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A Look into the Ownership and Evolution of Indian Media

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Abstract
This paper is an attempt to understand the form and nature of media ownership in India, the gradual changes and evolution, it underwent over the decades since 1947 and the current form of ownership patterns, mergers and acquisitions, legal apparatus governing them, advantages and lacunae thereof and the implications it is found to have to contemporary political, social and business sectors. This attempt is particularly useful since the data on Indian media ownership is so scanty, more in the case of their market and audience data and unless both of them are read together, the picture of media vis-à-vis their influence on forming public opinion can't be understood in their entirety. This paper delineates the very basic question of who owns the Indian media, albeit in a limited capacity.

Keywords: *Media Ownership, India, Mergers and Acquisitions, Concentration, Political nexus, peddlers of power*

Introduction

> *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of frontiers."*
> *(Universal Declaration of Human Rights, 10th December, 1948)*
>
> *"Concentration of control has a negative impact on media diversity and plurality.Identification of who controls a media outlet is the first step in documenting plurality.*
> *(TRAI,* Recommendations on Issues Relating to Media Ownership, 2014)

Modern mass media comprise, monitor and regulate a vast majority of the prevalent public discourse and ostensibly influence the dominant perceptions, notions, belief and value systems in our society. This influence has been constantly on the rise globally, especially since the media boom of the Cold War.

The process has seen a striking duality in the form of rapid proliferation of media organizations, but an even faster consolidation of holding companies and corporations, leading to largely monolithic ideological slant. From print newspapers and radio to e-papers, news websites, SMS news and the still properly-uncharted terrain of new media over handheld gadgets like Internet enabled smart phones, tablets etc, and communication has come a long way.

The staggering growth in audience size has also invited critique of muzzling divergent voices. Free media, pluralistic approach and taking cognizance of public opinions, aspirations and views are among the cornerstones of a healthy media and healthy democracy. In a democratic society, free flow of information and knowledge is among the first few prerequisites and a media, immune to external or internal interferences and deviations, is both integral and instrumental in orchestrating a successful democracy. A free media ensures proper flow of knowledge to enable citizens in a democratic political-administrative structure for making informed, correct and responsible choices. The free flow of information also makes sure that there is a check and balance performances of elected representatives about their sworn duties and responsibilities.

Hence, it is of paramount significance to know who owns the media, we are reading, viewing and/or listening. Interestingly, not much is known in detail about comprehensive ownership of the Indian media, except bits and pieces revealed about new mergers and acquisitions in the FICCI-KPMG report, annual RNI data.

According to a report on Indian media ownership published by Reporters Without Borders, India has 118,239 registered publications, including 38,933 weekly newspapers, monthly magazines, 36,564 monthly magazines and 17,160 daily newspapers while the country also sports over 880 satellite channels, more than 550 FM and community radio stations, over 380 news channels, raising it among the largest media markets of the world. (Reporters Without Borders, 2019)

Media Ownership, Cross media Ownership& Conglomeration

Fifty big media corporations existed in the United States in 1983 but the figure dropped in 23 in 1990, only in a matter of seven years. This massive race for consolidation began much before.(Bagdikian, 2000)

But in his work to update the Propaganda Model, Ben Bagdikian mentioned that a massive consolidation of media capital has been happening since the 1990. The U.S. media was, thus, left with only nine international media conglomerates at the time when Bagdikian attempted to update Chomsky's Propaganda Model. These nine transnational broadcast networks owned all the major and film studios, television networks, music studios and allied companies. They also owned a major portion of the terrestrial cable networks, magazines, book publishing firms etc. including Harper Collins. As if it wasn't enough, the then newly merged AOL Time Warner fused all the major Internet-based media into the modern American mediascape. This gave rise to a massive U.S. media power, something that ever terrified Bagdikian.

The massive combined strength of such trans-national cross-media conglomerates have been found to exert tremendous pressure on international policies and politics, even elections. On this, James Curran wrote in his 1985 book '*Power Without Responsibility: The Press and Broadcasting in Britain'*:

> *"..it is the overwhelming collective power of these firms, with their corporate interlocks and unified cultural and political values, that raises troubling questions about the individual's role in the American democracy."* (Curran & Seaton, 1985)

Hence, consolidation of media ownership is a global and continuous process. What makes it particularly interesting and pervasive for the Indian media has been described by noted media researcher and author Vanita Kohli Khandekar in her book '*The Indian Media Bazaar*', where she said a large section of media, especially in local contexts, are found to be acting as peddlers of

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power. She has also observed the overt and covert media-political handshake, which forays beyond collaboration.

On why the investor invests in Indian newspapers, the First Press Commission's report said massive profits from other industries which were still booming from the post-effect of the World War II had to be safely parked somewhere and there was no better dignified routing lot than the media industry.

