Confederation of Indian Industry

CII Response to the TRAI Consultation Paper on Ease of Doing Business in Telecom and Broadcasting Sector

9-Feb-2022

Introduction

Ensuring ease of doing business is one of the key initiatives our government has embarked upon and is pursuing aggressively. EoDB is directly linked to brining efficiencies, predictability, building competitiveness, ensuring speed of approvals and innovation. A business environment which is built on ensuring EoDB if implemented will result in GDP growth, more jobs, investments and transforming economy.

Keeping the above in view, the policies should be carved out. The approval process should not be seen in isolation. Instead, this should be viewed from the perspective of larger benefit it will accrue to the economy.

While numerous compliance obligations have been removed and few introduced one thing which has not changed is the unpredictability of timelines. There is no certainty attached as to when an application will be approved.

<u>There is an urgent need for prescribing a predictable and definitive time frame for approvals / clearances like BIS, WPC etc.</u>

The delay in grant of timely approvals has become a critical issue impacting the ease of doing business. The current process of obtaining prior approval has proved to be extensively time consuming. There have been continued inordinate delays in obtaining approvals. This delay is a barrier in efficiently operating the business and creating uncertainty. The existing process to be made more transparent and responsive from timelines perspective.

There is an urgent need to reform the timelines for a stable and predictable policy compliance environment. There is no prescribed timelines and the approvals which were earlier granted in a week now take more than a month. There is a need to define specific timelines in the approval process. Delay in grant of approvals severely impact ability of companies to roll out products in a timely manner. The delay impedes the ability to operate in the market efficiently.

Q1. **Whether the present system of licenses/permissions/registrations mentioned in para no. 2.40 or any other permissions granted by MIB, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:**

a. Simple, online and well-defined processes
b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
c. Precise and well-documented timelines along with the possibility of deemed approval

> **d. Well-defined and time bound query system in place**
> **e. Seamless integration and approvals across various ministries/departments with the end-to-end online system**
> **f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of license/permission/registration**
>
> **Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.**

It is our submission that the present system of seeking licenses/permissions/approvals, in present digital age, is very ponderous and time-consuming, often leading to delayed approvals. What is more, there seems to be a heavy reliance on a manual /physical approach for almost each and every approval process. This, too, takes time and makes the approval process less efficient.

Therefore, considering the points *a to f* raised under this question, **we suggest adopting the following measures to make the procedures and processes of the MIB more efficient and streamlined**:

- Though the Ministry has taken steps such as introducing **"The Broadcast Seva" portal**, the same has not been made operational for the DTH sector and thus its implementation is awaited eagerly by the sector. We recommend this be **fast tracked immediately**.
- The **entire process at each level should be time bound with clearly specified time frame** and such timelines and status of the application should be available online with a tentative date of expected approval.
- All applications and **final approvals should be completely online** and downloadable.
- Application should be made available in a simple prescribed format and attached documents in check list format for grant of permission of licenses.
- The specific stages of 'Status of Application' should be available at all times on the online portal. This would help bring transparency to the process.
- The attachment size should be made flexible. In the past, we have been unable to submit applications because of the rigidity of the attachment size.
- **No physical submission of documents** should be required in the approval process including approval process moving from any one department to another department.
- Auto mail intimation to applicant as well as all concerned departments should be in place for any approvals, rejection, resolution, etc. of application and/ query.

- The digital signature should be endorsed and accepted by the Portal.
- The issuance of license and approvals should be time bound.

To introduce a truly effective and meaningful online "single window" process wherein all relevant documents and fees can be uploaded, and the permission be issued online in a time-bound manner, would make the process truly effective.

Q2. Whether the present system of licenses/permissions/registrations mentioned in para no. 3.81 or any other permissions granted by DoT requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
1. **Simple, online, and well-defined processes**
2. **Simple application format with a need to review of archaic fields, information, and online submission of documents if any**
3. **Precise and well-documented timelines along with the possibility of deemed approval**
4. **Well-defined and time bound query system in place**
5. **Seamless integration and approvals across various ministries/ departments with the end-to-end online system**
6. **Procedure, timelines, and online system of notice/appeal for rejection/cancellation of license/permission/registration**

Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.

