



Ipsos thought Paper

*On Guidelines/Accreditation Mechanism for
Television Rating Agencies in India contained
in Consultation Paper floated on April 17, 2013*

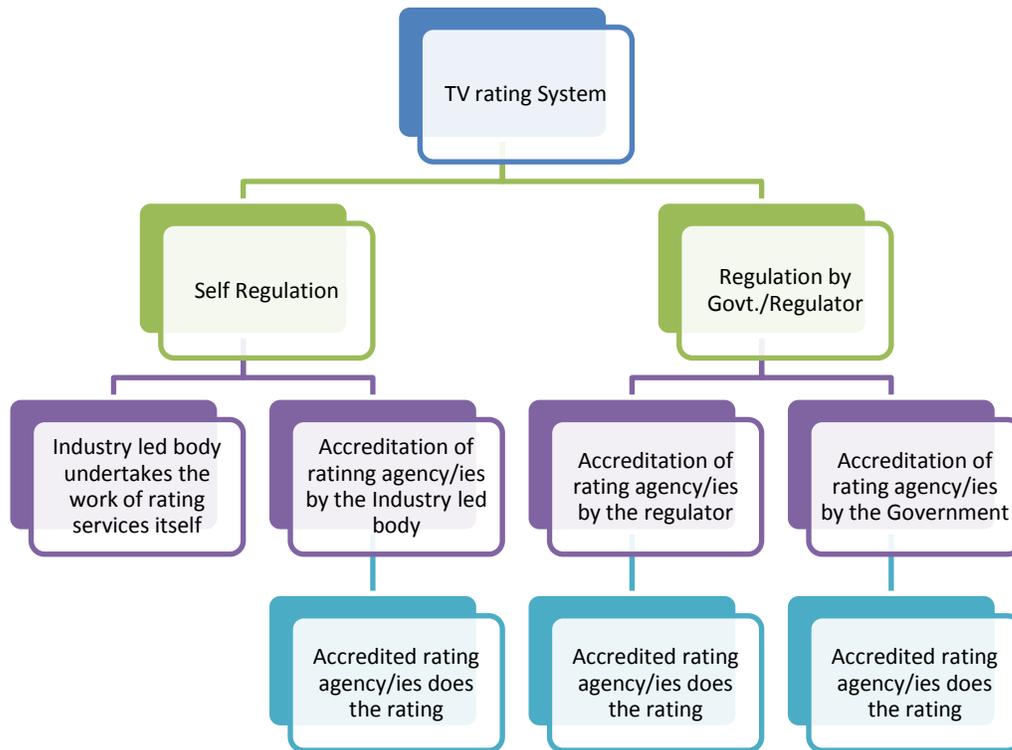
This document explains Ipsos Research views in response to various issues laid down in Consultation paper floated by TRAI on Guidelines/Accreditation Mechanism for Television Rating Agencies in India dated 17th April 2013. The document explains our consolidated views on each of the eighteen questions included in Chapter V of the Consultation Paper.

Q1. Which of the model described in para 4.4 should be followed for regulating television rating services in India?

Ipsos Response:

Any TV Audience Ratings Service for a country must have following three characteristics- Credibility (read as accuracy), Representativeness and Transparency. Credibility deals with accuracy of the Rating service. The Rating agency is required to use a scientific method to derive Ratings. Further, any rating service must be representative of TV viewing behavior of households owning TV in population. Also, all steps leading to derivation of Ratings from data collected from a sample must be open to public/expert scrutiny. This is necessary to ensure that ratings process is not a black box which current system of Television audience measurement in India makes one believe it is. It is important that ratings should not only take care of business interests of all stakeholders impartially but also must reflect TV viewing behavior of TV owning households in the country. Our understanding for need for regulation of television rating services in India is aimed at providing a rating system which is without any manipulation, is accurately derived following a scientific process in a transparent manner.

Based on study of international practices, Consultation paper suggests following four possible models for regulating Television Ratings Services in India.



Model 1

Self-Regulation Model: In this model, industry sets up a body consisting of the concerned industry representatives from broadcasters, advertisers and advertising agencies, which is responsible for carrying out the rating work and publishing the ratings. Here no individual section of the industry would have total control on decisions as these would be collective. The work of data collection or research could be outsourced. In this model, as the rating is directly done by the industry body, there is no need for accreditation of any other agency.

The paras below outline our understanding of various Pros and Cons of each of the four models proposed in consultation paper.

Pros:

1. In this approach, the responsibility and accountability of credibility and accuracy of ratings stays with the stakeholders-advertisers, advertising agencies and broadcasters. TV ratings impact their business decision most and hence provide an opportunity to them to do the ratings of TV audience in a manner which is not manipulated to benefit any one stakeholder type.
2. This model allows various stakeholders impacted by TV audience ratings service to come together and address their issues among themselves without on a common platform.
3. This model offers an opportunity for representation of business interests of various stakeholders in a fair and impartial manner.
4. This model offers an opportunity for quick decision making since any delay in decision making is bound to impact business interest of all stakeholders.

