



The regulation of online streaming services by the government

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Abstract

In today's period, Internet is major necessity of individual. The Supreme Court has also declared that Right to Access Internet is under citizen's fundamental right as freedom of speech and expression listed under Article 19(1)(a) of the Constitution. Online Streaming is the most general work done for any online searches on media for streaming videos, audios on Internet. Online Streaming can be made on any platform, include services as Netflix, iTunes, Amazon, etc., includes live streaming on any news or government policies etc. Curating Content is the process which is done by maximum user who all actively participate on online platform and social media. The curators are the one who provide with content to the viewers.

As with the any new technology or platform, there are bound to be legal concerns. It was always the intent that that one piece of content is linked to another. The legal issue arises when, while curating content, knowingly or unknowingly, the content get copied or plagiarised, it may arise legal repercussions. The copyright, trademark and other Intellectual Property Rights are the one which arises. Along with this other privacy laws, publicity rights, loitering and other related issues must also be paid attention.

The Regulation on Online Streaming Services is concerned there are code for Self-Regulation of Online Curant Content Providers has jointly developed by the companies who are carrying bussinesses in India. The Oraganizations who sign on this code, must conduct themselves in a responsible and transparent manner. They must commit ther respective services on the content offered making reasonable efforts and acting in good faith. The Online Curated Content industry plays an important role in the Indian socioeconomic outlook. It serves and provide content online for the majority of population for now and coming years. The usage of Internet and technology, they have transformed the way of content created and served to public. The advanced technology provides more flexibility to the viewers to view the content at any time, place and devices of their choices. There is also categorization of the prohibited content too, which prohibits the signatories to this code to act deliberately and maliciously. There is complaint and redressal mechanism as well which is under the provision of the court. The code empowers the consumer to make an informed choice on age-appropriate content.

The signatories to this code even invest extensively in regard of safety measures as content filtering and access control over the content. To empower the consumers to make informed viewing decisions.

Keywords: Internet, self-regulation, online streaming services, content curation, legal concerns

Introduction

In this era, people are more relying on smartphones, tablets, laptops and the internet is one the major source of knowledge and information. Internet provides with all sorts of information along with connecting the person with things which otherwise would have been a unmanageable task. The introduction of live streaming services, broadcasting and webcasting in our lives have made every news and information as accessible as it can get ^[1]. The services are not only beneficial for the scholars, businessman and companies but used even by the government of the country with same importance. The online streaming services includes media as Netflix, Amazon prime videos, hotstar, hulu, zee 5 etc. and media which is being consumed by public at large. The online streaming and views are becoming addiction to people with web-series and movies. Online streaming or live streaming over any event, judgement, government activities, meetings and conferences, every basic news and information is available. The content curation is the process of gathering, discovering

an processing digital content and then filtering the interest related content and further circulating it on web for access of viewers. The Online Streaming is the where without downloading the content, we can stream online on our device. There are many online streaming platforms as Netflix, Amazon, YouTube, etc., where we can watch videos at any time as per choice. The service which is provided online also have certain guidelines which are essential followed by the signatories to this code. Online streaming platform sometimes carries such content which may be offensive as abusive languages, nudity, violence, uncensored content, etc.

There has been risk developed in India's Online Streaming space. On February 5, 2020, at its annual India Digital Summit, the Internet and Mobile Association of India (IAMAI) launched the 'Code for Self-Regulation of Online Curated Content Providers'. It follows up an earlier 'Code of Best Practices for Online Curated Content Providers' the industry body had put out in January 2019 ^[2]. There are more than 35 online video streaming service providers are

¹ Government Events Live Streaming, <https://www.dreamcast.in/government-live-streaming.php> (last visited July 23, 2020).

² Latest Self-Regulation Code for Streaming Services in India Raises Troubling Questions, <https://thewire.in/government/online-video-streaming-self-regulation-code> (last visited July 23, 2020).

present in India. Unlike previous code which had nine signatories are now just at present have four signatories as Hotstar, Voot, Jio and SonyLiv and rest Netflix, Zee5, Altbalaji, Arre and ErosNow were clearly absent at the new code's launch. The major players who are beginners for now stayed out of this launch as Amazon (Prime) and Google (YouTube Premium).

