

04/10/2019

Advisor (B&CS),
The Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi – 110 002

Kind Attention: Shri Arvind Kumar

Sub: Consultation Paper on Platform Services offered by DTH operators (11/2019)

Dear Sir,

On behalf of Asianet Digital Network Pvt Ltd, we would like to inform you that Platform Services are important part of DPOs and DPOs rely on PS channels for advertisement and subscription income.

We appreciate the Authority's efforts to address a few issues pertaining to PS channels.

We submit our comments on the Consultation paper herewith.

Your Sincerely,

For Asianet Digital Network Pvt Ltd
G.Sankaranarayana
President &COO

Consultation Paper on Platform Services offered by DTH Operators dated 28th August, 2019

Q1: Do you think programmes of the PS should be exclusively available on one single DTH operators' network only to qualify as a PS channel for the DPO? Should there be any sharing of such programmes with other DPOs? If yes, please provide justification and if no, reasons thereof.

Reply: No. There should not be any restriction in terms of sharing of such programmes with on other DPOs/ DTH Operators because:

- a) *Some content can not be procured by a DPO / DTH operator alone on exclusive basis, as it will be unviable for a DPO to absorb the cost.*

While this consultation paper is titled for DTH operators, it is likely to be treated applicable for MSOs also many of who are small in size compared to DTH operators. It will not be possible to absorb the cost of content on exclusive basis by a DPO.

- b) *Some producers sell the same content (for example a movie) separately to a broadcaster (for a few crores of rupees) and a DTH operator / DPO (for a few lakhs of rupees) to maximize their income. It is not necessary to restrict the Content to a DPO platform alone.*

As such a constraint is not there for broadcasters, it is not logical to apply such a constraint to DPOs.

- c) *PS channels are good competitors to satellite channels (which are highly priced) and more restrictions will weaken their existence.*

Q2: In case answer to Question 1 is no, how it can be ensured that programmes of the PS are exclusively available only on single DTH operators' network? What conditions are to be imposed in registration/license/guideline?

It is not any one's interest to make the content exclusive for a particular DPO as it will make content monopoly.

There are several temple festivals / religious programs being carried by DPOs on through its PS channels. It will not serve any purpose if the program is carried by a particular DPO only which will deprive the content to subscribers of another DPO.

DPOs have been able to get the content from the content providers (including Movie right holders) based on the subscriber base and territory covered. If the DPO has to approach the content owner on exclusive basis, the cost of the content will be prohibitively high.

Normally, DTH/DPO acquires the content which has been already telecasted on some of the satellite channels and they would be re-telecast on PS channels after acquiring rights.

Q3: Is there is a need to revisit/review the earlier recommendation of the Authority dated 11th November 2014, relating to keeping recording of all PS channel programs for a period of 90 days and maintaining a written log/register of such program for a period of 1 year by the DPO from the date of broadcast and the role of Authorised Officer and the State /District Monitoring Committee and MIB as monitoring authorities.

Reply: This recommendation may be revisited as several of the DPOs (especially MSOs) are small in size and it is cumbersome to record and store the transmitted content across various channels being carried by them just to facilitate inspection/monitoring.

The DPOs should have self regulation regarding the content being transmitted, which should suffice in addition to following the code of programming and advertising.

Q4: What should be the Registration fee/Annual fee for PS per channel? And how it is to be estimated?

Reply: As per the recommendation dated 11.11.2014, one time registration fee of Rs.1000/- per channel can be charged including online registration. This will facilitate DPOs to focus and deliver more content to its subscribers.

The registration fee should be more to get the PS Channels registered and high amount shall be a burden on the DPOs.

Q5: How many PS channels are to be allowed to DTH operators? and Why?

Reply: Several DPOs have come out with innovative and niche content including education, religion, entertainment etc in the form of PS channels and this needs to be encouraged rather than restricted.

As it is seen from the data given by the Authority in the consultation paper, the PS channels are very few compared to the total channel capacity and there is no threat to the distribution of the satellite channels. In any case, if the Authority wants to cap the number of PS channels, it may be capped at 15% of the total channel capacity of the DPO network.

Q6: Whether PS channels should be placed separately on EPG to distinguish them from regular TV channels? If yes, how these channels are to be placed?

Reply: Keeping in mind the subscriber convenience in terms of choosing the channels of interest, the authority has specified in clause 18 of Interconnection regulations as to how the channels need to be arranged in the EPG – directing the DPOs to place the channels Genre wise together consecutively.

The current proposal to place PS channels separately is contradiction to the logic of clause 18 and will inconvenience the subscriber in locating the channel pertaining to a genre as it will have to be outside the genre, as per this proposal.

It is requested that the PS channels may also be declared and placed in the respective genres much like the satellite channel.

For this purpose, DPO should also be asked to declare the genre of the PS Channel .

Q7: Should there be any provision for displaying name and sequence number of PS channels in a particular font size under the heading PS or “Value Added Services” on TV screen so as to distinguish them from the regular TV channels? If yes, please provide justification.

Reply: It is not necessary to label the PS channels as PS or VAS.

Reason: The subscriber selects a channel based on the content any channel carries and it does not matter to subscriber whether it is from satellite or DPO.

As it is the PS channels – especially DPO channels are looked down by the advertisers and even BARC. BARC does not rate the PS channels as a policy which is hurting the advertisement revenues of the DPO channels. Further labeling these channels will harm the PS channels.

Here, it is also requested that the Authority directs the BARC to include PS channels for viewership ratings so that PS channels compete against regular channels to generate advertisement revenue.

Q8: Should PS channels be also categorized in specific genre such as “Devotional” or “General Entertainment”, or “Infotainment” or “Kids” or “Movies”, or “Music” or “News and Current Affairs” or “Sports” or “Miscellaneous”? Please provide proper justification for your answer.

Reply: PS channels should be declared in one of the genres by the DPOs like regular channels are done so that the subscriber can conveniently find the PS channels in the respective genres.

Q9: Stakeholders may also provide their comments on any other issue relevant to the present consultation.

BARC has not been measuring the viewership of the PS channels. Rating of PS Channels by BARC will help PS channels to earn advertisement revenue. The Authority may kindly direct BARC to allow PS channels to register for viewership ratings.