

Recently the statement given by the US Ambassador and Microsoft Chief, Bill Gates, created panic in the country. I, therefore, once again urge upon the Government to come forward immediately to check this.

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#### **SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL) 2002-03**

THE DEPUTY CHAIRMAN: The Minister of State in the Ministry of Parliamentary Affairs to lay on the Table Supplementary Demands for Grants (General) 2002-03.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND COMPANY AFFAIRS (SHRI GINGEE N. RAMACHANDRAN): Madam, I lay on the Table a statement (in English and Hindi) showing the Second Batch of the Supplementary Demands for Grants (General) for the year 2002-2003.

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#### **GOVERNMENT BILLS**

##### **The Cable Television Networks (Regulation) Amendment Bill, 2002**

**सूचना और प्रसारण मंत्री (श्रीमती सुषमा स्वराज) :** उपसभापति जी, मैं आपकी अनुमति से प्रस्ताव करती हूँ कि :

“केबल टेलिविजन नेट वर्क (विनियमन) अधिनियम, 1995 का और संशोधन करने वाले विधेयक पर, लोक सभा द्वारा पारित रूप में, विचार किया जाए।”

उपसभापति जी, प्रारंभ में मैं केवल इतना ही कहना चाहूंगी कि यह बिल जब कानून बन जाएगा तो केबल उपभोक्ताओं की दशा सुधारने में यह एक मील का पत्थर साबित होगा और भारत में समूचे केबल उद्योग को व्यवस्थित करने के लिए याद भी किया जाएगा। आप यह जानती हैं कि भारत में केबल उद्योग का विकास बहुत अव्यवस्थित तरीके से हुआ है। 1995 से पहले तो कोई कानून ही नहीं था, कोई नियम, उपनियम केबल को नियंत्रित करने के लिए नहीं थे। सारे चैनल्स फ्री टू एयर थे....।

THE DEPUTY CHAIRMAN: We were under Telegraph Act.

**श्रीमती सुषमा स्वराज :** जी बिल्कुल। टेलिग्राफ एक्ट में किसी तरह की सोच ही नहीं थी क्योंकि कोई एंटीसिपेट ही नहीं कर सकता था। जब टेलिग्राफ एक्ट बना था कि किस तरह से

केबल इंडस्ट्री आयेगी। फ्री टू एयर चैनल्स थे, लोगों ने केबल हैंडेल लगाये, वहां वह चैनल्स को रिसीव करते थे, घरों तक केबिल बिछाई और सर्विस दे दी। क्योंकि केबल वालों का पैसा किसी और को देना नहीं होता था इसलिए बहुत कम दाम पर भी सर्विस प्रारंभ की गई। आप जानती हैं कि शुरू-शुरू में तो कहीं-कहीं पचास रुपये में, कहीं-कहीं 60-70 रुपये में और कहीं सौ-सवा सौ रुपये में केबल वाले सर्विस देते थे। लेकिन धीरे-धीरे फ्री टू एयर चैनल्स पे-चैनल्स बनाये जाने लगे और पे-चैनल्स बनाये जाने पर केबिल सर्विस के दाम बढ़ने लगे। जब-जब ये दाम बढ़ाये जाते थे शोर मचता था, लेकिन कुछ महीने पहले जब दिल्ली के केबल आपरेटर्स ने यह कहा कि अब वे प्रति माह उपभोक्ता से 360 रुपये वसूलेंगे, तो यह धीरे-धीरे मचने वाला शोर कोहराम में बदल गया और तब उपभोक्ताओं के समूह के समूह हमसे मिलने के लिए आने लगे। उन्होंने कहा कि क्या सरकार बिल्कुल असहाय है, क्या सरकार हाथ पर हाथ रखकर बैठी रहेगी और उपभोक्ता का इसी तरह से शोषण होता रहेगा। प्रति माह 360 रुपया देकर सर्विस लेना लोगों को पुगता नहीं था।

