



4th October, 2019

To,
Shri Arvind Kumar,
Advisor (B&CS)
Telecom Regulatory Authority of India ('TRAI')
Mahanagar Doorsanchar Bhawan,
Jawaharlal Lal Nehru Marg,
New Delhi – 110002

Email: arvind@traigov.in / cp.sharma64@gov.in

Ref: Consultation Paper dated 28.08.2019 on Platform Services offered by DTH Operators

Dear Sir,

We write to you in response to the Consultation Paper promulgated by TRAI on 28.08.2019 on Platform Services offered by DTH Operators ("Consultation Paper").

Please find enclosed herewith our response to the issues raised by you in the Consultation Paper in the interest of various stakeholders and the orderly growth of the Broadcasting Industry.

You are requested to kindly take the same into consideration and oblige.

Thanking you,
Yours Sincerely,

For Sony Pictures Networks India Private Limited

A handwritten signature in blue ink, appearing to be 'A. Sharma', written over a horizontal line.

Legal Counsel

Encl: Comments on the Consultation paper.

Sony Pictures Networks India Private Limited

CIN : U92100MH1995PTC111487

Registered Office Address:

Interface, Building No. 7, 4th Floor,

Off Malad Link Road, Malad (West),

Mumbai – 400 064, India.

Tel: +91 22 6708 1111 | Fax: +91 22 6643 4748

sonypicturesnetworks.com

Go-Beyond 

COMMENTS OF SONY PICTURES NETWORKS INDIA PRIVATE LIMITED TO THE CONSULTATION PAPER ON PLATFORM SERVICES OFFERED BY DTH OPERATORS

At the outset we would like to thank the Authority in giving us an opportunity to express our views on the issues raised in the said Consultation Paper.

Since this consultation paper is in connection with the platform services offered by DTH Operators, our response stated herein is brief and to the specific issues raised by the Authority.

Q 1: 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, the reasons thereof.

Sony's response: Whether the programmes of the PS should be exclusively made available on one single DTH Operator's network or to be made available to other DPOs should be best left to the discretion of the content Owner.

Q 2: 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/guidelines ?

Sony's response: The following conditions may be imposed during the time of registration/ grant of license to the DPOs :

The content aired on the PS service should adhere to the programming code promulgated by MIB and strict action should be initiated in case of violation of any of the conditions of license including cancellation of license.

Q 3: Is there a need to revisit/review the earlier recommendations 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.

Sony's response: This can be decided by the Authority in consultation with the DPOs.

Q 4: What should be the Registration fee/Annual fee for PS per channel?

And how it is to be estimated ?

Sony's response: No comments since this would be better responded by the DPOs.

Q 5: How many PS channels are to be allowed to DTH operators ? and Why ?

Sony's response: There has to be cap on the number of PS channels offered by the DTH Operator. It can be 1-2% of the total capacity declared by the DTH Operator. Further DTH Operators should ensure that they would retransmit the signals of channels of all the broadcasters on their platform and should not provide bandwidth constraint reasons for TV Channels of broadcasters due to existence of more PS channels. TV channels should have primacy since the license for operations of DTH Operator were given with the primary objective of retransmitting TV channels

Q 6: 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 ?

Sony's response: The PS channel should not be in between TV channels in the EPG. PS channels should be a separate genre by itself. Today DTH Operators have PS channels in between TV channels in the EPG which is in violation of the NTO regulations. Regulation 18 (2) states that all TV channels have to be placed consecutively within the genre.

TV channels should have primacy since the license for operations of DTH Operator were given with the primary objective of retransmitting TV channels.

Q 7: 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.

Sony's response : Yes. There should be a 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. This would enable the subscribers to identify PS channels of the DTH Operator easily vis-à-vis channels of the Broadcasters and would avoid confusion between these two.

Q 8: Should PS channels be also categorised 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

Sony's response: The PS channel should not be in between TV channels in the EPG. PS channels should be a separate genre by itself. This will also help in knowing and identifying how many PS channels are available on a particular DTH Operator's platform. Today DTH Operators have PS channels in between TV channels in the EPG which is in violation of the NTO regulations. Regulation 18 (2) states that all TV channels have to be placed consecutively within the genre.

Q 9: Stakeholders may also provide their comments on any other issue relevant to the present consultation.

Sony's response: For the PS channel to be active, at least one of the broadcasters' TV channels has to be active. It cannot be possible that all the TV Channels services are inactive but a PS channel is active. This will defeat the purpose of the DTH licensing conditions whose primary objective is to retransmit TV Channels. This is irrespective of whether a PS channel is complementary, free or pay.

PS channel should not be permitted to be included by the DTH Operator in channel count while charging NCF. Charges for any PS channel, if any, should be outside of the NCF.