Cons:

1. This model lacks representation from society in large who are end users of TV content which is rated.
2. The model assumes that what is good for various stakeholder industry bodies may also be good for public in large. Interests of business stakeholders may necessarily not be good for public in large.
3. The model is likely to result in a coterie with only chosen few privy to modalities of an institution meant for public good.
4. The model assumes that each stakeholder type will operate in a fair and impartial manner with an aim to generate credible, accurate ratings in a transparent manner.

Model 2

Accreditation system by Industry: In this model, industry sets up a body consisting of concerned industry representatives to establish minimum requirements/standards for rating agencies and accredits rating agencies following these requirements/standards. This body also monitors the compliance of its standards by the rating agencies for continuation or otherwise of accreditation.

Pros:

1. The representation of all concerned stakeholders should in an ideal business atmosphere ensure a rating system which is impartial
2. The accreditation by representatives from all concerned industry stakeholders ensure that ratings so produced follow guidelines/principles laid down by those whose business interest ratings stand to represent
3. The concerned industry stakeholders by virtue of knowing business methods are best suited to lay down guidelines for accurate, credible ratings generated using scientific method

Cons:

1. This model also suffers from same anomaly as Model 1. There is no representation from society to ensure that interests of public are addressed in their entirety
2. The accreditation body and accredited body are part of same industry groups. This forms in a way a closed institution which may necessarily not be impervious to industry biases and favors? The whole exercise may fail if the resulting institution is another closed institution impervious to regular monitoring and scrutiny.
3. The ambit of guidelines is not clear at this point of time and hence what all business activities may get covered under accreditation is unclear. Depending on scope of accreditation, a closed industry sponsored body may have its own biases.

Model 3

Accreditation by the regulator: In this model, the regulator accredits the rating agency and ensures the compliance of prescribed standards and reporting requirements.

Pros:

1. Regulator by virtue of enjoying status equivalent to an impartial ombudsman should be acceptable to all concerned stakeholders
2. Principally the activities of accreditation are in line with intended activities/objectives of a regulatory body

3. A Regulating body is well capable of applying checks and balances on concerned stakeholders while ensuring that the business rights of all concerned stakeholders are not adversely impacted by any of its decision
4. A regulatory body is as answerable to public at large as much to concerned industry stakeholders by its conduct and hence is well placed to balance business interests of industry stakeholders with that of public and society in large

Cons:

1. Any decision from regulator may be seen as undue interference from regulatory body by industry stakeholders.
2. May result in burdening existing regulatory body with entirely new set of responsibilities towards an industry which has remained unregulated for a large part of their existence and hence may meet resistance and lack of cooperation from some of the key players
3. May require broadening scope of activities of existing regulatory body or in worst case creation of a new regulatory institution to uphold responsibilities expected from a regulator
4. There is also a question about who will bear the cost of additional infrastructure required by existing/new regulator in case this model is ascribed

Model 4

Accreditation by Government: In this model the Government accredits the rating agency by itself or through its designated agency. The rating agencies are required to comply with prescribed standards and reporting requirements set by the Government.

Pros:

1. TV audience measurement impacts ratings of programmes which in turn influence generation of content on TV. A rating which is not representative of population TV watching behavior or any manipulation of ratings stands to impact which content type gets promoted (though indirectly). TV ratings therefore affect content type generated and disseminated on mass media like TV. Government as a keeper of interest of society in large has an obligation towards all concerned stakeholders to ensure that TV ratings are accurate, credible, transparent and resulting from scientific method.
2. Currently TV ratings system in India is owned and monopolized by TAM. Various relevant stakeholders have expressed their dissatisfaction and disappointment/helplessness at lack of available alternatives to TAM. This makes a suitable case for government to help all concerned affected stakeholders by offering all viable support within realms of constitution and help generate a suitable alternative.

Cons:

1. It can be argued (and has been quoted by various industry stakeholders) that Government has no business managing TV programme ratings.
2. There is a fear of Government interference in industry affairs among certain section of media (Television)
3. Any government involvement may be seen as an attempt to control media.
4. Government should be involved in policy making rather than continuously monitoring

Having read and deliberated pros and cons of each of the four models proposed and arguments by different stakeholders (from print media archives, TRAI consultation papers and circulars and BARC circulars), We at Ipsos Media CT & PA department make following observations

- After weighing pros and cons of each of the four models proposed, we support either of two models- ***Accreditation by Industry body*** or ***Accreditation by the regulator***. However, we propose a minor modification required in ***Accreditation by Industry body*** model.
 - Such an industrial body must be enacted under a suitable Constitutional act and must be subject to Right to Information.
 - Also, such an Industrial body must have representation from regulator like TRAI.

Q2. Please give your comments on the eligibility conditions for rating agencies discussed in Para 4.7.

