

Consultation Paper dated 17th April, 2013

“Guidelines/Accreditation Mechanism for Television Rating Agencies in India”

Our comments to each of the issues raised by the Authority in this consultation paper are captured below:

Q1. Which of the model described in para 4.4 should be followed for regulating television rating services in India? Please elaborate your response with justifications.

We are of the view that the television rating services in India should be based on self-regulated model. For such purposes, industry stakeholders have already formulated Broadcast Audience Research Council (BARC) which is joint Industry body comprising of representatives from broadcasters, advertisers and advertising agencies. BARC is a (not for profit) company with the specific purpose of designing, commissioning, supervising and owning India’s television audience research measurement. Important government stakeholders viz. Prasar Bharati and DAVP are on the board of BARC organizations

Q2. Please give your comments on the eligibility conditions for rating agencies discussed in para 4.7 above. You are welcome to suggest modifications. Please elaborate your response with justifications.

The nature of work for a rating agency is very peculiar and specialized, a set criteria for eligibility would not make much difference. However, any entity applying for a rating agency would anyways have to establish its credentials during tender process or at the scrutiny of their application. Any such guideline or eligibility criteria right at threshold may serve as a deterrent for prospective entities.

Q 3. Please give your comments on the guidelines for methodology for audience measurement, as discussed in para 4.19 above, for television rating systems. You are welcome to suggest modifications. Please elaborate your response with justifications.

Our suggestions for methodology for a robust audience measurement and rating system are as under:

- A combination of both surveys and People meters is an appropriate measurement technique.
- All conversion techniques used to convert raw data into rating reports must necessarily be based on systematic, logical and empirical analysis and must be applied consistently by the rating agency.
- Ratings have to be tech-neutral and should be capable of capturing data across multiple platforms, including online.

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- As we do not support the need for an accrediting agency, we submit that the rating methodology need not be submitted to any third party but can be made available on the rating agency's website.
- Any fabricated information unearthed by the agency must be necessarily removed/excluded from the analysis and the same must be brought to the notice of the users of the data, signifying its impact as well. Similar treatment should also be applied when shortcomings and deficiencies in the system are identified.
- Panel households have to be selected on the basis of a transparent methodology which also provides for rotation of the panel households.
- We agree that geographic representation should be proportionate to the TV viewing population and several factors such as age, demographics, gender, economic status etc as proposed by the Authority under this section must be considered as part of the rating methodology.
- A minimum panel size has to be arrived at, which can then be progressively increased. The present rating system in the country has been found deficient on this major ground of inadequacy of panel size that is not truly representative of the TV universe, a fact that is extremely significant to have a true and fair rating mechanism.
- Secrecy and privacy of panel households must be given paramount attention.
- There should be no employee or officer or any representative of broadcasters/advertisers/advertising agencies in the sample.
- We agree with the guidelines proposed by the authority on the conduct of a large scale establishment survey for selection of sample homes and the concept of rotation amongst panel homes in such a way that the older homes are replaced by newer ones without disturbing the representative nature of the sample.

We are not averse to explore any new, innovative and more reliable technology that may be concomitant with the audience measurement.

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 panel 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?

We would suggest that it would be difficult to arrive at an optimal panel size. We are of the view that the optimal panel size can only be determined after due statistical, logistical and financial analysis have been conducted. The panel size cannot be pre-

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determined contrary to what the Authority has suggested, rather panel size should be decided on need basis. Further, the desired panel size can be achieved in a phased wise manner, since it requires both resources and time.

Q5. Please give your suggestions/ views on as to how secrecy of panel homes can be ensured?

The secrecy of panel homes is paramount if one wishes to take out accurate/ unbiased ratings. This can be achieved by right checks and balance internally and externally, some of the tools for ensuring that would be non-disclosure agreements & sharing of information on need basis only. A robust system can be achieved by way a consultative process amongst the stakeholders.

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 justifications.

Since the industry body like BARC would have representation from various stakeholders, thus the proposed cross media holding restrictions would make it impossible for BARC, or any joint industry body, to remain eligible as a rating agency. Whilst, we agree that to ensure accuracy of report and establish complete faith in the rating agencies it has to remain non-aligned and independent, however this rule may be waived for industry bodies formulated as rating agencies.

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.

We recommend for a self-regulatory approach viz. a complaint grievances redressal body comprising of representatives from the industry, who can understand and analyze the issues & complaints better and can give a solution that is workable and acceptable.

Q8. 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.

We support transparency and accountability in ratings, bringing ratings in public domain would only be fair to all stakeholders.

Q9. Whether other users apart from broadcasters, advertisers and advertisement agencies be allowed to obtain the rating data from the 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?

We agree that other paying users apart from broadcasters, advertisers and advertisement agencies should be allowed to buy data or reports from the rating agencies, more so because this additional revenue ultimately helps to subsidize the

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cost of the television audience measurement service provided for the regular subscribers.

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

Database has been recognized as an intellectual property and disclosure of data by the subscriber may infringe the commercial interest of the rating agency. Thus any such disclosure or non-disclosure by the subscriber to a third party should be governed by the terms of the contract between the rating agency and the subscriber.

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.

We agree with the Authority's recommendations.

Q12. Please give your comments with regard 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.

We are of the view that for a joint industry body like BARC the proposed parameters/procedures should not be mandated and should be left to self-regulation.

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

Regular Audits would bring in transparency and assurance for compliance of set rules and procedures that have been put in place and also enhance its credibility amongst the stakeholders.

Q 14. Who should be eligible to audit the rating process/system?

We are of the view that an independent and credible auditors of good repute should only be eligible.

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

We believe that even a single credible rating agency, having a transparent and robust system, can suffice the industry's need, therefore regulatory intervention is not required in this regard.

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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 services sector, which are not in compliance with the guidelines? Please elaborate your response with justifications.

BARC, a joint industry body is already functional and therefore guidelines/ rules for rating agency should be implemented immediately. .

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

We are of the view that People meters with STBs can be considered, however, care should be taken to ensure that such a step does not open up newer security risks and integration of data and its reliability is maintained.

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

No Comments.