The current timeline provided granting a UL/UL(VNO) license is up to 120 days. We request the following:
1. The DOT has a dedicated portal for submitting applications. Currently, there are only three stages that are visible for an applicant
a. Submitted
b. Under Process
c. Completed
2. It is recommended that the stagewise approvals/comments are recorded on the site it will be more transparent and easier to monitor
3. It would also be beneficial if the inter-departmental movement of the request can be traced

4. The entire process should have a guaranteed turnaround time (TAT), including stagewise TAT

A. <u>Numbering resources allocation:</u>

We support the introduction of an online, automated allocation of numbering resources (Fixed-Line, Mobile, M2M) using the number management system software to speed up the process of allocation, making it both efficient and transparent.

We agree with TRAI that the allocation process should be automated and handled by DoT. At present, there are no timelines and in certain instances the administrative approvals for allocation of number resources takes a considerable amount of time. A time-bound process for allocation of numbering resources should be framed.

B. <u>Security Audits conducted by TERM Cells:</u>

Currently, the **TERM cell of each LSA conducts annual security audits to check the compliance** of the licensee with Security Conditions as prescribed in the license. Each circle level audit covers the complete list of security conditions, irrespective of whether a particular compliance is managed by a licensee at central or circle level.

TSPs now have centralized most of their operations including network and security management (e.g. using Central Network Operations Centers or NOCs). This has helped TSPs achieve operational efficiency and effectiveness by optimizing resources and rapidly adopting best practices across India.

DoT too has recognized the centralization (in operations of TSPs) in its license amendment and allowed access service licensees to install networks and switch anywhere within India.

However, the benefits of this centralization and efficiency in terms of operations of TSPs do not reflect in the way audits are carried out. The TERM cells still conduct security audits at circle/LSA level (for each and every compliance) despite the fact that **over 90% of the processes audited in the circle are being managed at central level.** As a result, the same central teams of operators are required to be present in the security audits conducted by each TERM Cell to explain the same artefacts.

This results in a huge wastage of resources both at DoT and TSP level.

Recommendation:

The security processes that are managed centrally (i.e., over 90% of the total processes) should be audited at a central level while the TERM cells can audit the rest, such as physical assets at the circle level. This will ensure

security audit related compliances by DoT, while doing away with the duplication of effort at the DoT and TSP end.

C. Annual License Inspection:

Each TERM cell conducts an annual inspection of the various licenses (Access, ISP, NLD/ILD) at circle level. The objective of these annual inspections is to assess the compliance of the licensee on the basis of filled inspection forms and data provided. In effect, DoT and TSPs have to provide the same information to all TERM cells for their respective license inspections twice over.

Moreover, similar to security audits, most of the data/information sought during the inspections can be provided by the central offices of TSPs (common for all the circles) and in a digital form.

Recommendation:

Similar to security audits, the license inspections (Access, ISP, NLD/ILD etc.) should be conducted at central level as most of the processes are being managed by TSPs at the central level.

Only circle specific data to be considered for inspections at LSA level to make the process effective and efficient for both TSPs and DoT. This would be a major step towards easing the compliance requirement without compromising the scope of such inspections.

We also suggest that data should be required to be provided only in online mode for these inspections.

D. Software Updates:

As per the clause 39.9 in the Unified License, all the major software updates conducted in the network have to be informed, within 15 days, to the licensor:

39.9 (iv) Keep a record of all the software updating and changes. The major updating and changes should also be informed to Licensor within 15 days of completion of such updating and changes.

The above condition in the UL creates huge challenges operationally for the TSPs, since they have to regularly update software to optimize the functioning of various network elements like RAN, Core, MSC/IMS, IN. It is notable that this license does not require the licensee to inform the licensor about the installation of a new network node. In other word, all this license clause achieves is to place an onerous and unnecessary requirement on the licensee by mandating that every major software change taking place in the network node be relayed to the licensor.

Recommendation:

The licensing conditions already put the onus of ensuring security of the networks on the TSPs and hence it is their responsibility to ensure that any updates on the existing software doesn't impact the functionality of the elements in the existing live network. Therefore, we believe that **the requirement of informing the licensor about software updates be done away with.**

E. **FDI compliances:**

As per Clause 1.2 of the Unified License

"*The Licensee shall declare the Indian & Foreign equity structure (both direct and in-direct) in the Licensee company and submit a compliance report regarding compliance of FDI norms and security conditions on 1st day of January and 1st day of July of every year to the Licensor in Proforma as may be prescribed from time to time. This is to be certified by Company Secretary or Statutory Auditor, countersigned by duly authorized Director of the Licensee Company.*"

TSPs submit this compliance on a bi-annual basis. This requires submission of shareholding pattern and paid up capital information along with compliances for various security conditions for each license holding.