Secondly, the Indian media had already stated to peddle power for the dominant elites, like business interests, political leaders, etc. as can be seen from this excerpt of the Press Commission's report, where it says that the media funding came from "*persons anxious to wield influence in public affairs. The fact remains that as an investment a new newspaper undertaking does not look very tempting*". (Ministry of Information and Broadcasting, 1953)

The ideological bias of media to uphold the ideological state apparatus as espoused in the Propaganda Model was already visible during those years as the Press Commission contended that newspapers were treated as tools of influence back then, which is true till today, where 86,754 titles are registered with the Registrar of Newspapers for India (RNI) and only 1,000 are members of the Indian Newspaper Society (INS), meaning only they are serious about circulation. Members of the Audit Bureau of Circulation (ABC) are even less, at a meagre 411.

The 1960s saw tightening grip of the government in the newspaper industry with the 1962 Newsprint Control Order. Newsprint allocation was limited by quota and that had to be approved by the RNI with a proof of circulation from a Chartered Accountant. At least 70 percent of the newsprint had to be compulsorily purchased from the State-run producers while the rest 30 percent could be imported only through the State Trading Corporation (STC).

The Press Council of India also acted as a tool to regulate the media, under the regime of Prime Minister Indira Gandhi even though her father Pundit Jawaharlal Nehru was a vocal opponent or press regulation. Her Press Council formation dated back to the recommendation of the First Press Commission, which suggested a compulsory press council, though the same never got voted in the Lok Sabha and was only resuscitated by Prime Minister Gandhi.

Changing dynamics of Media and Politics

Much of political upheavals and turmoil during the period of Mrs Gandhi including the Emergency declared on June 25, 1975, were blamed on the media. There were notorious instances of harassing the media by cutting the power lines to the newspaper press. During this time, several prominent newspaper owners like Ramnath Goenka of *The Indian Express* came into direct confrontation with Prime Minister Indira Gandhi and was instrumental in engineering the Janata Party government in the elections that followed the Emergency. (Verghese, 2005, 2017)

The growth of Indian language newspapers can be traced from 1977 till 1999 and he writes that the hike in average literacy rates, the rise of capitalism, coupled with the technological growth during this period contributed to the newspapers and periodicals during this time. (Jeffrey, 1997)

Similarly, conglomerate media ownership was growing in the South Indian language media, where Ramoji Rao, who was established in his Margadarsi Chitfunds, Priya Pickle and hotel business, wanted to start a newspaper for Andhra Pradesh, which would bring out the local news. When he launched *Eanadu* from Vishakhapatnam in 1974, when *Indian Express's Andhra Prabha* was leading the segment with 74,000 copies published every day, trailed by *Andhra Patrika*. Eanadu

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gained a significant foothold by 1995, when two of its rivals *Andhra Parika* and *Udayam* had rolled down their shutters and Eanadu catered to 75 percent of the Telegu daily publications.

Next in the line were afternoon dailies like *Mid Day, Times of India's Evening News* etc., all published in cross media ownership pattern. The cross media ownership and integration through the increasing media convergence continued throughout the decade. But a new phenomenon started in the meanwhile; magazines had started to emerge in the Indian market. Though India Today started off as an independent magazine in the mid 1970s, it soon gained the status of a group with cross media and conglomerate media ownership.

Newspaper owners soon shifted to publishing, lifestyle magazines like Stardust, Savvy, Debonair and Society, before moving on to supplements in regular publications like '*Colour*', '*Mid Day Multimedia*, *'The Saturday Times*', '*The Sunday Review*', '*Brand Equity'* etc. It is estimated that almost 80 percent of the total advertising revenue of the time went to print alone around 1980, since commercial television hadn't yet started. *Doordarshan*, the radio and cinema got a meagre proportion of the advertising revenue.

Marketing strategy in turning the tables of gaining quantum leap in advertising revenue came during the Samir Jain years from the early 1990s. The Bennet, Coleman and Company Limited (BCCL)'s profits skyrocketed from Rs. 47 million in 1987-88 to Rs. 1.3 billion till July, 1994. BCCL is still one of the biggest media organizations, which charted its success through calculated investing, pricing, promotion, cross media ownership and vertical and horizontal integration.

Samir Jain is often criticized for having started the price war and thus, degraded the circulation revenue, heavily depending on advertising based revenue. Mammen Mathew said, "*In the '90s, we went into expansion and for the first time saw profits in millions"*. Murali of *The Hindu* said that the nineties' decade was responsible for injecting 'business mentality' in the national media mindset.

Cross media ownership and conglomerate media ownership post liberation, privatization and globalization in 1991 saw advertising, publication, broadcasting and other media formats coming together for the first time. Khandekar writes, citing Shobha Subramanyan, previously associated with the ABP, that advertising was shifting hands with multinational corporations while the contemporary media industry in the country witnessed the opportunity to club together television, publishing, cable TV etc.

In India, only *BCCL, Living media* and *Business India* saw the opportunity and succeeded in cashing on the opportunity. In the latter years, Hindustan Times, Eanadu and others rushed to join the fad.

