

**Response of Prasar Bharati to the consultation issues posed
by TRAI in its Consultation Paper dated 31.07.2017 on
'Ease of Doing Business in Broadcasting Sector'**

- Q. 1 Is there a need for simplification of policy framework to boost growth of satellite TV industry? If yes, what changes do you suggest in present policy framework relating to satellite TV channels and why? Give your comments with justification?**

PB Response

No comments.

- Q. 2 Is there a need in present policy framework relating to seeking permission for making changes in the name, logo, language, format, etc. related to an operational satellite TV channel? If so, what changes do you suggest and why? Give your comments with justification?**

PB Response

No comments.

- Q. 3 Do you agree with some of the stakeholders' comment at pre-consultation stage that Annual Renewal process of TV channels needs simplification? Give your comments with justification?**

PB Response

No comments.

- Q. 4 Do you agree with stakeholders' comments that coordination with multiple agencies/ Government departments related to starting and operating of a TV channel can be simplified? If so, what should be the mechanism and framework for such single window system? Give your comments with justification?**

PB Response

There is a strong need for putting in place, a single window system, in order to avoid the present system of approaching multiple agencies for obtaining permission/ approval for TV channels. The single window system should be online and under the purview of MIB.

Q. 5 Is present framework of seeking permission for temporary uplinking of live coverage of events of national importance including sports events is complicated and restrictive? If yes, what changes do you suggest and why? Give your suggestions with justification.

PB Response

No comments.

Q. 6 Do you feel the need to simplify policy framework for seeking permission/license for starting and running of following services–
a. Teleport services
b. DTH service

If yes, what changes do you suggest so that process of grant of permission/license can be simplified and expedited? Give your comments with justification.

PB Response

Yes, the policy framework for seeking Permission/License for starting and running of Teleport and DTH Service needs to be simplified. The single window online system will be helpful in avoiding delays in obtaining approvals/permission from multiple agencies.

Q. 7 As per your understanding, why open sky policy for Ku band has not been adopted when it is permitted for 'C' band? What changes do you suggest to simplify hiring of Ku band transponders for provision of DTH/HITS services? Give your comments with justification.

PB Response

Similar to the 'C' Band related policy, open sky policy should be adopted for 'Ku' Band also.

Q. 8 What are the operational issues and bottlenecks in the current policy framework related to –
a. Teleport services
b. DTH service

How these issues can be simplified and expedited? Give your comments with justification.

PB Response

The main bottleneck is manual processing for licenses from different agencies-NOCC, MIB. WPC, MHA, DOR, SACFA, Annual renewal of DL/WOL is also an operational issue. Single window system may be implemented to simplify the process.

Q. 9 What are the specific issues affecting ease of doing business in cable TV sector? What modifications are required to be made in the extant framework to address these issues? Give your comments with justification.

PB Response

The Cable Television Networks (Regulation) Act, 1995 (CTNR-1995) needs an urgent update. The Cable TV industry has evolved tremendously over a decade. However, the Act which governs the industry has not evolved with time. It is pertinent to mention here that the CTNR-1995 is the mother of all broadcasting regulations as this is the only enactment of the parliament in the broadcasting space. All other regulations are merely guidelines.

The guidelines for uplinking and downlinking do not have the force of law behind them. This makes it very open to various interpretations. Ministry needs to enact a legislation which is contemporary and supports the evolving broadcasting sector.

Q. 10 Is there a need to increase validity of LCO registration from one year? In your view, what should be the validity of LCO registration? Give your comments with justification.

PB Response

No comments.

Q. 11 What are the issues in the extant policy guidelines that are affecting the ease of doing business in FM sector? What changes and modifications are required to address these issues? Give your comments with justification.

PB Response

Many options are open for the masses for Infotainment Programme affecting business in FM Sector. FM broadcast system requires creation of big infrastructure like tower, building and studios, etc. The capital cost of creating the infrastructure consumes most of the revenue earned by the broadcaster. Contents of the broadcast are the essence of the business and may carry sensitive information, which may affect society at large. Hence suitable regulations are required to bring all broadcasters at level playing field. In order to ease business in FM sector, regulations are required for sharing of available

infrastructure of the various agencies in the country. Frequency spectrum is a limited natural resource (88–108MHz) for FM broadcasters. However, it is not fully utilised for FM broadcasters. Therefore, it is pertinent to release full band for FM broadcasters. The FM Band needs to be regulated for interference free broadcast environment. The spectrum needs to be regulated in space and time sharing basis.