उपसभापति जी, मैंने उस समय केबल आपरेटर्स की एक मीटिंग बुलाई और उनसे पूछा कि आप यह दाम क्यों बढ़ा रहे हैं और 360 रुपया प्रति माह कौन सा उपभोक्ता दे सकेगा। उन्होंने मुझसे कहा कि मैडम हम दाम नहीं बढ़ा रहे हैं, जो पे-चैनल्स हो गए हैं, वे ब्राड-कास्टर्स हमसे पैसा मांगते हैं, उन ब्राड-कास्टर्स को हमें पैसा देना पड़ता है। इसीलिए हम यह पैसा अपनी जेब से तो दे नहीं सकते और उपभोक्ताओं से वसूलेंगे नहीं तो हम उनको देंगे कैसे? हमने कहा कि अच्छा ब्राड-कास्टर्स को बुलाकर उनसे बात करते हैं। हमने ब्राड-कास्टर्स को बुलाया और उनसे कहा कि तुम पे-चैनल्स करके इतना पैसा मांग रहे हो, उपभोक्ता के ऊपर एक बेवजह का बोझ पड़ रहा है, आप ऐसा क्यों कर रहे हो। उन्होंने अपनी कहानी सुनाई। उन्होंने कहा कि मैडम से केबल वाले अंडर रिपोर्टिंग करते हैं, ये 1000 घर में केबल भेजते हैं और हमसे कहते हैं कि 300 घर में केबल भेज रहे हैं। तो आप बताइए कि हम घाटा कैसे पूरा करें, इसलिए हम दाम बढ़ाते हैं।

उपसभापति जी, उस समय हमें लगा कि उपभोक्ता शटल-कॉक बन गया है, दोषारोपण चल रहा है। केबल आपरेटर्स दोषारोपण कर रहे हैं ब्राड-कास्टर्स पर और ब्राड-कास्टर्स दोषारोपण कर रहे हैं केबल आपरेटर्स पर और इसका नतीजा यह है कि अंत में उपभोक्ता को पैसे देकर ही छूटना पड़ता है। हमने कहा कि क्या कोई ऐसा सिस्टम हो सकता है, जिस सिस्टम के माध्यम से उपभोक्ता जो चैनल लेना चाहे, वही ले और केवल उसी का पैसा दे, जिसको वह देख रहा है। हमें मालूम पड़ा कि इस तरह का सिस्टम विश्व के अन्य देशों में है, जिसे केबल एड्रसेबल सिस्टम कहा जाता है, सी.ए.एस. कहा जाता है। इस सिस्टम के तहत एक बॉक्स, एक डिब्बा उपभोक्ता के घर में लगा दिया जाता है। केबल आपरेटर्स उससे जाकर पूछता है कि आप बताइए आपको कौन-कौन से चैनल्स चाहिए। जो चैनल वह कहता है वही चैनल उसके घर में जाता है और उसी का पैसा वह उससे वसूलता है। उसके लिए हमने एक टास्क फोर्स का गठन किया, जिस टास्क फोर्स में हमने इस तमाम लोगों के प्रतिनिधि रखें, उपभोक्ताओं के प्रतिनिधि रखें, केबल आपरेटर्स के प्रतिनिधि रखें, ब्राड-कास्टर्स के प्रतिनिधि रखें, मास्टर सर्विस आपरेटर्स होते हैं जो इकट्ठे केबल सर्विस देते हैं, उनके प्रतिनिधि रखें, अपने मंत्रालय के, उपभोक्ता मंत्रालय के इन तमाम लोगों को लेकर हमने कहा कि इस पूरी चीज का

अध्ययन करके आप हमें रिपोर्ट दीजिए। आज मैं सदन में उस टास्क फोर्स के लोगों को खड़े होकर बधाई देना चाहूँगी।

