

To,

1. The Secretary
Ministry of Information & Broadcasting
Government of India
Room No 655 "A" Wing Shastri Bhawan
New Delhi – 110001
E-mail: secy.inb@nic.in

Dated: 28th February 2018

2. The Secretary of Sports
Ministry of Youth Affairs & Sports
Government of India
Room No 3 "C" Wing Shastri Bhawan,
New Delhi - 110001
E-mail : secy-sports@nic.in

Reference: News article published in various News publications in the first week of December 2017 ***"IPL 2018: STAR India may be asked to share live cricket feed with Doordarshan".....The I&B ministry is working on a proposal to make IPL available on Doordarshan and has asked the sports ministry to weigh in on the matter....***

Dear Sir,

This is in reference to the aforesaid news article published on 1st December 2017 in various news publications i.e Hindustan Times, DNA and Live Mint.

The undersigned is a sports enthusiast, an active member of DDCA "Delhi District Cricket Association" also life member of the Broadcast Engineering Society of India (BES). Their main objectives are: To promote the advancement and dissemination of knowledge & practices of broadcasting in the field of Radio, Television and other media.

Whereas it's a settled law that broadcasting is a natural monopoly and governed by the principles of public utility, which deal with the public at large under the license from Government to use the airwaves in fair manner, the Honorable Supreme Court of India has also rightly held that the right to impart and receive information is a species of the right of freedom of speech and expression guaranteed by Article 19 (1)(a) of the Constitution.

The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act was enacted in 2007. That aims to provide access to the largest number of listeners and viewers, on a free to air basis, of sporting events, which are of national importance through mandatory sharing of sports broadcasting signals with Prasar Bharati, the public broadcaster.

Cricket is the most popular sports in India. This gives the opportunity to the private broadcaster and various cricket control boards and associations in the country to play a major role in this particular sports broadcasting segment. The potential of the sports broadcasting and the advertisement of the Indian cricket industry cannot be accurately estimated. Indian cricket matches and these national tournaments contribute more than 75-85% of revenue generated of the entire segment.

However Section 3 of the said 2007 Act suggests that every owner or holder of content rights and provider of the services should share with Prasar Bharati of the national important sports events. The sharing of live television broadcasting should allow re-transmission of the same on Prasar Bharati terrestrial and direct to home networks. Also the sharing has to be made without advertisements.

This is nothing but the adoption of well-established global regulation and practices adopted by all civilized nations, to protect the interest of its citizen's with respect to, cultural rights, sporting events, etc of national or international importance and use of airwaves in public good.

The 2018 season of the Indian Premier League, also known as IPL 11, will be the eleventh season of the IPL, a professional T20 cricket league established by the BCCI in 2007. This IPL season-11 will be held in India from 7th April to 27th May 2018.

Whereas enumerated below are the few salient features of "The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharti) Act, 2007 (Act 11 of 2007) and rules made there under :

.....5. Responsibility of a television or radio channel broadcasting the sporting event—If the television or radio broadcasting service provider is different from the content rights owner or holder, it shall be its duty to ensure that adequate arrangements for compliance with the provisions of the Act and the rules are made at the time of acquisition of the rights from the content rights owner or holder.

6. Manner of declaration of sporting events of national importance— (1) *The list of sporting events of national importance shall be determined and notified by the Ministry of Information and Broadcasting in consultation with the Ministry of Youth Affairs and Sports and the Prasar Bharti.*

(2) An event of national importance once included in the list shall remain a sporting event as such for a period of four years from the date of its inclusion unless deleted or withdrawn earlier.

(3) The Ministry of Information and Broadcasting may, review the list of sporting events of national importance at any time and at least once in the month of February of each calendar year as per sub-rule (1), and consider new proposals for inclusion or deletion and notify amendments, if any"

Whereas till date no notification to this effect has come out for IPL- 2018 "In exercise of the powers conferred by clause (s) of sub-section (1) of section 2 of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007 (11 of 2007) read with sub-rule (1) of rule 6 of the Sports Broadcast Signals (Mandatory Sharing with Prasar Bharati) Rules 2007

We really hope there must be a committee in place constituted of eminent citizens, sportspersons, Hon'ble Retd. Judges and members of civil society who only in consultation with each other decide on what event(s) is / are of national importance and the same are notified for mandatory sharing with the Public Broadcaster – Prasar Bharati, that is being run on Indian tax payers' expense.

As an individual or a few decision makers in the Government cannot decide on behalf of 130 crore citizens of this country w.r.t what event(s) is/ are of national importance. This undemocratic practice shall lead to manipulations / corruption, easily susceptible to mal practices with a compelling reason for not doing so in order to protect some private broadcasters' commercial interests.

Therefore we urge your respective good offices in the Government of India and Prasar Bharati to come out with the requisite notification at the earliest, in consultation with the constituted committee responsible for the same and to provide access of IPL -2018 to the largest number of listeners and viewers in the country on a free to air basis, as it's certainly a sporting event of national importance that has got highly popularized during the last one decade. This IPL season 11 will also see the return of Chennai Super Kings and Rajasthan Royals and there are 182 players that have been purchased by (8) teams in this IPL 2018 foray.

