



# TELECOM REGULATORY AUTHORITY OF INDIA



**NEWSLETTER: Vol. X/2016**

**October 2016**

## **Newsletter for Consumer Advocacy Groups (CAGs)**

This newsletter brings you information and developments that have taken place during the month of October, 2016.

### **1. Seminar on ‘Unsolicited Downloads and Background Exchanges when using the Internet’**

TRAI in academic partnership with the Indian Institute of Technology Hyderabad conducted a Seminar on “Unsolicited Downloads and Background Exchange when using the Internet” on 24.10.2016 at Hyderabad.

While using the Internet a lot of applications perform unsolicited downloads without explicit permission from the users.

Some of these applications perform bi-directional data exchanges in the background without the knowledge of the users. The seminar aimed at understanding how much of the user data these unsolicited downloads and background exchanges consume and how the consumer can control and minimize such usage.



### **2. Guidelines for Telecom Service Providers for ensuring transparency and uniformity in the process of tariff recharges / payments through Third Party Apps / Websites**

In the recent past, in tariff recharges/payments of bills through third party Apps/websites recharges (Channel Partners) have been increasingly recognized as a convenient mode of transaction. However, there exists a possibility of time gap in updating the information on websites/applications on the day of tariff product launch/revision between the Telecom Service Provider (TSP) and the Channel Partner(s). This may cause inconsistency and subscribers may not get

perceived benefits. Considering the process involved and magnitude of growing transactions, the Authority, with an objective to ensure transparency, uniformity and protection to the subscribers in the process of tariff recharges/payments through Channel Partners issued following Guidelines on 14th October 2016:

- i. There should not be any difference in the features of tariff products and benefits available on the TSP's website and Channel Partner's/sub Channel Partner's website(s)/app(s). A mechanism should be introduced by the TSP(s) where a new tariff product or any change in any tariff product is updated concurrently on Channel Partner(s) App(s)/website(s).
- ii. Since Channel Partner(s)/sub Channel Partner(s) are non- licensed entities and appointed by TSP(s) based on mutually agreed terms and conditions between TSP and Channel Partner(s)/sub Channels Partner(s), all responsibilities for ensuring compliance of terms and conditions of the license agreement and other regulatory guidelines shall remain with the TSP.
- iii. Any new tariff product or change in existing tariff product to be made live only at midnight (between 00:00 Hrs and 02:00 Hrs) on the date of the launch or change in tariff product.

## **Regulations/Tariff Orders :**

### **1. Draft Telecommunication (Broadcasting and Cable Services) (Eighth) (Addressable Systems) Tariff Order, 2016":**

TRAI released draft telecommunication (Broadcasting and Cable Service) (Eight) (Addressable Systems) Tariff Order, 2016 on 10<sup>th</sup> Oct. 2016. In the draft order, a new tariff framework has been proposed wherein customers have been provided with adequate choice to select channels of their while ensuring transparency in the entire value chain. Salient features of the draft order are -

- ✓ Broadcasters to declare maximum retail price (MRP) (excluding taxes) of their a-la-carte pay channels for subscribers.
- ✓ Monthly rental amount of maximum Rs. 130 (excluding taxes) per set top box, to be paid by a subscriber to the distributor of television channels for a capacity of 100 SD channels.
- ✓ Within the capacity of 100 SD channels, in addition to channels notified by the Central Government to be mandatorily provided to subscribers, a subscriber will be free to choose any free to air channel(s), pay channel(s), premium channel(s) or bouquet(s) of channels offered by the broadcasters or bouquet(s) of channels offered by the distributor of television channels.
- ✓ A subscriber can chose a-la-carte channels of its choice.

- ✓ A subscriber has to pay separate charges, other than the rental amount, for subscribing to pay channels or premium channels or bouquet of pay channels.

## **2. Draft "Standards of Quality of Service and Consumer Protection (Digital Addressable Systems) Regulations, 2016":**

TRAI released draft "Standards of Quality of Service and Consumer Protection (Digital Addressable Systems) Regulations, 2016" on 10th Oct. 2016.

