PREAMBLE

Whereas Constitution of India guarantees various kinds of Fundamental Rights to all its citizens irrespective of their religion, race, caste, sex, or place of birth. Article 14 of the Constitution of India provides for Right of Equality before the law or equal protection within the territory of India. It states that the State shall not deny to any person equality before the law or equal protection of law within the territory of India.

Whereas Persons with Disabilities also have similar and equal rights in the eyes of constitution.

Whereas India is a signatory to the United Nations Convention on the Rights of Persons with Disabilities ("the CRPD" or "the Convention"), which came into force in May 2008. This convention recognizes accessibility as a human right and requires signatories to adopt appropriate measures to ensure access by persons with disabilities to information and communication technology, emergency services and internet services on an equal basis with others.

Whereas in December 2015,the Government of India launched 'The Accessible India Campaign' also known as the 'Sugamya Bharat Abhiyan' to enable persons with disabilities to gain universal access, equal opportunity for development, independent living, and participation in all aspects of life.The campaign seeks to enhance accessibility by making significant changes to the infrastructure, information and communication systems.

Whereas Government of India also enacted The Rights of Persons with Disabilities Act, 2016, which is the principal and comprehensive legislation concerning disabled persons. The Acts defines the responsibilities of the Central and State governments with regard to the services for disabled persons. The Act also recommends creating a barrier free environment by removing all type of discrimination against persons with disabilities where they can share the development benefits which a normal person enjoys.

Whereas the Section 29(h) of the Act requires television to be accessible for 'deaf' and 'hard of hearing' persons and requires the government to take measures to ensure that all content available in audio, print and electronic media are in accessible format; to ensure that persons with disabilities have access to electronic media by providing audio description, sign language interpretation and close captioning; to ensure that electronic goods and equipment which are meant for everyday use are available in universal design and to take measures to promote development, production and distribution of universally designed consumer products and accessories for general use for persons with disabilities. The Act requires the

Government to notify accessibility guidelines for different domains of ICT accessibility and is applicable to both the public and private sector.

Whereas keeping in view the provisions of Rights of Persons with Disabilities Act, 2016, Ministry of Information & Broadcasting, on 27th September, 2017 constituted a Committee of Stakeholders and Experts to formulate Accessibility Standards for Persons with Disabilities. The mandate of the Committee was to deal with Standards of TV viewing accessible to hearing impaired as of now. In its first meeting held on 9th October, 2017, the Committee decided to form a Sub Group under the Chairpersonship of Director General, Doordarshan for formulation of Accessibility standards to facilitate accessibility for persons with hearing impairment to television programmes keeping in view the provisions of the Rights of persons with Disabilities Act, 2016.

Whereas the Sub-Group held wide ranging consultation with Broadcasters, Disability Groups and other stakeholders and concerned. The Sub-Group submitted its report to the Ministry on 4th December, 2018.

The report of the Sub-Group has been examined by the Ministry of Information & Broadcasting in consultation with the members of Committee of Stakeholders and Experts. Based on the recommendations made by the Sub-Group and the Committee, the Ministry of Information & Broadcasting has formulated following Accessibility Standards to facilitate accessibility for persons with hearing impairment to television programmes.

Policy for Accessibility Standards for Persons with Disabilities in Television Programmes

1. OBJECTIVES:

The objective of this policy is to formulate and lay down Accessibility Standards for persons with Hearing Impairment to television programmes.

2. DEFINITIONS:

"Hearing Impairment" has the same meaning as defined in the Right of Persons with Disabilities Act, 2016, which is as under

Hearing Impairment—

(a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears; and
(b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears.

"Access service" means a service such as sub-titles/closed captioning/ signing (or, Sign Language) that improves the accessibility of a television programmes /audio-video content for Hearing Impaired.

"Closed captioning" is the means by which both the audio dialogue and sound representations of an audio-video content are made visible on demand by the user via on-screen text that is synchronized with the audio content.

"Electronic Programme Guide" (EPG) is an application to list current and scheduled programmes that are or will be available on each channel, a short summary or commentary for each programme and programme information. EPG is the electronic equivalent of a printed television programme guide.

"Programme Information" means an indication of which video programmes are accompanied by internationally recognized access service icons such as the following upper-case letters – closed captioning (CC), subtitling for the deaf and hard of hearing (SDH) and signing (SL).

"**Service Provider**" refers to the entity responsible for delivering television programming, including broadcasters and distributors, namely, cable and satellite network operators and service providers irrespective of whether licensed by the Ministry of Information and Broadcasting or not.

