



CONSULTATION PAPER ON “REVIEW OF TELEVISION AUDIENCE MEASUREMENT AND RATINGS IN INDIA” ISSUED BY THE TELECOM REGULATORY AUTHORITY OF INDIA DATED DECEMBER 03, 2018

COMMENTS OF

Indian Broadcasting Foundation (IBF)

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➤ INTRODUCTION

India with its immense cultural, ethnic and linguistic diversities, a population of 1.35 billion and over 195 million TV households (expected to reach 209 million TV households by FY 2023¹) represents a huge challenge for any countrywide television audience measurement system.

Adding to this complexity, India's channel distribution business is witnessing a paradigm shift. The implementation of the Telecommunications (Broadcasting & Cable) Services Interconnection (Addressable Systems) Regulations, 2017, The Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 and the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017, has ushered in a new tariff and inter-connect regulatory regime with broadcasters now having to compulsorily price their channels to the end consumer (collectively "**New Regime**"). Consequently, the viewership patterns of consumers are likely to witness a sea-change with consumers becoming more choosy in their choice channels whether a la carte or in bouquets, making virtually every household a unique viewer. This makes it imperative to have more accurate measurement of audience viewership that represents the entire television viewing universe and derive television rating points (TRP) for channels therefrom. TRPs impact the expenditure decisions of advertising agencies since advertisers have several broadcast platforms to choose from and depend on the ratings released by the Broadcast Audience Research Council (BARC), which reflect the popularity of shows and channels. TRPs also provide insights into viewership patterns and thus have an indirect influence on the creation of content, scheduling of programmes, as well as pricing of channels. Inaccurate ratings will impact not only broadcasters and advertisers but also the choices of the viewing public. The veracity and reliability of TRPs therefore becomes extremely significant.

We thank TRAI for creating an opportunity to deliberate issues and challenges relating to TV audience measurement by issuing the Consultation Paper on Review of Television Audience Measurement and Ratings on December 03, 2018 ("**CP**"). The MIB, while issuing the Policy Guidelines for Television Rating Agencies in India ("**Policy**"), has clearly acknowledged and recognised the validity of all the stakeholders' view that there should be 'self-regulation'/'forbearance' for the TV audience measurement space, and this has been supported by TRAI.

However, the manner in which the MIB Policy Guidelines have played out, merits deliberation *inter alia* on whether the Policy Guidelines have allowed the intent behind these Guidelines to be realised. Therefore, while IBF is providing its comments on the specific queries raised in the Consultation Paper on Review of Television Audience Measurement and Ratings dated December 03, 2018 ("**CP**"), we reserve all rights to put forth our representations on the scope, authority and implementation of the Policy Guidelines. The comments provided are without prejudice to this reservation

¹ <https://www.statista.com/statistics/694806/india-tv-households/>



➤ **ISSUES**

Query 1:

Whether BARC has been able to accomplish the purpose with transparency and without any bias for which it has been established? Please elaborate your response with justifications. Also, suggest measures to enhance the effectiveness of BARC to give TV ratings with transparency and without bias.

Response 1:

We would like to start by saying that any new system, i.e. BARC led self-regulation or any other, requires time to develop. As IBF, we believe that it is necessary to respect and preserve the fundamental philosophy behind formation of BARC – i.e. enabling the industry and the stakeholders to self-govern the system of TV audience measurement and rating. It is an evolutionary process and will require support from all quarters.

Before BARC, rating services were provided by TAM Media Research and Audience Measurement and Analytics Ltd. (“TAM”) on a commercial basis. Various concerns had been raised at that time of the ‘credibility’, ‘transparency’ and the sample size aspects of the TAM methodology. The Dr. Amit Mitra Committee made its recommendation to the MIB regarding establishment of transparent and credible self-regulatory mechanism for television rating system and so also did TRAI. After following a consultation process and obtaining views of all stakeholders, TRAI issued its recommendations on “Guidelines/Accreditation Mechanism for Television Rating Agencies in India” to MIB in September, 2013 which supported self-regulation of television ratings through an industry-led body like BARC. MIB accepted TRAI’s recommendations and notified the Policy in January, 2014 which also recognized the establishment of BARC as an autonomous ‘not for profit’ body duly registered under the Companies Act, 2013.