Ipsos Response:

The essential eligibility conditions for the rating agencies, amongst others may include the following

Eligibility Condition	Ipsos Remarks
a) The rating agency should be set up and registered as a company under the Companies Act, 1956	No Comments
b) The Rating Agency should have, in its Memorandum of Association, specified rating activity as one of its main objects	This is not necessary. TV ratings are derived ratings from survey data collected from a sample. A rating agency intending to implement TV rating system must have Market Research, Primary Research Experience. Any International experience in conducting similar exercise in country/multiple countries may help that agency bring in best practices from their learning's abroad
c) The rating agency should have a minimum net worth (say five Crores)	This is necessary to avoid participation from non-serious applicants and also to avoid application by agencies which may not have necessary resources and experience in place. In fact , we suggest that the minimum value should be sizeable; at least 50 Crores to ensure companies of repute only are on the fray.
d) The rating agency should have professional competence, financial soundness and general reputation of fairness and integrity in business transactions, to the satisfaction of the government	General reputation is an intangible asset hard to measure. Instead the applicants must have previous/current experience of conducting TV ratings. Companies which are currently doing TV audience measurement elsewhere in world should be given relatively higher weightage. This experience can be in any country abroad and company must be able to replicate their success in India from their learnings from implementing system elsewhere.
e) Rating agency should meet the prescribed cross holding requirements	Ideally rating agency must not have any cross holdings in any of the stakeholders industry impacted from ratings-media planning/buying, advertising and broadcasting.

Q3. Please give your comments on guidelines for methodology for audience measurement, as discussed in para 4.19, for television rating systems.

Ipsos response: Our response to this question is based on our company’s experience in doing TV ratings internationally in UK and sixteen other countries.

Steps Identified in Consultation Paper	Ipsos Response
<p>An appropriate combination of measurement techniques i.e surveys, people meters or a combination thereof to be used</p>	<p>In addition to face to face pen and paper establishment surveys, we strongly recommend mix of computer aided face to face establishment survey. Computer aided face to face surveys have many benefits-flexibility to present questions using multimedia (particularly useful with uneducated/illiterate masses), faster data availability, quicker response time. Ipsos has been conducting similar establishment survey as part of TV audience measurement internationally for many years and has found this method better than pen and paper based establishment survey.</p> <p>Since in real world people watch television both in and out of home, we suggest to have portable peoplemeter. Ipsos Mediacell; TV audience specialist team within Ipsos has a smarter system than portable peoplemeters technology also to capture out of home TV viewing behavior of audience.</p> <p>Mediametrie TV meter system (software loaded on the smart phone suffices the hardware requirement; hence there are lower investments required for set up) features two kinds of content recognition technology: watermarking and fingerprinting. We recommend as the best suited approach to :</p> <ol style="list-style-type: none"> 1. Use the watermarking for the main TV stations : these stations for which it is important to provide an error free and precise measurement of their time-shifted audiences and the audience of their non-linear services if any. Watermarking consists in inserting a « mark » - carrying the station’s id – in the audio (or video) stream of the stations to measure. This « mark » – non audible (/ non visible) – is then detected by the TV Meter thus enabling to identify the watched station <p>The technique is also sometimes referred to as ‘coding’ since the content streams are ‘coded’ with this non perceptible mark. For practical reasons of</p>

detection watermarking applied to audience ratings consist in coding the **audio** signal/component of a content.

Watermarking applied to audience ratings is a two steps process.

A channel ID mark is embedded within the essence of the audio signals transmitted at each broadcaster playout. This mark is imperceptible to human being though robust to common audio signal processing. In the panelists' households, channel ID marks are retrieved thanks to a dedicated audio probe allowing in that way to log the Id and periods of presentation of watermarked channels/contents on the screen of the TV set.

2. Use the **fingerprinting to complete** the desired perimeter of measured ('reported') TV stations with those for which it is not possible / not wanted / not useful to code their signal (e.g. if low time-shifted audience). Finger Printing consists in comparing a 'print'

(a 'transformed sample') of a sound (or an image) memorized by a TV meter located near a panelist's screen with the 'prints' (same 'transformed sampling') of the stations to be measured.

The match enables to know which station was viewed ('matching'). For audience measurement purpose using audio fingerprint gives the ability to identify which TV station is/was watched on a TV set of the household. The fingerprints recorded in the panellists' household, called household fingerprints (or '**observed fingerprints**' - **OFPs**), are compared to the 24/24h recorded fingerprints of selected TV stations, called TV station fingerprint (or '**reference fingerprints**' – **RFPs**). When there is a **match** found between some OFPs of a panellist's household and the RFPs of a given TV station, then the audience of this household is determined.

Ipsos Mediacell measures TV viewing behavior inside home as well as out of home. This can be used for TV and Radio audience measurement simultaneously.

