Suggested Statutory and Organizational Structure

- **Statutory Framework:** A dedicated Broadcasting Regulatory Authority (BRA) will be established as a statutory body under a new Broadcasting Regulation Act issued in pursuance to New Broadcasting Policy. This act will outline the powers, functions, and responsibilities of BRA.
- **Composition:** The BRA will be composed of experts with significant experience in broadcasting, technology, legal affairs, and consumer protection. It will have an independent Chairperson and members with staggered terms to maintain continuity.
- **Regulatory Functions:** BRA will oversee licensing, content regulation, spectrum management, consumer protection, and industry development.
- **Transparency and Accountability:** The regulator will be committed to transparency and accountability, ensuring that its decisions are based on public interest and safeguarding the principles of diversity and freedom of expression.

Establishing an independent regulator for the broadcasting sector is an important step towards ensuring a more efficient, specialized, and responsive regulatory framework. By addressing the unique needs of the broadcasting industry and fostering innovation and growth, a dedicated Broadcasting Regulatory Authority will help India maintain its leadership position in the dynamic

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world of broadcasting. This endeavor aims to enhance the regulatory environment while safeguarding the interests of both industry stakeholders and the public at large.

viii. Robust grievance redressal mechanism:

The new broadcasting policy should reaffirm the commitment to the Program Code and Advertisement Code. Broadcasters/Content Creators and all content distribution platforms (irrespective of technologies) should be obligated to adhere to these codes, ensuring that content remains responsible, non-offensive, and respectful of cultural sensitivities. A centralized web-based complaint redressal system should also be facilitated so that the viewers can easily file complaints regarding content violations, and these complaints will be routed to the relevant authorities for resolution.

ix. Role of Broadcasting during Disaster:

India's broadcasting industry plays a crucial role in disseminating information, especially during disasters and natural calamities. It is imperative to have a dedicated broadcasting policy that outlines and enforces standard operating procedures for broadcasters during such events. The new broadcasting policy should establish a comprehensive Statement of Processes for broadcasters to follow during disasters. These SOPs will include guidelines for content, emergency broadcasts, resource allocation, and collaboration with relevant authorities. Broadcasters should be mandated to rapidly disseminate early warning disaster notifications. The policy should specify a timeframe for broadcasting these notifications to ensure timely information reaches the public. Broadcasters must provide real-time updates on disaster situations, including weather forecasts, evacuation procedures, and safety guidelines, in collaboration with relevant authorities.

x. Audience Measurement System:

The broadcasting landscape in India is vibrant and diverse, with a multitude of channels and content choices. Ensuring a reliable and transparent audience measurement system is essential to understand viewer preferences and provide valuable insights to broadcasters and advertisers. It helps in understanding the audience's preferences, which, in turn, influences content creation and advertising decisions. The new broadcasting policy should emphasize the independence and neutrality of the rating framework. It must be free from undue influence from broadcasters, advertisers, or any other vested interests. The policy should outline principles for a representative and unbiased sample of

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viewers to ensure accurate data collection. It should also incorporate modern methodologies that consider digital and mobile viewership and other new emerging content distribution platforms. To maintain credibility, the policy can establish mechanisms for third-party validation and audits of rating agencies. This ensures that the ratings are free from manipulation.

xii. Environmental responsibility:

In an era where environmental sustainability is a global imperative, the role of the broadcasting industry in India is not confined to content delivery alone. It has a significant responsibility towards public health and safety, energy efficiency, and promoting green sources of energy. The new broadcasting policy should encompass these aspects to promote environmental responsibility while contributing to sustainable development goals. The new broadcasting policy should encourage broadcasters to adhere to stringent emission regulations to reduce air pollutants and minimize the health risks associated with broadcasting infrastructure. To ensure public safety, broadcasting organizations should be required to develop comprehensive emergency response plans. These plans should include contingencies for natural disasters, accidents, and other incidents that could endanger the health and safety of the public. Mandatory energy audits should be incorporated into the policy, obligating broadcasters to assess and improve their energy consumption efficiency regularly. Energy-efficient equipment and practices should be encouraged. Broadcasters and content distribution platform operators who demonstrate a commitment to green energy sources should receive incentives and tax benefits to encourage further investment in these technologies. Also, a company or organization in the broadcasting industry shall be mandated to publish an ESG report or Sustainability report on a periodical basis about environmental, social and governance (ESG) impacts. It enables them to be more transparent about the risks and opportunities.

xiii. Animation, Visual Effects, Gaming and Comics (AVGC):

The Animation, Visual Effects, Gaming, and Comics (AVGC) sector in India has immense untapped potential as a driver of innovation, economic growth, and cultural export. The new broadcasting policy should aim to create an ecosystem that empowers AVGC content creators, nurtures talent, facilitates global recognition, and promotes innovation. By becoming a torchbearer of "Create in India" and "Brand India," the AVGC sector can drive economic growth, enhance India's global image, and become a source of pride and innovation for the nation. Such policy will endeavour to pave the way for India to assert its creative prowess on the world stage. The new broadcasting policy should introduce production incentives for domestic AVGC content creators, fostering an environment where innovative content is generated within India. The policy should also advocate for educational programs and skill enhancement initiatives to nurture a skilled workforce within the AVGC sector.