

Counter Comments

TRAI CP¹ PR^{2,3}

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1. Introduction:

1.1 Scope of the CP⁴;

(a) Albeit CP⁵ is about ‘**Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India**’ however therein, two distinct CLS’s with different attributes have been considered:

(i) Cable Landing Station (CLS) set up by ILDOs’ for landing of Submarine cables⁶.

(ii) ‘CLS solely to cater NLD traffic’⁷.

(b) Two types of FRAMEWORKS have been considered:

(i) Licensing Framework (the phrase occurring ‘3’ times in the CP)

(ii) Regulatory Framework (the phrase occurring ‘9’ times in the CP).

(iii) Regulatory Mechanism has also been used at a number of places (the phrases occurs ‘5’ times in the CP).

(c) Two types of nomenclatures have been used for marine cable:

(i) Domestic Submarine Cable (the phrase occurring ‘8’ times in the CP)

(ii) international submarine cable (the phrase occurring ‘8’ times in the CP)

(d) Status of Submarine Cables in India⁹ is discussed in detail in the CP.Reference¹⁰ presents the same in a comprehensive narrative.

2. ISSUES FOR CONSULTATION

Q.1. What limitations are being posed by existing licensing and regulatory provisions for laying submarine cables and setting up of CLS in India? Please answer with the detailed justification for changes required, if any.

Q.2. Which of the conditions, as stated in Para 2.10 be made applicable on the ILD licensee for applying permission /security clearance for laying and maintaining the submarine cable and setting up CLS in India? Please answer with the detailed justification.

Ans.1. & Ans.2. Only Licensing Framework, Regulatory Framework have been taken into account while framing Q.1. and Q.2. Legal Framework has not been taken into consideration.

An issue had arisen as early as 2005 as is evident from paras '2','3','4'¹¹.It appears that the same has not been resolved till date otherwise CS wing would not have taken the course of action as indicated in para '7'¹².

Q.3. Would an undersea cable repair vessel owned by an Indian entity help overcome the issues related to delays in undersea cable maintenance? Please provide justification for your answer.

Ans.3. The existing arrangement may continue. However undersea cable repair ship based in an Indian port will overcome the issues related to delays in undersea cable maintenance. To enable this:

Operate from India Doctrine **coupled** with Doctrine of Outsourcing may be adopted on the lines of Make in India, Atamanirbhar India.

Q.4. If the answer to the above question is yes, then please suggest possible mechanisms along with detailed justification and financial viability analysis for implementing this proposal.

Ans.4. No response in view of **Ans.3.** above.

Q.5. What measures should be undertaken for promoting Domestic submarine cables for connecting coastal cities in India? What limitations are being posed by existing licensing and regulatory provisions for laying domestic submarine cables in India? What are the changes required in the existing licensing and regulatory framework? Please answer in detail with the supporting document, if any.

Ans.5. There is no need to promote Domestic Submarine Cable (barring island locations) along the mainland coastline as:

- i) The ample availability of mesh connected fibre optical network on mainland.
- ii) Coastline and adjacent sea is a natural resource and should be exploited accordingly. Using it for coastline Domestic Submarine will foreclose the availability of the same for possible alternate uses like promoting sea route for:
 - a) Transport of goods and travel purposes.
 - b) Promoting tourism industry by having chartered/scheduled cruises along the coastline.
 - c) Promoting fishing
 - d) The justification of a domestic cable along the coastline is not amply made out in the CP as:

i) It is stated that "The submarine cables are prone to cable faults due to fishing and anchoring activities in shallow waters (<1000m water depth) near the shore."¹³

ii) The statement “The reliability and stability of submarine cable networks is very high as compared to the terrestrial optical fibre cable network. It may also be cost effective, as it will require relatively lesser encumbrances to roll out this network and lower OPEX to maintain connectivity between cities using this proposed network.”¹⁴ is only qualitative in nature. No quantitative data is provided in support of said statement. Moreover ample redundancy is available on mainland based optical fibre network as the same is mesh connected.

Q.6. Are any limitations being envisaged in respect of getting permissions and/or associated charges/ fee for laying domestic submarine cable and its Cable Landing Station? What are the suggested measures to overcome limitations, if any?

Ans.6. No response in view of **Ans.5.** above.

Q.7. Will it be beneficial to lay Stub-Cables in India? If yes, what should be the policy, licensing, and regulatory framework for laying, operationalizing, and maintaining the stub cable in India? Please answer in detail with the supporting documents, if any.

Ans.7. ‘The stub cable is a new concept and innovative concept of placing pre-laid “dark fiber” from the CLS through Beach Manhole (BMH) into the territorial waters as an ab-initio infra-arrangement for future submarine projects.’¹⁵

‘As of the end of 2022, there are 15 international subsea cables (17 if Seacom and MENA are considered separate cables) landing in 14 distinct cable landing stations in 5 cities across India, in [Mumbai](#), [Chennai](#), [Cochin](#), [Tuticorin](#) and Trivandrum. According to TRAI, the lit capacity and the activated capacity on these 17 international subsea cables were 123.87Tbps and 83.8Tbps respectively by the end of 2021.’¹⁶.

An OPEN CABLE LANDING STATION is in the pipeline as Lightstorm acts as landing partner for Cinturion's [TEAS](#) and will build a carrier-neutral and open Cable Landing Station (CLS) to host the cable¹⁷. An open CLS is described in¹⁸.

In the era of open CLS dawning coupled with long INDIAN coastline stub cable is not advisable option to avoid monopolistic ownership ecosystem for CLS.

Moreover no Regulatory Framework is perhaps in place which covers stub cable and interconnection of CLSs’

Accordingly suitable regulatory framework for open CLS may be made available ASAP.

Q.8. What challenges are being posed by existing telecom licensing and /or any other framework for establishing terrestrial connectivity between different CLS’s in

India? What are possible solutions to such challenges? Please support your answer with detailed justification.

Ans.8. Kindly refer **Ans.7.** above.

Q.9. In comparison with other leading countries, what further measures must be undertaken in India for promoting investment to bring submarine cable in India? Please answer in detail with the supporting documents, if any.

Ans.9. The following is for consideration:

(i) Issue of Regulatory Framework for open CLS as discussed in **Ans.7.** above.

(ii) Adopting **Operate from India** doctrine as discussed in **Ans.3.** above.

3. Supplementary points submitted for kind consideration:

1. The following definitions **arising out of '1' & '2' above** are needed:

a) Domestic Submarine Cable

b) International Submarine cable.

c) CLS for domestic submarine cable

d) CLS for international submarine cable

e) Open CLS for international submarine cable

2. Well defined Operate from India doctrine as proposed in **Ans.3.** and **Ans.9.** above.

3. Legal Framework, Licensing Frame Work, Regulatory Framework need to be in sync time(epoch-making) wise, content wise, date of coming into effect wise and most importantly capable of keeping pace with fast changing relevant ecosystem to avoid a situation like discussed in **Ans.1.,Ans.2.**

4. General Observation:

1. Acronym LEA is used in Annexure to Annexure I¹⁹. However the expanded form is not provided in LIST OF ACRONYMS²⁰.

2. URL²¹ concerning Saudi Arabia is regarding Power Cable which is not the subject under consideration.

References

1. https://tra.gov.in/sites/default/files/CP_23122022.pdf

2. https://tra.gov.in/sites/default/files/PR_No.84of2022.pdf

3. https://tra.gov.in/sites/default/files/PR_No.04of2023.pdf