The very intent of revamping the erstwhile TAM rating system was to have self-regulation through an industry led body that would ensure neutrality and transparency. BARC was constituted comprising representatives from all relevant industry associations being Indian Broadcasting Foundation (IBF), Indian Society of Advertisers (ISA) and Advertising Agencies Association of India (AAAI). This three-way alliance has taken on the onerous task of running the initiative with a robust, transparent, credible, autonomous and accountable governance framework with its measurement framework and methodology agreed to by all stakeholders

One of the biggest problems with the previous rating agency was the focus on urban households and the neglect of the public service broadcaster as far as the audience measurement was concerned. To mitigate this, BARC has also taken Prasar Bharati on board². Considering the complex environment in which the rating process has to be analyzed and adjudicated, BARC constituted a Technical Committee to look into specifics of the various components like establishment survey, television metering technology, blue printing the research design, initiating and overseeing vendor selection, etc. Since the Directorate of Advertising and Visual Publicity (DAVP) is the biggest government advertising agency, BARC also inducted DAVP’s nominee on the Technical Committee, amongst other industry veterans³.

² <https://barcindia.co.in/BoardofDirectors.aspx>

³ <https://www.barcindia.co.in/TechnicalCommittee.aspx>



Further, prior to BARC becoming fully operational, a team of IBF members visited BARB (Broadcasters' Audience Research Board), UK to pick up their "best practices" as suited to the Indian diversity, demography and multiplicity of linguistic channels⁴. Unlike TAM, BARC is a non-profit organization akin to TEM Ireland and Numeris in Canada.

Regarding panel households, these are selected on the basis of a transparent methodology which provides for rotation of the panel households. Also, a particular geographic representation is proportionate of the TV viewing population and several factors such as age, demographics, gender, economic status, etc. are considered as part of the rating methodology. Considering that BARC follows regular process of audits therefore, audit mechanism can also be used to check and report as to what are the outliers and other filtering mechanisms used and whether the division of Bar-o-meters and the respective weightage are more representative. Adequate checks and balances are in place to ensure that employees or officers or any representative of broadcasters, advertisers, advertising agencies, BARC itself are not part of the sample. Hence, in selection of panel size as well, BARC has ensured maximum transparency.

Having said that, with the onset of the new MRP based pricing regime from February 1st 2019, it would be appropriate to evaluate how the BARC rating system can be further strengthened. There is need to expand the sample size but in a cost effective manner, using alternatives like a sample Return Path Data methodology. With RPD technology built into the Set Top Boxes, the sample size can be significantly expanded in a cost effective manner, which will help minimize and eventually eradicate malpractices like panel tampering.

Another aspect to be addressed in the existing BARC measurement system is the unit of measurement being used for measuring and comparing performance which presently is a relative performance measure of GRP. However, a more accurate unit of measurement, which is already measured by BARC and is the basis of measurements like the GRPs, is the unit of **Number of Impressions**. This is a more appropriate unit of measurement of audiences, since it captures not just relative performance, but also the absolute measurement of viewers. This becomes more significant in our country, where Television universe is rapidly expanding, and more and more people are starting to consume television. Between 2016 to 2018, the TV watching universe has increased from 183 mn homes to 197 mn homes, and is expected to increase to 224 Mn homes in the next few years. Hence our suggestion is to measure and publish absolute impressions and do away with the TRP and GRP based KPIs.

Another challenge that needs immediate attention are the extreme fluctuations in the ratings for Niche Channels and the present policy used by BARC in this regard. The present policy needs an overhaul from the perspective of niche channels. Due to their specific demand, Niche Channels unlike other channels of general entertainment, sports, infotainment do not command a very large subscriber/ viewer base. Thus, it is to be specifically seen that these channels are adequately represented and that they are compared with only those channels which fall under the category of Niche Channels, for analysing their viewership/ audience measurement

⁴ IBF Submission on TRAI Consultation Paper on Guidelines/Accreditation Mechanism for Television Rating Agencies in India dated 17 April 2013



Query 2:

Do you feel that present shareholding/ownership pattern of BARC ensures adequate representation of all stakeholders to maintain its neutrality and transparent TV ratings? How its credibility and neutrality can be enhanced further? Please elaborate your response with justification.