There are objectives and principles to the code. This code empowers the consumers to make an informed choice over age-appropriate content, safeguard the creative contents of content creators, invite their innovative ideas and thoughts. They also have complain redressal mechanism, they do not permit platforms to publishing deliberately any content and others. With any new technology, platform or online startups, there are bound to be legal concerns. Everything, now a days start with terms and conditions, with express or implied agreement. Violation of any, may leads to future repercussions. There are legal issues as copyright, trademark, privacy law, and other related issues.

Any service provided by Government, whether it online streaming or offline works, regulations and legislation framed along with them.

Content Curation

Content Curation is the act of gathering, discovering and presenting digital content or information relevant and important for particular topic or area of interest. In today's media content curation is filtering the interesting content across the web and distributing the best news, article, information across the social media. This not only help in building audience but also enrich your brand and sources. Content curation is not something to create or develop a new content on your behalf but to search, filter, modify and manipulate the existing content and present the same in a more organized and interesting manner. In day today's life, we use Facebook, Instagram, YouTube etc other social media on which people actively participate for sharing and uploading various online filtered content which we don't realize for years that we are engaged in content curation.

The content curation effect the laws and ethics surrounding that how content is treated online. There are various laws which preserve their content and to avoid any duplicacy. The laws and precedents as are Trademark, Copyright and other forms of intellectual property right. Even, the use of images online are not for free, there also may raise copyright issues if used without prior permission. Online curated content is subject to violation of intellectual rights and fraud and misrepresentation, several high end Online Curated Content Providers (OCCPs) have signed a Self-Regulatory Code of Best Practices under the aegis of the Internet and Mobile Association of India (IAMAI). This Code is a significant step forward in striking the right balance between defending creating freedoms and protecting consumer interests^[3].

Online Curated Content Provider

The Online Curated Content ("OCC") industry plays a prominent role in the Indian socioeconomic landscape and is expected to serve a majority of the Indian population in the coming years. It has transformed the way that content is

created and consumed through employing advanced technology to provide consumers flexibility related to viewing of content at time, place and device(s) of their choice^[4].

The present Code for Self-Regulation of Online Curated Content Providers [hereinafter, referred to as "Code"] has been jointly developed by companies carrying on business in India. Organizations that sign on to this Code, commit to making reasonable efforts and acting in good faith to ensure that content offered on their respective services in India is in line with the principles laid out^[5].

The code disallows the following:

- Content deliberately and maliciously disrespect the national flag or national emblem.
- Content representing any child involved or engaged in any sexual activities or any of the child sexual part represented for sexual purposes.
- Content deliberately and maliciously disrespect or intend to outrage religious sentiments of any class, section or community.
- Content deliberately or maliciously promoting or encouraging terrorism or any kind of violence activities against the state or its bodies.
- Any such content which has been banned for such display or distribution by online services under applicable law or any court with competent jurisdiction.

The investment made by the signatories of this code have to look into various safety features as content filtering and its access over the media. In accordance with the safety measures, there are complaint and redressal mechanism and its under the provision of the courts. Online video on demand (VOD) service providers, have adopted a voluntary self-regulation code for their content in India, known as the Code for Self-Regulation of Online Curated Content Providers. It categories the content that must be restricted from being published on any platform. The code also prescribes the content which being released on platform with maturity ratings.

The objective of the Code includes

- Safeguard and respect the content creators and artists for their ideas and creativity.
- Protect the interests of consumers and provides them with facility of choosing and accessing the content as per there convenience, whenever they want to watch, at any time.
- Nurture creativity, enhances innovation and abide by the individual's freedom of speech and expression.
- Consumers are empowered to inform their choices regarding age-appropriate contents.
- Provide a mechanism for redressal of grievances related to the available contents by respective OCC providers.

