

TELECOM REGULATORY AUTHORITY OF INDIA



E-Newsletter



FEBRUARY 2020

HIGHLIGHTS



Address by Dr. R.S. Sharma Chairman, TRAI on the occasion of New Year 2020 at TRAI HQ, New Delhi

1. Regulations

1.1 TRAI releases amendments to Tariff Order, Interconnection Regulations and Quality of Services Regulations of 2017 for Broadcasting and Cable Services sector on 01.01.2020

TRAI brought out new regulatory framework for Digital Addressable System in broadcasting and cable sector on 3rd March 2017. This framework comprises of the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017, the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 and the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 for providing broadcasting services. This framework was notified in March 2017. However, pursuant to legal challenges to the said regulations, it came into effect from 29th December 2018 after satisfying legal pronouncements.

2. The Authority analysed the comments of the stakeholders particularly to protect the interests of consumers and accordingly modified certain provisions of new regulatory framework. In order to address the issue of huge discount in formation of bouquets by the broadcasters vis-a-vis sum of a-la-carte channels, the Authority prescribed following twin conditions to ensure that price of a-la-carte channels does not become illusionary: -

- i) the sum of the a-la-carte rates of the pay channels (MRP) forming part of a bouquet shall in no case exceed one and half times the rate of the bouquet of which such pay channels are a part; and
- ii) the a-la-carte rates of each pay channel (MRP), forming part of a bouquet, shall in no case exceed three times the average rate of a pay channel of the bouquet of which such pay channel is a part.

Additionally, the Authority decided that only those channels which are having MRP of upto Rs.12 will be the permitted to be part of the bouquet offered by broadcasters.

3. TRAI has examined various provisions in detail and accordingly mandated provision of 200 channels in maximum NCF of Rs 130 excluding taxes per month. In addition, it has also been decided that channels declared mandatory by Ministry of Information and Broadcasting will not be counted in number of channels in the NCF. DPOs have also been mandated that they will not charge more than Rs 160 per month for giving all channels available on their platform.

4. Consumers have also highlighted huge charges taken by DPOs in the form of NCF for a multi-TV home. TRAI has decided that in case of multi-TV home where more than one TV connection is working in a home in the name of one person, will charge maximum 40 per cent of declared NCF for second and additional TV connections. Authority has also permitted DPOs to offer discounts on long term subscriptions which is for 6 months or more.

5. TRAI also considered the concern of broadcasters regarding huge carriage fee being charged by DPOs. In order to address the concern of huge carriage fee,

the Authority has mandated that MSOs, HITS operators, IP TV service providers will not have target market bigger than State or Union Territory as the case may be. In addition, a cap of Rs 4 lakh per month has been prescribed on carriage fee payable by a broadcaster to a DPO in a month for carrying a channel in the country.

6. The Authority also gave more flexibility to DPOs to place the TV channels on Electronic Programme Guide (EPG) and mandated that channel of a language in a genre will be kept together while placing channels on EPG. Such EPG lay out is to be mandatorily reported to the TRAI and no change in this can be done without prior approval of the Authority.

7. The amendments provide appropriate time to stakeholders for implementation. Broadcasters are required to publish revised MRP of a-la-carte channels and bouquets on their website by 15th January 2020 and DPO are required to publish revised DRP of a-la-carte channels and bouquets on their website by 30th January 2020. Consumers will be able to benefit as per the amended provisions with effect from 1st March 2020.

However, these amendments to the regulations and tariff order had been challenged by some of the stakeholders in various High Courts. Therefore, the matter is sub-judice.

https://main.traigov.in/sites/default/files/Regulation_Tariff_Order_01012020.pdf



1.2 TRAI releases Telecommunication Consumers Education and Protection Fund (Fifth Amendment) Regulations, 2020.

The Principal regulations i.e. the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007) dated 15.06.2007 provide basic framework for depositing unclaimed money of consumers by Service Providers, maintenance of the Telecommunication Consumers Education and Protection Fund and other related aspects. In accordance with these regulations, service providers have been depositing such unclaimed amounts to the fund.

2. The Authority observed that there is a need to bring clarity among service providers in depositing money which they are unable to refund to the consumers. Therefore, it was felt that an amendment in the TCEPF regulation may be carried out to remove any kind of ambiguity and facilitate deposit of any unclaimed money of the consumer.

3. In this regard, a draft amendment was released for comments on 18.10.2019. Considering the comments of the stakeholders, today, the Authority notified the fifth amendment. With this amendment service provider will deposit any unclaimed consumer money of any form such as excess charges, security Deposit, plan charges of failed activations, or any amount belonging to a consumer, which service providers are unable to refund to consumers, to the fund

after providing time of twelve months or period of limitation specified under law whichever is later.