So, when Satellite television broadcasting started in India in 1995, the print media industry was already booming in size, types of publications, editions and of course revenue. Print still commanded 70 percent of the advertising based revenue. The advent of television within the reach of the common India changed it, forcing the print to adapt and their owners to rush into the fray of cross media ownership.

"Television changed the concept of news in print and because television is good at certain things, print had to adapt", said former Editor-in-Chief of *Outlook* Group Vinod Mehta.

The advertising industry suffered a slowdown in 1997 and the effect of this deficit in advertising revenue for newspapers made way to television channels, which didn't lose any time in grabbing the vacated audience space.

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The latest input was the arrival of Foreign Direct Investment (FDI) in the Indian mediascape. The union cabinet allowed 26 percent FDI in the Indian print industry in June, 2002. This was further liberalized in 2005 and in the latter years, 49 percent FDI allowed in the television industry.

The Indian Mediascape, as discussed before, has been highly regimented and corporate in the lines of American media as large corporate capital, also pumped from foreign direct investment, is increasingly involved in the production, distribution and marketing sectors.

However, in the case of smaller organizations, the media has been accused of becoming "*peddler of power for builders and politicians*".(Khandekar, 2003, 2006, 2010, 2013)

When looked at from the perspective of Chomsky's Propaganda model, 'ownership' and 'source of revenue' was found to be particularly relevant in Indian media. In a much-debated article published in the Open Magazine, renowned Kashmiri writer and author Fahad Shah refers termination of the magazine's political editor Hartosh Singh Bal and says that "certain limitations that are forced upon the journalists by their bosses for which issue should be covered or ignored". (Shah, 2013)

He says the limitations, so much that the journalist has to lose his job or worse, get marked in the industry for good.

The last story Hartosh Singh Bal filed was "*The Hero and the Prince: In the democracy they disdain, there should really be no place for either*" – a write-up that criticized the then BJP's Prime Ministerialchallenger Narendra Modi and Congress's supposed dark horse – Rahul Gandhi.

Shah also referred to the resignation of Siddharth Varadarajan, the then Editor-in-Chief of *The Hindu* in October, 2013 and wrote that ownership and advertising has been found to play a major role in gate-keeping content flow to the audience.

In the context of Indian media and its still-growing economy, the writer says three other filters – 'source of information, 'flak' and 'anti-communism' are relevant in India, though in relatively lower proportions. In the "rising politico-capitalist media atmosphere, a few media organizations have been successful to overcome the (rest three) filters", he has written.

Cross-media and conglomerate media ownership in the Indian media has caused a number of cross-investment interests to play around. For instance, the Dainik Bhaskar Corporation has got shareholders Government of Singapore, ICICI Prudential Life Insurance Company apart from investor and publishing companies.

Shareholders of Deccan Chronicle group's include Life Insurance Corporati2on of India, Religare and ICICI Bank. Deccan Chronicle Group chairman - T. Venkatraman Reddy was the son of Congress MP late T. Chandrasekhar and nephew of Congress MP T. Subbirami Reddy.

Moving on the Hindustan Times group, shareholders are, among others HDFC, State Bank of India (SBI), Bajaj Allianz and of course Reliance Group. Shobhana Bhartia, the group's chairperson and editorial director, is married to the Managing Director and Chairman of Jubilant Life Sciences. One of its other directors is married to a niece of the Ambani brothers.

Now, family relations might not be considered business policy. Well, then *Information TV* would be a better example. The Corporation owns media organizations outlets like *News X*, *India News*, *Aaj Samaj*, *The Sunday Guardian* and many more have corporate organizations as 99.89 percent of its shareholders.

These corporate shareholders include Onkareshwar Properties, Lakshya Buildtech; Mariana

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Properties. Managerial stalwarts in all bodies have a strong relation to Congress MPs and even former Haryana Chief Minister Bhupinder Sing Hooda.

The Jagaran group is another classic example of corporate control on Indian media. Public mutual funds own 11.07 percent of the group's cumulative stock along with 12.85 percent stocks to Foreign Institutional Investors. A whopping 61.42 percent of corporate bodies own shares in the group that champions Hindi media.

According to an article on media ownership in India published in Newslaundry.com, former Chairperson of NDTV group Prannoy Roy and Radhika Roy own almost 60 percent of the company's shares though individually owned stocks and through their holding company. Radhika Roy is reported to be the sister of Brinda Karat, who is a politburo member of CPI (M).

Congress leader Naveen Jindal's father-in-law Abhey Oswalholds 14.17% of the shares of NDTV while 2.43 percent share is owned by Rajeev Chandrashekhar – also a politician of BJP.