As per under Article 19(1)(a) of the Constitution, the freedom of speech and expression is seek by the Online

³ Self-Regulation of Online Curated Content Providers, <https://www.lawyered.in/legal-disrupt/articles/self-regulation-online-curated-content-providers/> (last visited July 24, 2020).

⁴ Self-Regulation for Online Curative Content Provider.pdf, <https://www.medianama.com/wp-content/uploads/IAMAI-Digital-Content-Complaint-Council-NEW.pdf> (last visited July 25, 2020).

⁵ Preamble, Code of Best Practices for Online Curated Content Providers.pdf, https://www.viacom18.com/pdfs/Self-Regulation_of_Online_Curated_Content_Providers.pdf (last visited July 25, 2020).

Curative Content Providers who are signatories of this code includes commercial speeches.

Principles for Self-Regulations

There are principle guidelines in relation of statutory and judiciary guidance. As far as preponderance of commercial speeches under constitutional framework is related, which uphold freedom of speech and expression. The OCC Providers that are signatories to this code, who make available to viewers to stream content and to download it from the platform. The uniform standard shall be applicable to all signatories operating within the Online Curated Content Industry.

The primary governing body in online content is the Information and Technology. It is administered by the Ministry of Electronic and Information Technology (MEITY) deriving authority from Government of India Rule, 1961.

For governing the Online Curative Industry, the basic work is to preserve the fundamental rights as the freedom of speech and expression under Article 19(1)(a) of the Constitution of India. For the content provided and language used which should be barred under any provision which will be presented by OCCPs. Therefore, it respect and safeguard the rights under Article 19(1)(a) of the Constitution of India. The other principles which were laid out in statutes were Copyrights, Trademark, other Intellectual property rights, Information Technology Act, 2000, Indian Penal Code, 1860, Indecent Representation of Women (Prohibition) Act, 1986, Emblems and Names (Prevention of Improper Use) Act, 1950, Protection of Children from Sexual Offences Act, 2012 and other statutes which aids OCCPs.

They aim to protect the interest of consumers engaged in viewing the content of their own choices and defending and safeguarding the creative freedom OCC Providers. The principle framed is adhered by the signatories with the rule in place.

The key Principles are as follows

1. OCCPs will enable consumers to make an informed choice about the licensed video content they engage with or the video content they create. This will be done by OCCPs by inter-alia adhering to certain disclosures such as, specifying maturity ratings and content descriptors (e.g., language, sex, violence).
2. Each OCCP will empower consumers by adhering to a process set-out herein for to dealing with complaints concerning content hosted by such OCCP.
3. OCCPs will also the receive complaints forwarded by any authority / body / department / nodal agency of the Government of India (including, the National Consumer Helpline of India, Ministry of Information & Broadcasting, Ministry of Electronics & Information Technology and Ministry of Communications) ("Government") directly or through the Digital Content Complaint Council [6].

Digital Content Complaint Council (DCCC)

A code for Self- Regulation for online video streaming platform drafted by the Internet and Mobile Association of India (IAMAI) is ratified by the Ministry of Information and Broadcasting. The Internet and Mobile Association of India

is realizing a new content code to govern content on online streaming platforms that will lead to the setting up of an industry body called the Digital Content Complaint Council (DCCC) [7].

India's largest video streaming platform Hotstar is leading the efforts for a new Digital Content Complaint Council (DCCC) along with OTT players Jio, SonyLIV, Network18 and Eros to further moderate online video streaming content [8]. These platforms have agreed to come together and allow for a complaint redressal mechanism through a Digital Curated Content Complaint Council (DCCC) that consumers can go to, if their grievances are not addressed by the platform owners [9]. However, some companies including Netflix, Amazon Prime, Zee 5 and AltBalaji refused to be part of the DCCC [10].