Response 2:

While we have already touched upon this in our Response 1 above, we would like to state that BARC had undergone a major change in shareholding structure with the inclusion of the AAAI as a shareholder, in addition to the existing shareholders - the IBF and the ISA⁵ in accordance with the recommendations of the TRAI and Dr. Amit Mitra Committee. Thereafter, the current shareholding pattern was consensually agreed upon between the three shareholders. Since, broadcasters are responsible for creation and nurturing of the TV viewing market with significant sustained efforts and they are also significantly directly impacted based on TV ratings, it is important that IBF (whose members manage 400+ channels and about 90% of television viewership across country) has a shareholding in BARC which commensurate with its importance for the market. Hence, the current shareholding should not be made to change.

Query 3:

Is there a need to promote competition in television rating services to ensure transparency, neutrality and fairness to give TAM rating? What regulatory initiatives/measures can be taken to make TV rating services more accurate and widely acceptable? Please elaborate your response with justifications.

Response 3:

The weekly audience measurement released by BARC are widely accepted. With the increasing number of channels, multiple broadcast platforms and increased number of television sets, a technical and scientific approach to audience measurement is a necessity. In several countries it is one agency that provides the audience measurement service, for e.g. BARB in the UK and Auditel in Italy. However India is a huge television market and given our large population, there is no reason why there cannot be more than one agency providing audience measurement if the business environment is able to support and sustain the existence of more than one agency. Whether that is one or two or more should however be left to the marketplace to determine, independent of any external interference. However, it is important that for television rating systems to be effective, the audience measurement currency or currencies are recognized as credible data sources.

A comparison has been made in the CP with multiple credit rating agencies operating in the country (like CRISIL, ICRA, CARE, ONICRA and SMERA) and a corollary has been drawn for having similar mechanism for television ratings measurement. It is pertinent to note that the two markets i.e. financial products and services market and the television market are inherently different and hence the principles applicable for determining the ratings for financial products will not apply to the television industry. An audience measurement agency only provides facts about viewership whereas a credit rating agency provides an opinion on facts and the financials that it reviews.

There are sufficient checks and balances in place in the form of 'reporting requirements' and 'audit requirements' specified under the Policy.

⁵ <https://www.exchange4media.com/media-tv-news/ibfisa-aaai-join-hands-once-again-for-barc-45775.html>



Query 4:

Is the current audience measurement technique used by BARC apposite? Suggest some methods, if any, to improve the current measurement techniques.

Response 4:

We feel that the current audience measurement technique used by BARC is time-tested and widely accepted to reflect correct viewing patterns.

BARC is operating on New Consumer Classification System (NCCS) methodology which while working satisfactorily has scope for evolution that are addressed:

- **Improvising of NCCS classification:** In a country the size of India with its geographic and cultural diversity and its urban-rural divide, segmenting audiences based on NCCS classification does not adequately capture the diversity in our audiences and their viewership preferences. BARC has been consistently working to make the representation truly pan-Indian.
- **Increase in sample size:** The current sample based measurement needs to be reviewed. The present 33,000 household sample size, which will increase to 50,000 in the next couple of years. Ideally a move towards RPD methodology would result in reduction in relative error and improve accuracy
- **Hybrid STBs/Reverse Path Data (RPD)/apps in mobiles:**

In order to increase sample size, hybrid STBs capable of transferring viewership data may be considered. This transfer of data can be done by establishing a return path/connection from STB to the remote servers of the television audience measurement agency by way a SIM inserted in the STB or via an external device consisting of a SIM which could be installed into existing STB.

Another method for rapid panel expansion could be to mandate the DPOs to electronically send viewership data to the television measurement agency for statistically analysis of data. However, the return path technology should not be through DPOs since that may leave room for manipulation. Instead the data should be transmitted to BARC directly. Alternatively, if data is to return through DPOs servers, secure technologies should be deployed to ensure that DPOs servers act as 'pass-through' only and are incapable of data access, analysis or manipulation.