Network 18 – now owned by Reliance Group, runs a host of media channels. These included CNN, IBN and regional language channels. Marathi channel IBN Lokmat of the group – now called News 18, was being owned by former education minister Rajendra Darda. On the other hand, Bennett, Coleman & Company Limited or the BCCL – holding company of Times of India and numerous other widely read, viewed and listened media outlets, has a number of shareholders from Bharat Nidhi, AshokaViniyoga Limited, Arth Udyog Ltd, Camac Commerical Company etc. (NL Team, 2014)

Tracing the evolution of Indian media ownership

After the Indian Broadcasting Company was sold off in 1930, the central government took the control of radio broadcasting. It was known to people as an Indian Broadcasting Service and in 1936, it was rechristened as the 'All India Radio' and in 1957 it was named as 'Akashvani.' Comprised of around 200 stations of All India Radio, there are separate channels of around 30 stations. Those channels are for commercial broadcasting in addition to three commercial broadcasting centers. Located in Delhi, the AIR's news services division broadcasts English news bulletins and other major language. The News Service Division carries out news making including talks and several kinds of programs related to information that are broadcast on national network.

The radio's national channel was made to order on May 18 1988. In November, 1967, the All India Radio's commercial broadcasting service was established on a trial basis from the popular Vivid Bharti Centers.

Since 1990, the government has lost its control on the broadcasting media with the passing of the Prasar Bharti Act. With this, the AIR has officially become an autonomous body since September 22 in 1997.

Besides the big Multinational Corporation run several types of private broadcasters. The private broadcasters, in common, eyes on making profit. The government gave an approval 150 private FM radio stations to be launched in total, forty cities of India in 1999. According to the principle, the non-governmental educational institutions, citizen groups and organizations can set up community radio stations. Planet Radio City, Suryan FM Stations and Radio Mirchi station are some of the noted private radio broadcasters in India.

The same ownership pattern can be seen in the case of television too. Like All India Radio,

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government control Doordarshan (television). Doordarshan comes under Ministry of Information and Broadcasting. DD works as a medium to disseminate information, educational and entertainment. Initially, DD used to work under the shade of All India Radio, later it became separate department on April 1 in 1976 under the Ministry of Information and Broadcasting. Like All India Radio, Doordarshan had earned autonomy on September 22 in 1997 after setting up of the Prasar Bharati Act, 1990.

Contrary to Doordarshan, private television channels have started spreading their wings in most of the countries including India. Like other commercial firms, the private owners of Television target to earn profit. The Cable TV system gets programs via satellite and distributes it to the subscribers. The dish antenna can also provide different television programs directly to the subscribers' home. The private television channels broadcast their own programmes in India. However, we can see some foreign channels like BBC, CNN, Star TV and others in India too.

The print business in China and Brazil, including India, compared to other countries is on the rise and is estimated to keep rising along with other media including online. According to Hansa Research and the Indian Readership Survey (IRS), printed newspapers reach to more than 38 percent of readers in the country. With an increase in the rate of literacy in India, the total print revenue is lined up to increase more within 2012 and 2017. (Kohli-Khandekar, 2013)

Many have analyzed media consolidation in many ways. One of these interpretations classify the consolidation process to take place in three ways – cross media, vertical integration and conglomerate ownership consolidation. These types of ownership in the media sector are included of cross-media ownership in the print, radio and TV. This consolidation pertains to vertical integration of the media market cutting across content creation, carrying and distribution in television, radio or both. The prominence of each section of the market share in these media formats relates to a set geographical boundary for both these segments. (Sarkar, 2013)

There are at least six states where only one media unit became national conglomerates having possession of different media like, newspapers, radio, TV channels, magazines and cable TV.

The latest development of *Amazon* purchasing *The Washington Post* in the US is an example of the threats and interests growing among the powerful groups in the media industries. However, most of the media companies based in India and abroad are trying to integrate vertically, sell cross-media and/or acquire or build platforms of multimedia. Distribution of cable and the DTH are already owned by the Zee group, Sun TV Network Ltd and Star TV India of News Corps. Radio, TV channels, internet, home video and mobile entertainment all come under the operations of Star's cross-media ownership.

Sun Network owns 14 channels in four states with two newspapers, four magazines, radio stations, cable assets. Dominance of Sun in cable and satellite TV and presently in DTH market is visible in Tamil Nadu. *Sun TV* and *Jaya TV* are two rival channels, both in the business sector and also in the political sector as they stand for two different political parties of the state.

Sakshi of YS Rajashekhar challenged the dominance of the Eenadu group in Andhra Pradesh. A few years back, keeping the same name intact, some of the Eenadu news channel group has changed their hands and TV 18 group has taken over some of them.