"**Open Captioning**" or"**Sub-titling**"is captioning whereby the user does not have to do anything in order to see captions or subtitles for the Hearing Impaired, as these are an integral part of the picture and cannot be turned off.

"**Signing (or Sign Language)**" is communication using sign language. A sign language (also signed language) is a language, which, instead of acoustically conveyed sound patterns, uses visually transmitted sign patterns (manual communication, body language) to convey meaning— simultaneously combining hand shapes, orientation and movement of the hands, arms or body, and facial expressions to fluidly express a speaker's thoughts.

"**Sign Language Interpretation**"
The presentation is a sign language of the programme audio (speech and other sounds) for viewers who are Hearing Impaired and use sign language. Sign languages typically use hand shapes, movement, body language and facial expressions to convey meaning. Whenever reference is made to 'sign language' in the Indian context, it will refer to a variant of it called 'Indian Sign Language', or ISL.

"**Television broadcasting**" or "**Television**" means the transmission, whether analogue or digital, by wire or over the air, in un-encoded or encoded form, of video programming and electronic programme guides or both intended for reception by the public.

"*Emergency Services & Information*" means the public communications, public service messages, alerts and announcements in situations of disasters and emergencies

"*Video programming*" means all types of transmitted audio-video content provided or distributed by a service provider, including broadcasters, cable, satellite, and the retransmission of their television programmes on the Internet, intended for reception by the public.

"*Ministry*" in the context of this policy means the Ministry of Information & Broadcasting, Government of India.

3. AWARENESS AND CUSTOMER SERVICE:

3.1 The Government and the service providers would take steps to ensure that the public is aware of television programmes accessibility requirements, the measures that have been put in place to promote accessibility, and their rights in terms of the relevant legislation and regulations.

3.2 All the service providers will take effective steps to publicize and create awareness of the accessibility of their television programmes including through periodic announcements on their own and other services, advertising accessible programmes on Electronic Programme Guides, printed programme guides and providing information in publications aimed at persons likely to benefit from accessible television.

3.3 All the service providers should train their customer service staff how to deal with and serve customers with disabilities, and guide such customers appropriately as to how to use and customize available access services and EPG, etc.

3.5 All the 'service providers' will designate a single point-of-contact for information and complaints about accessibility issues. This designated point of contact should be publicized by the broadcaster and publicity about such point of contact must be made accessible to persons with disabilities.

3.6 Standardized or generally known and accepted language and symbols should be used to disseminate information to public about the channels and programmes that are accessible. The symbols used should be widely disseminated in public communications and should be explained in an appropriate part of the EPG.

4. TELEVISION PROGRAMMES ACCESS

4.1 Service Providers are required to deliver sub-titles/closed captioning/ sign language across specified television programmes in order to ensure access by Hearing Impaired to such television programmes.

4.2 The Ministry may mandate the above accessibility measures through regulations, licence conditions, accessibility targets and codes of good practice, and other relevant measures.

4.3 The Ministry in consultation with stakeholders, may also lay guidelines to ensure the interoperability of television services and equipment enabling users to receive, decode and display access services for Hearing Impaired persons.

4.4   Audio-video content creators and owners are responsible for creating the content for these services and delivering that content to the Service Provider. This policy recognizes the complexity of the audio-video content value chain and therefore encourages service providers to promote, through their content acquisition, programming and editorial policies, the delivery of access services as part of television programmes/ audio-video content producers' packages.

4.5   Service Providers would plan for access services as part of their migration strategy for migration from analogue to digital television and to Internet Protocol television to facilitate Hearing Impaired persons.

4.6   Service Providers are required to deliver closed captions where technically feasible and allow the viewers to choose when to use them.

4.7   Open or closed captions must be provided in the language of the audio portion of the television programmes/audio-video content and carry sound representations.

4.8   Where signing (Sign Language) is provided, Service Providers should be encouraged to provide it in a manner that the viewer can see not only the hands but also, where applicable, the facial expressions of the signer. The image of the signer superimposed upon the original programme should generally appear on the right hand of the screen and occupy a space no smaller than one sixth of the picture.

4.9   Service Providers should monitor the effectiveness of the service through regular contact with organizations representing people who are Hearing Impaired.

4.10   Foreign language television programmes should be subtitled in national languages.

5.   QUALITY OF SERVICE:

Hearing Impaired persons have specific quality of service requirements for television programmes that have been recommended in Para 9 of this policy.

6.   FUNDING:

Adequate funding may be ensured by Prasar Bharati to public television broadcaster i.e. Doordarshan to provide a high quality service to meet the needs of Hearing Impaired persons.