BARC has reportedly tied up with DEN Networks, Siti Cable and Airtel Digital TV for measuring TV viewership using RPD through STBs.⁶

The science and technology of audience measure is rapidly evolving globally. BARC (or any other measurement agency) must be cognizant of this fact and ensure that it is in sync with developments in the technology of audience measurement globally.

Query 5:

Does broadcasting programmes that are out of their category or in different language for some time during the telecast affect the TAM rating? If so, what measures should be adopted to curb it?

⁶ https://en.wikipedia.org/wiki/Broadcast_Audience_Research_Council



Response 5:

Under the BARC methodology, only if the channel content holds the viewer's interest for at least a clock minute does it get logged in the measurement system. Stickiness of the viewer on a channel is determined by the viewer's interest in the channel's content. Only if the content is to the viewer's taste and sensibilities, will he/she stay on the channel and not flip to another.

Viewers make their choice of channels by looking at the genre and the content of a particular channel. A channel in a particular genre is therefore more likely to offer most of its content in that genre not only to attract but also sustain viewership. Its programming DNA will also reflect the target audience it wishes to attract. Advertising outlays for TV channels are also determined at genre level. Hence, maintaining genre sanctity becomes a hygiene factor for any broadcaster

The New Regime specifies 9 (nine) genres. It is left to the broadcaster to decide on the nature of content that should be aired in a particular genre. This flexibility is necessary. Otherwise genres can become much too prescriptive. We do not therefore recommend any changes to the present system.

Query 6:

Can TV rating truly based on limited panel homes be termed as representative?

Response 6:

It is understood that any sample based data will have some challenges in our diverse country of 1.35 billion people. As rightly pointed in the CP, smaller panel size results in limited data for analysis and therefore is not truly representative of the overall universe and to that extent is not wholly accurate. Small sample size poses real difficulty in prediction/establishment of true measurement data, especially in our diverse country of 1.35 billion people. A larger panel size would certainly improve robustness and give more weightage/value to measurement rating, but has significant financial implications given the large population of our country. Overcoming these challenges requires identifying optimal technology (in terms of design and cost) based solutions which addresses all requirements. This can now be made possible through cost effective technologies like Sample Return Path Data and will take care of some of the key challenges, including issues like adequate representation of all genres being consumed by variety of consumers. In light of the New MRP Regime, accuracy of data basis variety of viewing patterns becomes important. Also, viewing patterns need to be considered while determining the sample size. Samples should consist of adequate representation of all genres being consumed by variety of consumers.

Query 7:

What should be done to reduce impact of manipulation of panel home data on overall TV ratings? Give your comments with justification.

Response 7:

Manipulation of panel home data is a huge roadblock to transparent and fair viewership measurement in the country. Panel manipulation should be recognised as a serious offence and any individual or a company undertaking it should be punishable by law.



Increase in sample size through various means (hybrid boxes/RDPs/applications on mobiles) would definitely reduce impact of select tampering. Further, in order to deter tampering, it should be made a penal offence by way of requisite amendments in our criminal laws. Perpetrators should be punished with heavy fines, cancellation of licenses (for repeat offenders persons), suspension of measurement of such manipulated channels, removal of HHs indulging in influenced viewing from measurement, etc.

It may be noted that BARC has constituted a Disciplinary Committee to tackle complaints of panel tampering with a provision for increasing penalty provision on repeat offences leading to termination of measurement. This Committee is chaired by a Retired High Court judge and has an Ex Commissioner of Police as a member. The committee has fair and equitable representation from all stakeholders. This is a first important step already taken by BARC. Providing more teeth to Penal Law in India would improve the effectiveness of this Committee many folds and ensure an effective deterrent against Panel tampering.

Query 8:

What should be the panel size both in urban and rural India to give true representation of audience?

Response 8:

As mentioned in our previous responses, we should explore possibilities like using a larger sample size, yet financially viable option like sample Return Path data which will solve most of the current challenges in the BARC measurement.