उपसभापति जी, साढ़े सात महीने में उन्होंने हमको एक रिपोर्ट दी। उस रिपोर्ट में ये सारी चीजें, इन सबका अध्ययन करके उन्होंने अनुशंसाएं की और यह कहा कि हमारे देश में दो तरह के चैनल्स हैं, एक फ्री टू एयर यानी जिसमें ब्राड-कास्टर्स पैसा नहीं लेता और एक पे-चैनल जहां ब्राड-कास्टर्स पैसा लेता है, इन दोनों में हम अंतर कर देते हैं। अगर किसी उपभोक्ता को पे-चैनल चाहिए ही नहीं तो वह बिना बॉक्स के, बिना डिब्बा के जैसे आज अपने टेलिविजन पर रिसीव कर रहा है बिल्कुल उसी तरह से फ्री टू एयर चैनल रिसीव करता रहेगा। अगर किसी को पे-चैनल चाहिए तो उसके घर में वह डिब्बा लगा दिया जाएगा और उस डिब्बे के माध्यम से वह जिन चैनल्स को देखना चाहेगा, वह केबल ऑपरेटर्स को बता देगा। केवल वही चैनल उसके घर में आएंगे और वह यह भी बता देगा कि यह चैनल कितने रुपये में मिलता है। आज के दिन क्या हो रहा है कि जो ब्राडकास्टर कई कई चैनल चलाते हैं, उन्होंने बुके बना लिया है जैसे जी, स्टार, सोनी आदि। अगर कोई दस चैनल चला रहा है, आठ चैनल चला रहा है, या छः चैनल चला रहा है तो यह कहते हैं कि चालीस रुपये दो और सारे चैनल लो। अगर चैनल आठ हैं और उसमें से कोई उपभोक्ता दो चैनल देखना चाहता है तो आज के दिन उसके पास यह च्वाहस नहीं है कि वह दो ही चैनल देखें और दो के ही पैसे दे। उसको कहा जाता है कि पूरे पैसे दो और सारे चैनल तुम्हारे घर में जरूर आएंगे। उसके बाद हमने यह भी कहा कि हर चैनल के बारे में ब्रॉडकास्टर बताएगा कि यह चैनल कितने रुपये का है और उपभोक्ता उनमें से जो लेना चाहेगा, लेगा। अगर आठ के आठ लेना चाहता है तो आठ का टोटल पैसा दे देगा, कोई चार लेना चाहता है, कोई दो लेना चाहता है, कोई एक ही लेना चाहता है तो उतने का पैसा दे देगा। यह सुविधा उसे वह बॉक्स लगाकर मिल जाएगी। इसके अतिरिक्त जो ब्रॉडकास्टर्स द्वारा कहा जा रहा था कि केबल ऑपरेटर अंडर रिपोर्टिंग करता है, उसके लिए भी हम इस बिल में एक संशोधन ला रहे हैं कि केबल ऑपरेटर बाकायसदा स्टेटमेंट देगा कि कितने घरों में उसका केबल जा रहा है और घरों में से कितने लोग फ्री .टू. एयर चैनल ले रहे हैं और कितने लोग पे चैनल ले रहे हैं। इसके अतिरिक्त वह हमें यह भी बताएगा कि कितना पैसा उसे ब्रॉडकास्टर को देना पड़ता है। इससे पूरे सिस्टम में पारदर्शिता आ जाएगी। इस प्रकार टास्क फोर्स जो अनुशंसाएं थी, उसके ऊपर हमने यह बिल बनाया, लोक सभा में इस बिल को रखा और लोक सभा ने सर्वसम्मति से इस बिल को पारित किया। उपसभापति महोदया, आज उन्हीं संशोधनों वाला यह विधेयक जो लोक सभा से पारित होकर आया है, मैं राज्य सभा में अपने सदन के साथियों के सामने रख रही हूं और माननीय सांसदों से प्रार्थना कर रही हूं कि इस बिल पर चर्चा करके इस बिल को आज पारित करने का काम करें और उपभोक्ता जो केबल ऑपरेटर्स और ब्रॉडकास्टर्स की आपसी नूरा-कुश्ती में त्रस्त रहता है, शोषित हो रहा है, उसका शोषण समाप्त करने का यह एक विधेयक हम लोग लेकर आए हैं। मैं माननीय सांसदों से पुनः अनुरोध करूँगी कि वे इस बिल पर चर्चा करके आज इसे पारित करें और उपभोक्ताओं की दशा सुधारने का एक विकल्प उनके सामने रखें। बहुत-बहुत धन्यवाद।

*The question was proposed.*

**डा. लक्ष्मीमल्ल सिंधवी** (राजस्थान) : माननीय उपसभापति महोदया, मैं इस संशोधन विधेयक का हार्दिक स्वागत करता हूँ क्योंकि यह विधेयक एक सक्षम, संवेदनशील और सचेत मंत्री का उपहार है। माननीय सुषमा स्वराज ने ...(व्यवधान)...

