ASSOCHAM SUGGESTIONS
TRAI PAPER on
EASE OF DOING TELECOM BUSINESS IN INDIA

The telecommunications sector in India has grown exponentially to become thesecond largest network by subscribers in the world. The common man has benefitedfrom lower prices and access to communication services. This in turn has fuelled theentire ecosystem resulting in a positive impact on overall economy.

Telecom sector plays a pivotal role in the socio-economicdevelopment as there is a positive correlation between thepenetration of mobile services and internet on the growthof GDP of a country. In today's world, digital inclusion is akey parameter depicting social growth, as digital access andliteracy, provides the masses an opportunity to access publicand private services, like never before. Digital access alsoopens up a plethora of content and powers the movement towards a knowledge-based economy.

The key sectors such as agriculture, manufacturing, banking and financialservices, public services, e-commerce, healthcare, education, advanced industries,entertainment etc. are being disrupted on the backbone of telecommunicationsservices.

The growth of the telecommunications sector is highly dependent on a forwardlooking policy and regulatory environment that fosters investment, innovation andproductivity.
We would like to thank the Government for fast-tracking reforms in telecom sector, in recent past years The key policy reforms like- use of eKYC for subscriber activation, paperless EMF certification process; automated WPC and SACFA process, central ROW policy, formalization of spectrum trading and sharing norms have been steps in positive direction.

However, the industry is grappling with a number of challenges on account of age old processes,complexity due to lack of uniformity in adoption and implementation of policy across states, regulatory and taxation framework that impacts implantation ofwell-intentioned ideas.

We understand that this consultative exercise by TRAI is aimed towards review of various processes which can be simplified to save on the resources, paperwork and man-hours.
This exercise would directly promote efficiency in faster clearances, transparent working and digitization of processes.

Kindly find few points of recommendation:

I. **Right of Way Rules**:
    a. The recently notified Right of Way Rules under the Indian Telegraph Act, 1885 is one of those initiatives by the Government, which will contribute towards achieving the ease of doing business. However till date the RoW permissions are generally delayed due to different Government Agencies, states and local bodies having different set of norms being followed and requiring different criteria of fee being charged. The agencies like Municipal Corporations, Forest, Railways, NHAI take very long time to grant permission. Uniformity in implementation at the local body level and adoption of the CentralROW Policy at the states is the only mechanism to speed up the process.

b. It is recommended to have an escalation mechanism in case of default in timelines, in case of no deemed approval clause and to speed up the implementation of online application processing and approvals.

II. Broadband Penetration

As per the latest UNESCAP report of 2016, India is ranked at 39th position in Asia Pacific fixed broadband penetration having only 1.3 fixed broadband (FBB) subscribers per 100 habitation against 40.2 FBB subscribers in Korea. Further, TRAI has said that India fixed broadband penetration is only 7% making us stand at 137th position globally.

a. In BBNL Project of Fiber roll out to provide Gram Panchayat level internet connectivity, Private Telecom Operators should also be permitted for providing last mile access.

b. We request TRAI that there should be a PAN India provision to allow TSPs and their partners to lay Fiber using the existing electric poles (in those locations where electric poles and over ground wires are in vogue as some cities are moving them underground). This will ensure that faster roll out of Fiberisation happens in India as our existing levels are way below global benchmarks. This will also help us to overcome the delays which are still being faced on the ground due to timely ROW and other related approvals.

III. SACFA Clearances

It is recommended that SACFA approval process be simplified and only one approval be required per site. An additional antenna set up on the same site should be required to submit, for the purpose of information only, a NOC from the SACFA approval owner along with an undertaking that the antenna set up by the TSP is below the ceiling height approved under the SACFA clearance, thus eliminating the unnecessary burden.

IV. Import Licenses for all RF equipment procured from outside the country:

We understand that the whole objective of an import licence is merely to ensure that the DoT is well informed of the details of imported RF equipment, as well as its installation in licensed service areas. According to us, this objective can be achieved by DoT by seeking periodic reports from telecom operators than requiring them to seek a separate licence for all RF equipment's

V. EMF compliance & self-certification

At present each upgrade by any TSP on a shared site, requires a corresponding response upgrade certification by every sharing TSP for every technology/BTS. This entails a completely unnecessary burden on the operators as the response upgrade certificate is only a duplication of the certificate submitted by the upgrading TSP. this process has become even more unnecessary in the online scenario, where each site is completely updated and current at all times and in compliance with the EMF norms laid down by the Government. We recommend that this process may be done away with, as it is not necessary

VI. Ease of Doing Business – M2M services

1. The TRAI is aware of the immense potential that is offered by M2M/IOT services. India has started making nascent inroads in this arena but is being held back due to the legacy rules of subscriber verification being applied to M2M.

2. M2M connectivity is different in nature and scope to the normal connectivity for mobile subscribers. These are point to point data services that are carried out in a secure VPN environment. Further even in use cases, where some voice connectivity is required, this again, is in the form of Emergency voice & SMS to pre-identified numbers – which is the growing requirement of various car manufactures. Here too, the point to point voice connectivity cannot be equated with the connectivity offered under a normal mobile SIM. In view of the above, the subscriber verification norms laid down by the government for SIMs used by Humans cannot be blindly applied for SIMs fitted into Machines, which is presently the case, and which is dragging down the growth potential of these services.

3. It is also important to note that increased IOT/M2M connectivity will form the foundation to the evolution of Smart cities and meeting the Government's digital agenda. There is thus a dire need to address this severe operational constraint at the earliest.

4. **It is our view that there should not be any requirement for KYC for IOT SIMs. TSPs at the best can be mandated to maintain list of MSISDNs and IMEI numbers.**

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VII. **TERM Cell inspections – time consuming, exhaustive, interpretational**

1. TERM Cells calling for flood of information from TSPs for inspections of UL, ISP, NLD& ILD. The format runs into several pages and information sought is mammoth.
2. When Government of India is heading into direction of shortening of various statutory forms in a single page e.g. Saral, etc – proformas of TERM Cell inspections still runs into several pages.

S.No.	Area of Improvement	Present Process/ Set Up	Proposed process / Set up
		Suggestions relate to an "IP1 license holder	
1	Standardized Process for MC / Local NOC for Tower Installation	Presently there is no standardized/ centralized process to get Tower NOC. It varies from city to City and State to State. Even License Fees is also different .	Centralized process will make easy for Tower Companies to rollout the sites.

2	Longer time to get MC NOC	It requires minimum one Month time to get NOC from MCs .	Timelines should be defined to release NOC . It is there in Tower Policy for few circles but i.e. also ignored
3	No Concrete Solution to resolve Public issues for Tower Installation	Nuisance is created related to Radiation by few persons in the Area where Tower installation in WIP These people do not have any base for arguments and create lot of problems due to lack of knowledge / awareness. MC / local Authority also favors local public in such cases and either do not issue NOC or cancels the issued NOC in case of any issue raised by local public.	Some guidelines/ support / process should be there to counter such nuisance and NOC once issued should not be cancelled
4	No clarity for Tower installation on Government Land / Public Buildings	Presently there is no clarity for Tower installation on Government Land/ Public Buildings	Standard Norms / guidelines should be defined for Tower installation on Government land/ Buildings
5	Priority for EB connection for Tower Sites	Getting EB Connection is a mammoth task for Tower sites	DOT should release guidelines and time frame to get EB connection for various capacity