Considering even listed companies take a significant amount of time to prepare such shareholding certificates and paid up capital certifications, TSPs, should be given adequate time (minimum 30 working days) to submit these compliances and should have to do so only once a year. Furthermore, they should be able to make these submissions online so as to ease the whole process.

Recommendation:

In view of the liberalization of FDI norms in the sector, we submit that the requirement of submitting FDI compliance should be changed to an annual basis to reduce the compliance burden on TSPs.

F. **Time-Bound approach on MW allocations**

As per Clause 8.4 of the **Unified License Guidelines**,

"…*the resources, coverage test certificates issued to existing licenses as a part of compliances to rollout obligations, extant permissions for deployments of foreign nationals and the service authorizations already granted to existing licenses whose licenses have expired or expiring in future, except the spectrum won in auctions, will be re-assigned/revalidated to the respective authorisations under new unified license for that service areas unless any specific situations*"

requires a review. This shall be subject to realization of charges/fees for each resource as applicable in conformity with the extant guidelines/ instructions"

"Resources shall mean MCC, MNC, Access codes, SPC, LRN, Telemarketers numbers and frequency of microwave backhaul, VSAT clearances from NOCC, Frequencies for satellite-based service, SACFA clearances and other administratively assigned frequencies."

While at the time of renewal of the telecom license, the above resources are automatically transferred/re-assigned to the new License, upon expiry of their existing license, in order to maintain business continuity, a similar approach is not followed/adhered to for the microwave backhaul allocations. For revalidation of MWA carriers, TSPs have to approach the WPC again and revalidate their MW carriers. Such requests remain pending with the WPC for many months.

Meanwhile, RLOs have indicated to TSPs that a **reassignment/revalidation of microwave carriers from WPC is required for the import** of MW equipment and until that is obtained **the import license** for the microwave radios will remain temporarily on hold. This not only causes distress in terms of **arranging replacements for faulty equipment in the TSPs' existing network, it also severely affects the network expansion in various circles.**

This requirement exists despite the fact that the revalidation/reassignment of MWA carriers is merely an administrative exercise once the TSPs have fulfilled the requisite compliance.

Recommendation:

Upon renewal of a license, WPC should automatically re-assign the MW backhaul spectrum as per the Unified License requirement in line with the automatic re-assignment of other resources.

> **Q3. What are the issues being faced in the existing processes of granting registration to IP-I providers? Identify and suggest measures to address the same.**
>
> **AND**
>
> **Q4. What measures should be taken to promote small and medium telecom infrastructure providers with ownership of the network created by them for maintaining the quality of services?**

Currently, Registration for IP-I is to be applied offline despite the fact DoT has progressively migrated the applications for other licenses to online mode through Saral Sanchar portal. Therefore, t**he Registration of IP-1 companies should also be made online by DoT** through a simple interface/process as done for other licenses.

> **Q5. Please provide your response with suggestions to improve the present system of operations and maintenance of the undersea cable network in respect of:**
> **a. What procedure should be followed to facilitate O&M agencies for smooth operations and maintenance of undersea cables/cable networks and restoration of faults within a definite timeline?**
> **b. What additional support is needed in terms of import and export of equipment, measurement tools and accessories etc., vessel conversion and various other clearances for expediting repair and operations of submarine cables by ship/vessel at cable landing station within Indian maritime zones?**

Repair and maintenance of submarine cables is a highly sophisticated job and requires technical expertise. Special cable repair equipment fitted vessels are required for undertaking such repairs.

However, such resources are currently not available in India. As a result, the Indian operators managing the submarine cable networks are dependent on foreign entities (foreign cable repair & maintenance ships) for undertaking such activities. As both ship/ vessel and its crew are from outside the country, the Service Providers and Cable maintenance agencies are required to procure multiple permits prior to carrying out repair and maintenance work on the submarine cables within the Indian maritime zones.

The problem with the existing process of obtaining these permits is that permissions have to be sought from multiple authorities which consumes substantial amounts of time (some times as much as 3 to 6 months) and effort. Moreover, the processes are such that there are no fixed timelines for getting these approvals. This adds to the lead time for undertaking repairs on the submarine cables and is often detrimental to the Internet/IPLC traffic restoration.

In most Southeast Asian countries, permits are obtained within 1 - 3 weeks' time and the same should be the case in India.