This is a software meter which runs on latest generation of mobile phones (Smartphones). A

	<p>smartphone is any mobile phone with an operating system</p>
<p>All weighting or data adjustment procedures utilized by a rating agency in the process of converting basic raw data to rating reports needs to be based on systematic, logical procedures, consistently applied by the rating agency and defensible empirical analysis</p>	<p>Data from the Establishment Survey is grossed up to provide universe estimates and weighted to correct for imbalances in the achieved sample profile. Rating Agency will specify the weighting variables to be used. It is suggested that TRAI should use the latest weighting techniques, including calibration weighting that is the norm for government social surveys. With a high response rate and careful control over the interview process non-response weighting should, ideally, be unnecessary. In practice there will be some minor imbalances and the extent to which weighting is required will depend on the profile of the achieved sample.</p> <p>Excessive weighting will reduce the effective sample size and weights should only be applied where it appears that the under-representation of certain groups may adversely affect the data. The demographic profile of the achieved sample will be compared against population estimates derived from census to determine the extent to which weighting is required.</p> <p>TRAI should consider the use of calibration weighting. The technique was first developed for use on the General Household Survey and has subsequently been extended to other Government Surveys. The best description of what the method is attempting to do is contained in the appendix to the British Crime Survey:</p> <p><i>For example, a household containing a 24-year-old male living alone may be less likely to respond to the survey than a household containing a 24-year-old male living with a young partner and a child. The procedure therefore gives different weights to different household types based on their age/sex composition in such a way that the weighted distribution of individuals in the responding households matches the known distribution in the population as a whole.</i></p>

	<p>This is essentially a method of rim weighting, but improves on the algorithms that are widely used. In particular it is possible to impose controls so that the range of weights falls within a pre-specified range. This is important because it means that the impact on the design factor can be controlled. The starting point is to identify a number of groups, typically ten or twelve, that are most closely related to the response rate. Weights to correct for these are then applied at the end of the weighting process to make final adjustments to the data. In practice this step is incorporated into the overall weighting scheme and so is carried out at the same time.</p>
<p>Ratings are required to be technology neutral and capture data across multiple viewing platforms viz. Cable TV, DTH, Terrestrial TV etc. Online platforms to be covered wherever possible.</p>	<p>Establishment survey must capture information related to penetration of each of the delivery platform (cable, DTH and terrestrial TV). This will be useful in allocation of sample and weighting to compensate for adjustments required in the sample for panel used in TV audience measurement. Rating process must be technology neutral.</p>
<p>In the event that a rating agency identifies an attempt to bias measurement results by a respondent's submission of fabricated information, it should eliminate such cases from analysis. In the event that such case has been included in published data, the agency may be required to assess the effect on results and notify the users about the same along with indication of its practical significance.</p>	<p>These should be promptly addressed and communicated to all concerned stakeholders. Rating Agency must ensure that an effective communication channel mix is used to communicate any bias in measurement, its source, its treatment and corrected result to all affected stakeholders.</p>
<p>Any shortcomings, deficiencies, limitations in the rating system needs to be clearly disclosed in the rating reports and also brought to the notice of users of the rating system.</p>	<p>Other than publishing this information in relevant Ratings report, there should be frequent reporting of all bias/error of statistical significance in a log book published and distributed among all concerned stakeholders.</p> <p>Given importance of TV ratings to larger set of audience other than concerned business stakeholders (advertisers, broadcasters, advertising agencies), this log book should be available to public scrutiny and must be under Right to Information Act.</p>

	This will help make rating process more robust, inclusive and open platform (like android in case of mobile and Linux in case of computer operating systems)
The procedure adopted for selection of the panel households and the rotation of panel households should be made transparent.	This is a dual edge sword. Disclosing rotation algorithm may result in compromising identity of panel members since if one panel member identity is leaked, knowledge of rotation algorithm may result in compromising others identity in the panel. However not disclosing this process amount to intended reduction of transparency in the process. We suggest that a broad approach followed at the national level for rotating panel members be made available to all concerned stakeholders while not disclosing how many panel members be rotated per region specifically.
Geographic representation should be provided in proportion to the TV viewing population. The panel should be based on distribution of target viewership for a particular segment like age group, socio-economic class, gender, working status, multiple delivery platforms, all states, Urban and rural markets. It should be updated once in 6 months to reflect the developments taking place in the delivery platforms.	We have prepared a list of variables based on our international experience of TV audience measurement. Variables of interest could be <ul style="list-style-type: none"> - TV owning household distribution across states and districts there in. - Rural/Urban distribution of TV owning households in different states - Social demographic profile of TV viewing population - National and Regional channels penetration across different states - Penetration of cable/DTH/Terrestrial mode - Penetration of other media in TV owning household population across states - Linguistic capabilities in TV owning households across states
A minimum panel size (say 15,000) for providing the rating results may be mandated, which can progressively be increased in steps (say 5000 increase every year) to the desired panel size (say to 30,000)	This is dealt separately as part of our response to Q4. In Consultation paper.
For selecting the sample homes a large scale establishment survey will be carried out. The household sample covered through this survey should be	Internationally, establishment survey is usually 10-15 times the panel size. Size of establishment survey often depends on heterogeneity within the sample. We suggest a stratified probability sample of private