Salient features of the draft regulations are:-

- (i) Common framework for standard of QoS and consumer protection across digital addressable platforms viz DTH, Cable TV, IPTV, HITS.
- (ii) Choice of subscription to a-la-carte channels and bouquets of channels by subscribers have been simplified.
- (iii) Simplification of consumer premises equipment/Set top Box schemes.
- (iv) Publicity of services using a designated link on the website of the Distribution Platform Operators called "Consumer Corner".
- (v) Conducting of public awareness campaign using consumer educational channels by the service providers.
- (vi) Simplification of Consumer Application Form (CAF) and encouraging use of electronic CAF.
- (vii) Subscribers can get service temporarily suspended for upto three month in a year.
- (viii) Mandatory provision to record the consent of the subscribers for any change in the subscribed packages.
- (ix) Protection of consumer interest in case of prolonged and continued disruption in service beyond 72 hrs.

## **3. Draft Interconnection Regulations for TV Broadcasting Services provided through addressable systems:**

TRAI released draft Interconnection Regulations for TV Broadcasting Services provided through addressable systems on 14<sup>th</sup> Oct. 2016. To keep in pace with the new technologies and advent of different distribution platforms in the broadcasting, TRAI initiated a holistic review of the existing regulatory framework for all type of addressable systems. After taking into consideration the views of the stakeholders and internal analysis of TRAI, the draft regulations alongwith its explanatory memorandum have been prepared. The basic principles of non-exclusivity, non-discrimination, transparency, level playing field and fair competition have been retained in these draft regulations. Some of the new features of the draft regulations are as follows :

- A common interconnection framework for all addressable systems namely DTH, HITS, DAS and IPTV.

- Standard format of application for distributor of television channels for obtaining signals of television channel(s) from broadcaster and standard format of application for a Broadcaster or access of network from distributor for re-transmission of a television channel(s).
- Format of subscription report to be provided by a distributor of television channels to a Broadcaster including free to air channels
- The framework for subscription audit & technical audits

(Comments on the above 3 drafts have been received and under process for issue of final Tariff Order/Regulation)

### **Recommendations:**

#### **1. Recommendations on violation of the provisions of License Agreements and the Standards of Quality of Service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009 by Airtel, Vodafone & Idea.**

The Authority on 21<sup>st</sup> October, 2016 has recommended to Department of Telecom a penal action of Rs.50 crore per LSA where POI congestion exceeded the allowable limit of 0.5% may be initiated against M/s Bharti Airtel Ltd., M/s Idea Cellular Ltd. & M/s Vodafone India Ltd.

### **Directions :**

**Direction issued to service providers for delivering broadband services in a transparent manner by providing adequate information to broadband consumers.**

To protect the interests of telecom consumers and to address the issue of delivery broadband services in a transparent manner by providing adequate information to broadband consumers, following directions were issued on 31.10.2016 to all telecom service providers providing broadband (wire-line or wireless) service to :-

- a) Provide on their website and also in all advertisements published through any media, the following information in respect of all broadband tariff plans offered under Fair Usage Policy:-
  - A. For Fixed broadband service:
    - (i) Data usage limit with specified speed;
    - (ii) Speed of broadband connection upto specified data usage limit; and
    - (iii) Speed of broadband connection beyond data usage limit;

- B. For Mobile broadband service:
- (i) Data usage limit with specified Primary technology (3G/4G) for providing data services;
  - (ii) Speed offered for providing data services beyond data usage limit;
- b) Provide information specified in para (a) above to both new and existing subscribers on their registered email address and through SMS on their mobile number registered with the service provider, as opted by consumer;
- c) Ensure that download speed of broadband service provided to the fixed broadband subscriber is not reduced below minimum download speed for broadband as defined by Department of Telecommunication from time to time, presently 512 kbps in any Fair usage broadband tariff plan after expiry of assigned data quota of consumers;
- d) Provide alert to the subscriber through SMS on his registered Mobile Number or to his registered e-mail address each time when his data usage reaches fifty, ninety and hundred percent of the data usage limit under his plan. TSP should also maintain a portal/website so that user can access his usage at any point of time.

