

2nd February, 2019

To,
Shri Arvind Kumar, Advisor (B&CS),
Telecom Regulatory Authority of India

Sub: Comments on behalf of GTPL Hathway Limited on the Consultation Paper on “Review of Television Audience Measurement and Ratings in India”

Sir,

We would like to thank the Authority for providing us with the opportunity to share our comments on the Consultation Paper on review of Television Audience Measurement and Ratings in India.

We hereby provide our comments to the issues for consultation in the following manner:

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.

Ans. BARC India, a joint initiative of broadcasters, advertising agencies and advertisers, came to be India’s official rating agency after the authenticity of the earlier rating agency, TAM Media Research, was challenged in a New York court for “manipulating television viewership data in favor of channels that were willing to offer bribes to its officials”. Therefore the purpose of making BARC India the official rating agency in India was to ensure that transparent and unbiased viewership data is made available. To collect channel-wise viewership data along with duration of such viewership, BARC installs BAR-o-meters across households, referred to as panel homes. The identity of these households is kept confidential to prevent panel tampering. However problems like ‘panel tampering’, small sample size and ‘conflicting interests’ continue to plague TV viewership measurement in India.

Leak of confidential data relating to identity of the panel households has been reported across India. Earlier, in January, 2018 Central Crime Branch police, Bengaluru arrested tele-

serial producers of a show, for locating BAR- o - meters with the help of an insider, relocating them and inflating the viewership ratings for certain programs. Again in April 2018, Hansa Research Private Limited, a Mumbai-based global market research company, registered a complaint at Gwalior's Madhav Ganj police station following a leak of BARC-related information by one of Hansa Research's employees, which led to arrests of several persons. These, unfortunately, are not the only cases where allegations of panel tampering have been made. Many channels have been accused of artificially enhancing their viewership figures by bribing members of BARC 'panel homes' to watch their channels.

Reporting of such multiple cases of panel tampering point to a lacuna in the system — the inability to maintain the confidentiality of panel homes. To tackle this problem BARC has tried to divide the viewership measurement process into several individual bits by setting up a multi-vendor model. However, that does not completely address the problem. A part of the reason why confidentiality of the panel homes is compromised is the installation of a separate box [BAR-o-meter] that is easily identifiable. There are syndicates who have been working on finding these homes and influencing the viewership for a consideration.

Another issue with the reliability of BARC's data is pertaining to the sample size of panel homes being monitored by BARC. BARC has currently, a reported sample size of 33,000 panel homes, which is to progressively increase to 50,000 panel homes. This sample size neither sufficiently represents India's 200 million (approximate) TV households nor does it address the diverse range of channels, programs on the channels and products that are being advertised on these channels. The projected sample size of 50,000 panel homes will represent only 0.025% of the TV households in the country.

In view of the above, in our view it is imperative that panel size monitored by BARC to measure audience viewership is increased significantly. If the sample size is increased exponentially, it will make data tampering an arduous exercise. In our view the panel size needs to be increased to at least 0.1% of the TV households which may be a combination of BAR-o-meters as well as other methods, including Return Path Data (RPD).

Further, in our view, BARC needs to move towards a more comprehensive approach of measuring TV ratings in addition to the traditional approach of monitoring a sample size of panel

households. According to a new survey, Indian viewers are now watching online video content for an average of eight hours 28 minutes each week, more than the time they spend viewing TV every week—eight hours and eight minutes. Through online channels, Indian viewers largely watch movies, followed by news, TV shows and sports, amongst others, said the report titled State of Online Video 2018. India is home to 250 million online video viewers and 100 million over the top (OTT) viewers, according to the ‘Mobile Ecosystem and ad-Sizing Report’ 2018 published by Mobile Marketing Association (MMA) in partnership with GroupM.

The importance of cross-platform audiences, compounded by the fact that the average consumer owns between three and four devices and regularly switches between them to view content, feeds the necessity to deliver better cross-media evaluation. The effectiveness of BARC ratings of channels and programs would increase if consumer viewership and pattern on online and digital platforms are also measured by BARC to consolidate the overall ratings of a content or channel, in addition to the traditional approach.