Query 9:

What method/technology would help to rapidly increase the panel size for television audience measurement in India? What will be the commercial challenge in implementing such solutions?

Response 9:

The possible methodologies that could be adopted for rapid expansion in panel size of television audience measurement in India have been discussed in our responses above.

The potential challenges for implementing these solutions could be:

- **Investment in technology upgradation** - Manufacturing of hybrid STBs, capable of transferring viewership data through establishing a path/connection from STB to the remote servers of the television audience measurement agency (either by way of a SIM inserted in the STB or via an external device consisting of a SIM which could be installed into existing STBs) would have a substantial cost implication. The implementation of such technology would entail upgradation or replacement of existing STBs and bring in further transparency. The Government should consider making adoption of such technologies cost-effective by offering suitable incentives. The other alternative provided in the CP for rapid expansion could be by mandating DPOs to electronically send viewership data to the television measurement agency for statistical analysis of data. This mechanism though has room for manipulation at DPOs end and is best avoided unless DPOs act as 'pure pass-through' with no ability for data interception. This would again entail having efficient technologies in place which in turn would require investment by the DPOs.
- **Privacy rights of household:** Installation of measurement devices in a panel home is an intrusion of their privacy and requires a significant obligation of informed consent and of anonymising an



individual's identity so that his/her right to privacy is not compromised. Further, for transfer of viewership data electronically from panels to the servers, express and informed consent of the panel households should be obtained, as per the requirement of the applicable laws. Secrecy and privacy of panel households should be given paramount importance.

- **Information technology architecture:** Choosing the appropriate IT architecture to be able to handle the requirements of such a large volume of widely dispersed data. Evaluating use of machine learning and AI technologies to look at both linear and non-linear viewership.

In this regard, the commercial challenge would be in respect of additional CAPEX and OPEX that BARC may have to incur and its consequent impact on relevant stakeholders.

Query 10:

Should DPOs be mandated to facilitate collection of viewership data electronically subject to consent of subscribers to increase data collection points for better TRP ratings? Give suggestion with justification.

Response 10:

In order for the data collection process to be fair, neutral and immune from any bias, all interested parties including DPOs should be kept outside the process. However, if DPOs are mandated to roll out hybrid STBs or RPD technology to capture viewership data for greater reach resulting the data should directly reach BARC or else there could be scope for manipulation as discussed above (DPO to act as a pure pass-through). Hence, stringent technology and security checks should be deployed to ensure that the data is not manipulated. Also, considering cross-holding by some media houses across multiple media platforms, the framework should safeguard against conflict of interest. Confidential data collected from households should be subject to stringent measures to avoid any leakages/misuse.

Query 11:

What percentage of STB supports transferring viewership data through establishing a reverse path/connection from STB? What will be the additional cost if existing STBs without return path are upgraded? Give your suggestions with justifications.

Response 11:

We would not be in a position to verify the percentage of STBs that support transferring viewership data through establishing a reverse path/connection from STBs. It is also important to understand as to who will incur such costs particularly in case of upgradation to be done, if any. Further, we are not entirely sure of the exact costs involved if existing STBs without return path are upgraded however, costs imposed should be incentivised by way of targeted subsidies. Data can be collected in two forms namely, through connected STBs as well as through Bar-o-meters. Additional costs in case of STBs will have two components i.e., one towards upgrading STB itself and the other towards maintaining internet / broadband for transmission of viewership data. In so far as capturing of data through Bar-o-meters is concerned, the costs should be akin to the current expenditure being incurred by BARC.



Query 12:

What method should be adopted for privacy of individual information and to keep the individual information anonymous?

Response 12:

It is suggested that all data should be in pseudonymised form to ensure that privacy of individuals is not compromised.

Further, the draft Personal Data Protection Bill 2018 (“**Bill**”) proposed by the Justice Srikrishna Committee lays down various regulations for ensuring privacy of individual information and keeping the individual information anonymous. It is expected to be legislated into law in the forthcoming Parliament session. Accordingly the provisions prescribed under the Bill should be complied with while gathering information from individuals/households, storage and circulation of such information. Depending upon the nature of data gathered, the same should be classified as ‘Personal Data’ and/or ‘Sensitive Personal Data’ as provided under the Bill.