In an article published in the Caravan magazine titled, '*The Big Five: The Media Companies That*

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the Modi Government Must Scrutinise To Fulfill its Promise of Ending Crony Capitalism' mentioned that inputs available with the registrar of companies,which is operated under the Ministry of Corporate Affairs, had found 5 news media organizations based in India, namely the NDTV, News Nation, India TV, News24 and Network18, were in the debt of Mr. Mukesh Ambani, who is arguably the richest Indian citizen and also happens to own Reliance Industries, or in the debt of Mr. Mahendra Nahata, who is also an industrialist and happens to be a close associate of Mukesh Ambani. He is also a member of the board of Reliance Ji, Reliance's latest and largely successful telecom venture. The findings were published in an article published by Krishn Kaushik in the Caravan magazine in 2016. (Kaushik, 2016)

The article in question discussed that Ambani, Nahata and Abhey Oswal increased their control on the media companies from 20 to more than 70 percent through loans and investments.

The Telecom Regulatory Authority of India (TRAI) noted in 2014 that the right to freedom of speech is essential for sustaining the vitality of democracy. This right is so sacrosanct that the media are duty bound to fiercely protect it by the very mandate of its existence. The regulatorm, thus posed a question whether reposing such a right in the media simultaneously casts an obligation on the media to convey information and news that is accurate, truthful and unbiased or not. (TRAI, 2014)

"What happens in the media is the concern of the entire country," the paper said. According to this observation, ownership of media in a handful of units would rise the scope of misusing the rights of the media in their interests that have no relation to public goods in a large way.

It further stated that there might be thousands of newspapers and hundreds of news channels in the news media market, but if they were all 'controlled' by only a handful of entities, then there would still be insufficient plurality of news and views presented to the people.

Naturally, when people like R Jagannathan protested TRAI's observations and suggested the recommendations needed to be "thrown in the nearest dustbin", Nahata and Ambani came out to extend their support in this case. Jagannathan's observations were then extensively published in the editorial of website he was directing at the time, which had an ownership conglomeration with CNN-IBN, CNBC Awaaz, CNBC TV18, IBN7, IBN Lokmat and First Post.

The writer in the article mentioned about Shinano Retail, a subsidiary completely owned by Reliance, and Vishvapradhan Commercial Private Limited (VCPL), where it stated that Shinano and Reliance subsidiary have parts of VCPL under their respective ownership. In his previous story on NDTV in December 2015, both VCPL's directors Ashwin Khasgiwala and Kalpana Srinivasan, were earlier Reliance employees. What's more intriguing is that the company was registered under the same address in which Shinano was registered. On September 2015, in an affidavit submitted to the Delhi High Court, the Income Tax department stated VCPL "has no business activity and is not a genuine concern." In 2012, Infotel Televentures and Skyblue Buildwell bought VCPL and both the units have link to Nahata. (Kaushik, 2016)

The Reliance Industries Limited (RIL) gets possession of Network18 in May 2014 for Rs. 4,000 crore. Shinano has 1.85 % shares in Network 18, a part of the 75% Reliance's share in Network 18.

Regarding NDTV, owners Prannay Roy took Rs. 403.85 crore as loan from VPCL and had given a signature on behalf of Radhika Roy Prannay Roy Holdings Private Limited (RRPR). Both Radhika and Prannay established this unit in 2005 and in it they placed shares of NDTV in the beginning of

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mid-2008. The NDTV's shareholding was 29.18% when the RRPR received the loan in 2009. The agreement allowed VCPL the right to transform this loan into 99.9 percent of RRPR's equity during the period of loan and even after that. And the VCPL bought the portion of the share of NDTV. In 2012, VCPL got Rs. 50 crore from a company Eminent Networks, which is owned by Nahata. The money which the company lent to VCPL was lesser compared to the amount which the RRPR got lend from VCPL – Rs. 403.85 crore. This might also give a meaning that NDTV's 29.18% share was taken over by the Eminent that VCPL owned. Though, it is not clear that which unit is controlling NDTV indirectly, but such transactions made Roy lose a notable amount of control over their news media. Eminent's name is also found in the account books of a 24-hour Hindi-based news channel News24 and an entertainment channel E24 Galomour that are owned by Anuradha Prasad. Eminent gave loan of Rs. 12.5 crore to News24 as OFCDs in March 2014. It could be transformed into equity during eight years tenure at any point beginning from the date on which the Eminent getting the debentures worth around 36% of News24's paid-up capital.

The News24 got the loan from Digivision Holdings, another Nahata-owned company that transferred the debentures on November 14 in 2013 to the Eminent. Eminent is learnt to have lent Rs. 12.5 crore to E24 Glamour as OFCDs. In 2013, investment of E24 Glamour in the form of OFCDs was done close to Rs. 63 crore in Oscar Software. Over 18.6 % of shares of News24 was owned by Oscar that means, E24 Glamour has control indirectly over News24.

Rohini Singh and Vasudha Venugopal in their story published in *Economics Times* in February 2015, said that India TV, owned by journalist Rajat Sharma doesn't fare much better in this case. Nahata-owned Infotel that has half possession of VCPL bought 23 percent share of India TV from Shyam Equities, which had links to Reliance Industries. Shyam had bought this share in 2007 in exchange of Rs. 100 crore and later sold off to Infotel against Rs. 12.5 crore.