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.

Ans. With the advent of digital platforms and online content viewing, as has been mentioned hereinabove, the stakeholders in television audience measurement at present can be broadly classified into the following:

1. Broadcasters
2. Advertisers & Advertising Agencies
3. Distribution Platform Operators, including Over-the-top Platform (OTT)
4. Content Owners/Producers

In our view, the present shareholding/ownership pattern of BARC does not represent all stakeholders in television audience measurement. It represents only broadcasters, advertisers and agencies, through their respective apex bodies, the Indian Broadcasting Foundation (IBF), the

Indian Society of Advertisers (ISA) and the Advertising Agencies Association of India (AAAI), constitutes the BARC, having 60%, 20% and 20% shares respectively.

It can be argued that BARC is basically ‘controlled by those who the system is rating’, with broadcasters having a controlling stake. Being a measurement system, primarily for an ad-dependent TV industry, it appears to be open to manipulation by broadcasters. The industry-led body has however been left to self-regulate the audience measurement system. It may be argued that the rating agency should be independent of the industry stakeholders to ensure neutrality. However having an independent agency to provide ratings might also leave it exposed to influence by stakeholders for a consideration.

From the practice adopted by several countries, it seems that Joint Industry Committees (JICs) are the preferred method of audience measurement and data monitoring. However, independent verification or audit services must also be given increased importance to ensure transparency and neutrality.

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.

Ans. It is pertinent to mention that a credit rating agency assigns credit ratings, which rate a debtor's ability to pay back debt by making timely principal and interest payments and the likelihood of default. While acknowledging that in case of credit rating services there are seven rating agencies (such as CRISIL, ICRA, CARE, ONICRA, and SMERA) at present which have been registered by SEBI, it must be borne in mind that the analysis conducted by such rating agencies is very subjective and depends on the parameters assessed by them while giving a particular rating to a particular client. However, when it comes to television rating services, the analysis is relatively objective in terms of measuring the audience viewing a particular channel, with the sample size being the only subjective parameter. If more television ratings agencies are allowed to compete then the sample size will reduce and might even get scattered

demographically. Therefore to ensure transparency and accuracy, there is no need for competition in the television rating services.

However broadcasters who would like to get better insights into viewership patterns of particular shows or programs, keeping aside using the information as a tool to gain higher advertisement revenues, they may be more benefitted if independent agencies would be able to provide them the said information on data derived from across multiple platforms.

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

Ans. BARC’s traditional approach to estimating audience size — TV ratings — doesn’t count viewing across multiple screens, distributors and markets across the country. What seems to be a more appropriate method to measure ratings of a TV show/program is: **Artificial Intelligence (AI) and data science to evaluate popularity**, and includes online and mobile viewing, to analyze consumer behavior and pattern. The measurement system can take a more comprehensive approach and include social media platforms to develop a separate rating that reflects social media conversations about TV shows. It creates a measurement called a “demand rating” that reflects interest in a TV show as expressed across photo-sharing sites like Instagram, online video sites like YouTube, social media platforms like Facebook, file-sharing sites and fan and critic blogs.

Since the behavioral data that exists today is survey or focus-group based, it is time that efforts are made to gather more intelligent qualitative data which can either validate or uncover similar types of insights. For instance, leveraging digital and offline data to uncover audience attributes are powerful tools that can be used to influence strategy and planning. Parrot’s technology, developed by a team of data scientists and entertainment executives pulled from Sony Pictures, MGM Studios, the MIT Media Lab and Pukeko Pictures, uses pattern identification and contextual techniques to synthesize petabytes of data from 249 countries into meaningful information. The technology weighs viewer sentiment, evaluating just how obsessed people are with a show (Liking “Orange Is the New Black” on Facebook is less of a sign of true fandom than blogging about it).

