February 9, 2022.

To,

Shri Anil Kumar Bharadwaj,
Advisor (B&CS),
TRAI, Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi 110 002.

Subject: Comments on the Consultation Paper on "*Ease of Doing Business in Telecom and Broadcasting Sector*" datxed 08.12.2021

Respected Sir,

We would like to thank the Authority for providing us with the opportunity to share our comments on the Consultation Paper on "*Ease of Doing Business in Telecom and Broadcasting Sector*".

At the outset, we would like to put on record our sincere appreciation and gratitude to the Authority for regulating and streamlining the functions and process in the broadcasting and cable tv sector for orderly growth of the industry.

We want to submit that the Cable TV Sector in the current scenario in the highly regulated regime. Linear cable television has consistently shown a downward trend in the last two years. Overall penetration of cable TV in the country has shown a downward trend despite people working from homes and most people not going out of their homes due to lockdowns or restricted movements during the pandemic.

The OTT platforms, which are presently outside the purview of any licensing and regulatory framework, also enable the consumers to access video/television services and have evidently established themselves as yet another platform for distributing media content and video services, including linear TV Channels. In view of this it is very important that all platform services must be regulated for level playing field to the stake holders and benefit of all.

Please find our comments on the issues for consultation as below;

Q1. Whether the present system of licenses/permissions/registrations mentioned in para no. 2.40 or any other permissions granted by MIB, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

   a. Simple, online and well-defined processes : -

Response : There should be a definitive time frame for issuance of license with online tracking and timeline for each activity. This would minimize the queries and the applicants will have upto date information regarding status of their application. This should also be enabled with queries to the applicant and online submission of replies and documents as per requirement. The provision for security clearance from the MHA may be abolished to avoid delay in providing the permission. The total timeline should not be more than 30 days.

There should also be a provision for changes in the name of the entity to ensure that the name in the records and the permission should be same.

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

c. Precise and well-documented timelines along with the possibility of deemed approval

Response : Yes the present system does not speak about the timelines and possible date of approval. the suggested changes would help in the process.

d. Well-defined and time bound query system in place. Seamless integration and approvals across various ministries/departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of license/permission/registration Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.

Response : The present system of LCO registration is offline and is being done by the postal department for the purpose of record keeping only and does not help the industry in any way. The LCO registration process should be made online as there is a huge default by the LCO in getting the regiseration done. The Post Masters are also not much interested in the process being a low revenue stream for the post office. The permission should be for 10 years and should be centralized. The data of LCOs should also be available online.

Q2. Whether the present system of licenses/permissions/registrations mentioned in para no. 3.81 or any other permissions granted by DoT, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

a. Simple, online and well-defined processes

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

c. Precise and well-documented timelines along with the possibility of deemed approval

d. Well-defined and time bound query system in place

e. Seamless integration and approvals across various ministries/departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of license/permission/registration Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.

Response : There should be online helpdesk/tools to guide the applicants for easy and smooth process with definitive timelines.

Q20. What measures are required to be taken to simplify the various submissions/filings made by teleport operators, DTH operators, MSOs, and other stakeholders at MIB? Provide your detailed reply with justifications.

Response : Presently some reports like carrying of mandatory channels are being collected by regional DD Centres. For national MSOs, it is very difficult to provide the same information to each DD Centre. Area wise DAS data is being updated in the online portal of MIB every week. There should be online MIS system with smart tools like reminders for data submission on due date etc. Similarly reporting should be made mandatory for all the players in the sector.

Q21. TRAI seeks multiple reports through its multiple divisions at predefined frequency intervals. Reports submitted by operators are examined and for non-compliances, show cause notices are issued and financial disincentives are imposed, wherever applicable. Do you think there is a need to improve reporting and compliance system in TRAI? Please elaborate your response with justifications.

Response : Reporting system should be made automated at TRAI also wherein the data field should be updated by service providers by due dates in the online portal. The provision for resubmission or change in the data should also be provided within a set time limit. In addition, MSOs should be allowed to insert DD Mandatory channels from DD Direct Feed at IP locations/ local end and carry these channels in encrypted form only. This will ensure 100% uptime and availability of DD Mandatory channels.

Q22. Identify those redundant items which require deletions and at the same time the items that need to be included in the reporting and regulatory compliance systems due to the technological advancements. Suggest such changes with due justifications.

Response : There should be a single window reporting system for ISPs and submission of report to different LSAs should not be required. There should be standardization in the information required and all the LSAs should be accessing their relevant information from the online system. Presently different reports are being submitted to each LSA.

Q23. What kind of IT-based reports and compliance submission processes do you suggest in TRAI? Provide your comments.

Q24. Are there any other issues in the present system of licenses/ permissions/registrations granted by MIB/DoT/WPC/NOCC/TEC/DOS/ MeitY/MoP that can be identified as relevant from the perspective of ease of doing business in the telecom and broadcasting sector? If yes, provide a list of those processes and suggest ways for their improvement.

We would also like to submit that request for grant of infrastructure status to the Sector is still pending with the Authoority/Government which should be immediately considered for ease of doing business. This will help the MSOs/LCOs in fast growth of their network and make it ready to deliver high speed broadband to the customer homes. The Authority will appreciate that there is a huge cost in building up the fiber infrastructure to the consumer homes and for fast growth of the broadband in line with the government policies, the same should be considered without any delay.

It is also suggested that the CAS and SMS vendors should strictly be essentially incorporated and registered under the Companies Act, 2013 to ensure that they can be subjected to the provisions of Indian laws in the event of any requirement/support. All existing CAS and SMS vendors should be also be required to follow the same in the given timeframe.