Q. 12 Is there a need to streamline the process of assignment of frequency by WPC and clearances from NOCC to enhance ease of doing business? What changes do you suggest and why?

PB Response

Yes, Single window system will enhance ease of doing business.

Q. 13 What are the reasons for delay for allocation of frequencies by WPC? What changes do you suggest to streamline the process? Give your comments with justification.

PB Response

WPC also needs to automate its processes so that the entire process of allocation of frequencies is online right from the time of submitting an application. The system should also have a provision to inform the applicant about the stage of processing.

Q. 14 What are the key issues affecting the indigenous manufacturing of various broadcasting equipment and systems. How these issues can be addressed?

PB Response

Non-availability of - proper R&D facility, indigenously manufactured quality chipsets/components, access to the technology that suits to Indian conditions, funds from banks and financial institutions at easy terms etc. and lack of culture of trial and innovation are some of the key issues affecting the indigenous manufacturing of various broadcasting equipment and systems. The following steps are suggested to leverage indigenous manufacturing in India:

- Open up various broadcasting activities to private players for catering to greater consumer demand for diverse content/services and access thereof through platform of their choice and convenience;
- Collaboration should be made with institutes like IITs, IISc and organisations like ISRO, C-DoT etc. in the process of developing technology standards, device development etc. so that the technologies developed are tuned to Indian conditions;

- To spur innovation and adoption, the culture of innovation should be nurtured and for that we must have a framework which facilitates evaluation of emerging technologies by providing suitable platform for demonstrations, field trials etc.;
- Preference should be given to indigenous innovators/ integrators/ manufacturers, thereby promoting objectives of 'Make in India', 'Start-up India' and 'Digital India'. This will also enable them to avail preferential treatment available under such programmes.

Q. 15 Is there any other issue which will be relevant to ease of doing business in broadcasting sector? Give your suggestions with justification.

PB Response

No comments.

Q. 16 Are there any issues in conducting trial projects to assess suitability of a new technology in broadcasting sector? Give your comments with justification.

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Q. 17 What should the policy framework and process for consideration and approval of such trial projects?

PB Response (Q. 16 and Q. 17)

As on date, no clear frame-work is available about granting permission to trial projects. There is a need to have an enabling policy and regulatory framework for consideration and approval of trials aimed at assessing suitability of a new technology in broadcasting sector in India. This would spur innovation and adoption of emerging and efficient technologies and would nurture the culture of innovation. However, certain safeguards should be incorporated in the approvals to protect interests of the existing licensees and operators of the broadcasting sector in particular and national interests in general.

The said safeguards could be:

- Resources such as spectrum for such trials should be separately provided by the administrative body which controls such resources and should not be allocated out of the resources in use or allocated to the incumbents for their existing as well as planned services;
- Trials should not cause interference or any kind of hindrance or disruption in service(s) of the incumbents;
- In case trials are carried out by foreign technology innovator (foreign entity) in collaboration with an India Organisations (especially Gov. or PSU), there should be IPR benefit share for the collaborating Indian Organisation;

- As India provides a major market for consumption of technology/product so innovated/developed in India through such trials or collaborations in India, policy /regulatory framework should be such which enables India to exploit this situation to its advantage with T&Cs of agreement/understanding tilted in favour of Indian consumers and the collaborating Indian entities;
- Trials should encourage manufacturing within the country and thereby, help in achieving the objectives of 'Make in India';
- Preference should be given to technologies developed indigenously or being conducted by entities that are owned or controlled by Indian Nationals;
- While allowing trials, preference should be given to the projects that employ and promote green technologies.

Q. 18 Stakeholders may also provide their comments with justification on any other issue relevant to the present consultation paper.

PB Response

Present infrastructure and man-power support in the Broadcasting Wing at the Ministry may be totally inadequate to deal with the huge gamut of the work involved in the grant of permissions for Uplinking and Downlinking of TV channels. While policy needs simplification and web-enabled Single Window System, it is important to have a professional mechanism in place for providing permissions in a time-bound fashion. The process from the time of receiving an application to the grant of license, should be completely automated and made online with least manual intervention. The Uplinking and Downlinking Guidelines do provide Single Window Clearance mechanism albeit in a very limited way. The Ministry of I&B acts as a repository of receiving information from various Wings of Ministries/Departments and then processes it to grant the permission. This leads to huge complications as the entire process is manual.

A comparison could be drawn between the Passport Sewa Kendras wherein the entire process of grant of permission is paperless. We need to work towards a model which is efficient, time-bound and accountable.