<p>large enough (say 10 times of desired panel size) to remain representative of all television households in the country. The establishment survey should be carried out periodically (say annually) to reflect changes in growth of TV homes, changes in demographics, growth in new delivery platforms like internet, variations of growth across markets, etc.</p>	<p>occupied households owning at least one television set for the purpose of establishment survey. Sampling frame for Establishment survey must be Census 2011. Our internal analysis of changes in country's population trends between 2001 and 2011 census data suggests significant changes and hence using any other sampling frame will result in fewer representatives establishment survey sample.</p>
<p>A certain percentage (say 25%) of the panel homes should be rotated every year. The rotation should be in such a manner that older panel homes are removed first while maintaining the representativeness of the sample.</p>	<p>There can be different rules to rotation of households within panel other than first in first out (older panel homes removed first) as suggested in Consultation paper. Our international experience in large panel management screens panel members for accuracy of information, usefulness to the TV audience measurement survey (We tend to replace TV owning households with no reported TV use for more than certain number of days since this amount to waste of resources and also tend to impact audience measurement). A more comprehensive list of such rules from our experience of international experience in panel management and TV audience measurement can be provided separately on request.</p>
<p>Rating agency should not include any office, employee or any other member, of broadcasters, advertisers and advertising agencies, in audience measurement sample.</p>	<p>This is necessary to avoid any influence from concerned stakeholders and also has as implication from maintaining privacy of panel members.</p>
<p>Secrecy of the panel households should be maintained.</p>	<p>This is dealt separately in our response to Q5. In consultation paper</p>
<p>Privacy of panel households should be maintained.</p>	<p>This is dealt separately in our response to Q5. In consultation paper</p>

Q4. What should be the minimum panel size (in terms of numbers of households) that may be mandated in order to ensure statistical accuracy and adequate coverage representing various genre, regions, demographics etc. for robust television rating system? Should the desired sample size be achieved immediately or in a phased manner? In case of implementing the desired panel size in phased manner, what should be the quantum of increase and periodicity of such increase in size?

Ipsos Response:

The consultation paper; taking cue from international standards has proposed a panel size which is at least .016 to .059 to TV owning household population in country. As per Census 2011 household data, there are approximately 11.6 Crores Households owning at least one TV set. Going by the proportions suggested in Consultation paper, it would amount to a panel size of Approximately 26 lakhs. It is not only difficult to create and manage panel of this size but also un-necessary. Size of panel will depend on level of reporting required

Amit Mitra Committee has recommended a fourfold increase in sample size from currently 8150 to 30,000. In absence of technical documents supporting this sample size, it is difficult to comment on soundness of rational for suggesting this sample size.

Ipsos Recommendation of Sample Size:

- If reporting is required for
 - National level
 - Each Channel
 - Each State separately
 - Separate Urban or Rural reporting (state / national)

Keeping in mind objective of TV audience measurement, it makes sense to have a panel size which is reflective of

- language (three options speak, Write and Read/Speak and Write/Speak only) mix in the population &
- Operational Channel mix (National and Regional) available currently by genre
- Rural and Urban population mix
- Within Urban India, distribution of population between towns of different population strata.
- Viewing Platform (Cable/DTH/Terrestrial)
- Required Statistical Confidence Interval limits in essential indicators (Channel viewership)

Any decision regarding sample size will require in depth study of country's demographic, languages in which channels are available in and TV ownership (by platform-terrestrial/cable/DTH) using currently available national level databases like Census, DLHS (District level Household Survey) and data available with government sources (Estimates of subscribers for each of the viewing platform-DTH, Cable and terrestrial)

All India representation through sample surveys has always been a challenge to researchers because of the geographical spread, vast diversity and increasing population size. Rapid social and economic changes that have been taking place across the country only add to the complexity of conducting research.

The RFP currently does not mention the level of reporting requirements which will have the impact on the sample size for the representative population. There would be various variables which would have to be kept under consideration at this juncture before finalizing the sample size. The variables which would impact the sampling and sample size are ; State level reporting, broken into Urban and Rural, Social economic classification, the number of channels to be measured (do we focus on key channels in each state or all the channel?) As an illustration we may pick up Rest of Tamil Nadu (ROTN) as a representative unit which has around 75 regular channels in Tamil Language and 13 other channels which are aired partly in Tamil language. The current sample size people metre placed for ROTN is 380; now if we were to take the NFHS -3 data the penetration of TV in TN is 46%. Taking these figures into consideration assuming 5% relative error at 90% confidence level the sample size should be 1370 households while it is 380 as of now. Therefore our request is for the client to decide what is important to observe just the geographies or the number of channels also. Therefore we would seek more information from the client here to advice the last unit of reporting for us to be able to propose a relevant sample size.