7. EXEMPTIONS:

7.1 Service Providers achieving an average audience share of all households over a 12 month period of less than 1% are excluded from providing the accessible services set out in this policy.

7.2 **Exempted Content and Genre**

The following content and genre may be exempted from complying with Access Service due to the very nature of the content:

- Live and deferred live content/events such as sports
- Live news, events like live music shows, award shows, live reality shows, etc.
- Content like music shows, debates, scripted/ unscripted reality shows, etc.
- Advertisements/ teleshopping content

8. TARGETS AND REPORTING REQUIREMENTS:

8.1 The Ministry would establish, in consultation with associations/ organizations of persons with Hearing Impairment, Service Providers of audio-video content and other relevant stakeholders, measurable targets to be implemented by Service providers.

8.2 Sample measurable targets include:

a) Percentage of television programmes/audio-video content, by type of television programmes/audio-video content, that offers different access services, including closed captioning and signing.

b) Steps taken by Service Providers to publicize and create awareness of the accessibility of their television programmes.

c) EPGs using internationally recognized icons to indicate type of access service provided.

d) Emergency broadcasts in accessible formats.

e) Quality of service standards for accuracy and synchronization of closed captioning and audio description established.

9. ACCESSIBILITY STANDARDS:

9.1 **Television & Set Top Boxes**

Details are given in schedule.

(i)   Television & Set Top boxes should to provide easy options to access the captions, sub-titles and/or sign language interpretation.

(ii)   Television, set top box and remote controls must ensure that key controls are easily distinguished and identifiable.

9.2 Captioning Guidelines

The details are in the schedule.

(i)   The captioning should be accurate, synchronized, complete and free from errors of spelling and grammar.

(ii)   Position of captioning, case, italics and underlining, color and font should be such as it is easily visible/ readable for Persons with Hearing Impaired.

9.3 *Sign Language Guidelines*

The details are in the schedule.

(i)   Sign Language interpretation must be provided in a picture-in-picture mode and it must be accurate and convey clear message to the Hearing Impaired users.

9.4 Online/ Internet TV/Television programmes through Internet

The accessibility standard defined and prescribed for TV programmes being broadcast through traditional hardware would apply *'mutatis mutandis'* on the Television programmes shown through Internet platforms.

10. EQUIPMENT:

The details are in the schedule.

10.1   End-user equipment must support access services.

10.2   Service Providers and manufacturers of audio-visual content consumer equipment to ensure that viewers who are hearing impaired and use hearing aids, are able to hear the programme with hearing aid.

11. ELECTRONIC PROGRAMME GUIDES (EPGs):

The details are in the schedule.

11.1 Service Providers to ensure that the programme synopsis in the EPG indicates which programmes are accompanied by access services using the internationally recognized access service icons and symbols.

11.2 If non-standard terms are used in any part of the EPG, the removal or replacement by the standard abbreviations should be done at the next reasonable opportunity.

11.3 Service Providers should ensure that they provide accurate and timely information to EPG and other TV programme listing providers about television access services.

11.4 Service Providers should ensure EPGs provide information about assistance in relation to programmes.

11.5 Service Providers should provide an easily accessible part of the EPG or alternatively in other accessible ways information for persons with Hearing Impairment.

12. EMERGENCY SERVICES & INFORMATION:

12.1 It is the responsibility of the Government, the Service Providers and public bodies with responsibility for emergency services to create awareness about the availability and accessibility of emergency services by persons with hearing impairment.

12.2 All emergency information made available to the public should also be mandatorily provided to people with disabilities. For Hearing Impaired People, emergency information must be provided in formats accessible to such persons, namely open captioning/ sub-titling/ sign language.

12.3 Public communications, public service messages and announcements in situations of disasters and emergencies must be made accessible to persons with hearing impairment in appropriate forms of communication to leverage mainstream communication channels.

13. PHASE WISE IMPLEMENTATION

It is recognized that a roadmap prioritizing the implementation of Access Service for different types of television programmes including news, emergency communications, pre-recorded audio-video content and the target set may differ for different categories of Service Providers. Keeping in mind

the aforesaid acknowledgement and considering the technical difficulties, the implementation of Access Service should be in a phased manner: -

13.1 Access Service should be first implemented by the public broadcaster Doordarshan.

13.2 Private broadcasters may begin with one programme per week with captions from **1st April 2019 (or 1st July, 2019)**.

13.3 Private News broadcasters may start with daily sign language news bulletins from **1st April, 2019 (or 1st July, 2019)**. To facilitate this, Doordarshan will provide its sign language news bulletin free of cost to the private broadcasters till 31st December, 2020, till which time private news broadcasters may develop their capacity to produce their sign language news bulletins.