Please also do appreciate and take appropriate advance measures, towards unwarranted, limitless duration of advertisements / commercials shown / inserted during sporting / cultural events of national importance which are a nuisance to the viewers, hence it also becomes imperative to monitor the duration of excessive advertisements being shown in deliberate violation of the Programme and Advertising Code prescribed under the Cable Television Networks Rule 1994. Rule (7) 11 and TRAI enacted regulations on Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations, 2012 (15 of 2012) and its amendment of 2013.

These regulations and directives are nothing but the adoption of well-established global regulation and practices adopted by all civilized nations and are being followed by the very same broadcasters outside India.

"These regulations, besides prescribing that the limit of advertisement duration shall not exceed twelve minutes in a clock hour should be adhered to, also provided that (i) advertisements should be carried only during breaks in live sporting action (ii) time gap between consecutive advertisement sessions should be of minimum 30 minutes in case of movies and 15 minutes otherwise (iii) no part screen advertisements should be permitted etc."

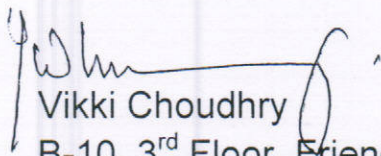
The Hon'ble Supreme Court of India had also ordered that broadcasters of important events must delete all commercial, credits and sponsor logos before giving to Prasar Bharati for public interest.

Recently even the Parliamentary Standing Committee on Information Technology (IT) has asked the Ministry of Information and Broadcasting to regulate the duration of commercials aired by TV channels in order to protect the consumer interest. The committee noted that both the free to air (FTA) as well as the pay channels are having a free run subjecting consumers to the frequent long dose of advertisements shown during a programme.

Hence this necessitates that this IPL in 2018 feeds as provided after the due notification is issued, by the respective broadcaster(s) to Prasar Bharati for dissemination under said 2007 Act and Rules and are continuously monitored by Electronic Media Monitoring Centre (EMMC) set up by the Ministry of Information and Broadcasting as a subordinate office and with the mandate to monitor the content of TV channels uplinked and downlinked in India to check the violation of Programme and Advertising Codes enshrined in Cable TV Networks (Regulation) Act 1995 and Rules framed there under.

We hereby again request the respective and responsible ministries under Government of India, Chairperson, CEO Prasar Bharati and Chairperson Telecom Regulatory Authority of India to forthwith make the requisite notification under the said 2007 Act, in the interest of millions of sports enthusiast and consumers of TV services as there cannot be any compelling reason for not doing so, overlooking and ignoring the interest of more than 130 crore citizens of this country.

Thanking you



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New Delhi- 110065
Email: vikki.choudhry@outlook.com

Copy to:

1. Chairperson - Prasar Bharati
2. CEO – Prasar Bharati
3. Chairperson – Telecom Regulatory Authority of India

For Information & requisite directions passed to the concerned officials:

Copy to:

1. Hon'ble Minister for Information & Broadcasting
2. Hon'ble Minister of State (Independent Charge) Ministry of Youth Affairs & Sports
3. Hon'ble Minister of State for Information & Broadcasting

भारतीय डाक

India Post

SP NEW FRIENDS COLONY <110025>
GSTN No: 07AAAGH0047R276
ED650563685IN
Counter No:1,OP-Code:KC
To:THE CHAIRPERSON PRAS,
NEW DELHI, PIN:110001
From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,1
Amt:18.00
,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

भारतीय डाक

India Post

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NEW DELHI, PIN:110001
From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,1
Amt:18.00
,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

भारतीय डाक

India Post

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INDRAPRASHTHA, PIN:110001
From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,1
Amt:18.00
,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

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India Post

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,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

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To:HONBLE INISTER OF ST,
NEW DELHI, PIN:110001
From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,11:33
Amt:18.00
,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

भारतीय डाक

India Post

SP NEW FRIENDS COLONY <110025>

GSTN No: 07AAAGH0047R276
ED650563646IN

भारतीय डाक

Counter No:1,OP-Code:KC

To:THE CEO PRASAR,
NEW DELHI, PIN:110001

From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,11:34
Amt:18.00

,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

India Post

SP NEW FRIENDS COLONY <110025>

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ED650563632IN

भारतीय डाक

Counter No:1,OP-Code:KC

To:THE SEC OF SPORTS,
NEW DELHI, PIN:110001

From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,11:34
Amt:18.00

,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

India Post

SP NEW FRIENDS COLONY <110025>

GSTN No: 07AAAGH0047R276
ED650563703IN

भारतीय डाक

Counter No:1,OP-Code:KC

To:THE SEC MINISTRY,
NEW DELHI, PIN:110001

From:VIKKI CHOUDHARY , ND
Wt:35grams, ,01/03/2018 ,11:34
Amt:18.00

,CGST @9% 1.5 ,SGST @9%: 1.50
<<Track on www.indiapost.gov.in>>

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