THE DEPUTY CHAIRMAN: I think, there are certain things, which I do not have to announce in the House. It is between the Congress Party and the Chair. They want to speak a little later. So, what is the problem? It is not a compulsion that the Congress Party Member must speak as the first speaker. ...*(Interruptions)*... Whatever it is, I will go according to the names mentioned in my paper. All right.

**डा. लक्ष्मीमल्ल सिंधवी** : माननीया सुषमा स्वराज ने प्रशासन में अपूर्व दूरदर्शिता और कार्यकुशलता का परिचय दिया है और यह विधेयक इसी दूरदर्शिता और कार्यकुशलता का प्रमाण है। वास्तव में यह विधेयक बहुत समझदारी और संतुलन के साथ प्रस्तुत किया जा रहा है क्योंकि न्याय की यही मांग थी कि जो शिकायत कोहराम के रूप में हम देख रहे थे, उसका कोई न कोई प्रतिकार तो होना ही चाहिए। यह विधेयक इस बात का सबूत है कि शासन और संसद बेबस और लाचार नहीं है। यह इस बात का सबूत है कि संसद और शासन जनहित के संरक्षण के लिए प्रतिबद्ध रहते हैं। और मैं यह समझता हूँ कि इस संशोधन विधेयक के जो कारण हैं, जो उद्देश्य हैं वे जनहितकारी हैं, उपभोक्ता के संरक्षण के लिए अनिवार्य हैं अन्यथा ये ऐसा फ्री फॉर आल बन जाएगा, एक ऐसी निरंकश और स्वेच्छाचारी व्यवस्था बन जाएगी जिससे हमारे उपभोक्ता त्रस्त हो उठेंगे। सरकार को संदाय चैनलों को देखने के लिए ऐड्रैसेबल प्रणाली के संस्थापन की चरणबद्ध रूप से आवश्यक बनाने के लिए सशक्त करना जरूरी है और यह विधेयक इस कारण से इस उद्देश्य से चला है। इसी प्रकार निःशुल्क प्रसारण अत्यंत आवश्यक है। निःशुल्क प्रसारण के लिए कोई न कोई कानूनी व्यवस्था होनी चाहिए, कानूनी अधिकार होना चाहिए और इस विधेयक के माध्यम से यह व्यवस्था संभव होगी। मेरा यह भी मानना है कि कौन से चैनल में कौन सा उपभोक्ता कितना प्राप्त करना चाहता है, यह चॉइस, यह चयन उसके हाथ में होना चाहिए। यह नहीं कि उस पर थोप दिया जाए और उसको नाजायज तरीके से स्वीकार करना पड़े। यह भी जरूरी है कि इनके सुधार जैसे-जैसे प्रौद्योगिक उन्नति होती है, जैसे-जैसे नए सीमान्त पर हम पहुंचते हैं, उसी प्रकार बिना उपभोक्ता को अधिक कष्ट दिए, जहां तक हो सके, उसका लाभ उसको मिलना चाहिए। मैं यह मानता हूँ कि इस विधेयक में वाद-विवाद की कोई बात नहीं है किन्तु सम्पूर्ण समर्थन की आवश्यकता इसलिए है कि जो लोग यह सेवा दे रहे हैं, वे जानें कि संसद सतर्क है, संसद जागरूक है, शासन जागरूक और सतर्क है और वे किसी अन्यायपूर्ण परिस्थिति को सहन नहीं करेंगे। तथा शिकायतों के निराकरण के लिए और उन शिकायतों के कारणों को दूर करने के लिए प्रयत्नशील रहेंगे। शासन को यह अधिकार देते हुए संसद को प्रसन्नता है कि वे अधिकार उनको सौंप रहे हैं जो संवेदनशील हैं और जो इस बात को देखेंगे कि यह प्रणाली जो जनता को मनोरंजन के लिए जनता की शिक्षा के लिए, जनता के लाभ के लिए है, उसका दुरुपयोग न हो और उसमें नागरिक अपनी शक्ति को देखें और बेबसी को नहीं। इन शब्दों के साथ मैं इस संशोधन विधेयक का हार्दिक समर्थन करता हूँ और बधाई देना चाहता हूँ मंत्री महोदया को कि उन्होंने बड़ी सूझबूझ के साथ इस संशोधन विधेयक को

[10 December, 2002]