Industrialist Abhey Oswal having possession of Oswal Greentech and Oswal Agro companies have shares of 3.64 crores in News Nation amounting about 50% share of the channel. Digivision Media in November 2015, had investments of Rs. 10 crore in News Nation against 10 lakh non-cumulative and redeemable preference shares.

The Caravan article also stated that Ambani and Nahata had invested in the media groups that are associated with all types of colors of the political field**.** Proprietor of News24 and E24 Glamour Prasad got married to Indian Premier League chairman and Congress leade Rajeev Shukla. BJP's Ravi Shankar Prasad, who is also India's telecom minister, is brother to Prasad. India TV's Sharma was Akhil Bharatiya Vidhyarthi Parishad (ABVP) leader and also a Rashtriya Swayamsevak Sangh (RSS) member. NDTV's Radhika Roy is sister of CPM's senior leader Brinda Karat. Abhey Oswal's son-in-law Naveen Jindal, an industrialist is also a Congress leader and has ownership of 14.17% in NDTV. Several of such investments were done during the former Congress rule in the Centre. But the Congress was uprooted with the emergence of BJP that promised to end crony capitalism. The author also threw a question whether the incumbent government will act against Nahata and Ambani by starting a probe into the 5 media houses for facilitating non-monopolistic media business.

In Odisha, Odisha TV is owned by the Panda family. This family includes Baijayant Jay Panda, who is a spokesperson and national vice president of the Bharatiya Janata Party (BJP). In Assam, *News*

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Live channel is owned by Rinki Bhuyan Sarma; she is the wife of Himanta Biswa Sarma, who is now the Chief Minister of Assam and has been a powerful minister in the state government in successive Congress and BJP governments before his CM stint.

Three ministries including the ministry of information and broadcasting, the ministry of corporate affairs and the Finance ministry were both then headed by Arun Jaitley. Jaitley, who is said to have maintained a favorable relationship with both media and media owners, was also close to Sharma, who was sidelined as well for a ministerial berth due to a defamation suit involving Delhi Chief Minister Arvind Kejriwal.

The Caravan author sent a questionnaire to Nahata in January 2016 who responded saying that his companies didn't act in performance with any other unit. He also said that he has no threat of monopoly as he didn't control any media unit. However, he also said that his media investments were not 'strategic" but "portfolio investments made from time to time."

Replying to queries of the author, Reliance spokesperson Tushar Pania said that the Reliance group invested through Independent Media Trust in the Network18 group. He also said that TV18, which is a subsidiary of Network 18 and Shinano, a company 100 percent owned by Reliance Industries, also holds some investment in the ETV channels. (ibid)

The risk in concentration of media ownership

In Indian media laws pertaining to media concentration, cross, vertical or horizontal media integration are highly fragmented and often, there are no clear definitions of 'concentration'. For example, the country doesn't have an overarching *lex specialis* to regulate the media sector, but simply hands over the responsibility to the Competition Commission of India (CCI) to adjudicate in cases of mergers and acquisitions, anti-competition agreements etc.

In the case of Indian television, print or Internet service providers, there is no legal specific definition which delineates the functional parameters of horizontal concentration' of ownership, nor any particular threshold or limit as such, depending on objective calculations or estimations.

In the case of cross-media ownership concentration, the data is far more elusive, especially owing to the absence of financial data of the top eight media organizations which have highest revenue generation across all media sectors like print, television, radio etc. These media organizations are Zee News, TV Today Network, ABP Group, Network 18, HT Media, The Times Group, DB Corporation Limited and Prasad Bharati.

Among the more important mergers and acquisitions that are changing the face of Indian media as we speak, are Sun Network and Network-18, which joined in a strategic alliance in 2010 and came up with *Sun18 Media Services*. *Sun18* offered over 30 channels across all platforms in India through a wide array of distribution networks, including terrestrial cable, DTH, IPTV and HITS. Similarly, *Star Den Media Services Private Limited* and *Zee Turner Limited* joined each other in a 50:50 joint venture in 2011. It was called the '*Pro Media Enterprise'.*

While several other telecom mergers and acquisitions came in between from these very media organizations, owing to the fact that they are found investing in production, distribution and marketing apart from mainstream news industry, the CCI was found approving merger of media organizations along with the telecom sector like the acquisition of 27.5 percent equity shares of *Living Media India Limited* by *IGH Holdings Private Limited* in 2012. The former is regulated

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under the holding company of *India Today Group*. On the other hand, IGH Holdings Private Limited is an investment company under the *Aditya Birla Group*.

In response of a notice filed by *Independent Media Trust* pertaining to such a series of inter-connected and dependent acquisitions meant to gain control of *Reliance Industries Limited* over *Network18 Group of Companies*, the Commission concluded that the combination would not give birth to any "appreciable adverse effect on competition". Subsequently, the move of acquisition was approved.