In order to facilitate O&M agencies for smooth operations and maintenance of undersea cables/cable networks and restoration of faults, we recommend the following:

1. **A single window clearance should be instituted for applying for permits.** This will significantly reduce the turnaround times and ease out the overall effort that TSPs and O&M agencies have to put in to procure these permissions. To the extent possible, the application for all these clearances should be made "on-line" with pre-defined timelines so that the permits are issued in a time-bound manner.

2. Since cable maintenance agencies need to be continually engaged for the upkeep of undersea cables/cable networks and restoration of faults, **a mechanism should be created whereby the maintenance agency is given the permit for a longer duration with auto-renewal facility.** The TSP/ agency should only be required to notify and seek approvals for any changes occurred thereafter, on an on-going basis.

3. For a typical cable repair job there are a total of 11 permits/ approval required. It is important to **consider pre-approval for a few of these permits so that the Telecom service provider can get only essential approvals/permits at the time of repair**. This will help in minimizing the time taken in restoring any fault on the cable, and reduce the impact on telecom services.

4. **Other than Naval clearance/ Customs/ONGC clearance at the port, all other permits should be made "pre-permit"** and operators should be allowed to obtain them well in advance for longer durations. Naval and Customs clearance typically takes a week to complete. Therefore, in order to save time, the ONGC clearance being an operational clearance could also be obtained in parallel. At present, it happens only once the Naval and Customs clearance has been completed. Additionally, **ONGC should be advised to give clearance within a week of the date of application.**

5. An **SPL (Specified Period License) has to be obtained from DG shipping.** However, presently there are no Indian flagged vessels available. Therefore, **we suggest waiving the requirement** for this permit until such time as we have an Indian flag vessel available for this work.

6. In addition, there is a big concern related to high cable cut incidents due to fishing activity in the Indian territorial waters. Almost all the cuts in the EEZ zone happen

due to such activities. Presently we don't have any coordination with the Fishery department / communities and thus recommend:

- Guidelines are issued so that a channel for information sharing is established between operators and fishing entities, where-in they are informed about submarine cable routes.
- **Cable routes are demarked as no fishing zones** and RPLs (Route Position Locator – Coordinates details) can be shared by TSPS for this purpose.
- Accountability to be fixed in case damage is caused to cables due to the negligence of some entity as the cost and effort for restoration are considerable,

7. International traffic being carried by these cables gets impacted if we have delays in operation & maintenance. The tools and machinery including the vessel for a "sub-marine cable installation and repairs" are of a specific configuration, an exemption in custom formalities is required, more so, because the import and export being a very complex procedure and time consuming.

8. The vessel being very specific and distinctive will always move out of Indian waters once the repair /installation is completed. Therefore, the Indian Customs should waive the requirement of importation of vessel and the customs duty, if any, should only be applicable on the consumed items used for repairs in the Indian waters.

9. **Vessel conversion (from international run to costal run) should not be required** and this requirement should be exempted as the vessel's stay in Indian territorial waters is limited.

10. **Applicability of GST also needs clear exemption**, as no such value added taxes are being imposed in any other country in its territorial/EEZ waters.

11. **The Indian Customs Department should not extend the Indian territorial water limits from 12 nautical miles to 200.** Almost 100% of all cable repairs occur within 150 Kms of the shore end in the EEZ waters. Across the globe, customs are not applicable in EEZ waters. An extension of Indian territorial water limits from 12 nautical miles to 200 nautical miles by the Indian Customs department will therefore be detrimental for all cable repairs.

Q6. Please suggest changes needed to simplify the following clearance/ permit procedures by various Government Authorities:
   a. **In-transit permits**
   b. **Pre-repair permits**
   c. **Post-repair permits**
Provide your suggestions for each activity separately.

a. In-transit permits

Since the vessel in question has come into Indian waters for a specific purpose and period, it will leave as soon as its task is completed. It therefore would make sense to **consider the vessel engaged in cable repair operation as a vessel "In-Transit" so that permit requirements can be kept to a minimum**.

b. Pre-repair permits

As per the present arrangement, online applications for seeking MoD and MHA permissions are routed through DoT. However, timelines for issuing such permissions haven't been prescribed and operators have no fair estimate as to when such approvals are forthcoming.

The time taken in providing the clearances needs to be aligned with the needs of the industry as the repairs are required to be attended to in the shortest possible time and through a process that also supports quick approvals in case of emergencies.

The entire process should be streamlined and the timelines defined for each stakeholder, so that the applications are processed at their end in a time bound manner. The online portal could also be refined and be made more user friendly, introducing some enabling features that help in reducing the efforts that presently go into submitting these applications. **Some suggestions for simplification:**

- This being a routine and on-going event, where each operator has to submit applications periodically, it would speed matters up if **timelines & procedures are shortened and well defined** so that applications were cleared as quickly and efficiently as possible.

