



TELECOM REGULATORY AUTHORITY OF INDIA



E-NEWSLETTER FOR TRAI REGISTERED CONSUMER ORGANISATIONS FOR DECEMBER, 2017

TRAI EVENTS



Hon'ble Minister of State (I/C) for Communications and Chairman TRAI lighting the lamp at FIGI Symposium 2017 held in Bengaluru from 29.11.2017 to 01.12.2017



Chairman, TRAI welcoming Mr Houlin Zhao, Secretary-General, ITU on the occasion of a bilateral meeting at TRAI, New Delhi on 22.11.2017



Chairman, TRAI addressing the officers of TRAI in a meeting held on 22.11.2017 regarding India's role in the growth of Telecom Sector and ICT

OHD/WORKSHOPS

1. Open House Discussion on the Consultation Paper on "Ease of Doing Business in Broadcasting Sector"

An Open House Discussion (OHD) on Consultation Paper on "Ease of Doing Business in Broadcasting Sector" was held on 01.11.2017 at SCOPE Complex, Lodhi Road, New Delhi



2. Open House Discussion on the Consultation Paper on 'In-Flight Connectivity'



An Open House Discussion (OHD) on Consultation Paper on "In-Flight Connectivity" was held on 27.11.2017 at India Habitat Centre, Lodhi Road, New Delhi

1. Recommendations:

1.1 Recommendations dated 28.11.2017 on 'Net Neutrality':

TRAI has submitted its Recommendations on Net Neutrality to DoT on 28.11.2017. Some of the main features of recommendations are mentioned below:

- a) The licensing terms should be amplified to provide explicit restrictions on any sort of discrimination in Internet access based on the content being accessed, the protocols being used or the user equipment being deployed. Content would include all content, applications, services and any other data, including its end-point information, that can be accessed or transmitted over the Internet
- b) The “discriminatory treatment” in the context of treatment of content would include any form of discrimination, restriction or interference in the treatment of content, including practices like blocking, degrading, slowing down or granting preferential speeds or treatment to any content.
- c) The service providers should be restricted from entering into any arrangement, agreement or contract, by whatever name called, with any person, natural or legal, that has the effect of discriminatory treatment based on content, sender or receiver, protocols or user equipment.
- d) The scope of the proposed principles on non-discriminatory treatment apply specifically to “Internet Access Services”, which are generally available to the public.
- e) In order to remove any ambiguity, Internet Access Services have been defined.
- f) Specialised services, i.e. services other than Internet Access Services, which are optimised for specific content, protocols or user equipment, and where the optimisation is necessary in order to meet specific quality of service requirements shall be exempted from the principles of discriminatory treatment.
- g) DoT may identify specialised services. However, specialised services may be offered by the service provider only if they are not usable (or offered) as a replacement for Internet Access Services; and the provision of such services is not detrimental to the availability and overall quality of Internet Access Services.
- h) Internet of Things (IoT), as a class of services, are not excluded from the scope of the restrictions on non-discriminatory treatment. However, critical IoT services, which may be identified by DoT, and which satisfy the definition of specialised services, would be automatically excluded.
- i) Content Delivery Networks (CDNs), which enable a Telecom Service Provider (TSP) to deliver content within its network without going through the public

Internet, are exempted from the scope of any restrictions on non-discriminatory treatment.

- j) The Internet Access Service Providers may take reasonable measurements for traffic management, provided the same are proportionate, transient, and transparent. They may also take reasonable measures to preserve integrity and security of network, for provision of Emergency Services, implementation of an order of the court or direction of the Government, or in pursuance of an international treaty.
- k) TSPs shall be required to declare their Traffic Management Practices (TMP), as and when deployed and the impact it may have had on the users. The disclosure requirements shall also include information about specialised services, direct or indirect arrangements entered into by them.
- l) For monitoring and investigation of violations, a collaborative mechanism has been recommended to be established in the form of a multi-stakeholder body comprising members representing different categories of TSPs and ISPs, large and small content providers, representatives from research and academia, civil society organisations and consumer representatives. This body, which would be responsible for developing technical standards pertaining to monitoring of TMPs and enforcement of the principles on non-discriminatory treatment and making appropriate recommendations to the Authority. The Government/ Authority shall reserve the right to seek any information from the committee, investigate its conduct to ensure transparency and fair treatment to all its members, and issue appropriate regulations, directions, orders or guidelines, as and when needed.
- m) Recommendations have been made without prejudice to the powers and functions conferred upon the Authority as per TRAI Act, 1997. Therefore, pending the consideration of these recommendations, the Authority may regulate the manner in which the current licensing requirement of unrestricted access to all content on the Internet is implemented and enforced. The Authority may also frame regulations or take other measures, as and when deemed necessary.