RAJYA SABHA

दूसरे सदन में रखा, वहाँ पारति हुआ और आज इस समय हमारे सामने है, धन्यवाद।

SHRI P. PRABHAKAR REDDY (Andhra Pradesh) : Madam Deputy Chairperson, I am grateful to you for giving me an opportunity to speak on the Cable Television Networks (Regulation) Amendment Bill, 2002, which is of great significance. I am supporting the Bill. Madam, the television network in our country is growing exponentially, year after year, the number of households connected by television network is increasing. The present estimation is that there are about 75 million TV connections in the country, and about 37 million homes are connected to cable operators. The number of broadcasters is also increasing year after year. There are about 70 channels in the country, and to facilitate connection of these channels to the households, there are cable operators whose number is about 60,000. Madam, in the present-day world, entertainment has become as important as food, shelter and clothing. Apart from entertainment, the TV programmes broadcasted through different channels are providing information and knowledge. People, sitting in their homes, get to know instantaneously, what is happening in every nook and corner of the world. This has got a great significance. With the convergence of technologies in future, this is going to play a more vital role.

As the hon. Minister has said, the present problem before this amendment is that there is no transparency in the game. There are cable operators, there are broadcasters and there are subscribers. What is happening is that there is lack of information and lack of transparency. There is lack of trust among each other. Therefore, the one who suffers the most is the subscriber. Madam, the subscribers' problem is that they feel that they are being arbitrarily charged and they are being charged for the channels, which they don't want to watch, because there is no technology. The cable operators are also complaining that the broadcasters are charging them arbitrarily, and they have to pay them. The broadcasters have no knowledge as to how many viewers are viewing their channels, and they feel that the cable operators are under-quoting and, therefore, they are charging arbitrarily, there is no nexus between their charges and the viewership.

It has no basis of statistics. Madam, normally, advertisement is done, if it is in newspapers, on the basis of circulation; if it is in T.V., it is based on the viewership. Even the advertisers who are advertising have no knowledge of how many viewers are there for a particular channel. To put

an end to all this, the Government has come forward. I compliment the hon. Minister. But the million-dollar question is whether this is going to effectively and comprehensively address the system or not. That is very, very important.

Madam, I am making a few suggestions. The first and foremost is this. Free-to-air channels and pay channels are being segregated. For free-to-air channels, the Government will decide what will be the free-to-air channel, i.e. the basic air channel; what will be the pay channel; and what should be the rate charged for the free-to-air channel. You said "nominal charges". But what are those "nominal charges"? "And these free-to-air channels are going to differ from place to place, from city to city." What is the criterion? In my opinion, the Government is arrogating to itself the power to choose free-to-air channels, and what rates should be charged. Madam, I have read the hon. Minister's statement. She said, "The channels which are broadcasting news, sports and entertainment will be free-to-air channels." My submission is that there are about 40 channels in the country, today, which are broadcasting news, sports and entertainment." Take for example "E T.V". It has 11 regional channels in different languages. All these have news and entertainment. They are not pay channels. As on today, even they are free-to-air channels. Will they be included in the basic service tier? I want to know what is the criterion. If the power is vested in the Government, there is no clarity and the rules are ambiguous-it will lead to misuse of power, and, then, this will also result in exerting pressure on the media. That will jeopardise the independence of the media.

Madam, I understand that Doordarshan channels are going to be categorised as free-to-air channels, the basic service channels. They need not go through the CI system. Madam, I would like to know why there is this differential treatment. There are other channels which are also free-to-air channels. They are doing exactly what Doordarshan is doing. Why they should be routed through the CIS and why they should not be categorised so, as long as they are free-to-air channels and they are not collecting any money from the cable operators, I want the hon. Minister to clarify.

Madam, through this Bill, the Government is making it obligatory to install addressable system and the subscribers should install set-up boxes. By this method, the subscriber can choose what channel he wants, This is

serving the purpose very well, and the cable operators also will have clarity as to how many viewers are viewing a particular channel. This is absolutely fine, Madam; there is no problem at all. But I would like to know from the hon. Minister, through this system, what is the mechanism for a broadcaster to know the viewership of his channel. Again, he has to depend upon the cable operator whom he is not trusting. He thinks that they are underquoting; he is not trusting them. By this amendment, this problem is going to remain. Madam, this is my submission.