13.4 The proposed phased manner implementation [except the exempted content and genre, will be as under:

	2019	2020	2021	2022	2023	2024	2025
Close Captioning and Sign Language (**GEC, Regional Channels &Movie Based Channels**)	5 %	10%	20%	30%	40%	50%	50%
Close Captioning and Sign Language (**News Channels**)	5 %	10%	20%	30%	40%	50%	50%
Subtitles (**Foreign – English Language Channel**)	20%	30%	40%	50%	60%	70%	80%

13.5 A private broadcaster may be required to provide Access Service: -

13.5.1 For minimum 50% of its content on GEC, Regional Channels and Movie Based Channels, which shall be implemented in a phased manner (as stated above);

13.5.2 For minimum 80% of its content on Foreign - English Language Channels, which shall be implemented in a phased manner (as stated above);

13.5.3 The language of the Closed Captioning or Subtitles shall be the language of the content; and

13.5.4 For calculation of the above percentages, advertisements and teleshopping content on the channels should be excluded.

14. **MONITORING AND IMPLEMENTATION:**

The Ministry may set up a committee to monitor the implementation of the Accessibility Standards for Television for People with Disabilities.

15. **PERIODIC REVIEW:**

Due to the fast-moving technological developments and market conditions, this policy shall be reviewed every two years.

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SCHEDULE REFERRED TO IN PARAGRAPHS 9, 10, 11 OF THE POLICY

9.1   Television and Set Top Boxes

(a) Television and set top boxes are the key method through which we access television programming. The television and set top box itself need to provide techniques for people with disabilities to access the content. For the deaf & hard of hearing people, television and set top boxes need to provide easy options to access the captions, sub-titles and/or sign language interpretation. In addition, Television and set top boxes must provide support to accessibility features and settings but not limited to:

- Captioning Support
- Audio Description Support

(b) Television, set top box and remote controls must ensure that key controls are easily distinguished and identified as well as supported for features like:

- Power On/Off
- Changing the Source
- Changing Channels and Volume
- Switching On or Off Closed Captioning
- Switching On or Off Audio Descriptions
- Display of Channel Information/Guide
- Access to Playback controls (Play, Stop, Pause, Fwd, Rewind, etc)
- Interacting with Menu Options
- Setup Options

9.2   Captioning Guidelines

A.   Presentation:

i.   Subtitling should use the Tiresias Screen font for all subtitles.
ii.   There is no fixed size for font as font size option is provided to the viewer.
iii.   Subtitles on standard definition DTT services should be no less than 20 television lines for the capital 'V', to include those lines at the top and bottom of each character containing pixels that are at least 50% illuminated.
iv.   Subtitles should be placed within the 'safe caption area' of a 14:9 display and should normally occupy the bottom of the screen, except

where they would obscure the speaker's mouth or other vital information or activity.

v.   It is particularly important to avoid obscuring the face, as this convey emotions and tone of voice, as well as being necessary for lip-reading.

vi. Recommended colours are white, yellow, cyan and green against a solid black background as these provide the best contrast. When scrolling subtitles need to be used, any scripted material should be used for advance preparation.

vii. In addition to achieving the highest possible levels of accuracy and synchronisation, live subtitles should flow continuously and smoothly.

B.   Lay-out:

i.   Subtitles should normally comprise a single sentence occupying no more than two lines, unless three lines will not obscure the picture. If necessary, sentences should be broken or reformed into more than one sentence at natural linguistic breaks so that each subtitle forms an understandable segment.

ii. Where breaks occur, the split should be made in a way that makes clear that there is more to come.

iii. This can be achieved by ending the first subtitle with a conjunction, a colon or semi-colon as appropriate, or even a short run of dots. Line breaks within a word must be avoided.

C.   Non-speech information:

i.   In addition to speech, subtitles should clearly describe relevant non-speech information, such as the mood of any music playing and the words of songs if possible (using the # sign to precede and conclude music), louder speech (using capital letters), inaudible mutterings or incoherent shouts etc. (which should be explained as such).

ii. Subtitles should be displayed horizontally in the direction of any sound effects, and where the source of speech is not immediately apparent the first subtitle should have a caption to label the source.

iii. Italics or punctuation marks may be used to indicate emphasis.

iv. Where long speechless pauses in programmes occur, an explanatory caption should be inserted.

v.   Different colours should be used to denote different speakers.

vi. Subtitles should be used to identify the source of off-screen/off-camera speech where this is not obvious from the visible context.