The challenge at hand is that the population is very large and it might be impossible to construct an up-to-date and accurate frame. Adding to the vovs is that the population is highly dispersed. This presents significant logistical problems. A solution to these problems is to use a cluster sampling strategy. Here the, sampling frames can be constructed that identify groups or clusters of enumeration units without listing explicitly the individual enumeration units. Sampling can be performed from such frames by:

- taking a sample of clusters;
- obtaining a list of enumeration units only for those clusters which have been
- selected in the sample; and
- selecting a sample of enumeration units.

Q.5 Please give your suggestions/Views on as to how secrecy of panel homes can be ensured?

Ipsos Response:

Secrecy in TV audience Measurement is required at two levels-

1. Secrecy of a particular household inclusion in panel
2. Secrecy related to TV viewership data from Individual households

Secrecy of a particular household Inclusion in panel includes secrecy related to address, and location. This is required so that the panel is not subject to chance of corruption/manipulation from any concerned stakeholders. There are two sides to maintaining secrecy

- Rating Agency taking all precautions to maintain secrecy around Identity of panel members
- Preventing Panel Members from disclosing their Identity to concerned stakeholders with an intention to benefit from their inclusion in TV audience measurement panel

Rating Agency can take a number of measures to ensure secrecy around identity of panel members. This include (not restricting to)

- Maintaining secrecy around households randomly selected in establishment survey
- Ensuring that year on year different blocks/population primary sampling units are selected and this selection is done in a manner which is purely random(If following Stratified random sampling, within each stratum identity of primary sampling units to be kept confidential from users stakeholders)
- Among selected households to be panel members, ensure that a minimum number of panel members are rotated at fixed/random intervals in a way that it does not Impact the Rating Methodology and maintains representativeness at all times
- Maintain digital records related to addresses, locations of panel households in a secure server environment which is physically secured within premise of Rating Agency and has restricted access to only those cleared to access data (Sampling experts within Rating Agency)
- Ensuring that all data entry operations related to establishment survey and panel households is done internally. If this task is outsourced, the vendor/sub-contractor is made to sign a No Disclosure Agreement with Penalty Clause.
- All hard copies of questionnaires/research material containing any information which could lead to disclosure of identity of establishment survey households or panel households be secured appropriately within premise of Rating Agency or a registered associate who in turn is made to sign a Non Disclosure Agreement with Rating Agency

- All research material which is obsolete and could lead to identification of household included either in establishment survey or audience panel be destructed appropriately in a manner that residual material could not be converted into original documents leading to identification of respondents.
- Team members working on Audience measurement within Rating Agency be separated from other operating staff and given different level of access privileges to research data. For e.g a Junior Research Executive may necessarily need permission from a Sr. Research Manager when accessing Panel Identification data for verification of data collected in case requiring any analysis related clarification
- Separating TV viewership data from Panel Identification data and ensuring that different team members with pre-determined roles be given regulated access to each set of data.
- All field staff working on TV audience panel be sworn Oath of Secrecy and if any breach is discovered, same be reported to regulators/concerned stakeholder body and panel member dropped with a replacement while maintaining representativeness.

While Rating Agency may take all necessary steps to ensure secrecy around identity of panel members, family members in households within the panel be sworn oath of secrecy with a penalty clause to ensure that no household within panel tries to benefit from disclosing his identity to a user stakeholder.

Q6. Please give your comments on the cross holding restrictions for rating agencies as discussed in para 4.23. You are welcome to suggest modifications. Please elaborate your response with justification.

Ipsos Response:

Suggested Restriction	Suggestion on Modification (If any)
There should be no cross holding between the rating agencies and broadcasters, advertisers, media agencies and advertising agencies	Also Rating Agency employees working on TV audience measurement must declare ownership of any shares in any of the companies within broadcasting, advertisers, media agencies and advertising agencies.
This cross holding restriction should also be applicable in respect of individual promoters besides being applicable to legal entities	
No Single company/legal person, either directly or Indirectly or through its associates or inter-connected undertakings, shall have substantial equity holdings in more than one Rating Agency. Similarly no single company/legal person, either directly or Indirectly or through its associates or inter-connected undertakings, shall have substantial equity holdings in both rating agencies and broadcasters/advertisers/media rating agencies and advertising agencies. Substantial equity could be defined as certain percentage (say 10% or more) of paid equity	Definition of Substantial Equity must be made more stringent from 10% or More to 5% or More. This is to ensure that any prospective rating agency or an associate is completely pervasive to any benefit which may accrue from his holdings in any of the user stakeholder company(ies)
A promoter company/legal person/directors of the rating agency cannot have stakes in in any broadcaster, advertiser and advertising agency either directly or Indirectly	

Q7. Please give your comments on the complaint redressal mechanism discussed in para 4.25. You are welcome to suggest modifications. Please elaborate your response with justifications.

Ipsos Response

We suggest a mechanism to classify complaints

- Technical complaints – pertaining to rating procedures, Ratings of different channels, data related to ratings
- General Complaints- pertaining to administration, irregularities, doubts, perceived deficiencies, misconduct etc

It is important to define scope of complaints which could be answered from those not worthy of replying to. This could be done by a joint meeting of all concerned stakeholders including some Right to Information activists.