4. The fifth amendment of the regulations may be accessed from TRAI website www.trai.gov.in.



https://main.trai.gov.in/sites/default/files/Regulation_16012020.pdf

2. Directions

2.1. TRAI has issued Direction to M/s Tata Sky Limited to ensure compliance to Direct to Home Broadcasting Services (Standards of Quality of Service and Redressal of Grievances) Regulations, 2007 on 17.01.2020

M/s Tata Sky Ltd., in response to the Telecom Regulatory Authority of India's direction dated 8th July 2019, submitted that the refund was made to all those subscribers who came through TRAI portal and who approached Tata Sky. Further, on examination of the response submitted by M/s Tata Sky Ltd. It is observed that it failed to address the matter in true spirit of the regulatory provisions and explain the reasons for non-compliance of the DTH QoS Regulations 2007. Therefore, the Authority has directed M/s Tata Sky Ltd to: -

- (i) refund to all the subscribers who were affected during the period from 1st October 2018 to 5th December 2018, for which the payment was taken;
- (ii) submit, to the Authority, a list of subscribers, to whom refund has been made under para (i) above, along with the amount of such refund;
- (iii) deposit any amount that could not be refunded to the subscribers under para (i) above, into the TRAI's TCEPF account, as per the provisions of the Telecommunication Consumers Education and Protection Fund Regulations 2007 (6 of 2007).



https://main.trai.gov.in/sites/default/files/Direction_TataSky_17012020.pdf

2.2 TRAI has issued direction to all Access Service Providers to comply various provisions of TCCCPR regulation, 2018:

TCCCPR Regulation, 2018 has various provisions related to header registration before starting any commercial communications. The regulation have also certain code of practice to be developed by Access providers before allowing any commercial communication through its network.

The Authority observed no significance progress has been made by Access Provider in complying the regulations in this regard. Therefore, Authority issued a direction dated 20th January 2020 to comply with various provision of regulation and report compliance to the Authority.

2.3 TRAI has withdrawn earlier directions through directions dated 02.01.2020:

In the year 2012, DoT issued instructions to all International Long Distance Service Providers and National Long Distance Service Providers, all Internet Service Providers, Basic Service Licensees, CMTS, UASL, UL & UL(VNO) Licensees including BSNL and MTNL on implementation of Green Technologies in Telecom Sector and directed to declare the Carbon Footprint of their network operations to TRAI. Accordingly, TRAI issued Directions dated 14.11.2013 and 18.11.2013 to comply with the instructions of DoT.

Subsequently, in pursuance of DoT's communication dated 23.11.2015, the Authority issued Recommendations on "Approach towards Sustainable Telecommunications" on 23.10.2017, to achieve the objectives of Green Telecom and reduce the carbon footprint in the telecom sector. Government considered the said recommendations of TRAI and accordingly DoT issued necessary instruction to Service Providers and also for reporting the Carbon Footprint of their network operation to DGT Wing of DoT in the proforma as per Annexure attached therein.

Therefore, the Authority withdrawn its directions dated 14.11.2013 and 18.11.2013.

3. Consultation Papers

3.1 TRAI issued Consultation Paper on 'Traffic Management Practices (TMPs) and Multi-Stakeholder Body for Net Neutrality' on 2nd January 2020 for seeking the comments of the stakeholders:

This consultation paper deliberates following issues:

- To deliberate the issues related to traffic management practices and the Multi Stake Holder body for Net Neutrality.

- Various challenges in measurement of internet traffic and compilation of reasonable traffic management practices.
- Establishment of a framework to formulate TMPs.
- Issues related to composition, function, Governance Structure of various multi-stakeholder body.
- The last date for written comments by stakeholders was 30th January 2020 and counter comments, if any, was 13th February 2020.



https://main.trai.gov.in/sites/default/files/CP_02012020.pdf

3.2 Consultation Paper on "Provision of Cellular backhaul connectivity via Satellite through VSAT under commercial VSAT CUG Service Authorization"

Department of Telecommunications (DoT), through its letter dated 13th August 2019 has requested TRAI to furnish recommendations on terms and conditions of Unified License and Unified License VNO agreement for permitting backhaul links for mobile network via satellite through VSAT under the terms of Telecom Regulatory Authority of India Act, 1997 (as amended). DoT has stated that there exists a requirement for utilizing VSAT capabilities and allowing cellular backhaul for connecting BTS/Mobile network in far flung areas under Commercial VSAT CUG Service License to enhance provisioning of internet and voice services in the hitherto uncovered areas.

In this regard, a Consultation Paper on "Provision of Cellular backhaul connectivity via Satellite through VSAT under commercial VSAT CUG Service Authorization" was released on 29th January 2020 seeking inputs from the stakeholders.



https://main.trai.gov.in/sites/default/files/CP_29012020.pdf

4. Open House Discussion

4.1. As Open House Discussion (OHD) on the Consultation Paper on “Developing a unified numbering plan for fixed line and mobile services” was conducted on 16.01.2020 at TRAI, Headquarter, New Delhi.