The code prohibits certain contents that are around child pornography, acts of terrorism and disrespect to national symbols. It asked the platform owners to categorise the content and arrange the same as per the audiences or viewers of different ages. For identification of the nature of content, it also requires the age-appropriate contents for minor and a guidance message indicated on the platform display as a content descriptor. At last, it asked to establish a grievance redressal mechanism on which signatories agreed, to internally appoint, as a part of their operational system, a team or department to receive and address any consumer related complaints in relation to the content being displayed. The Indian Government repeatedly stressed on the need for internet censorship. The latest survey by market research and data company YouGov said, around 57% of Indian citizens also think censorship is required for online streaming platforms such as Netflix, Hotstar, Voot, among others. Moreover, nine out of ten people think there should be some form of internet censorship [11]. The most of the stockholders also agreed the same. Regulatory mechanism to be framed across the categories which do not infringe the right to expression. This was found under 2019 survey by market research and data company YouGov.

The government proposes internet censorship by amendment of Section 79 of India's IT Act. According to the amendment, internet companies should take down content marked as inappropriate by authorities [12]. If a company receives a complaint from a law enforcement agency, then the firm will trace and report within 36 hours and then disable that user's access within a day.

⁷ Exclusive: IAMAI's new code for online content streaming sets up a self-regulatory body, incorporates penalties, <https://www.medianama.com/2020/02/223-iamai-content-code-dccc/> (last visited July 26, 2020).

⁸ Hotstar, Jio, SonyLIV Form New Digital Content Complaint Council But Netflix Bails Out, <https://inc42.com/buzz/hotstar-jio-sonyliv-form-new-digital-content-complaint-council-but-netflix-bails-out/> (last visited July 26, 2020).

⁹ Hotstar, VOOT, others sign up to form complaints council for OTT platforms, <https://www.livemint.com/industry/media/hotstar-voot-others-sign-up-to-form-complaints-council-for-ott-platforms-11580907470733.html> (last visited July 26, 2020).

¹⁰ Indian Government Gives 100 Days to Streaming Services for Self-Regulating Content, <https://www.news18.com/news/movies/indian-government-gives-100-days-to-streaming-services-for-self-regulating-content-2525261.html> (last visited July 26, 2020).

¹¹ Majority of Indians Feel Censorship Should Be Mandatory For OTT Platforms, <https://inc42.com/buzz/majority-of-indians-feel-censorship-should-be-mandatory-for-ott-platforms/> (last visited July 26, 2020).

¹² *Ibid.*

⁶ Self-Regulation for Online Curative Content Provider.pdf, *supra* 4.

Censorship and Self-Regulation

OTT Apps and on demand entertainment platforms as Netflix, Amazon Prime, Hotstar and other apps are supported by government over the self-regulation of the content streamed online. Government refuses to censor these apps and supported the freedom of creativity.

As per the statements made by Amit, it is clear that Govt. will encourage self-regulation path for the OTT apps ^[13]. The government is very-well aware that the entire business and creative model of OTT apps and on demand streaming platforms are much different from that of movies and television series, and that censorship over the digital content is impractical.

After this self-regulation code established by the OTT apps, Govt. received complaints about shows such as *Leila*, *Sacred Games* on Netflix and *Gandi Baat* on Alt Balaji, which were accused of showing inappropriate content ^[14]. The government concern increased, when there were several cases filed for the obscenity and violation of religious sentiments. There were requisition for banning the Netflix and Amazon Prime as the accusation were, about hurting the religious sentiments of the people. Asked for imposing censorship over the contents provided by these platforms. In this growing world with limitless opportunity, there has infinite opportunity with filmmakers to enter newer avenues. Talking about some of the most striking OTT shows like *Sacred Games*, *Inside Edge*, *Made In Heaven*, *Mirzapur*, *Four More Shots Please!*, *Karenjit Kaur: The Untold Story*, etc., the narratives of social, political, religious and sexual inhibitions have been shed ^[15]. Audience wants to enjoy the content in it's unadulterated and uncensored form. They genuinely like the efforts and appreciate the artistic work. Therefore, some of platforms agreed on self-imposed censoring code.

