



TELECOM REGULATORY AUTHORITY OF INDIA



E-NEWSLETTER FOR TRAI REGISTERED CONSUMER ORGANISATIONS FOR MARCH, 2019



Dr. R.S. Sharma, Chairman, TRAI addressing the Regional Regulators Forum Asia 2019 on Consumer Protection and Consumer Awareness measures of TRAI at Kuala Lumpur, Malaysia



Dr. R.S. Sharma, Chairman, TRAI having Bi-lateral Meeting with Mr. Jeremy Godfrey, BEREC Chair 2019 at the sidelines of GSMA Mobile World Congress being held at Barcelona, Spain.

Laying of TRAI Annual Report for 2017-18 in Parliament

The Annual Report of Telecom Regulatory Authority of India for the year 2017-18 detailing activities of the Authority, certified accounts and the audit report thereon was laid on the Table of Rajya Sabha on 21st December 2018 and the Lok Sabha on 2nd January 2019. The Report covered the policies and programmes; review of general environment in the telecom and broadcasting sector; review of working and operation of TRAI; functions of TRAI in respect of matters specified in Section 11 of the Telecom Regulatory Authority of India Act, 1997 and its organizational matters including financial performance. A Press release in this regard was issued by TRAI on 21.02.2019.

1. Decision

1. Review of extant provisions for sending printed bills to consumers of landline and post-paid Mobile subscribers.

As per the existing regulatory provisions, printed copy of the bills is to be made available to the landline and Mobile Post-Paid subscribers free of cost as a default option with the subscribers having option to switchover to e-bill. Considering the demand in some quarters to change the default option from printed copy of the bill to bill in electronic form, TRAI had initiated a consultation to review the above provisions on 15th November 2018. An Open House Discussion (OHD) was also held on the subject on 05.02.2019 at Delhi. After considering the matter in totality and keeping in view the demographic structure of India, literacy rate, size of non-e-literate population, limitation of senior citizens/disadvantaged groups and rural population, the Authority felt that time is not ripe for making e-bill as a default option. Accordingly, the Authority decided that for the present the current provision of providing hardcopy of the bills free of cost as default option to landline and mobile post-paid subscribers shall continue. However, if any consumer opts for receipt of bill through e-mail instead of hard copy, the service provider can supply the same after obtaining explicit consent from the consumers.

2. Directions

2.1. Directions to distributors of television channels issued on 22.02.2019 regarding listing of channels in electronic programme guide

Through this direction, the Authority directed all distributors of the television channels to ensure that the television channels of same genre, as declared by the broadcasters, are placed together consecutively and one channel shall appear at one place only, failing which action shall be taken against such distributors, under the provisions of TRAI Act, 1997.

3. Consultation Papers

3.1. Consultation paper on ‘Review of Per Port Transaction Charge and other related charges for Mobile Number Portability on 22nd February 2019

TRAI released a consultation paper on ‘Review of Per Port Transaction Charge and other related charges for Mobile Number Portability ‘on 22nd February 2019 for the consultation of stakeholders. This Consultation Paper was issued to review the per port transaction charge and to define the actual amount of charges for ancillary services introduced through “Telecommunication Mobile Number Portability (Seventh Amendment) Regulations 2018”. Accordingly, the Authority initiated this Consultation Paper to review the Per Port Transaction Charge, charges for ancillary services and other related charges for Mobile Number Portability.

The last date for receiving written comments and counter comments was fixed as 15th March and 22nd March, 2019 which was subsequently extended to 12th April and 19th April, 2019 respectively.

4. Press Release

4.1. Press Release on the simple way of selecting TV channels under new tariff framework issued on 1st February 2019.

To make the migration of the customers to the new regime, easy and convenient, the Authority directed service providers to inform the customers using all available means of communications such as call centres, website, web portal, advertisement and e-mail that under the new framework, the selection of channels and the consequent expenses to be borne depend solely on the choice exercised. The simple way by which consumers can do this was also explained as below:-

“Simple way of selecting TV channels

- Switch on your TV and start viewing all the channels one by one.
- Note down the number and name of the channels which you want to see on a regular basis. You will find that many channels were neither requested by you nor been ever viewed by you. Do not include such channels in your list.

- Send the list of selected channels to service providers using their website, app, call centre or through cable operator immediately today itself.
- Customer can add any channel any time and delete any channel from the list of the selected channel on monthly basis or at the end of subscription period. It is desirable that only those channels should be selected which are seen by the customer or the family members. Whenever customer wants to add, delete or change the list of selected channels, then the same can be done easily,
- TV service providers are giving the price of pay channels on Electronic Programme Guide (EPG). Consolidated information of all pay channels and bouquets being offered is given on TV channel 999, in accordance with the rules.
- Under the new regulatory framework customers are free to select TV channels of their choice. Under the old system, customer was fully dependent on the service provider for the same.
- In the new framework, the customers will see what has been selected and will pay only for the channels it has been selected by him/her.
- In the new framework, the total monthly bill of the customer will be under his/her control and likely to get reduced.
- The customer can confirm the maximum payable amount for the selected channels using web-portal channel.tra.gov.in.
- All bouquets of channels made as per old regulatory framework before 1st February 2019 will cease to exist in new framework. Consumers have to choose the channels of their choice. No old package can be afforded by service provider under the new framework.”