Query 13:

What should be the level/granularity of information retrieved by the television audience measurement agency from the panel homes so that it does not violate principles of privacy?

Response 13:

As long as the individual information and viewership data retrieved from the panel homes is adequately anonymised to avoid identification of the data subject, the level of granularity does not really matter. Further the current process in this regard ensures sufficient safeguard by masking of identities and providing data based on cohorts rather than at individual level (for instance: data provided should be in the format of particular genre being consumed by females in the x-y age range and should not contain any specific information pertaining to the individuals per se).

Query 14:

What measures need to be taken to address the issue of panel tampering/infiltration? Please elaborate your response with justifications.

Response 14:

Panel tampering/ infiltration remains a legacy issue for television audience measurement in India. In panel tampering, incentives are provided to people in the panel homes for watching a particular channel and that would have its impact on audience measurement. Panel infiltration has a significant impact when the panel size is small. With the increase in panel size, infiltration of panel homes of a sufficient number to materially impact audience measurement is significantly challenging and its impact may not be that severe.

In addition to the above, masking of identities and providing data based on cohorts rather than at individual level could be ways in which privacy and confidentiality of data are not compromised.

Further, punitive actions as specified in our response in 7 above need to be implemented.



Query 15:

Should BARC be permitted to provide raw level data to broadcasters? If yes, how secrecy of households, where the people meters are placed, can be maintained?

Response 15:

As rightly mentioned in the CP, raw level data can be a powerful planning tool by broadcasters and for optimization of advertising spends by media agencies. For advertisers, analysis of raw data improves efficiency of resource allocation as far as advertising expenditure on TV channels are concerned. For Broadcasters, access to raw data gives sharper insights into viewership behavior which in turn would help improve targeting of viewers with appropriate programmes. Secrecy of households can be maintained by masking identities and allowing for information to be available based on queries and at a cohort level rather than providing information at individual level and subsequently allowing users to make cohorts out of them. Secrecy of panel homes can further be ensured by BARC if raw data has a secured and limited release only.

Query 16:

Will provisioning of raw level data to broadcasters, in any manner, either directly or indirectly contravene the policy guidelines for television rating agencies prescribed by MIB?

Response 16:

Furnishing raw level data would not be in contravention of the Policy prescribed by the MIB if individual level information is masked and data is provided at the level of cohorts and not at individual level. Infact, selective withholding of data will be contrary to Article 14 of the Constitution. In any event, it proposed that BARC can be permitted to provide raw level data to broadcasters in anonymised and pseudonymised form.

Query 17:

Is the current disclosure and reporting requirements in the present guidelines sufficient? If no, what additional disclosure and reporting requirements should be added?

Response 17:

The disclosure and reporting requirements prescribed under the Policy Guidelines for Televisions Rating Agencies in India by the MIB appear to be sufficient. We do not see a need for any change in the same.



Query 18:

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

Response 18:

Some additional suggestions:

- (i) Sample size of the ratings should be made known to the users as it is fundamental requirement for any research process.
- (ii) The data extraction software is not user friendly and suggestions have not been taken onboard. They have long turnaround time to implement any improvement. And hence making the usability of data limited.
- (iii) The details captured are not detailed and are sometime erroneous (specific example is the promo data). This should be looked into.
- (iv) A transparent procedure should be developed if any stakeholder is raising any concern about the data being reported. The report to all queries should be shared with the stakeholders.
- (v) The market surveys conducted by the TV Ratings agencies include questions related to the present average income brackets of the users, the consumer durables owned by the users, the present spending capacity of the users etc. We are of the opinion that the above questions may also be taken into consideration with respect to the future prospects of the consumers/ users. Accordingly, the questions may also revolve around the expected increase in the income brackets of users in the near future; related increase in the disposable income of the users; intention of the end users to buy consumer durables in the near future, the type of consumer durables that the end users intend to buy, financial assets they wish to own etc.

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