D.   Synchronization of speech and subtitling:

i.   The aim should be to synchronize speech and subtitling as closely as possible.

ii.   Subtitle appearance should coincide with speech onset and disappearance should coincide roughly with the end of the corresponding speech segment.

iii. If necessary, subtitling may be edited conservatively if this is necessary to avoid long delays between speech and subtitling.

iv.   In live programmes, the aim should be to keep the inevitable delay in subtitle presentation to the minimum (no more than 3 seconds) consistent with accurate presentation of what is being said.

v.   If possible, subtitles should not over run shot changes and should commence on a shot change when synchronous with the start of speech.

E.   Speed of subtitling:

i.   The speed should not normally exceed 160 to 180 words per minutes for pre-recorded programmes.

ii.   Although it may not be practicable to restrict the speed of subtitles for all live programmes, commissioning editors and producers should be aware that dialogue which would require subtitles faster than 200 wpm would be difficult for many viewers to follow. Consideration may be given to displaying three lines of subtitling rather than two, to allow longer for the subtitles to be read, provided that this does not obscure important parts of the picture.

iii. Slower speed and more heavily edited subtitles are appropriate for young children, though care should be taken to ensure that these are accurate and grammatical, as children and parents use subtitles in developing literacy skills.

F.   Accuracy:

i.   Subtitle users need to be able both to watch what is going on, and to read the subtitles, so it is important that these are as accurate as possible, so that viewers do not need to guess what is meant by an inaccurate subtitle.

ii.   Broadcasters should ensure that subtitles for pre-recorded programmes are reviewed for accuracy before transmission.

iii. Where live subtitling is to be provided, advance preparation is vital – where possible, any scripted material should be obtained, and special vocabulary should be prepared.

iv.   The subtitling for repeated programmes first broadcast live should be reviewed and edited if necessary.

9.3   Sign Language Guidelines

A. Accuracy of Sign Language:

(i)   Sign Language Interpretation must be accurate and convey the clear message to the deaf users.

(ii)   Where signing (Sign Language) is provided, Service Providers should be encouraged to provide it in a manner that the viewer can see not only the hands but also, where applicable, the facial expressions of the signer.

B. Position:

(i)   Sign language interpretation must be provided in a picture-in-picture mode.

(ii)   The image of the signer superimposed upon the original programme should generally appear on the right hand of the screen and occupy a space no smaller than one sixth of the picture.

C. Repeat broadcasts:

(i)   Once such real-time news is aired, its repeat broadcasts must be provided with closed captioning as soon as possible. Whenever possible, in case of news, teleprompter captions can be used to quickly show captioning with little delay.

10.   Equipment:

(i)   End-user equipment must support access services. Manufacturers and Retailers of television remote controls should ensure that all such equipment and software that is sold to the public is compliant with applicable universal design standards and considers the needs of persons with disabilities.

(ii)   End-user equipment can also sometimes be very difficult to use for people with sensory and physical disabilities. As such, Service Providers and manufacturers of audio-visual content consumer equipment must ensure that viewers who are hearing impaired and who use hearing aids, will be able to hear the programme aided by the use of *wireless connections* between the audio-visual content receiver and the hearing aid itself, or, wired connections between the audio-visual content receiver and an assistive listening device of the viewer's choice.

11. Electronic Programme Guides (EPGs):

(i)   Where applicable, service providers should ensure that the programme synopsis in the EPG indicates which programmes are accompanied by access services, using the following internationally recognized access service icons – closed captioning (CC), subtitling for the deaf and hard of hearing (SDH) and signing (SL). Where practicable, these abbreviations should be explained in an appropriate part of the EPG.

(ii)   If non-standard terms are used in any part of the EPG, and removal or replacement by the standard abbreviations would require software or hardware updates, this should be done at the next reasonable opportunity.

(iii)   Service providers should ensure they provide accurate and timely information to EPG and other TV programme listing providers about television access services. service providers should include in programme synopses provided to such providers information about which programmes include access services.

(iv)   Service providers should ensure EPGs provide information about assistance in relation to programmes (e.g. how to navigate programme listings, and how to operate television access services such as closed captioning, signing and audio description), as well as facilities for making use of that assistance.

(v)   Service providers should provide an easily accessible part of the EPG (where practicable) or alternatively in other accessible ways (e.g. on websites or interactive services) information for persons with disabilities on:

- How to use the EPG;
- How to use the access services accompanying the programmes;
- What options exist for customizing the appearance of the EPG to make it easier to use; and
- What additional sources of help and information are available in other places (e.g. on websites, or from telephone / text phone or SMS (helplines), whether from the EPG provider, or Service provider.

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