4.2. Press Release on Network Capacity Fee (NCF) for Second/Additional Connection is not mandatory issued on 8th February 2019.

Few subscribers had raised the issue regarding the price of the second/multi TV connection at home. It was clarified by the Authority that the Regulation provides a capping of Rs. 130/- as Network Capacity Fee (NCF) for 100 SD channels and Rs. 20/- for the slab of next 25 SD channels. Further, the regulation does not prohibit the service providers to offer discount or lower network Capacity Fee for second/additional connections in same location/home. However, such discount needs to be uniform in the target market area of respective TV channel distributor and should be duly declared by the DPO (Distribution Platform Operator) on their website.

Further, it was emphasised that Consumer has complete freedom to choose their desired 100 Standard Definition (SD) channels with the network capacity fee of maximum of Rs. 130/-. The desired channels could be in a-la-carte Free to Air channels or Pay channels or bouquet of pay channels or any combination thereof. The choice completely rests with the consumers.

4.3. Press Release on Implementation of New Regulatory Framework for Broadcasting and Cable Services issued on 12th February 2019.

A few cases were reported recently where pay channels of the subscribers who had not exercised the options were deactivated. Such incidences caused hardship to the subscribers. The Authority has been emphasising to the DPOs time and again that no inconvenience should be caused to subscribers while they are migrated to the new framework.

The Authority clarified that though the new framework promotes consumer choice and enables the subscribers to pay for what they wish to view but 'non-exercise of the option' should not create any inconvenience to the subscribers. Accordingly, the Authority requested all DPOs to create '**Best Fit Plan**' for the subscribers who had not exercised their options keeping in view their usage pattern with a blend of channels of various Genres. DPOs were advised that pay-out per month of the 'Best Fit Plan' generally should not exceed the pay-out per month of existing tariff plan of the subscriber.

It was also reiterated that DPOs should continue to provide various user-friendly methods to subscribers to exercise their choice. These methods may include personal contact by Local Cable Operator, calling on Call Centre Number, using Mobile Apps or through Website. DPOs should also continue to generate awareness among the subscribers regarding new Regulatory framework, its benefits and methods to exercise the option to choose the channels of their choice.

The Authority further reiterated that subscribers who have taken long term packs will continue to avail the services for the contracted period. However, they have freedom to choose the channels of their choice under the new regulatory framework and in case if they exercise this option, money for the remaining period shall be adjusted for their future use.

In view of the larger public interest, the Authority directed all DPOs that those subscribers who had not exercised their options should be migrated to a 'Best Fit Plan' and the subscribers who have already exercised their option, must be continued in their chosen new tariff plan. Subscribers could change their 'Best Fit Plan' to his/her chosen plan (opted channels/Bouquets) at any time up to 31st March 2019.

4.4. Press Release on Non-transmission of India-Australia recent Cricket T20I/ODI matches over Cable Networks issued on 25th February 2019.

Taking note of the reports in certain sections of the media and other social platforms that the recent T20I Cricket matches played between India and Australia were not being telecast by the Cable Networks because of the implementation of the new regulatory framework prescribed by TRAI, the Authority clarified through this press release that the new regulatory framework of TRAI has, in no way, inhibited or restricted the telecast of these matches. The said transmission was governed by the Hon'ble Supreme Court judgement dated 22nd August 2017 in the Civil Appeal NO.(s) 10732-10733 OF 2017 [arising out of the SLP(Civil)Nos. 4574- 4575 OF 2015, between Union of India vs BCCI & Others], which, inter alia, directed as under:

"On the basis of the above discussions, we, therefore, come to the conclusion that under Section 3 of the Sports Act, 2007 the live feed received by Prasar Bharati from content rights owners or holders is only for the purpose of re-transmission of the said signals on its own terrestrial and DTH networks and not to Cable Operators so as to enable the Cable TV operators to reach such consumers who have already subscribed to a cable network."

It was clarified that in view of the aforesaid decision of the Hon'ble Supreme Court, MIB issued a Notice dated 12.4.2018, asking all DPOs to display a caption, during the live broadcast of sports events of national importance, on DD Sports channel that "The match/game can be viewed in free-to-air mode on DD Sports Channel, on DD Free Dish and DD's terrestrial network". Therefore, the distribution platform operators (DPOs) had to switch off the DD Sports channel from their Cable Networks during the period of the matches under the recent India-Australia T20I and ODI series.

Thus, the non-availability or non-transmission of the recent cricket matches (T20I & ODI) played between India and Australia over the Cable Networks had nothing to do with implementation of new regulatory framework of TRAI for broadcasting and cable services. Therefore, the rumours circulating in some sections of the Press or in social media platforms holding TRAI Regulations responsible for non-transmission of the cricket matches in Cable Networks were baseless and incorrect.