### **Consultation Papers:**

**1. Consultation Paper on “Spectrum, Roaming and QoS related requirements in Machine-to-Machine (M2M) Communications”**

M2M is the basis for automated information exchange between machines and can impact for various industry verticals like Smart City, Smart Grid, Smart Water, Smart Transportation, Smart Health etc. Government of India has recognized the potential of M2M and emphasized the same in the National Telecom Policy 2012.

TRAI received a reference from Department of Telecommunications (DoT) on 5<sup>th</sup> January, 2016. Seeking recommendations of TRAI on three aspects related to M2M communications:

- a) M2M Spectrum Requirements
- b) M2M Roaming Requirements
- c) Quality of Service in M2M Services

While formulating this consultation paper on M2M issues, apart from the specific issues referred by DoT through the reference, the Authority realised that certain other regulatory aspects including policy and licensing framework for M2M service providers, various technical challenges in implementation, allocation and utilization of various network codes, data protection, and privacy issues also

need to be deliberated. Therefore, these issues have also been included in the Consultation Paper. The Consultation Paper was issued on 18<sup>th</sup> Oct.

## **2. Consultation Paper on “Captive VSAT CUG Policy issues”**

TRAI received a reference from the Department of Telecommunications (DoT) dated 16<sup>th</sup> March, 2016 seeking its recommendations on minimum License Fee in respect of 2<sup>nd</sup> Hub in Captive VSAT CUG network and terms and conditions of Captive VSAT CUG License.

After receiving the reference, the Authority consulted some of the Captive VSAT licensees, who brought out some additional issues related to applicability of Royalty charges and delay in approvals in augmentation of bandwidth for Captive VSAT. The Authority has decided to include these issues also for the consultation of the stakeholders, so as to provide comprehensive recommendations on issues concerning captive VSAT licensees. The Paper was issued on 28<sup>th</sup> Oct. 2016.

## **3. Consultation Paper on “Review of the Regulatory Framework for Interconnection”**

Interconnection is the commercial and technical arrangement under which telecom service providers (TSPs) connect their equipment, networks and services to enable their subscribers to have access to the subscribers and networks of other TSPs. TRAI had issued a Telecommunication Interconnection (Reference Interconnection Offer) Regulation, 2002 stipulating various technical and commercial conditions for interconnection. Given the various economic and technical changes since 2002, which also impinge upon the matter of interconnection between TSPs and to see that there is an efficient interconnection framework available to the TSPs, a consultation paper on “Review of the Regulatory Framework for Interconnection” was floated by TRAI on 21.10.2016.

The consultation paper seeks to address various issues like (i) the best option to ensure fair, reasonable and non-discriminatory terms and conditions of interconnection given the technological, market, licensing, regulatory and legal developments since 2002; (ii) time frame for entering into the interconnection when in new TSP requests for interconnection to an existing TSP; (iii) whether there is a need continue with the present concept of interconnection seeker/interconnection provider; (iv) criteria for inflated demand for ports; (v) whether interconnection should be service specific or service-agnostic; (vi) policy and regulatory measures are required for encouraging TSPs to migrate to interconnection at IP level.

Comments from all stakeholders on the issues raised in the paper were invited by 21.11.2016 and counter comments by 06.12.2016.

## Open House Discussions/Interactions

### 1. OHD on the consultation paper on 'Issues related to Digital Terrestrial Broadcasting in India'

An Open House Discussion (OHD) on the consultation paper 'Issues related to Digital Terrestrial Broadcasting in India' was held on 19.10.2016 at New Delhi.

### 2. OHD on consultation Paper on 'Free Data'

TRAI conducted an OHD on Consultation Paper on 'Free Data' on 24.10.2016 at Hyderabad.