While technical complaints could be directly addressed to Rating Agency, General complaints depending on their nature could be sent directly to regulator or rating agency.

After the complaint is automatically allocated to the concerned official, the complaint details should be made available to the official. We propose two mechanisms for this purpose

1. SMS integrated system: As soon as complaint is registered and accepted, a system generated SMS should be given to the concerned officials giving brief details like grievance category/sub category. This feature is essential to ensure that officials are intimated about the complaint as soon as it is allocated to him.

2. Online System: Each official should have a unique log in Id (both regulator and rating agency) which could be used to access the details of all the complaints allocated to him.

Q.8 whether the rate card for sale and use of ratings should be published in the public domain by the rating agencies? Please elaborate your response with justifications.

Ipsos Response:

Rate card should be standardized and published in public domain. This will help achieve transparency and also help promoting supply-demand led competition in the market place for TV rating agencies.

Q9. Whether other users apart from broadcasters, advertisers and advertisement agencies be allowed to obtain the rating data from rating agencies? If yes, who all should be allowed to obtain and use the data from the rating agencies? What restrictions should be imposed on use of the rating data by users?

Ipsos Response:

We suggest following group of institutions/individual types be allowed to obtain the rating data

- Central and State Ministries
- Various government departments
- NGOs
- National and International Academic Institutions
- Public Policy Research Organizations
- Students
- Individual Researchers associated with a recognized university
- Right to Information Activists
- Private businesses

The Rating Agency may decide privileged rates for selected group of institutions/individuals and may revise same after informing all concerned.

While we encourage a reasonable expansion of the access rights to user groups (some of whom are mentioned in list above), a fine balance should be maintained between reasonable access of data by such parties, and under what kind of obligations they are under when accessing and using the data.

We suggest a log system to be put into place capturing who had been accessing the data. In this way, in the long run, this log data can be useful in reviewing the requirements later on and see whether there is a need to further limit / expand the groups of people that can have access to the data or any other incidental policies that need to be put into place.

While on one hand, we encourage more people to have access to the data, we believe the newly added group, if so granted access rights, their use should be limited to non-commercial purposes. Ultimately, we believe users of such data should be subject to the terms of a license agreement (which can be done through the log system when they log in and click "accept" in order to access the data). In this way, there will be an additional recourse (if needed) against any unauthorized behavior.

Q10. Whether the user should be allowed to share the data provided by the rating agency with third parties or publicly accessed media? Please elaborate your response with justification.

Ipsos Response:

On 11 April 2011, the Indian Ministry of Communications and Technology published rules implementing certain provisions of the Information Technology (Amendment) Act 2008 (IT Amendment Act 2008) dealing with: (a) protection of sensitive personal data: security practices and procedures that must be followed by organizations dealing with sensitive personal data (Data Privacy Rules);⁴ (b) due diligence to be observed by intermediaries; and (c) guidelines for cybercafés.

The Data Privacy Rules appear to apply to Sensitive Data of any individual collected, processed or stored in India via computer resources by any entity, whether established in India or not. The application of the Rules is not limited to Sensitive Data belonging to Indian residents. Neither is 'body corporate' restricted to a 'body corporate' established in India, but includes a foreign body corporate.

The proposed Data Privacy Rules do not distinguish between a data controller and a data processor. In the UK Act (from where Indian Act is derived) these terms are defined: a data controller (Data Controller) is a person who determines the purposes and the manner in which the data is to be processed. A data processor (Data Processor) is a person who processes the data on behalf of the 'data controller'. Under the UK Act, legal responsibility to the Provider rests with the Data Controller, unless decisions regarding control over the data are taken jointly by the Data Controller and the Data Processor. In that case, both organisations may be regarded as co-controllers. Under the Data Privacy Rules, legal responsibility in relation to consent requirements and Provider access requests does not lie solely with the corporation in question but appears to extend to the Data Processor. Both a body corporate and a Data Processor performing functions of collecting, storing or processing the Sensitive Data might be responsible for compliance with the obligations of the Data Privacy Rules. Principally too any data collected as part of TV audience measurement is property of the institution(s) financing the audience measurement system. Internationally, there are different models for selling ratings data to end users. Licensing and User base costing are two common costing models followed internationally. In licensing model, interested users buy the license for different level of access to data while in User based costing model, access to different levels of data is costed per user access. There are single user licenses and multiple user licenses. Since the rating is result of expensive investment in processes and systems, it will be unfair to the institution sponsoring these processes and systems; should this data be available free of cost for sharing. This could potentially cause loss of considerable opportunity cost to financial sponsors of rating

agency(ies). Any sharing of data with unlicensed users inside or outside the buyer institution must be prohibited. Rating Agency can relax these norms in special circumstances and that too at their own discretion.

