



VIL Comments to the TRAI's Pre-Consultation Paper on Inputs for Formulation of "National Broadcasting Policy"

At the outset, we are thankful to the Authority for giving us this opportunity to provide our comments to the Pre-Consultation Paper on Inputs for Formulation of "National Broadcasting Policy" dated September 21, 2023.

In this regard, we would like to submit our comments for Authority's kind consideration, as given below:

Question-wise Comments

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.

VIL Comments to Q1

1. The broadcasting sector, just like telecommunications sector, is a spectrum-dependent sector which requires spectrum to deliver its services.
2. The National Digital Communications Policy 2018 (NDCP 2018) envisages one of the strategies as:
 - (g) Enabling Infrastructure Convergence of IT, telecom and broadcasting:***
 - i. Amending the Indian Telegraph Act, 1885 and other relevant acts for the purpose of convergence in coordination with respective ministries*
 - ii. Establishing a unified policy framework and spectrum management regime for broadcast and broadband technologies***
 - iii. Restructuring of legal, licensing and regulatory frameworks for reaping the benefits of convergence*
 - iv. Allowing benefits of convergence in areas such as IP-PSTN switching*
3. As is evident from above, a unified policy framework and spectrum management regime in convergence era i.e. for telecom and broadcasting, is one of the key strategy of the Government, as enunciated in NDCP 2018.



4. In this regard, since convergence between telecommunication, broadcasting, and other services has now been widely acknowledged, the new framework should focus upon creating a level playing field amongst all the service providers, be it converged service providers or standalone service providers. To cater to all such convergence covering provision of different services through the same technology as well as provision of the same service through different technologies and platforms, we believe that the Government would rely on the principle of same service, same rules.
5. Just like spectrum allocation for telecom services has been assigned through fair and transparent auction, same should be followed for spectrum to be assigned for broadcasting services, in any band. Any spectrum, if allocated administratively for broadcasting services will disrupt level playing field amongst the two sectors, based on a regulatory intervention instead of its value to the consumers and society.
6. **Hence, to ensure homogeneity across Government policies and strategies in a convergence era, the National Broadcasting Policy should also have similar strategy, to ensure unified policy framework and spectrum management regime for telecommunication and broadcasting technologies.**

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**
 - ii. **Policy and Regulation**
 - a) **Satellite Broadcasting**
 - b) **Terrestrial television Broadcasting**
 - c) **Radio Broadcasting**
 - d) **Print media**
 - e) **Digital Media**
 - 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) segment**
- Detailed comments may please be provided.**



VIL Comments to Q2

1. Policy and Regulation:

a. Refarming Spectrum required for IMT:

- i. TRAI had recommended refarming of spectrum 526 MHz - 582 MHz band to be utilized for IMT deployments. Extract of TRAI recommendations dated April 11, 2022 is provided below:

c) DoT should come out with a plan for refarming 526-582 MHz band to be utilized for IMT deployments. To make 526-582 MHz band available for IMT, DoT should work with MIB to prepare a plan for an early migration from Analogue to Digital Transmission, so that the frequency band from 526-582 MHz can be vacated for IMT services. Considering that ITU has identified spectrum in 470-698 MHz as an IMT band in Region 2 & Region 3, DoT may adopt a holistic approach and review the entire frequency range starting from 470 MHz to 582 MHz.

d) In case, complete refarming of 526-582 MHz frequency range for IMT is not feasible, DoT may explore the possibility of this band being used for IMT as well as for broadcasting by MIB on coexistence basis. Refarming of this frequency range for IMT may be performed in a phased manner so that as and when some frequency carriers are vacated, the same can be auctioned for IMT services.