Madam, another point which I would like to make is, sub-section (9) of the new section 4A makes it obligatory for every cable operator to send information to the Central Government, periodically—it may be one month; it may be 15 days—information like the number of subscribers, the number of channels and the number of viewers of a particular channel. Madam, given the numbers, there are about 30 million cable connections and there are about 60,000 cable operators. All this information is going to be sent to the Central Government. Is it humanly possible for the Central Government to compile and analyse this information and take follow-up action? I feel that it is meaningless, and it is not going to serve any purpose. Then, there are minor problems. The set-top box, which the subscriber is required to have, costs about Rs. 6000-7000. Now, there are 38 million houses having cable connection. First of all, will all these 38 million houses be able to afford this kind of money? The second thing is, availability of set-top boxes. Are there enough set-top boxes? Or are you going to import these boxes, to make it affordable for the consumer? If you import, would you wave the duty on this? I understand that there is no uniform technology in this. There are about seven technologies at present. If I am not happy with a particular cable operator, and I want to switch over to another cable operator, I will have to change the set-top boxes, to suit the technology. This is also going to pose a problem. Madam, all these problems are there. I would like the hon. Minister to concentrate on this. The intention of the Bill is very noble and laudable. But I want the hon. Minister to address the problems which the Government is going to face during the implementation of this measure. With these words of caution, I support the Bill.

SHRI PRITHVIRAJ CHAVAN (Maharashtra): Madam, I thank you for giving me time. I stand here to support the Cable Television Networks (Regulation) Amendment Bill, 2002. This is the second Amendment to the

Bill. The original Act was enacted in 1995. We have about seven years of experience of operating this legislation. As the regulatory powers of the Government are considered to be inadequate, it is not able to give appropriate benefits to the viewers. There was a constant bickering between the broadcasters and the cable operators. Ultimately, the viewers were taken for a ride by frequent monopolistic and arbitrary hikes in the viewership charges. The Government appointed a Task Force, which went into the various aspects of this issue, the economics of pricing, the prices charged by the existing broadcaster, the operation and behaviour of the cable operators who under-reported, etc. As I said, there was a constant bickering between the broadcasters and the cable operators, and, ultimately, in every single case, the viewers suffered, and the Government lost revenue. I don't know the accurate figures. There were no viewership statistics; there was anarchy in this very important field of entertainment, which has become a common thing in most homes today. Today, you cannot find an urban home without a cable connection. Even in slums, you will see cable. But there is anarchy in this field at the moment, which is not only costing the Government, in terms of revenue, but the viewers are also made to pay through their nose. They are forced to take channels which they do not want. There is no selectivity possible. Therefore, this situation had to be remedied. I am happy that the Task Force considered all the aspects of this whole issue, the economics, the choice, the technology, and has come up with suggestions which have now been brought before us in the form of this Amendment Bill. We, by and large, support the initiative of the Government, although we have certain concerns, which, I hope the Minister would take care of at the time of framing the rules under this legislation. The key element of this whole scheme is the addressable box, the set top box, which will decode the<sup>J</sup> signals that are encoded by the broadcasters and cable operators and there will be a service management system. It would be based on a computerised management system. You will have complete control and you can decide which channel should be given to which viewer, because the entire system will be encoded. There will be transparency in payment; and reporting to the Government and to the broadcaster. These things would be possible only with the introduction of this system.

But the key issue is about the set top box. Now, everybody will have to buy an addressable system. The question is: What would be the cost of a set top box? How much would it cost? Many figures have been



mentioned, Rs.5,000, Rs.6,000, Rs.7,000, etc. Some have said that if there is a mass manufacturing, the cost can be reduced, the Government can make it duty free and the duty can be reduced substantially on the components that go into the system. I request the Minister to give us a strategy as to what she is going to do about the set top box. Will it be manufactured in India? Will it be imported initially? Will there be bulk import by Government? Will you allow the private sector operators to trade? What is the Information and Broadcasting Ministry's R&D doing? Are they coming out with a system? A very substantial issue is, whether you have an analogue system or a digital system. There is an analogue system, which is older in nature, and there is a new digital system, which may appear to be more expensive initially, but, over a period of time, the cost will come down. As you know, Madam, India virtually doesn't have a semiconductor industry. All semiconductors, the integrated circuits, microprocessors, semiconductor memories that go into such devices, are imported. The present rate of duty, if I remember correctly, is 5 per cent. But many people bring and assemble printed boards and boxes, maybe, by putting two or three screws together, and make a metal box in India. Most of the intelligent parts of the set top box have to be imported, because we don't make integrated circuits. We don't have the industry in India to make a sophisticated semiconductors, a sophisticated microprocessor and a large memory device, which are required for this. So, my first request to the Minister is to go in for a digital system only.