Q11. Please give your comments with regard to the parameters/procedures, as suggested in para 4.34, pertaining to mandatory disclosures for ensuring transparency and compliance of the prescribed accreditation guidelines by rating agencies. You are welcome to suggest modifications. Please elaborate your response with justifications.

Ipsos Response:

Prescribed disclosures	Ipsos Comments
Detailed Rating Methodology in clear terms	No comments
Details about the coverage in terms of geographical and other socio economic representations.	No comments
Disclose, wherever necessary, possible sources of conflict of interests, which could impair its ability to make fair, objective and unbiased ratings.	No comments
Comments/Viewpoints of users of the rating data	No comments
Quality Control procedures with respect to all external and internal operations which may reasonably be assumed to exert significant effects on the final results.	No comments
Rate card for the various reports and discounts offered thereon.	No comments
Ownership pattern of the rating agency, including foreign investment/Joint venture/associates in the agency	No comments

Q12. Please give your comments with regards to the parameters/procedures, as suggested IN PARA 4.37, pertaining to reporting requirement for ensuring effective monitoring and compliance of the prescribed accreditation guidelines by rating agencies. You are welcome to suggest modifications. Please elaborate your response with justifications.

Ipsos Response:

Prescribed disclosures	Ipsos Comments
Rating Agency equity structure, shareholding pattern including foreign investment/Joint venture/Associates in the Agency. Any changes during the reporting period, if any, should be reported immediately.	No comments
Details of Key executives and board of directors	No comments
Interests of rating agency in other rating agencies/ broadcasters/ media agencies/ advertisers/ advertising agencies	No comments
Coverage details	No comments
Subscription & Revenue details	No comments
Any other information and reports as may be asked for by MIB or the regulator from time to time.	No comments

Q13. Please give your comments on audit requirements for rating agencies as discussed in para 4.42. You are welcome to suggest modifications. Please elaborate your response with justifications.

Ipsos Response: - No comments

Q14. Who should be eligible to audit the rating process/system?

Ipsos Response:

As per our understanding to be eligible to audit the rating process/system

- The company should be a firm.
- Should have been established and has been in continuous practice for a period of 10 years or more
- It should have
 - A minimum of five partners of whom at least two should have been in practice as partners in an audit firm for a minimum of 5 years
 - At least two other partners have been in continuous practice in the audit firm as their partner or had been in employment earlier with that firm for a minimum of five years
- Alternatively,
 - it could be a firm which has at least seven Chartered Accountants including
 - not less than two as partners who have been in continuous practice as
- partners in the firm for a minimum period of 10 years and
 - at least three Chartered Accountants, either partners or as employees, had been in continuous partnership/employment with the audit firm for a minimum period of five years and
 - At least two partners of the firm shall be Fellow members of the Institute and had been in continuous practice for five years after enrolment as Fellows.
- In both the cases mentioned above, at least one partner or paid Chartered Accountant of the firm should have CISA/ISA or any other equivalent qualification.
- Only those firms that have been issued peer review certificate by the Peer Review Board of the Institute of Chartered Accountants of India.

Q15. What regulatory initiatives are required to promote competition in rating services? Please elaborate your response with justifications?

Ipsos Response:

We feel that this question requires discussion and debate among all stakeholders concerned. The regulatory framework must ensure credible, accurate, unbiased, representative TV Ratings in a transparent manner without affecting stakeholder's business interests and promoting a sustainable business environment.

Q16. In case guidelines/rules for rating agency are laid down in the country, how much time should be given for complying with the prescribed rules to existing entities in the rating service sector, which are not in compliance with the guidelines? Please elaborate your response with justifications.

Ipsos Response:

Internationally it is a normal practice to give 6-18 months for existing players to adjust to the changed rules and guidelines. Also, existing players are given a chance to adjust to the rules and guidelines in phases. There is often clear scope of changes required within each phase and a clear timetable to achieve the desired changes.

Q17. Do you think integrating people meter with set up boxes is a good solution? If yes, how to encourage such systems?

Ipsos Response:

Much work has taken place in several countries on working with a more advanced form of household TV set metering – namely the set-top boxes used to funnel digital signals of one sort or another into the home.

Many millions of homes in the United States, for example, have set-top boxes already in the house next to their television sets. A system able to probe TV and channel switching behaviour across hundreds of thousands – and potentially millions – of households would be able to generate very granular audience data at the second by second level, providing great insights to video content providers.

But there are many drawbacks with this approach both in theory and in practice. First, it is still a household-based measure so will not capture out of home viewing. Secondly, there is no measure of which people are in the vicinity when the set is on (although, perhaps, as newer television sets begin to respond to hand movements and recognise faces, this may change...). Thirdly, people often only have the boxes on one of their several sets – so the others would remain unmeasured.

In practice, progress in developing set-top box measurement has been stymied by the huge diversity in the types of boxes deployed, the lack of interest amongst set-top box manufacturers in the audience measurement area and technical issues with knowing exactly when a TV set is on rather than in standby etc.



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

Ipsos Response: - No comments

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