Before the rise of AI it was virtually impossible for advertisers to know if the customers watch the spot or did the spots resulted in an action, or did their behavior change. Today consumers use multiple devices, all the time. This new framework has created a complex landscape in which attribution is almost impossible. The technology solution that solves this issue is called multi-channel attribution across multiple screens (MCA—AMS). The objective here is to map the customer journey. By connecting multiple devices to the same individual, or household, AI allows to measure alternative viewing while apparently watching TV. By aggregating data on mobile presence in stores and mobile advertising, data scientist can infer the impact of the ad on the customer behavior. Online audience metrics should therefore be reported individually by PC/Laptops, Tablets, Smartphone devices and Connected TVs, both for web or in-app.

Reference has been given in the Consultation Paper as well about hybrid measurement systems adopted by agencies in countries like UK and Italy. Similar approach can be adopted by the viewership rating agency(ies) as well in deriving a more comprehensive audience measurement of a channel or program.

Moreover, the current viewership rating agency's inability to distinguish between regular viewership and viewership of a landing channel is a major concern for the DPOs as well as the broadcasters. As a result of this inability, the Authority has instructed platforms to remove the landing channels which are monitored by BARC. Ideally, an alternative solution should have been developed by the viewership rating agency to address this issue.

Further, in our view, the viewership rating agency(ies) should also collect distribution-platform-wise (DTH, MSO, IPTV, HITS, Free Dish) viewership data to measure viewership demographically, based on the presence of such platforms across India, as a separate category and the report should also be published separately.

It has been reported in the news that in a bid to improve TV audience measurement in India with next gen solutions, BARC India has partnered with Indian Institute of Technology (IIT). We hope that a comprehensive approach is taken by viewership rating agency(ies) in devising methodology(ies), and digital viewing and online consumer viewing and patterns are also included by viewership rating agency(ies) in its measurement system.

Q5. Does broadcasting programs 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?

Ans. Telecast of broadcasting programs that are out of their category or in different language directly affects TAM ratings by inflating viewership for such programs. Such influence in viewership patterns has been observed during simulcast of sports programs across multiple channels.

For instance:

(1) Pro Kabaddi League being telecast on Star Gold (Hindi Movie channel), Maa Movies (Telugu Movie channel), Suvarna Plus (Kannada GEC), and Star Pravah (Marathi GEC), in addition to the designated sports channels of the broadcaster.

(2) Indian Premier League was telecast by the broadcaster on Sony MAX, which is a Hindi movies channel, in addition to the designated sports channels of the broadcaster.

The ratings released by the viewership rating agency for the channels Star Gold, Maa Movies, Suvarna Plus, Star Pravah and Sony Max, during the telecast of Pro Kabaddi League and Indian Premier League respectively, was grossly inflated and was reported as viewership in their original genres, which gave them an undue advantage over other channels in their respective genres. This resulted in dilution of viewership data for the said channels during the said period. Such practices should immediately be curbed so as to ensure that the broadcasters telecast programs on channels as per their declared genres only.

More so under the new tariff regime, a consumer subscribing to a particular channel is doing so based on the genre and price declared by the broadcaster and the broadcaster should have no right to telecast programs of any other category or genre or language on the said channel.

Further, in case a broadcaster wishes to broadcast content of a channel in multiple languages, the broadcaster should be required to separately apply for licenses to the Ministry of Information & Broadcasting (MIB) in the specified language and genre.

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

Ans. As also mentioned hereinabove, BARC's sample size of 30,000 panel homes is neither sufficiently representative of India's 1.2 billion people nor adequate to address the diverse range of channels and products that are being advertised on these channels. Refer our comments for sample size in our answer to question No. 1.

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

Ans. As has been mentioned hereinabove, the panel size monitored by BARC to measure audience viewership needs to be increased significantly, so that the impact of panel tampering reduces on the overall TV ratings. BARC is already increasing the number of panel homes in rural India from 33% at present to 38%, according to a PTI report. With return path data (RPD), the number of panel homes will scale up to 200,000 panel households. It has been reported that BARC has tied up with DEN Networks and Airtel Digital TV for RPD, and is planning to tie up with more such DPOs.

Further, additional agencies should be encouraged to collect and monitor viewership data for the purpose of measuring audience.

However as mentioned above, the traditional approach to estimate audience size — TV ratings — through monitoring of panel homes is not adequate. If a more comprehensive approach is taken, by including social media platforms to develop a separate rating, the temptation to tamper with the panel homes will also diminish.

