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TELECOM REGULATORY AUTHORITY OF INDIA

TRAI issues recommendations on “Issues relating to Uplinking and Downlinking of Television Channels in India”

New Delhi, 25th June, 2018 - The Telecom Regulatory Authority of India (TRAI) has today issued its recommendations on “Issues relating to Uplinking and Downlinking of Television Channels in India”.

2. The Ministry of Information and Broadcasting (MIB) sent a reference dated 21st August, 2017 to TRAI, wherein it has been stated that the present uplinking guidelines and downlinking guidelines which came into effect from 5th December 2011 are now more than 5 years old. Keeping in view the change in technology, market scenarios, and the lesson learnt in the last few years of their operations, MIB felt a need to review/ amend some of the provisions of these guidelines to ensure healthy growth of the broadcasting sector. MIB has sought recommendations of the Authority, under Section 11 of the TRAI Act, 1997, on various issues listed in the aforesaid letter. These issues primarily relates to permission for uplinking and downlinking of satellite TV channels, setting up of teleports and other related issues.

3. TRAI issued a consultation paper on “Issues relating to Uplinking and Downlinking of Television Channels in India” on 19th December 2017 and sought suggestions from stakeholders on the issues listed in the reference of MIB. The last date for submission of the comments was 31st January 2018 and that of the counter-comments was 10th February



2018. The Authority received 38 comments and 1 counter-comment. All the comments and counter-comment were posted on TRAI's website. Subsequently, an Open House Discussion was held on 11th April 2018, in Delhi, to seek the views of the stakeholders on various issues.

4. After considering all comments received from stakeholders during consultation process and further analysis of the issues, the Authority has finalised its recommendations. The salient features of the recommendations are given below:

A. Issues related to uplinking and downlinking of satellite TV channels

- i) No change in the existing definitions of 'News and Current Affairs TV channels', and 'Non-News and Current Affairs TV channels' mentioned in the existing uplinking and downlinking guidelines dated 05.12.2011.
- ii) No change in the amount of minimum net-worth of an applicant company seeking permissions for uplinking and downlinking of TV channels.
- iii) Auction not feasible for grant of permissions for uplinking and downlinking of TV channels.
- iv) Existing administrative system for grant of permissions for uplinking and downlinking of TV channels should be continued and should be streamlined.
- v) TRAI reiterated its recommendations on "Ease of Doing Business in Broadcasting Sector" dated 26th February 2018 sent to the Government wherein several measures have been recommended for streamlining the existing process of granting permissions for uplinking and downlinking of TV channels.
- vi) No change in the Permission fee and Entry fee for uplinking and downlinking permissions.

- vii) Annual License fee for uplinking and downlinking permissions should be enhanced as follows:

Permission	Annual Permission Fee
Uplinking of TV Channel from Indian Soil	Rs. 3 lakh per annum
Downlinking of TV Channel uplinked from Indian soil	Rs. 7.5 Lakh per annum
Downlinking of TV Channel uplinked from Foreign Soil	Rs. 22.5 Lakh per annum

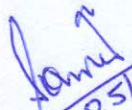
- viii) Encryption of broadcast of FTA channels should not be mandated and it should be left to the broadcasters providing FTA channels.
- ix) Transfer of permissions should not be permitted between two different companies. In case of merger and acquisition as recognised under the Companies Act, 2013 or any other applicable law(s), transfer of permissions should be permitted after following the due process. Transfer of permission of TV channels to its subsidiary company or holding company or subsidiary company of the holding company should be allowed freely, provided such company has a valid uplinking and downlinking permission.
- x) A lock-in period of one year from the date of operationalisation of a channel for the transfer of permission of such channel.

B. Issues related to Teleports

- i) No change in the amount of onetime non-refundable processing fee levied for seeking permission for establishing a teleport.
- ii) No Entry fee for granting permission for establishing teleport.
- iii) For each antenna a fixed annual license fee of Rs 3 lakh should be charged.
- iv) No need to restrict the number of teleports in India.
- v) Location of teleports should be left to the teleport operators subject to site clearance from WPC wing of DoT.

5. The full text of recommendations is available on TRAI's website www.trai.gov.in

6. For any clarification / information, Shri Arvind Kumar, Advisor (B&CS) may be contacted at Tel No : +91-11-23220209.


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(S. K. Gupta)
Secretary, TRAI