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PRESS RELEASE

New Delhi: March 23, 2013News Broadcasters Association (NBA) expresses deep shock and concern on the Telecom Regulatory Authority of India (TRAI) notification dated 22.3.13, notifying regulation “Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013”, which mandates broadcasters to restrict the duration of advertisements in their channels to a maximum of 12 minutes in any given clock hour.

NBA is appalled that by way of advertisement regulations, the TRAI has issued the most sweeping and intrusive “controls” not just “regulations” in relation to advertising that may be carried on TV channels.

These regulations have been issued at a time when news channels are facing a most unfriendly business environment. Dependence on advertising remains absolute with over 90 percent of revenues coming from it. The economic slowdown of 2008 has not been corrected even today and advertising has been slow and at unimaginably low rates. Despite Phase-1 of digitisation being implemented w.e.f. 1st November 2012, the benefits have not yet accrued to broadcasters, particularly news broadcasters. Carriage fees continue to be high and most news broadcasters do not get subscription revenues. Over the last year or so, news organisations have not received any advertising from DAVP, which has cut rates to levels 75 percent lower than they were even 5 years ago. All of these factors have ensured that most news channel companies face losses on an annual basis.

Moreover, NBA believes that in the garb of “regulation of advertisements”, TRAI has imposed severe restrictions which amount to “control of content” which is anathema to our constitutional scheme. The advertisement regulations are in violation of Article 19(1)(g) of the Constitution of India, which entitles a citizen to inter-alia carry-on any trade or business.

The NBA notes that over the years there has been an understanding of the nuances of our industry and business and there has always been a balanced and fair approach to our problems. The recent regulations, however, are just the opposite and reveal a clear lack of understanding of the actual problems on the ground and the environment that the industry operates in. The regulations, if implemented, will force many news organizations to shut down, taking away our democratic right to inform and educate and to do it independent of Government. With the general elections looming ahead it would appear that this is an attempt to muzzle the media by taking away its ability to operate independently.

NBA urges the Government to ensure that the said regulation is kept in abeyance till such time digitization is fully implemented in the country (with consequential benefits of no or low carriage fees and credible subscription revenue) and DAVP recommences advertising on news channels at rates which are fair and acceptable.

Annie Joseph
Secretary General