Similarly, foreign investment and shareholding is showing up as Disney acquired Rs. 1.5 crore stakeout in UTV in 2006 and increased it to 50.44 percent by 2011, rendering UTV co-founder Ronnie Screwvala and three others with only 19.82 percent stake in the company.

Meanwhile, Disney joined with *Sony Pictures Network India*, started a sports channel in 2015, Zee Network acquired two general entertainment channerls, *BIG Magic* - a comedy channel operating in the Hindi market and *BIG Ganga* - a Bhojpuri channel commonly viewed in Bihar, Jharkhand.

The mergers of Dish TV- Videocon D2 are of course common knowledge, Dish TV being is a part of *Essel Group* along with *Zee Media Corporation*. The merger is still challenged at the Delhi High Court and Nityank Infrapower, a company involved in the merger, is being probed for fraudulent activities by the Serious Fraud Investigation Office (SFIO). Zee Network has expectedly denied the allegations.

Among the steady rise of the Ambani media empire, Reliance divested 100 percent stake in the television broadcasting business and 49 percent stake in the radio business to Subhash Chandra's *Zee Group* in exchange of Rs. 19 billion.

Anil Ambani's RBNL radio and television business were acquired by Zee Media Corporation.

Recent scenario

According to a report on Indian media ownership published by Reporters Without Borders, India has 118,239 registered publications, including 38,933 weekly newspapers, monthly magazines, 36,564 monthly magazines and 17,160 daily newspapers while the country also sports over 880 satellite channels, more than 550 FM and community radio stations, over 380 news channels, making it one of the biggest media markets in the world. (Reporters Without Borders, 2019)

Many of these media owning companies present a simple shareholding picture, which can easily delineate the guiding force behind the concerned media. However, several other media organizations have a complex web of subsidiary companies, which criss-cross each other in ownership, creating an elusive and obscure ownership relationship between owners and the media they own.

Birla shares in India Today Group can be heavily confusing, since their shareholding structures of over 24 companies often stand out with cross-media ownership, a pattern which can be found in Essel Group and Zee Media Corporation, which is owned by Dr. Subhash Chandra. The shareholding structures in those media are subtly veiled by many interconnected and cross-owned subsidiary companies.

While most of the Indian media are private limited companies, most of these are still controlled by large founding families like the Sarkars, Jains, Birlas, Goenkas and the Ambanis.

The Media Ownership Monitor India report studied 58 leading media outlets of the India and concluded that the Indian print media market is '*highly concentrated'*. As per readership is

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concerned, four outlets – Dainik Jagran, Hindustan, Amar Ujala and Dainik Bhaskar together cater three out of four readers or have a 76.45 percent of readership shares within the national Hindi language market. This is a trend commonly found in all regional media markets in the country, including Bengali, Punjabi, Kannada, Odiya, Gujarati, Urdu, Assamese and Marathi language media.

The interesting factor here is that nearly all of these media companies are owned or regulated by dominant shareholding through large conglomerates controlled by these large founding families.

Though the Ministry of Information and Broadcasting (I&B) has safeguards in place, such a high level of media ownership concentration occurs due to gaps in the regulatory apparatus and its framework. For example, there are no specific punitive measures or thresholds to cap the ownership concentration in print, television or new media. On top of that, restrictions that exist, are hardly practiced; the national laws are feeble, if not non-existent on the more pervasive frontier of cross-media ownership concentration.

Among the laws adopted to contain this front are the Indian Telegraph Act, 1885, which was adopted over 100 years back. The State monopoly for broadcast sector is still largely maintained, except the short range FM radio sector, which has seen rapid changes in recent years.

The national media mostly run through self-regulation and such bodies like the News Broadcasters Association (NBA) and Indian Broadcasting Foundation (IBF) have been found to be setting rules to regulate the media, albeit without a mandate to control market concentration.

Conclusion

Two hundred and forty years back since the first newspaper was published in India –*Hickey's Gazette*, the national mediascape has received a series of dailies, periodicals and other modern media in succession. Over 120 newspapers and periodicals were published between 1780 when the first newspaper emerged in this country till 1947, when the country became free from British colonialism. Till then, the Indian media was predominantly a carrier of the national awakening, even amidst strict government restrictions in the first half of the 19^{th} Century, the Amherst regulation of 1826.

When the British colonizers were leaving India, the structure of Indian media ownership was mostly individual, except a few contemporary large media houses like the Times of India, The Indian Express, etc. The broadcast sector was purely State owned and private enterprises were not allowed to operate till the 1990s. Autonomy, even on paper was absent till 1997.Hence, the media ownership, which was mostly individual, and hence, pluralistic have come a long way to the situation today, where even media regulators are at a fix to determine the extent of cross media ownership and precise stock holding position of one media company over another.