- **MHA and MoD clearances should be issued as pre-permits for at least 1 year with an auto-renewal facility.** The TSP should only be required to notify and seek approvals for changes that may have occurred thereafter, on an on-going basis.

- Though the MoD & MHA application process has moved online since the past year, the portal doesn't support bulk uploading. This makes the entire process time consuming and cumbersome. MHA applications, for instance, require multiple details of each crew member (up to 350 members) to be manually filled in the online forms along with uploading the documents necessary. This entire exercise could be simplified by way of providing a feature on the MHA portal, especially for the TSPs (as the number of applications are quite high), that supports bulk uploading instead of having manual entries.

- Similarly, for the MoD portal, a feature is required which supports bulk uploading of Ship and other details/ documents that are required as per the online form. This will help immensely in simplifying the entire application process and do away with the requirement of manual entries.

- At the time of submitting applications for renewal, service providers are required to fill in the details all over again for each crew member and the Ships on the respective portals. There is no feature which supports seeking renewals for the already existing permits, where the details could be pre-fetched based on the already available data. This feature could be very useful and will significantly reduce time and efforts while also simplifying the entire renewal process.

c. Post-repair permits

Any operator engaged in the repair of their submarine cable has to take an NOC from the ONGC due to the perceived threat of damage to their installations. Post repair, ONGC should give the clearance within a fixed timeframe. At present, the entire process is open-ended and no timelines are fixed.

A process may also be defined where the Operator could report the completion of the work to the Naval and Customs departments for their records.

Q7. Please provide your response with proper justification to improve the present system of EMF radiation compliance in terms of:
  a. Relevance of EMF radiation audit and its impact for quick roll out of the network
  b. Measures to safeguard public interest and building confidence in public against propaganda of hazardous EMF radiations in field
  c. Issues being faced in the existing processes related to the self-certification, audit and penalty scheme of EMF radiation compliance process on Tarang Sanchar portal.

The objective of EMF radiation norms is to ensure that public health is not affected by the radiations emanating out of Base Stations.

Based on the recommendations of the Inter-Ministerial Committee (IMC), the norms for exposure limit for the Radio Frequency Field (Base Station Emissions) have been made even more stringent and reduced to 1/10th of the limits prescribed by the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

DoT and the TSPs in partnership have created the National EMF Portal (NEP) where all the relevant details of the site including radiation are updated by the TSPs. This updation process, however, is extremely complex and has a lot of elements which have no correlation to the objective. A few examples are given below:

- For every site, TSPs are expected to update panoramic photos, site layouts, North Direction markings, photos of signages, location of towers and generators. These requirements have no relevance to the EMF radiation norms.

- While NEP ensures that radiation norms cannot be breached even at a multi-tenancy site, if even one TSP upgrades the site, all the other TSPs, even those not modifying anything, are mandated to submit self-certificates in addition to the upgrading TSP.

- Although to the best of our knowledge, there has been no violation or radiation breach, penalties for non-compliance on missed north marking, panoramic photo unavailability / repeat, continue to be issued, even though these are purely procedural issues.

In view of the above, DoT should review the entire process of the present system of EMF radiation compliance and consider the following modifications:

- **Self-certification requirements should be done away** with, given that all required information is available on the Tarang Sanchar portal.
- **Audits should be conducted by the DoT LSA units without burdening TSPs with testing fees** because the LSA units require manpower/expertise, equipment for testing, etc. Still, if required, TSP shall aid with access to site/technical support.
- **At present, up to 10% of BTS in an LSA are prescribed for audit, this percentage should be reduced to <3%, with flexibility to audit to audit more in case of concern/ complaints etc.**
- **All mandates to update panoramic photos, site layouts, North Direction markings, locations of towers & generators on the site should be removed**.
- DoT LSA units should restrict Audit to identify issues on radiation beyond prescribed benchmark. Any other procedural error such as erroneous entry in date etc. should be informed to TSP for resolution / correction within reasonable time.
- **Penalties should not be levied on technical grounds but only for cases that exceed prescribed thresholds (for EMF).** There are various technical

parameters which do not affect the EMF limits. No penalty should be levied on such parameters as correction of these is an administrative effort and, as stated, they in no way affect EMF limits.