5. Other Information

5.1 Telecom Subscription Data as on 31st January, 2019.

Particulars	No. of Wireless subscribers (in Millions)	No. of Wire-line Subscribers (in Millions)	No. of Total subscribers (Wireless + Wire-line) (in Millions)
Urban Telephone subscribers	654.20	18.71	672.91
Rural Telephone subscribers	527.77	3.08	530.86
Total Telephone subscribers	1181.97	21.79	1203.77
Overall Tele-density	90.15	1.66	91.82
Share of Urban Subscription	55.35%	85.86%	55.90%
Share of Rural Subscription	44.65%	14.14%	44.10%
No. of Broadband Subscribers	521.77	18.27	540.04

Active wireless subscribers on the date of Peak VLR in January, 2019 were 1022.58 million.

In the month of January, 2019, 5.84 million subscriber requests were made for MNP. Till the end of January, 2019, a total of 417.82 million consumers have availed MNP facility since its implementation.

5.2. White Paper on 'Enabling 5G in India' issued on 22nd February 2019

Globally, full scale deployment of 5G networks is expected to start by late 2019 or early 2020 for which pilots have already commenced. The India's 5G High Level Forum envisages 5G to be deployed in India by 2020 along with the rest of the world.

In order to create an enabling environment for timely rollout of 5G in India, TRAI has come up with a White Paper on 'Enabling 5G in India' on 22nd February 2019. This White Paper highlights the specifications of the 5G technology, discusses the potential use cases and architecture of 5G network, deliberates those areas that will require investment for 5G deployment, covers the spectrum requirements for 5G networks, and tries to identify regulatory challenges that need to be addressed for the deployment of 5G in India.

The purpose of this White Paper is to identify the probable challenges, including regulatory ones, in the deployment of 5G Networks in India and to initiate a discussion with all stakeholders for finding implementable solutions.

The White Paper on 'Enabling 5G in India' is available on TRAI's website www.trai.gov.in.

5.3. Drive Test:

TRAI has been regularly conducting the Independent Drive Tests (IDTs) through its appointed agency in cities, Highways and rail routes. Independent Drive Tests (IDTs) in 6 cities, were conducted during 13th November to 11th January 2019, to assess the network quality provided by cellular mobile telephone service providers. The Key Performance Indicators (KPIs) were assessed for the networks of all telecom service providers operating in the region. KPIs for voice services were Coverage; Call Setup Success Rate; Drop Call Rate; Block Call Rate, Handover Success Rate; Rx Quality.

The details of IDTs are given below: -

- Ratlam from 13th to 15th November 2018
- Rohtak from 14th to 16th November 2018
- Tirupati from 12th to 14th December 2018
- Bhavnagar from 26th to 29th December 2018
- Haridwar/Rishikesh from 27th to 29th November 2018
- Agra from 8th to 11th January 2019

6. Workshops/Consumer Outreach Programmes

a) Workshop at Dwarka (Gujarat) on 18.02.2019:

TRAI conducted a "Regional Workshop on Capacity Building of Consumer Advocacy Groups" at Dwarka (Gujarat) on 18.02.2019. The programme comprised two sessions. In the forenoon session deliberations were held amongst TRAI, CAGs and TSPs on various consumer centric issues particularly with regard to redressal of consumer grievances, efforts being made by CAGs and TSPs in enhancing consumer education. While CAGs shared their experiences and informed about the issues being faced by consumers in their respective areas, TSPs apprised of the efforts being made by them in this direction. In the afternoon session participants were educated about the various provisions of the new regulatory framework for broadcasting and cable services. It was explained how the new framework gives complete choice to consumers to choose what they want to view and pay accordingly thus enabling them to fully control their bills. Various consumer centric provisions of the framework like service provider developing/creating 'web based complaint management system', 'consumer corner', 'subscriber corner' and consumer information channel-999 on their website/platforms alongwith the efforts made by TRAI to facilitate consumers like TRAI call centre, TRAI channel selector application and media campaign undertaken by it to facilitate consumers were also highlighted. Through another presentation the audience was educated about the new amendments made in the regulations on Mobile number portability and the unsolicited commercial communications (UCC). The CAGs were also apprised of the steps taken by TRAI to enhance consumer awareness and the plan of such activities for 2019-20.



b) The following Consumer Outreach Programmes were organised during the month of February, 2019

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|----|--------------------------|------------|
| 1. | Raichur (Karnataka) | 18.02.2019 |
| 2. | Mandi (Himachal Pradesh) | 28.02.2019 |

PHOTO GALLERY



CoP at Raichur (Karnataka) held on 18.02.2019



CoP at Mandi (Himachal Pradesh) held on 28.02.2019

Full details of the Directions/Orders, Consultation Paper/Report, Subscription Data, etc mentioned in this newsletter are available on TRAI website www.trai.gov.in

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

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