

Government to govern OTT services

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OTT services have gained popularity in today's digital world, especially post COVID. As the streaming video services and news websites are brought under the ambit of the Information & Broadcasting ministry for regulation, the ministry could draft rules now which could have a far-reaching impact on popular channels of digital content.

In news: The Union government has brought streaming video services and news websites under the ambit of the Information & Broadcasting ministry for regulation.

Placing it in syllabus: Governance

Static dimensions

1. What are OTT services
2. Benefits of OTT platforms
3. Problems with OTT services and their governance

Current dimensions

1. In news
2. How are OTTs regulated?

Content:

In news:

- The Supreme Court of India recently issued notice to the Centre and the Internet and Mobile Association of India, on a petition to regulate OTT platforms such as Netflix, Amazon Prime etc.
- The change was made through the **amendment of Allocation of Business Rules and announced through a gazette notification** by the Cabinet secretariat.

- The amendment brought “film and audio visual programmes by online content providers” and “news and current affairs content on online platforms” under the Ministry of Information and Broadcasting’s (I&B) domain for regulation.
- Now a **level playing field between linear TV and over the top (OTT) services** would be created in the case of streaming services.
- In the case of digital news, the companies in the space will be treated akin to print and electronic media companies.

Common sub-categories of OTT users include:

- Advertising-based video-on-demand (**AVOD**): Users access free-to-watch content which is then monetized through video advertising.
- Subscription video-on-demand (**SVOD**) – or Subscription OTT: Users who have a paid subscription access to streaming video content.
- Transactional based video-on-demand (**TVOD**): Users who have paid to access certain content through a pay-per-view (PPV) purchase model.

Registration of Press and Periodicals (RPP) Bill, 2019:

- The Bill enables the Central Government and the State Government to frame appropriate rules/ regulations to regulate the criteria/ conditions for issuing Government advertisements in newspapers, accreditation of newspapers and such other facilities for newspapers.
- The Bill proposes to have a simple system of registration of e-papers.
- The bill prohibits the appointment of a foreign national as an editor and replaces the provision of a jail term with a fine for publishers involved in printing of unlawful content.
- The draft Bill states that publishers of news on digital

media shall register themselves with the Registrar of Newspapers of India.

- It defines news on digital media as the news in digitized format that can be transmitted over the internet, computer or mobile networks and includes text, audio, video and graphics.

What are OTT services?

- OTT refers to **over-the-top** video content provided using high speed internet instead of traditional cable or satellite providers.
- OTT **content is watched through an actual TV, but the connection isn't satellite but through the internet.**

The type of OTT services are:

- **Netflix or Hulu are video OTT services**, which provide users with a number of programming options, both in terms of a licensed library of TV shows and films, as well as original programming.
- **Audio OTT services include Spotify** where users can access a massive library of recording artists and podcasts.
- **OTT messaging services include WhatsApp, Telegram or Signal**, which allow them to use their internet connection to share information.
- **Voice OTT services include Skype or WhatsApp** which are commonly used instead of phone calls.

Benefits of OTT platforms:

- **Connectivity:** OTT platforms are easy to use and require only minimal things to access like stable internet connection and a device like Mobile Phone or PC.
- **Cost Friendly:** OTT platforms are Cost Friendly in comparison to the Traditional TV connection.
- **Convenience:** OTT platforms allow us to access favourite

media content whenever, wherever and as often as we want. It allows freedom over geographic location because it can be accessed from anywhere by just logging into one's streaming service account.

- Variety content: Through VOD service, one can access hundreds and thousands of movies and shows including news, sports, kids content around the country as well as globally.
- As OTT platforms are relatively less subjected to censorship, it helps bring socio-political content or matters to a common man, which otherwise are censored in mainstream media.
- OTT platforms serve as a parallel dissemination source of infotainment and is benefiting numerous content producers and artists.

Problems with OTT services and their governance:

- While traditional media in India are regulated under specific laws such as films under the Cinematograph Act of 1952, content appearing on cable televisions under Cable Television Networks (Regulation) Act, 1995, there is no such specific law for regulation of content over OTT platforms.
- Due to the lack of censorship, content on OTT platforms can disrupt social harmony and moral fabric of society.
- There's no consensus on the self-regulation code amongst the various OTT platforms operating in India.
- OTT platforms are streaming a lot of cross-cultural content which has aggravated some of the means in the society like cultural imperialism.
- It is said OTT platforms contravene Article 19(2) of Constitution, which provides for reasonable restriction on Freedom of Speech and Expression in the interests of sovereignty and integrity of India, security of State, public order, decency or morality, etc..

How should they be regulated?

- On OTT, the government had previously pushed for a self-regulatory mechanism.
- These companies formulated a self regulation code which was rejected by the I & B ministry.
- So far complaints regarding OTT content have largely been dealt with by laws such as the Information Technology Act and the Indian Penal Code being invoked.
- There is a need for an unbiased regulatory body.
- The Internet Content Streaming cannot be controlled by a self-regulatory body.
- Total censorship on the platform might transform it into a television show or mainstream cinema and would lead to increasing cases of piracy.

Countries like Singapore, UK have regulatory bodies to keep a check on the OTT platforms. While in Turkey, there is a licensing regime under which the OTT platforms are given a licence for 10 years. Countries like Indonesia, Turkey and Saudi Arabia have strict regulations. They want total control in the hands of the Government.

Mould your thought:

1. What are OTTs? How are they regulated?

Approach to the answer:

- Write the definition
- Write how they are regulated
- Write about recent government decision
- Conclusion