1.2 Recommendations dated 30.11.2017 on "Ease of Doing Telecom Business"

Promoting "Ease of doing business" is essential for unhindered growth of the telecom sector and is amongst the priorities of the Government. A number of steps have already been taken for ease of doing telecom business by the Government, generally on the recommendations of TRAI. With the change in the policies over a period of time or with the technological development, there could be some processes, which may have become redundant or may be executed in an efficient and transparent way.

In this background, TRAI has finalized its recommendations on 'Ease of Doing Telecom Business' and submitted to DoT on 30th November 2017. Some of the key recommendations are:

- a) The entire process of SACFA clearance as well as grant of all licences/approvals, that are issued by WPC, should be made paper-less and executed end-to-end through online portal.
- b) There should be a defined time-line not exceeding 30 days within which an Import Licence should be granted and the same may be declared in the portal as well as in the Citizen's Charter.
- c) DoT should spell out a definite timeline, not exceeding 30 days post NCLT approval, for providing written approval to transfer/merger of licences by the Licensor and it should be made a part of the M&A Guidelines.
- d) If the merger results in excess spectrum holding beyond permissible spectrum cap, the transferee company/resultant entity should be given an option to either surrender or trade its spectrum holding, within the stipulated period of one year.
- e) Spectrum trading should be permitted in all the access spectrum bands which have been put to auction. The permissible block size for trading in a band should be same as specified in the NIA for the latest auction held.
- f) The TSPs should be charged for roll-out obligations test fee only for the DHQs/ BHQs/ SDCAs which are actually tested by TERM Cells.
- g) Performance Bank Guarantee (PBG) for a particular phase of roll-out obligations should be released after successful certification by TERM Cell. If TERM Cell fails to submit its report within 12 months after the date of offer, PBG should not be held back on account of pendency of testing. Further, DoT should review the process adopted by CCA for the refund of bank guarantee and should ensure that CCA do not take more than 30 days for the release of bank guarantee.
- h) DoT should devise a suitable matrix, linking the penalty to the severity of the incident and recurrence of the violation for imposition of financial penalties.

2. Directions

2.1 Direction regarding "display of registered satellite TV channels on landing page"

On 8th November 2017, in order to protect the interest of service providers and consumers & ensure orderly growth of the sector, a direction was issued to all the broadcasters and distributor of Television Channels to restrain from placing any registered satellite television channel, whose TV rating is released by TV rating agency, on the landing LCN or landing channel or boot up screen.

2.2 Direction to M/s Reliance Communications Limited and M/s Reliance Telecom Limited regarding disruption in 2G services dated 1st November 2017

It was brought to the notice of TRAI through media reports regarding disruption of 2G services of M/s Reliance Communications Limited (RCL) / M/s Reliance Telecom Limited (RTL) in all Licensed Service areas. TRAI, therefore, issued a Direction on 1st November 2017 to M/s RCL / RTL, inter-alia, to

- (i) furnish reasons for disruption of 2G services in different licensed service areas;
- (ii) ensure QoS of the entire network as prescribed by the LICENSOR and the Authority from time to time;
- (iii) issue and communicate unique porting code to the subscribers through SMS immediately, as and when such request is received and respond to all the requests of mobile number portability made by the subscribers as per provisions of the regulations;
- (iv) furnish licensed service area wise details of the number porting requests received, details of unique porting codes generated on such requests and number of subscribers ported out in last two weeks (w.e.f. 31st October, 2017)

2.3 Direction to All Access Service Providers (Wireless) and MNPSs with regard to discontinuation of 2G/GSM Services and upgrading of Network from CDMA to LTE/4G in 800 MHz band in various licensed service areas by M/s Reliance Communications Ltd dated 3rd November 2017

A Direction was issued on 3rd November 2017 to MNPSs and TSPs so as to facilitate Mobile Number Portability of subscribers of M/s Reliance Communications Limited (RCL) consequent upon discontinuation of 2G/GSM services by M/s RCL in Andhra Pradesh, Haryana, Maharashtra, UP(East), UP(West), Tamil Nadu, Karnataka and Kerala licensed service areas and upgrading of network from CDMA to LTE/4G in 800 MHz band in Delhi, Rajasthan, UP(West), Tamil Nadu, Kerala, Karnataka, West Bengal, Gujarat and Kolkata licensed service areas consequent to conclusion of merger of licenses of M/s Sistema Shyam Telecommunications Limited into M/s Reliance Communications Limited.

Through the Direction, additional operator codes have been provided to M/s RCL to facilitate the MNP for its subscribers with validity of all UPCs till 23:59:59 hours of 31st December 2017.