**3. Open House Discussion (OHD) on consultation paper on the “Review of regulatory Framework for the Use of USSD for Mobile Financial Services .”**

An Open house Discussion (OHD) was held on Consultation paper on the “Review of Regulatory Framework for the Use of USSD for Mobile Financial Services.” on 26th October,



**4. OHD on consultation Paper on ‘Complaints/Grievance Redressal in Telecom Sector.’**

An Open house Discussion (OHD) on Consultation paper on the “Complaints/Grievance Redressal in Telecom Sector” was held in New Delhi on 26.10.2016.

**Other Information:**

**1. Telecom Subscription Data as on 30<sup>th</sup> July, 2016:**

<b>Particulars</b>	<b>No. of Wireless subscribers (in Millions)</b>	<b>No. of Wire-line Subscribers (in Millions)</b>	<b>No. of Total subscribers (Wireless + Wire-line) (in Millions)</b>
Urban Subscription	589.61	20.61	610.22
Rural Subscription	444.63	4.00	448.63
Total Subscription	1034.23	24.62	1058.85
Overall Tele-density	81.11	1.93	83.04
Share of Urban Subscription	57.01%	83.74%	57.63%
Share of Rural Subscription	43.99%	16.26%	42.37%
No.of Broadband Subscribers	149.47	17.49	166.96

Active wireless subscribers on the date of Peak VLR in July, 2016 were 919.28 million.

In the month of July 2016, 4.91 million requests have been made for MNP. So far 229.34 million consumers have availed MNP facility.

## TRAI EVENTS

### 1. Consumer Outreach Programmes:

TRAI organized 06 Consumer Outreach Programmes in the month of October, 2016 at the following places:

Ratnagiri (Maharashtra)	05.10.2016
Saharanpur (Uttar Pradesh)	18.10.2016
Phalodi (Rajasthan)	24.10.2016
Nanded (Maharashtra)	25.10.2016
Etawah (Uttar Pradesh)	25.10.2016
Islampur (West Bengal)	27.10.2016

**Full details of the Directions/Orders, Consultation Paper, Subscription Data, etc as mentioned in this newsletter are available on TRAI website [www.trai.gov.in](http://www.trai.gov.in)**

**MahanagarDoorsancharBhawan, JawaharLal Nehru Marg,  
(Old Minto Road), New Delhi-110 002.**

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## PHOTO GALLERY

### TRAI Interactions with Consumers/Consumer Groups



***CoP at Saharanpur (Uttar Pradesh) held on 18.10.2016***



***CoP at Etawah (Uttar Pradesh) held on 25.10.2016***



***CoP at Islampur (West Bengal) held on 27.10.2016***



***CoP at Phalodi (Rajasthan) held on 24.10.2016***

**TAKE ADVANTAGE OF MOBILE APPS LAUNCHED BY TRAI FOR CONSUMERS**

**NOW YOU CAN CHECK YOUR DATA SPEED**

**"TRAI MySpeed" APP**

DOWNLOAD FREE ▶

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GET IT ON Google play

Test your Data Speed using "TRAI My Speed" App

Share Your Data Experience with TRAI

Explore Data Speed of Telecom Operators in any area on TRAI Portal (<http://analytics.trai.gov.in>)

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TRAI

# FED UP

## UNWANTED COMMERCIAL CALLS OR SMS?



**TRAI'S NEWLY LAUNCHED  
"DND SERVICES"  
MOBILE APP  
IS YOUR ANSWER**



**Manage Unsolicited Commercial Communication (UCC) Easily**

- This app helps put your mobile number on the 'Do Not Disturb' Register.
- 7 days after registration, if you still receive unwanted commercial calls/SMS, complain to your telecom service provider (TSP) using this app.
- Download App today from the Google Play store and Mobile Seva App Store. iOS version coming shortly.

**ALSO GET THE SAME BENEFIT BY DIALING OR SMS TO 1909**

- Call or SMS 1909 and Register on 'Do Not Disturb' (National Customer Preference) Register.
- Unwanted calls will be blocked 7 days after registration.
- If you still get unwanted commercial calls or SMS, complain on 1909 for action against caller.

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