

4th December, 2024

**Shri Deepak Sharma,
Advisor (B&CS),
Telecom Regulatory Authority of India,
New Delhi.**

Subject: BIF's Counter-Comments on the TRAI Consultation Paper on 'Framework for Service Authorisations for provision of Broadcasting Services under the Telecommunications Act, 2023', dated 30th October, 2024

Dear Sir,

With reference to the subject mentioned, please find enclosed BIF's counter-comments on the above-mentioned Consultation Paper.

We earnestly request your kind consideration in this regard.

Best Regards,



T.V. Ramachandran,
President,
Broadband India Forum.

BIF's Counter Comments on the Consultation Paper on Framework for Service Authorisations for provision of Broadcasting Services under the Telecommunications Act, 2023

Broadband India Forum (BIF) welcomes the opportunity to present its counter comments based on the submissions that have emerged in respect of the Consultation Paper (CP) on 'Framework for Service Authorisations for provision of Broadcasting Services under the Telecommunications Act, 2023'.

We reiterate our submissions made in the comments given earlier. The counter comments are provided in response to some of the comments submitted by a few stakeholders.

A few stakeholders have stated that OTT Platforms be treated at par with broadcasting services and be brought under the authorisation framework as they provide a substitutable service to end customers without any regulatory framework to check and mandate compliance.

BIF's Counter-Comments:

We submit that neither broadcasting services nor OTT services are within the purview of Telecommunication Act. These are not "telecommunication services".

Without prejudice to the above, we submit that OTT services are inherently different from broadcasting services. OTT content is transmitted over the internet, and traditional broadcasters use cable networks, satellite networks, radio networks, etc. to deliver content. TV and radio broadcasters follow a 'push-model' as they deliver contents to mass audiences/viewers at a predetermined schedule. OTT platforms make content available to subscribers over the public internet and operate on a pull model (i.e. subscribers choose and request for content they wish to watch from an online library made available by the OTT platforms). Further, OTT services are already regulated under various laws, such as under the IT Act and the rules thereunder.

We reserve the right to comment further on these issues.

-*****-