



DELHI HIGH COURT GRANTED RESPITE TO BROADCASTERS

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Yesterday, the Delhi High Court not only asked the TRAI to not take action against broadcasters who exceeded the ad-cap enforced by TRAI but also asked the broadcasters to maintain records of the airtime on a weekly basis. The TRAI regulations significantly restrict advertising on television, which, if imposed, will accelerate the growth of digital advertising in India, with video advertising, in particular, benefiting from this move. The maximum duration limit of advertisements allowed was 12 minutes per hour, but with the leftover advertisement duration (if any) carried over to the next hour. This is applicable to advertising spots, info-commercials and house inventory from the broadcaster. Ad breaks were allowed only during breaks for live sporting events, like half time in football or hockey match. Only full screen ads were allowed. Broadcasters were asked to ensure that the audio level of advertisements should not be higher than the audio level of the programs and finally, the broadcasters had to submit the details of ad carried in their channel in the format specified by TRAI, within 15 days from the end of a quarter. The broadcasters had filed a case in the Delhi High Court following the dismissal of their appeal before the Telecom Dispute Settlement Appellate Tribunal on jurisdictional grounds. This was because the Supreme Court had struck down TDSAT's powers to adjudicate against TRAI regulations. The next date of the next hearing is March 13, 2014.

PSA view – This temporary relief is a big respite for the broadcasters as the regulation had put in unnecessary restrictions on the monetization of media business.

NATGRID Project set to initiate begin

NATGRID was set up by the government in the aftermath of Mumbai attacks to enable monitoring of terrorist operations through existing banking, finance and transportation networks. Various ministries and departments, called provider agencies, which hold 21 categories of citizen database like bank account details, telephone records, passport data and vehicle registration details, are supposed to be linked and shared in real-time through the NATGRID with the 11 intelligence and investigative agencies, termed as user agencies. The government will soon be issuing an executive order to give a legal framework and mandate to NATGRID.

PSA view – The government is of the opinion that it can use data from Centralized Monitoring System as well as that available via Aadhar and pass it around the various government departments through the NATGRID to stop terrorism. However, on the hindsight NATGRID can have adverse effect. As it can be used as a channel to target people who might be against the government. It is to be seen how accurately this project evolves and is used by government agencies.

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