The Public Interest Litigation filed in the Delhi High Court, about banning the Netflix and Amazon Prime. In a public interest litigation filed by the Justice for Rights Foundation in the Delhi High Court, a plea was made for separate guidelines to regulate content on online streaming platforms ^[16]. As per the petition filed, the content on these apps are 'inappropriate, sexually explicit, religiously forbidden and legally restricted' ^[17]. The Ministry of Information and Broadcasting (MIB) and the Ministry of Electronics and Information Technology (MEITY) is a powerful legislation and is enough to deal with the complications. The petition clearly states that the Netflix, Amazon Prime and other such apps breaks several laws: Indian Penal Code, Information Technology Act 2000, The Indecent Representation of Women (Prohibition) Act, 1986 and more ^[18].

Related Case Laws

In *Justice for Rights Foundation v. Union of India* ^[19], the Hon'ble court held that there will no separate provision for further guidelines, as there are already sufficient stringent provisions existing. It has stated that the court, can see no reason for issue of mandamus, there is no place for bringing back any guidance or statutory provision or regulation for said purpose when there is already Information and Technology Act, 2000, existing to provide enough procedural safeguard. Information and Technology Act, 2000 is in existence for taking action in the event of any prohibited act being undertaken by the broadcasters or organization in the internet/online platform ^[20]. It was further observed that the publishing or transmitting any obscene or sexually explicit content or any other content depicting children in sexually explicit act, etc. will be covered under Section 67, 67A and 67B of the Information Technology Act, 2000, respectively. Section 68 and 69 under IT Act, allows controller to give direction to intercept, monitor or decrypt digital information ^[21]. The court held that, it would not issue a direction for framing any guidelines or related provisions ^[22].

In *Nikhil Bhalla v. Union of India* ^[23], the petitioner, a congress activist, prayed for a grievance redressal mechanism to process complaint against certain online content, regarding OTT services and certain dialogue in the Netflix series 'Sacred Games'. The series pictured the former Prime Minister in bad light. The Ministry of Electronic and Information Technology, in its reply to the petition stated that the court should not grant the prayer because it violates the freedom of speech and expression of the content creator. The court dismissed the petition. The criminal complaint, then filed in Kolkata ^[24] and Mumbai ^[25], regarding the dialogue defaming Rajiv Gandhi in *Sacred Game*. However, the same decision was granted later also.

Legal Concerns with Online Streaming

There are certain legal concerns regarding the content published or presented on online platform. The content creators have to keep certain guidelines in their content as the content should not it should not infringe someone else content, under copyright and etc. The privacy, location and right to privacy is also something of great importance, that must be paid attention. The safety measures, expectation of privacy are some of the major issues, any violation, legal issue can be impugned.

Some of such concerns are:

1. **Copyright:** Content creator need to be very conscious

¹⁹ Justice for Rights Foundation v. Union of India, W.P.(C) 11164/2018.

²⁰ Bar and bench, http://iprmentlaw.com/wp-content/uploads/2019/09/Justice-for-Rights-Foundation-vs-UOI_watermark.pdf (last visited July 27, 2020).

²¹ Will Sacred Game 2 be sanitised? A summary of the debate on Online Content Regulation In India, <https://www.ikigailaw.com/will-sacred-games-2-be-sanitised-a-summary-of-the-debate-on-online-content-regulation-in-india/#acceptLicense> (last visited July 28, 2020).

²² Order dated 08.02.2019 in W.P. (C) No. 11164 of 2018, https://barandbench.com/wp-content/uploads/2019/02/Justice-for-Rights-Foundation-vs-UOI_watermark.Pdf (last visited July 28, 2020).

²³ Nikhil Bhalla v. Union of India, W.P.(C) No. 7123/2018.

²⁴ See, <https://www.thequint.com/entertainment/celebrities/complaint-filed-against-sacred-games-for-maligning-rajiv-gandhi> (last visited July 28, 2020).