2.4 Direction to M/s Reliance Communication Ltd. with regards to unspent prepaid balance consequent to closure of 2G/GSM services and discontinuation of CDMA Services in various LSAs dated 17th November 2017

Pursuant to the closure of 2G / GSM services and upgradation of network from CDMA to LTE / 4G in 800 MHz band by M/s Reliance Communications Ltd (RCL) in various service areas as mentioned in Direction dated 3rd November

2017, a large number of subscribers, both prepaid and postpaid, have been inconvenienced and forced to port out their mobile number to other service provider of their choice and some of the subscribers might not be able to port out by 31st December, 2017, or might not be willing to do so. Under normal circumstances, the balance prepaid amount would have been utilized by the prepaid subscribers before porting out of their mobile number; but due to sudden closure of services, the unspent prepaid balance amount is outstanding with M/s RCL in the form of recharge coupon / plans and also unspent balance left by the subscribers who would not be able to port out by 31st December, 2017 or might not be willing to port out their numbers to other networks.

Therefore, through a Direction dated 17th November 2017, M/s RCL was directed to inform the subscriber-wise unspent prepaid balance lying with M/s RCL for all the ported out pre-paid subscribers w.e.f. date of Direction dated 3rd November 2017 and till 31st December 2017 and for all pre-paid subscribers who could not be ported out till 31st December 2017 in all the LSAs as per Direction dated 3rd November 2017.

2.5 Directions to deposit in TCEPF the excess amount charged from the subscribers in violation of the licence conditions

The Department of Telecommunications on 20th May 2005 permitted inter-service area connectivity between access providers in paired circles i.e. the States of Maharashtra (Mumbai Metro and Maharashtra telecom circle service areas), Tamil Nadu (Chennai Metro and Tamil Nadu telecom circle service areas), Uttar Pradesh (including Uttarakhand) [UP (E) and UP (W) telecom service areas] and West Bengal (Kolkata Metro and West Bengal telecom service area).

TRAI found that certain mobile service providers were offering higher differential charges for calls to the networks of BSNL and MTNL. TRAI, therefore, issued direction on 27th February, 2006 to all Mobile Service Providers in the aforesaid four states to immediately discontinue differential tariff and report compliance of the same to TRAI. The said direction was, however, challenged through various petitions / appeals before different courts. TRAI through another direction dated 22nd March 2007 directed all the TSPs to deposit the excess amount charged from the subscribers in a separate bank account until further directions.

Consequent upon the Hon'ble Supreme Court dismissing the appeal filed by the TSPs, TRAI issued directions to the following TSPs to deposit in the Telecom Consumers Education and Protection Fund (TCEPF) the excess amount charged from the subscribers in violation of the license conditions which cannot be refunded to the subscribers due to non-availability of call detail records:

- (i) M/s Idea Cellular Ltd on 24th August 2017;
- (ii) M/s Bharti Airtel Ltd on 30th November 2017; and
- (iii) M/s Vodafone India Ltd on 30th November 2017.

3. Other Information

3.1 Telecom Subscription Data as on 30th September, 2017

Particulars	No. of Wireless subscribers (in Millions)	No. of Wire-line Subscribers (in Millions)	No. of Total subscribers (Wireless + Wire-line) (in Millions)
Urban Subscription	684.77	20.12	704.89
Rural Subscription	498.28	3.55	501.83
Total Subscription	1183.04	23.67	1206.71
Overall Tele-density	91.56	1.84	93.40
Share of Urban Subscription	57.88%	85.02%	58.41%
Share of Rural Subscription	42.12%	14.98%	41.59%
No. of Broadband Subscribers	306.85	18.04	324.89

Active wireless subscribers on the date of Peak VLR in September 2017 were 1,017.79 million.

In the month of September, 2017, 5.49 million requests were made for MNP. So far 305.39 million consumers have availed MNP facility.

3.2 TRAI issues Advisory to All DTH Operators for “Enabling Online Payment System using BHIM/UPI & Bharat QR code”

Keeping convenience of consumers as well as service providers into consideration, TRAI has issued an advisory on 07.11.2017 to all DTH operators for enabling online payment system using BHIM / UPI & Bharat QR code.

4. TRAI EVENTS

4.1 Consumer Outreach Programmes:

TRAI organized 10 Consumer Outreach Programmes in the month of November, 2017 at the following places:

Ujjain (Madhya Pradesh)	06.11.2017
Kishanganj (Bihar)	08.11.2017
Latur (Maharashtra)	09.11.2017
Udhampur (J&K)	10.11.2017
Chamba (HP)	17.11.2017
Haveri (Karnataka)	17.11.2017
Kadapa (Andhra Pradesh)	22.11.2017
Raj samand (Rajasthan)	23.11.2017
Darbhangha (Bihar)	29.11.2017
Hanuman Garh (Rajasthan)	30.11.2017

PHOTO GALLERY



CoP at Ujjain (Madhya Pradesh) held on 06.11.2017



CoP at Chamba (HP) held on 17.11.2017



CoP at Raj Samand (Rajasthan) held on 23.11.2017



CoP at Hanuman Garh (Rajasthan) held on 30.11.2017

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

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