

## Issues Related to Prescribing Minimum Channel Spacing, within a License Service Area, in FM Radio Sector in India

The Community Radio Forum is a registered society working in the interests of community radio stations in India. This document, has been in consultation with community radio stations operating on the FM Band, and we request TRAI to consider these comments as a stakeholder in the FM Radio Sector in India.

### Background:

The Supreme Court of India saw a landmark case in 1995, in Ministry of Information and Broadcasting Vs Cricket Association of Bengal, presided over by a bench of three judges – P.B Sawant, Jeevan Reddy and S. Mohan. The landmark judgment – “airwaves are public property” – has been, in many ways the foundation of the community radio movement, a unique combined effort of grassroots communities from all over the country and community media advocates, civil society actors and academicians.

After nearly a decade, the Ministry of Information and Broadcasting released community radio guidelines, but limited the definition of community to educational institutions. It was only eleven and a half years after the ‘airwaves’ judgment that, on November 16<sup>th</sup> 2006, the government of India released community radio guidelines which recognized the legitimacy of communities to broadcast on FM through the third tier of broadcasting – community radio.

Today, there are 150 operational community radio stations, and an equal number awaiting license. Most of the community radio stations fall under three key categories – non-profit, educational institution and agricultural centre (Krishi Vigyan Kendra). More than 80% of the licenses have been awarded to educational institutions – since they have had a policy almost two years earlier, and also because of a single window licensing process for campus-based CR stations.

Further, in 2006, there have been various presentations by engineers and officials from Wireless Planning & Coordination (WPC) wing of the Ministry of Communications who have stated explicitly that there would be six (6) frequencies allotted to community radio in a given license service area or a circle. Over the next five years, the number of available frequencies for CR were whittled down to three (3) for all practical purposes.

As grassroots communities are poised to finally gain access to media ownership, they are indeed showing potential to not only realize the vision of freedom of speech and expression as constituted in Article 19(1)(a), but also become powerful vehicles for communities to address their own social, economic, political and cultural issues.

There is a need from the Ministry of Information & Broadcasting and the Ministry of Communication & Information Technology and the broadcast regulator (TRAI) to give priority to this sector as it is explicitly using the

airwaves to serve community and public interests – in the spirit of the 1995 judgment referred to earlier.

### Overall Comments

Community Radio Forum would like to place some overall comments on the record in the context of the consultation paper issued by TRAI , No. 7/2011 (“Issues Relating to prescribing Minimum Channel Spacing, within a License Service Area, in FM Radio Sector in India).

- 1) India has since early 2004, a three tiered radio-broadcasting structure - Public Service (All India Radio), Commercial (private FM radio stations) and Community (Community Radio Stations). Since there are over 150 community radio stations in the country on the FM band, and their numbers are steadily increasing, TRAI is requested to kindly consider Community Radio in their future consultations and recommendations regarding FM.
- 2) The current consultation paper suggests reduction of channel spacing to 400 KHz from the existing spacing of 800 KHz. Although the rationale is primarily for the growth of commercial FM radio in A+ and A category cities, the final recommendation could be for FM licensing across India – including rural areas. Therefore it is critical to look at the issue from a larger perspective.
- 3) While commercial FM radio licenses are obtained through an auction, CR stations are mandated to be not-for-profit, and hence have an entirely different licensing process.
- 4) Unlike private FM, community radio stations are allotted licenses by MoIB and frequencies allotted by WPC, with stations only paying approx. 20,000 INR for spectrum usage. However, since licensing is an internal government process, there is no transparency in how a given license service area is defined for community radio; how many frequencies are reserved/allotted for community radio in a given service area; and on what basis the frequencies are divided between public radio, commercial radio and community radio.
- 5) Until there is transparency from DoT on a systematic frequency allocation plan within the FM band for a given service area, it is very difficult to decide or comment on how channel spacing reduction will impact all three tiers of the FM Radio Sector in India
- 6) We also would like to mention here that while private FM radio stations can transmit on power from 3 kW (3000 watts) upwards, community radio stations are transmitting at 50 to 100 watts ERP. Therefore it may be possible for a 3KW station to overpower a 100 W station if the channel spacing between them is insufficient.
- 7) While this is possibly speculative, it does underline the need for wider consultation and field based research on how much interference is faced by the low-power community radio stations, especially in urban areas

## Specific Comments

On the specific questions posed in the Consultation Paper, the CR Forum would like to submit the following responses:

- 1) What should be the minimum channel spacing within a license service area for the FM radio channels? Should it be reduced from the current level of 800 KHz, if so, what should be the appropriate minimum channel spacing? Please justify your response with appropriate reasoning. While giving the response, the issues such as the viability and desirability of having more number of channels in the interest of the stakeholders, selectivity of FM receivers available with the consumers (such as mobile handsets, car radios, and other receivers), transmission from a single or multiple transmission setups may please be factored in

The Minimum Channel spacing within a license service area should be reduced from the current level of 800 KHz. This will create more opportunities for community radio to address the urban poor who often get left out of developmental initiatives, which are rural centered. Arriving at a specific and mutually convenient and feasible channel spacing level should be through wider consultation with all stakeholders including community radio. Further, it is accepted that in A+ and A category cities, the vast majority of radio listeners use their mobile phones as listening devices which can handle even 200 KHz channel separation. However, the quality of transmission from transmitters of community radio as well as private FM stations can lead to increasing interference amongst FM radio stations, especially in urban areas. This issue can be looked at in more detail through some field level data whether interference is or is not occurring between private FM stations or between private and community radio stations. There also needs to be some field level research to see from listeners of A+ and A category cities, especially listeners of community radio stations, if they are facing interference from private FM stations.

- 2) What are the implications of reducing/not-reducing the minimum channel spacing within a license service area?

The implication of reducing the minimum channel spacing within a license area has huge potential for the FM radio sector in India, especially in larger metros and A category cities. It could encourage the growth of the private FM Radio sector in India, through more private radio stations. It could also create more FM frequencies for community radio stations since there could be more allocated for them with reduced channel spacing. However, more in urban areas than others, it is critical to have a concrete FM band management plan, where there are clear indicators on reservation for different sectors – public, private and community – and how much spectrum each sector can access. This planning needs to equitably cater to each sector and needs to be done in a public, transparent and consultative manner.

3) In the event of reduction of minimum channel spacing, from the current level of 800 KHz, should the minimum channel spacing be reduced only in A+ and A category cities or should it be reduced across the country?

The minimum channel spacing from current level of 800 KHz could be reduced in phases – A+ and A category cities; smaller urban centers, and lastly across the country. Each phase should consult with stakeholders and existing practitioners who might be able to give valuable field level experiences, which can be considered in shaping recommendations.

4) Any other relevant issue that you may like to raise or comment upon

We reiterate that FM radio sector planning should accommodate the needs of community radio stations as well. Therefore we urge TRAI to recommend that the priority is to have a coherent FM frequency planning which caters to all three sectors in an equitable way. Community Radio stations, especially, need clarity on the size of the circles within which frequencies are allotted and on what basis this size is defined; and further, how many frequencies are allotted within each circle, and on what basis these frequencies are allotted. Depending on this information, it would be possible to assess supply and demand and subsequently, assess scientifically the positive and negative consequences of issues like reduced channel spacing.

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