²⁵ See, <https://indianexpress.com/article/india/ib-ministry-forms-committee-to-regulate-online-media-smriti-irani-5125324/> (last visited July 28, 2020).

¹³ Govt. refuses to censor Netflix, Amazon Prime, Hotstar; Self-Regulation will be supported! <https://trak.in/tags/business/2019/11/16/govt-refuses-to-censor-netflix-amazon-prime-hotstar-self-regulation-will-be-supported/> (last visited July 27, 2020).

¹⁴ *Ibid.*

¹⁵ Self-regulation by OTT Platforms- A Move Forward or Backward? <https://agencyreporter.com/self-regulation-by-ott-platforms/> (last visited July 27, 2020).

¹⁶ Thanks to Delhi High Court for letting us Netflix and Chill, <https://internetfreedom.in/take-it-and-go/> (last visited July 27, 2020).

¹⁷ Netflix, Amazon Prime face ban in India – Delhi HC will hear PIL against vulgar content, <https://trak.in/tags/business/2018/10/16/netflix-amazon-prime-face-ban-in-india-delhi-hc-will-hear-pil-against-vulgar-content/> (last visited July 27, 2020).

¹⁸ *Ibid.*

about the content, they are working. Ever wonder why on some TV shows the artwork on the walls is pixellated? It's because it's a copyrighted work and they didn't get permission ^[26]. Not only are there copyright, trademark, and trade secret issues to be aware of, but you'll need to know about privacy laws, publicity rights, loitering or trespassing, and location releases ^[27]. Content creators have their freedom of speech and expressions, but in any manner they cannot copy any of such content which have copyright or trademark and other related laws over them.

2. *Disclosure*: disclosure is provided on every app or platform. The required information must be revealed to the public. The completed truth regarding the brand must be revealed, it is necessary for the other party. Any marketing, advertising, sponsorship is represented to audience during video streaming, it should be made clear that the content shown, it has business relationship.
3. *Location concerns*: the location concerns because the direction of content matters. In case of direction of content for further streaming. The use of public street, court room, school, universities and other public places, safety measures are must. There are certain restriction that must be followed. It creates the legal concern, irrespective of the public safety and security.
4. *Privacy and publicity*: there are several content which are streamed online relating to true story but certain privacy are made regarding names and locations. Right to publicity is referred to as personality rights, it safeguard the individual right from being exploited for commercial gain or use. When you are in public or private settings, there are several privacy rights that must be paid attention. You cannot randomly use any person on road for film or content making, consent is must. Anyways, if person is in public, it has expectation of privacy. There is minute difference between privacy and right to publicity. This difference must be kept in mind during any direction, whether its for live streaming or online streaming for platform.

Market Shares of Video Streaming Services in India

There is intense competition in the market. There more than 50 well-known brands over the global majors, fighting for a foothold in the market with millions of broadband users. Netflix, Amazon Prime, Hotstar and YouTube are the big four in the Indian streaming platforms. The intense competition will push up investments in original content to \$1.4 billion by 2024- a 13 percent compound annual growth rate from 2019 ^[28]. There are recently more Chinese user-generated content platform flooding the market as Tik Tok, Vigo Video and some more.

There are five kinds of business models for OTT video producers to make money.

- *Subscription*: the subscription amount from Netflix, Amazon Prime.

- *Advertisement*: the advertisements through YouTube and other platforms.
- *Transaction*: transactions as iTune, jiosavann.
- *Sponsor*: there are many sponsored content too over the platform.
- *Premium*: there are premium or VIP accounts also available on platforms as Hotstar, Voot.

According to the report of Internet and Mobile Association of India (IAMAI), there is certain ratio of money spent on voice services and data. As in 2013, voice services was Rs 124 and data was Rs 173. In 2016, voice service fell to Rs 124 and data raised to Rs 225. The video streaming constitute around 70% - 75% of the traffic.