During the next eight decades, intermediate structures of ownership of media have changed over the decades. Contrary to popular aspiration, extensive political, economic and social changes which have taken place in the world since the Partition of 1947 and subsequent independence from the British colonial dominion, Indian media has experienced two major things. These include a phenomenal growth of a number of media organizations and an increasing privatization of radio and television.

This might be understood to have happened due to extraordinary foresight and expertise of our

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former colonial rulers in the matters of broadcasting or our lack of understanding and in capability to create necessary organizations to suit our needs or the nation-state's innate desire to retain certain vestiges of colonial legacy. (Asani, 1985)

The huge influx of private multi-national players in the Indian mediascape came in the late 1990s, when government approved 150 private FM radio stations to be launched in total forty cities of India in 1999. The same ownership pattern can be seen in the case of television too. Like All India Radio, government control Doordarshan (television). Doordarshan comes under Ministry of Information and Broadcasting. DD works as a medium to disseminate information, educational and entertainment. Initially, DD used to work under the shade of All India Radio, later it became separate department on April 1 in 1976 under the Ministry of Information and Broadcasting. Like All India Radio, Doordarshan had earned autonomy on September 22 in 1997 after setting up of the Prasar Bharati Act, 1990.

Contrary to Doordarshan, private television channels have started spreading their wings in most of the countries including India. Like other commercial firms, the private owners of Television target to earn profit. The Cable TV system gets programs via satellite and distributes it to the subscribers. The dish antenna can also provide different television programs directly to the subscribers' home. The private television channels broadcast their own programmes in India. However, we can see some foreign channels like BBC, CNN, Star TV and others in India too.

Since the beginning of the current decade, we have started seeing a rising market of OTT platforms like Netflix, Prime Video and homegrown OTT service providers like VOOT, SonyLiv, Zee5 and others. This is the next wave of media conglomeration in the making, new media arrived in India in the 1990s in commercial mediascape. As discussed in the case of other forms of media organizations, there are no comprehensive data on media corporations' ownership of OTT platforms too.

Any study of the structure of Indian media ownership would those could be understood as individual ownership or Partnership or Association/society/trust or Joint Stock Company ownership. While a vast majority, nearly 89 percent of registered newspapers are owned individually, the average footprint of them is dramatically less than certain 'large media' organizations, which are still owned by media families through trusts, joint stock companies or such.Though several media scholars have tried to understand and interpret the ownership patterns as per these categories, these are the types of ownership Indian media are divided into. A proper look into this classification will provide the following insight.

In India, government control on media except the radio is purely marginal. In print media, the government owns 43 newspapers as on 2014, which is one of the latest data available. This amounts to 0.22 percent government ownership across all print media, registered with the RNI. Apart from this, individual ownership has the highest concentration among Indian newspapers with 80.84% newspapers owned individually; joint Companies own 9.93 percent of print media in the country while society and associations at 1.66 percent, Trusts have 1.32 percent while forms and partnership companies have 0.86 percent.

But as discussed in this paper, nearly no comprehensive data are available for the audience, readership and market (advertising) data of these newspapers, making a proper analysis of the

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impact of certain forms of ownership nearly impossible. For example, large media organizations like those owned by the Sarkars, Jains, Goenkas, Birla and Ambanis are not individually owned media. However, their readership and circulation figures are certainly higher than an individually owned evening daily published in a regional language somewhere in India.

So, as the TRAI correctly pointed out, there indeed might be thousands of newspapers and a plethora of news channels and other forms of media like online (new) media in the contemporary media market, but it wouldn't guarantee sufficient media pluralism if these are owned, regulated, or controlled by only a handful of entities through dominant stockholding options.

This argument can actually be traced back to the Herman-Chomsky Propaganda Model, where in a revision of the model, Benjamin Bagdikian said in response to a capitalist advocacy of Benjamin Compaigne that growth in the number of media can't be equated to divergent voices.

From a nation of news organizations dedicated to the cause of emancipation and freedom struggle, Indian media companies now have grown to know favoring larger, if not, even larger media corporations.

The Competition law has so far failed to address political and otherwise implications on and/or of consolidation of mass media ownership. There is practically no existing law to regulate horizontal media monopoly, especially in the English news media and certainly not to mandate full disclosure of ownership, readership and market data before the government.,

On the other hand, media ownership consolidation or proliferation occurs in four major ways - chain, cross media, conglomerate and vertical integration.

The huge opinion-influence that news media in India can exert is due to cross-media ownership and vertical integration. Put together, these two factors account for most of the apprehensions of conservative thinkers.

There is no national or regional legal framework in practice in India that mandates disclosure of media ownership data. Certain 'media regulators' like the CCP or TRAI which were put in place for preventing favoring any media over the other and maintaining balance in the free and fair flow of information, have shown visible in favor of one media conglomerate or the other as discussed in this paper. As much as India needs an independent, secular, and truthful media, it also requires an autonomous regulatory authority in the lines of the Federal Communications Commission (FCC), free from any sort of political and/or bureaucratic interventions.

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