Telecom Regulatory Authority of India (TRAI) conducted an Open House Discussion was held on 16.01.2020 on the Consultation Paper on “Developing a unified numbering plan for fixed line and mobile services”.



4.2 OHD on Consultation on ‘OHD on Consultation paper on Interoperability of Set Top Box:

An Open House Discussion (OHD) on Consultation Paper on Interoperability of Set Top Box was held on 29th January 2020 at TRAI Headquarter, New Delhi.

5. Seminar

5.1 TRAI conducted Seminar on “Enabling 5G of India” held on 24.01.2020 at Indore (MP):

TRAI organized a seminar on “Enabling 5G of India” held on 24.01.2020 at Hotel Amar Vilas, Chandra Nagar, A.B. Road, Indore (MP).

2. The seminar was attended by Senior officers of TRAI, Department of Telecom, research scholars from Indian Institute of Technology (IIT), Indore, Telecom Service Providers, Consumer Advocacy Groups, academia and consumers.

3. Sri. U K Srivastava, Pr. Advisor, TRAI delivered keynote address on the occasion. This seminar is aimed at discussing the latest developments for mobile communication technology - 5G, various use cases, network architecture, spectrum requirements, policy framework, regulatory challenges and investment related issues in India. Various presentation and discussion had done by the subject matter expert from academia, Industry and Government officials



Seminar on “Enabling 5G of India” held on 24.01.2020 at Indore (MP)

6. Workshop

Telecom Regulatory Authority of India organised Regional Workshop on Capacity Building of Consumer Advocacy Groups (CAGs) at Rameswaram (Tamilnadu) for capacity development of CAGs, Telecom Service Providers (TSPs) and other stakeholders. The Regional Workshop has been attended by the representatives of Telecom Service Providers and Consumer Advocacy Groups of Karnataka, Kerala and Tamilnadu. During the workshop the participants discussed various initiatives taken by TRAI in recent times to protect the interest of telecom Consumers.

In this workshop CAGs have shared information about their organisational efforts in creating awareness of telecom consumers, participation in various consumer educational activities and resolution of appeals. Telecom Service Providers (TSPs) have explained the participants about the steps taken by them towards consumer protection and grievance redressal, measures taken towards enhancing consumer education, various mobile apps developed for increased accessibility.



7. Other Information

7.1 Telecom Subscription Data as on 30th November 2019.

Particulars	Wireless	Wireline	Total (Wireless + Wireline)
Urban Telephone subscribers (Millions)	647.33	18.66	665.99
Rural Telephone subscribers (Millions)	507.26	2.63	509.89
Total Telephone subscribers (Millions)	1154.59	21.29	1175.88
Overall Tele-density (%)	87.29	1.61	88.90
Share of Urban Subscription (%)	56.07%	87.63%	56.64%
Share of Rural Subscription (%)	43.93%	12.37%	43.36%
No. of Broadband Subscribers (Million)	642.14	19.13	661.27

Active wireless subscribers on the date of Peak VLR in November 2019 were 979.09 million.

In the month of November 2019, 4.88 million subscriber requests were made for MNP. Till the end of November 2019, a total of 466.62 million consumers have availed MNP facility since its implementation.

7.2 Press Release on Extension of time for receiving comments on Consultation paper on “Tariff Issues of Telecom Services”.

A consultation paper on “Tariff Issues of Telecom Services” was issued on 17th December 2019 inviting comments from the stakeholders by 28th February 2020 and Counter comments by 13th March 2020.

7.3 Press Release on Extension of time for receiving comments on Consultation paper on “Transparency in Publishing of Tariff Offers”.

A consultation paper on “Transparency in Publishing of Tariff Offers” was issued on 27th November 2019 inviting comments from the stakeholders by 7th February 2020 and Counter comments by 21st February 2020.

8. Events

8.1 The following Consumer Outreach Programmes were organised during the month of January 2020

S.No.	Place	Date
1	Khajuraho (Chhatarpur)	08.01.2020
2	Ambala (Haryana)	09.01.2020
3	Jhunjhunu (Rajasthan)	23.01.2020
4	Bihar, Nalanda	23.01.2020
5	Noida (U.P.)	31.01.2020

PHOTO GALLERY



CoP at Khajuraho (Chhatarpur) held on 08.01.2020



CoP at Ambala (Haryana) held on 09.01.2020



CoP at Jhunjhunu (Rajasthan) held on 23.01.2020



CoP at Bihar, Nalanda held on 23.01.2020



CoP at Noida (Uttar Pradesh) held on 31.01.2020

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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