The second point is that you should not entrap the country in a proprietary design. Seven or eight designs are possible and each broadcaster will try to force his proprietary system on the country. You will not be able to change the technology. Then you will be required to buy another set top box from another vendor. So, please don't trap the country in, or, freeze the entire country to, a particular proprietary technology. Make sure that the set top box would never be a proprietary technology. A viewer, a customer, should have the choice of changing from one broadcaster to another at will, without any problem, because it is going to be his property.

THE DEPUTY CHAIRMAN: I think, these boxes are provided by the channel provider on rent abroad.

SHRI PRITHVIRAJ CHAVAN: Madam, I am coming to that. How

do you acquire it? One way, of course, is outright purchase. There is already a problem in outright purchase because the technology changes. You never know what newer designs have come. People would like to go in for new models. Why should the technology change? Because there is convergence. The House is seized of the Communication Convergence Bill. Many technologies are naturally converging. Today, we are discussing matters through video conference, we are watching moving pictures on our television. Technologies like internet, voice on internet called IP, video on demand with higher band width are available. Fibre optic cables coming to the kerb or homes or multi-storied buildings, it is possible today to get video on demand, applications like home shopping, securing payment of your bills, getting payments from banks, inter-bank transfers, etc. Then, of course, applications like home shopping, payment of your Bills, getting payments from banks, inter-bank transfer, all these things which are now possible with computers and Internet connection, would become possible with appropriate set top boxes. Is this set top box going to be different from the cable set top box? Would there be a choice? Would I need two set top boxes, if I want to use Internet, if I want to use other facilities like telephony, which is a different thing altogether? Technologies are converging, and, that is why, we are going to have a Convergence Bill on Communication. Now, have you taken care of the converging technologies when you think of a set top box? The set top box should not be such a box that I would require one for video, another for Internet, a third one for telephone and the fourth one for video on demand. I hope, one would not be required to purchase five-six set top boxes, if one wants to use all these services.

The technology that you choose today is going to be a very crucial decision. The Bureau of Indian Standards has been entrusted with casting standards. But the speed of communication and information technology is so fast that nobody will be able to take a snapshot and say that this is the best today unless we really know what is happening abroad and adopt the best practices. Many countries who were the first to introduce services, have introduced standards which have now become obsolete. The United States is one example where mobile telephony was first introduced, which according to the European standards, is now obsolete. They were the first to come up, but they got trapped into a technology which is not the best technology today. But, now, making investment to change all that is going to be expensive. My concern is that, whatever set top boxes you prescribe

**1.00 p.m.**

or the specifications which are drawn by the Bureau of Indian Standards should be such that it would be smoothly upgradable, without having to tax the customer tremendously, and, eventually, a time will come when the television manufacturers would incorporate this entire hardware into their box as a standard hardware. There are some international standards emerging in this area.

Another advantage of this whole system would be that, there would a tremendous amount of data base created as to who is watching what and which locality is watching which particular channel. This would be a very crucial and sensitive area because this will be very valuable information to the advertiser, and he would be willing to pay for that. But I hope the concerns about privacy are also adequately taken into account. What I am going to watch in my home today should not become easily available to the advertiser, who would then flood me with all sorts of unsolicited mail to advertise the products. So, the data-base, although valuable, should not be freely available and commercialised, as it is detrimental to the common people so far as the privacy issue is concerned. While you are now charging on a monthly rental basis, there is also a technology where there are annual offers, as we have in the telephone sector where you pay some money and then you are not required to pay anything for the rest of the year. I am sure these set top boxes will give different offers, like weekly, monthly or annual.

