

To
Shri Sanjeev Banzal, Advisor (Network, Spectrum & Licensing)
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Respected authorities,

SUB: Comments on Pre-consultation paper on ‘Delinking of license for networks from delivery of services by way of virtual network operators’ dated 3rd September, 2014.

A) One of the stakeholder earlier responded to TRAI’s Consultation Paper on “Green Telecommunications (dated 3rd Feb 2011)” and the following is mentioned:

“Hence the policy should allow the Physical Infrastructure Operators (active/passive including spectrum) to establish the infrastructure as per the requirements of all the operators and allow the Service Operators to utilize the telecom infrastructure as per the terms of traffic & share of the revenue.”

It seems, DOT might have well taken the above concept to insert in their draft NTP-2011 pre-consultation paper and omitted the same in their final policy NTP-2012.

B) In this pre-consultation paper, the author forgotten to mention **“CHINA Model”** which is actually comparable with this Nation (size & volume)

C) One of the main issues which is presently facing by the Nation is “Digital Divide”. (as mentioned by DOT in their letter)

Digital divide can be overcome by 100% coverage i.e. availability of telecom facilities across the nation including every small/remote villages.

But, Digital Divide

- Can not be addressed by naming the penalty as “USO contribution” (Telecom operators needs to pay penalty money to licensor for not providing telecom services in small/remote villages & non-profitable areas in their licensed jurisdiction – this money is named as USO contribution by licensor)
- Can not be addressed by installing & run a parallel telecom network under name “NOFN” by Govt. because such operations are practically not possible in long term.
- Can not address digital divide by introducing Virtual Network operators, keeping in view of profitability/viability in small/remote villages.
- Can not be addressed by de-linking licence networks from delivery of services.

D) In India, now the issue is to make zero digital divide, **but not to**

- increase the number of types of licences
- introduction of various types of telecom operators
- Complicate the telecom sector in the name of de-linking

But to simplify the telecom network by

- Formulation of National Licence i.e. Country boarder should be the boarder of every telecom licensee
- Removal of multiple LSAs in the Nation
- Migration of existing telecom operators in to new National Licence

- Mergers/ acquisitions to be allowed keeping in view of migration to “National Licence”. MNP is already in place to migrate existing customers to respective operator, if requires.
- Reduction of maximum number of telecom operators to enable to allot more & continuous spectrum for better quality delivery of services by each National Telecom Operator.
- Terms and conditions of New National Licence should contain the clauses that ensure 100% coverage including every small / remote village with a time frame of 1 to 2 years.
- As well as all existing terms and conditions of all existing telecom licences should also to be modified with a spirit to ensure 100% coverage including every small/remote village with a time frame of 1 to 2 years by replacing “USO Contribution” clause.
- Introduction of “spectrum non-utilization penalty”, i.e. if an operator who are owning spectrum is not utilizing their spectrum to delivery services in “x” number of villages/towns/etc, then that particular operator needs to pay penalty for non-utilization of spectrum in those “x” number of villages/towns/etc., This penalty to be in increasing order, i.e. the penalty of 2nd year should be double to be first year, and so on.

E) Till date, there is no

- Proper matrix to measure “tele-density” in the Nation
- Mechanism at the point of sale, to verify the customer’s “Original ID Card” is original or a fabricated one
- Method to know the details of a mobile customer who is frequently troubling, without the intervention of law and order authorities.
- Mechanism to collect and safe process of life-expired, out-dated and irreparable electronic/digital gadgets & equipments.
- Sufficient capacity for enforcement on existing licensees to ensure proper implementation of existing policies / rules / regulations / guidelines / roll-out obligations / security measures / quality parameters / etc.

F) Evolve Indianized Telecom Model and standards

Once such de-linking happens, it may lead to “more government & less governance” which is contradiction to present policy of “less government & more governance”.

Hence, in this juncture, DOT may not go for further complicating the present set-up by introduction another level in the name of “de-linking” or “virtual operators”, instead it is suggested to utilize the regulator’s energies for acting on the points mentioned above for better telecom services in the Nation.

Hoping best utilization of National time and energies for a meaningful outcome

VasKSS

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