- ii. The Bharat 6G Vision of March 2023 also recognizes 526 MHz - 582 MHz as one of the potential IMT bands for low power private networks in coordinated use with MIB on non-interference and non-protection basis from TV transmission.
- iii. **Therefore, the National Broadcasting Policy should provide for a clear strategy under Policy and Regulation, for vacating the spectrum 526 MHz - 582 MHz in a time-bound manner.**

b. D2M (Direct to Mobile):

- i. We understand that the underlying policy intent for D2M is to leverage broadcasting capabilities to offload unicast traffic from mobile networks. While implementing this appears to be a promising prospect as it will deliver the video content to the consumers through broadcasting and will save bandwidth, the implementation of the D2M as a dedicated network, outside the cellular networks needs to be properly examined.
- ii. Building a dedicated D2M network appears to be in contradiction to the notion of the convergence, as it will lead to fragmentation of spectrum by earmarking spectrum specifically for the broadcasting infrastructure as opposed to



technology neutral approach adopted in the spectrum assignment and licensing conditions until now.

- iii. Furthermore, offloading cellular networks requires a close integration of D2M (i.e. broadcasting capabilities) with cellular networks, so that the spectrum and infrastructure can be optimally leveraged for broadcasting and IMT services as per the demand. Therefore, a dedicated D2M network, built by a third party, will not be able to achieve these aspects optimally.
- iv. Most importantly, the proposed band 526 MHz - 582 MHz is crucial for IMT services. Any allocation of spectrum for D2M within this band will adversely affect IMT deployments. Further, spectrum allocation specifically for D2M will lead to fragmentation of spectrum, as opposed to technology neutral approach adopted in the spectrum assignment and licensing conditions until now as well as it would be highly inefficient and sub-optimal use of spectrum.
- v. Cellular broadband networks have increasingly played an important role in the delivering the video content to consumers. On the other hand, there are various challenges, such as lack of device ecosystem, in various D2M technologies.
- vi. The purpose of leveraging the broadcasting capabilities for delivery of video content to consumers, can be achieved by utilizing the broadcasting technologies within the ecosystem of mobile cellular networks so that the spectrum can be optimally utilized between Broadcasting and Unicasting requirements. This will provide seamless experience to customers who use smartphone for both video consumption and other data based services.
- vii. Due to the above aspects, the model for implementing the D2M as a dedicated network, needs to be reviewed. D2M should work in tandem with cellular networks as a complimentary network, as its primary function is to carry traffic offloaded from cellular networks.
- viii. **It should be a clear strategy in National Broadcasting Policy, to utilize D2M as a complimentary network to cellular networks.**

c. Spectrum assignment methodology:

- i. In the era of convergence, it is most important to ensure level playing field across overlapping services, technology neutral spectrum and using existing time-tested policies.
- ii. In our view the existing spectrum assignment methodology i.e. a fair and transparent auction mechanism being used for access spectrum, should be applicable for all fresh spectrum assignments across telecommunication and broadcasting sector.



- iii. Thus, any fresh spectrum allocation for broadcasting sector, including for D2M services, needs to be assigned through auctions in a technology neutral manner. The successful bidders should be able to deploy this spectrum either for D2M as complementary network to cellular networks or IMT or both.
- iv. This will allow the spectrum holders to utilize the spectrum flexibly within the networks for IMT and Broadcasting Services, thereby making optimal utilization of this finite and precious national resource.

2. **Specific Regulatory Authority for Broadcasting:**

- a. In our opinion, there is no need or plausible justification to explore for a separate regulator for broadcasting services.
- b. TRAI has been successfully regulating both the telecommunications and broadcasting sector for years and is well aware of the emerging technologies, policies, past practices, licensing framework, etc.
- c. TRAI has always been the torch bearer and way ahead of time when it comes to building the policy and licensing framework. Its inputs have been playing a significant role in building the foundation for various telecom and broadcasting policies from time to time.
- d. Considering the era of convergence, the distinction between the telecommunication and broadcasting services as well as provision of these services through separate networks, is fast fading away.
- e. In such scenarios, these sectors would definitely require a single regulator for deeply understanding the licensing and regulatory framework applicable for these services, emerging technologies and for formulating future-fit regulatory frameworks.
- f. **Therefore, the need of single regulator i.e. TRAI for telecommunication as well as broadcasting is quite obvious and there should not be any specific separate regulator for broadcasting. The same should also be captured in the National Broadcasting Policy.**

Q3. Stakeholders may also suggest any other issues which should be considered for formulation of National Broadcasting Policy, along with detailed justification.

VII Comments to Q3

No comments.