The new technology that is now coming is of meter-usage. If you watch a particular news channel for two hours, that is metered, because the computer is there to do it all. Similarly, if you are watching a cricket match for the whole day, that is also metered. And, the charge at the end of the month, like your charge on the telephone, will depend on what you actually watch and for how much time you watch. These technologies are coming up. But I do not think we are at such a stage where we can use such sophisticated boxes. But, please do not get trapped into the standards that we cannot use more advanced systems when they become available tomorrow. Then, what is the mode of purchase? Will it be a one-time sale? Will it be a lease? Will it be a hire-purchase or on rental basis? I am worried, because if other broadcasters offer a slight improvement, what is going to happen? Even if you standardise, what is actually going to

happen? If somebody is going to come up and say "I will give you one more feature if you purchase my box" then people may, say, for internet connectivity only, like to change the box and throw the old box away. This happens in the case of television. There are claims by television manufacturers that "your television has only thirteen channels, but we offer you fifty channels, and also an add-on device that gives you hundred channels". These things happen. How are you going to control that? How are you going to control it? Ultimately, we need to go in for an independent regulatory authority which is divorced from the Ministry of Information and Broadcasting. It should be an independent body. Maybe, a communication convergence commission would subsume all this. That is the body -- of course, we are not discussing this issue here -- which will regulate, penalise and fix the tariff. You are not giving power to the authority to fix the tariff beyond which one cannot charge. Everything should be included in it.

THE DEPUTY CHAIRMAN: Would you like to continue after lunch?

SHRI PRITHVIRAJ CHAVAN: Madam, I am just concluding. When we discuss the Communication Convergence Bill, we will have an opportunity to discuss these issues. These issues are very important.

There is another important issue in regard to the entry of foreign electronic media into our country. Some rules have been modified. It is here in the papers that a foreign broadcaster has been given permission to make investment in this field. We need to have a full debate on the entry of foreign capital and foreign direct investment into the print media as well as the electronic media. Please do not decide it quietly- whether 14 per cent is allowed or 17 per cent is allowed. Let us know as to what is your policy because giving news to foreign people is quite tricky. There is enough material available -- and people have also written about it - how foreign editorship and the way news are broadcast have influenced the people. You know what has happened in Gujarat. Different channels depict the story in different ways. Those people who are proactive would show the human right violations, but other people might not show that. If foreign ownership comes into the broadcast media -- of course, news would be part of it -- there will be many things involved in it. We should discuss these issues separately. I do not want to link these issues with this Bill. It is not part of this Bill. But we need to discuss that because some of the broadcasters are going to be foreign companies which are keen to come to

India. What is going to happen if they come? We need to discuss it.

One sincerely hopes that this Bill will end the fight between the broadcaster and the cable operators, there would be no loss of revenue to the Government and the Government would be able to get the exact entertainment tax, etc. that they levy.

Ultimately, we should have a regulatory authority-- whether it is a communication convergence commission or some other authority -- which should be transparent, which should be constituted statutorily and which should be independent. But it should not be under the Ministry of Information and Broadcasting. As a matter of fact, the three Ministries, i.e. the Ministry of Communications, the Ministry of Information and Broadcasting and the Ministry of Information Technology need to come together. They are coming together. We will have one Ministry left, that is, an omnibus Ministry for the overall field of communication and there will be an omnibus regulator.

With these words, I support the Bill. I hope when they frame the rules, they would take care of all our concerns so that they do not trap the country into obsolete technology or give benefit to a particular operator or a particular broadcaster at the cost of others. Thank you.

THE DEPUTY CHAIRMAN: The House is adjourned for lunch till 2 o'clock.

The House then adjourned for lunch at three minutes past one of the clock.

The House re-assembled after lunch at three minutes past two of the clock. THE DEPUTY CHAIRMAN in the Chair.

#### **ANNOUNCEMENT BY CHAIR**

THE DEPUTY CHAIRMAN: I have one announcement to make that Shri I.D.Swami has written to me that he does not wish to make the statement which is mentioned in today's 'Revised List of Business'. Instead, he will make another statement regarding the killing of Dalits at Jhajjar, which he made in Lok Sabha yesterday, on which Members demanded a statement. Now, we continue with the discussion on The Cable Television Networks (Regulation) Amendment Bill, 2002. Shri Ramashankarji; not present. Shri S.S.Chandran, you have 7 minutes. Are