India has just about 5.3 percent penetration and this is expected to rise to just about 10 percent in 2022 ^[29]. The over-the-top (OTT) video streaming market in India is set to touch \$5 billion by 2023, according to a report by Boston Consulting Group (BCG) ^[30]. The global video streaming market size was pegged at USD 42.6 billion in 2019 and is expected to register a CAGR of 20.4% from 2020 to 2027 ^[31]. Artificial intelligence (AI) is playing very important role in upgrading the content quality, editing, scriptwriting, vice-verses, cinematography and other aspects of video production, direction and uploads. The huge usage of smart devices enhances the popularity of social media platforms and other digital media. The online streaming videos, branding and marketing has been very easy to drive in the market through these platforms.

Based on the streaming types, the market has divided into two, live and non-linear video streaming. Live content streaming are as news, sports or other government events and other related. The non-linear video streaming includes online videos as series or movies etc. The growth of non-linear video streaming because it provide with time flexibility, no buffering, pause and resume. It also provide with exciting online series and movies which can be watched at per our own schedule and comfort level.

There are certain highlights relating revenue in video streaming online:

- Revenue in the Video Streaming (SVoD) segment amounts to US\$239m in 2020.
- Revenue is expected to show an annual growth rate (CAGR 2020-2024) of 10.4%, resulting in a market volume of US\$355m by 2024.
- User penetration is 4.6% in 2020 and is expected to hit 5.8% by 2024.
- The average revenue per user (ARPU) currently amounts to US\$3.78.
- In global comparison, most revenue is generated in the

²⁶ Legal Ins and Outs of Live Streaming in Public, <https://sarahawkins.com/legal-live-streaming-in-public/> (last visited July 30, 2020).

²⁷ *Ibid.*

²⁸ India's online video streaming market: Where the 'big four' stand, https://www.business-standard.com/articles/companies/india-s-online-video-streaming-market-where-the-big-four-stand-119111901474_1.html, (last visited July 30, 2020).

²⁹ Indian video streaming market is headed for a boom, but more revenue streams needed, <https://www.cnbctv18.com/technology/indian-video-streaming-market-is-headed-for-a-boom-but-more-revenue-streams-needed-4563681.htm> (last visited July 31, 2020).

³⁰ Video streaming market in India to reach \$5 billion by 2023: BCG report, <https://www.livemint.com/Consumer/P9ZSN91tXV9eWM3mXRndrJ/Vide-o-streaming-market-in-India-to-reach-5-billion-by-2023.html> (last visited July 31, 2020).

³¹ Video Streaming Market Size, Share & Trends Analysis Report By Streaming Type, By Solution, By Platform, By Service, By Revenue Model, By Deployment Type, By User, And Segment Forecasts, 2020 – 2027, <https://www.grandviewresearch.com/industry-analysis/video-streaming-market> (last visited August 01, 2020).

United States (US\$12,747m in 2020) ^[32].

India provides opportunity to online video providers, apart from other OTT platforms available in the market. Hindrance generated in the market is regarding the subscription amount on the platforms and price of cable and satellite subscription. There is about impermeable difference between television and films online. Along with devices as mobile, tablet and laptop, television is also used for viewing content similar to laptop and smartphones. Now, Netflix recommended TV logo to confirm to the viewer that, they can stream the same content on TV, which the limited to devices as smartphones and laptops. The same app with all similar buttons and functions will be available on TV. Introduction of OTT media services changed the scenario to internet streaming. People chose online streaming apps or websites over television, the Netflix, Amazon Prime, Hotstar, Hulu, Voot, and others. These platforms are more with content, exclusive shows, movies, series and other premiers. There are number of online streaming platforms, it comes down to choose one out of many.