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

Ans. As suggested in our answer to question 1, the total sample size of panel households needs to be increased to 0.1% of the total TV households. In our view the panel size should be divided

between urban, semi-urban and rural India as a ratio of the total TV households. For instance, if the ratio of urban, semi-urban and rural India TV households is 20 : 50 : 30, the sample size should also be divided in the same ratio, to ensure true representation of audience.

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?

Ans. Achieving a higher panel size more rapidly requires newer technologies to be adopted, as has been rightly pointed out by TRAI in its consultation paper. It would therefore require a lot of investment by audience measurement agency(ies) to increase the panel size.

One of the options is to reduce the entry barrier for new members from the stakeholders mentioned in our comments on question 2, so as to expand the monitoring to the entire base of satellite channels and platform channels available for viewership to consumers. Registration of the balance channels as well as platform services will generate additional revenue for the audience measurement agency(ies) which can be used to increase the panel size.

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.

Ans. In order to collect viewership data electronically and send viewership data to the television measurement agency to statistically analyze data, DPOs will have to replace the existing STBs or upgrade the existing STBs (that support the technology). All DPOs may not be in a position to incur such huge costs and therefore must not be mandated to send the same. As an alternative, DPOs who do participate in collecting additional data points must be incentivized.

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.

Ans. There are two primary requirements for transfer of viewership data through a set top box: viewership data storage in the set top box and integration with a dongle or WiFi to transfer the data. The current set top boxes seeded by most of the DPOs are not capable of extensive storage

and integration requires development effort along with the set top box vendors. The data for analysis would be required in a certain format which is additional effort across multiple Set top Box vendors. Therefore upgrade does not seem to be a viable option. The next best option available is replacement of the set top boxes, which would require significant investment from the DPOs without visible returns.

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

Ans. No comments.

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?

Ans. In our view, the information retrieved by the television audience measurement agency should be restricted to only age, gender, urban/rural category, language and income levels. Identity of the panel household is not relevant for the purpose of audience measurement and hence should be kept confidential.

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

Ans. One of the methods of addressing the issue of panel tampering is to increase the sample size of the panel household significantly, as mentioned hereinabove, which will reduce the impact of tampering on overall TV ratings, which in turn will reduce the temptation to tamper with the panel homes.

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?

Ans. We agree with TRAI's view that release of raw data to broadcasters may potentially compromise on secrecy of households and sanctity of the data. The proposition that availability of raw data would help in giving the broadcaster sharper insights into viewership behavior, is not

sufficient to take such a huge security risk. There are other ways of sharper insights into viewership behavior as has been also mentioned by us hereinabove, such as AI.

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?

Ans. Provisioning of raw level data to broadcasters will definitely contravene the policy guidelines for television rating agencies prescribed by MIB. The accreditation system mentioned by MIB requires secrecy of panel households, while release of raw data to broadcasters may potentially compromise secrecy of households.

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

Ans. We are unable to comment on any additional disclosure and reporting requirements at the moment. However, upon adoption of new technologies, additional requirements may be required to be inserted suitably for transparency.

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

Ans. BARC is currently monitoring approximately 560 satellite channels out of the total number of 877 licensed satellite TV channels. In addition, various DPOs are telecasting a number of platform services which are also being viewed by subscribers, which may number approximately 1500 channels, considering only the larger DPOs. Therefore the reporting of 560 satellite channels by BARC represents only 24% of the available channels for viewing to a consumer, which itself is grossly skewed towards the channels being monitored by BARC.

In our view, the viewership for all the channels/services available on television sets needs to be monitored and reported as an immediate measure. To reiterate, one of the options is to reduce the entry barrier for new members from the stakeholders mentioned in our comments on question 2, so as to expand the monitoring to the entire base of satellite channels and platform channels available for viewership to consumers.

Further, it is to be noted that the number of Free Dish subscribers is an unknown number and quoted numbers are, at best, estimates. Therefore the number of panel homes using Free Dish should be very limited in number, if the same are included in the measurement of audience. This would ensure that there is no undue skew in favor of a platform which has no confirmed subscriber numbers.