There are list of best OTT platform or online streaming services in India for 2020:

1. Netflix
2. Amazon Prime
3. Hotstar
4. ALTBalaji
5. Zee5
6. Voot
7. SonyLIV
8. Viu
9. Hoichoi ^[33]

Conclusion

In era of digitalisation, the usage of smartphones, tablets, laptop and other digital media is common. From usage of cable television to internet streaming for content viewing, have huge increment. Content curation is a process of gathering, discovering and presenting the digital content from the interesting area and presenting that in attractive manner to the viewers. This content curation on digital platform called as digital curation. Filtering the best content out of number of interesting areas and presenting the viewers. The person who are very active on the social platform, do it on regular basis, editing, manipulating and sharing the content, posting it online. The YouTubers, Instagram user, Facebook user and other social influencers. They keep on posting and updating content without knowing the exact work, digital curation, in which they have engaged.

The code for Self-Regulation for online video streaming platform drafted by the Internet and Mobile Association of India (IAMAI). Online Curated Content (OCC) industry plays a major role in providing all the online exciting contents on platform. Digital medium offers a creative independence along with freedom of expression. As always said, with great power comes greater responsibility. It entirely changed the way, the content is created and made

advancement in technologies. It provided flexibility and comfort for the consumers. The present Code for Self-Regulation of Online Curated Content Provider (code), has jointly developed by companies carrying out business. This provided with certain limitation to the content creators. The signatories to this code with all necessary precaution, look into various safety features in content filtering, to access over the platform. There are also certain objective provided in welfare of content creators and consumer, regarding their rights and responses. There are also principle framed in relation to statutory and judicial guidance. This aims to protect the interest of consumers viewing the content and the creator, who make this available. It also provide with mechanism for redressal of grievances.

The well-known platforms as Hotstar, SonyLIV and others has taken efforts for a new Digital Content Complaint Council (DCCC). Most of the online streaming platforms have come together and allowed for a complaint redressal mechanism, through Digital Content Complaint Council (DCCC). In case of any grievances, if platform owner is not helpful to resolve them, then consumers can move to DCCC. The code restrict certain content as act of terrorism, child pornography and disrespect to national flags. It asked the platform owners to categorise the content according to age group and upload age appropriate content. There are some of the platforms refused to be part of DCCC as Netflix, Amazon Prime, Zee5 and AltBalaji.

Indian government and citizen thinks, there is requirement of censorship. The government proposed internet censorship by amendment of Section 79 of Information Technology Act, 2000. The online streaming content on platforms as Netflix, Amazon Prime, Voot and such others, requires censorship. The platforms need to have their own self regulation of the content streamed online. This is permitted by government because they also know this well, the entire business and creative model of OTT apps and video on demand streaming platforms are much different from those which are presented on television, censorship over the digital content on these platform is impractical. Even, there were certain PIL was filed against certain shows on these platforms but court has to dismiss the PIL. There is already an act and authority to take measures. Digital Content Complaint Council (DCCC) has drawn up along with Broadcasting Content Complaint Council (BCCC).

There also certain legal concerns for content creators. They have to keep certain aspects clear irrespective of copyright, trademark, and other intellectual rights along privacy rights and more. There are also certain guidelines for the directors along with creators, who are involved in creating the content for public. From privacy to right to publicity is also a major concern. The name of individual cannot be exploited for commercial purpose or any such gain. The consent have great importance because if any person is in public, they have expectation of privacy.

Regarding market issues, there is intense competition. Number of platforms are fighting for a foothold in market. In this digital era, there are numerous use of these online streaming platforms. The live streaming, online streaming is done by every individual along with government purposes in some or the other ways. The online streaming is not only or series or movies, but also for learning. There are several learning apps, marketing apps, music streaming apps and others. Now, it has turned into revenue model, there is subscription, advertisement, transaction and others from

³² Video Streaming (SVoD) India, <https://www.statista.com/outlook/206/119/video-streaming--svod-/india> (last visited August 02, 2020).

³³ 10 Most Popular OTT Platforms in India, <https://www.grabon.in/indulge/featured/most-popular-ott-platforms-in-india/> (last visited August 02, 2020).

which owners generate a lot of money. Before Television was one of the major source of entertainment, now online streaming platforms provides interesting contents along with the consumers own time and place comfort.

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