> **8. What mechanism do you think should be followed in DoT to facilitate investors in exploring possibilities of business opportunities in the field of telecom? Provide your comments with justifications. Also, provide best international practices and adoption of new technologies for various processes and suggested process flow that could be adopted for further facilitating ease of doing business in India.**

The TSPs are already at forefront of technology innovation to serve the customers with latest technologies and services. Since the DoT and TSPs are already members of international bodies such as ITU, GSMA among others, the technological innovation and collaboration are already in place.

Simplified processes and steps should be clearly mapped on an online dashboard that should be made available on the DoT website for all investors anywhere in the world, should they choose to take a look and make an informed decision to invest in India, including in the region(s).
The website and its sections should be simple to navigate, to gather necessary information from and to apply for any service / license/ authorization including the major obligations categories, if any.

Key technical and financial indicators of the telecom industry, duly analyzed, should be regularly put-up on the DoT website.

Q9. Whether the present system of licenses/clearances/certificates mentioned in para no. 3.94 or any other permissions granted by WPC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)?
if yes, what steps are required to be taken in terms of:
a. Simple, online and well-defined processes

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

c. Precise and well-documented timelines along with the possibility of deemed approval

d. Well-defined and time bound query system in place

e. Seamless integration and approvals across various ministries/departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of license/clearance/certificate

Give your suggestions with justification for each license/ clearance/certificate separately with detailed reasons along with examples of best practices if any.

<u>**Saral Sanchar:**</u>

A simplified online process through the Saral Sanchar Portal has been made effective recently. We believe that a few other enhancements are also under correction at WPC. Nevertheless, **the following key areas may still be reviewed holistically and accordingly improvised:**

a. **Despite the simplification, as many as ~ 40% of the sites have to undergo SACFA approval, yet there is no timeframe defined for the approvals of such sites**. Based on previous experience, so long as there is no stated minimum period, sites could remain pending approval for years together. We have shared a list of such sites numerous times with DoT but to no avail and the sites on the list have been pending approval for the past year. Other than regular sites, no consideration is given to sites required for MRO and USOF**. This needs to be rectified or the associated penalties/ LD charges should not be levied on TSPs.**

b. **At present, operators apply for separate SACFA clearance on an existing tower at the same location on the basis of access frequencies** allocated in different frequency bands as well as technology chosen by operators to provide wireless services. **We propose that for a given site location, SACFA should be required to be obtained only once,** since the frequency allocation is in any case provided by WPC. If required if new frequency is added, the same can be intimated as self-certification to WPC.

c. Our understanding was that the SACFA clearance was introduced under the additional antenna category to bridge the gap between frequency assignments and the grant of a Wireless Operating License (WOL). DoT vide Unified License Amendment dated 02.11.2016 has done away with the requirement to obtain WOL against the Access frequencies assigned to TSPs under the Unified License with an authorization of Access services. **After amending the licensing condition regarding WOL as above, the requirement for the SACFA re-application for an already-cleared site under the additional antenna category by TSPs for Access Frequency bands does not hold merit and needs to be relooked at on an immediate basis.**

d. With the proliferation of data services, the requirement of data connectivity demand has increased tremendously. To cope with the growing requirements, telecom service providers are deploying state-of-the-art network using low power micro cell/small cell sites (LPBTs) for providing ubiquitous coverage to those of their subscribers who are using access frequencies assigned to them. These LPBTs operate in licensed access frequency bands and are primarily deployed in existing establishments like residences, institutions, electricity poles, flyovers, foot over

bridges, street light poles, advertisement hoardings, etc. with a restricted height for network coverage requirements. LPBTs, i.e., micro cell / small cell deployments seem to cause neither aviation hazards nor interference.

Further, as these micro cell/small cell sites are being deployed in a significant quantum and at various location categories, the SACFA applications and clearances for such sites will be complicated and cumbersome for both service providers and the WPC. This will also hinder the faster rollout of micro cells/small cells which are required for deeper penetration of network, reduction in call drop and improvement in Quality of Services. This needs to be looked into as soon as possible. DoT has also exempted LPBTs, i.e., small cells from EMF testing compliances vide their letter number 800-15/2010-VAS dated 31st March 2016 regarding SAC for EMF Compliance of Low Power Base Transceiver Stations.

In view of the above, we request the DoT to make the following changes:

1. **Timelines for according approval should be defined for sites requiring clearance.**

   o Sites undergoing approval should be approved in a maximum of 45 days and all queries should be raised within the first 15 days of application. Similarly, if a query is raised it should be responded to within 15 days and the response approved within the next 15-30 days.
   o If the site is not approved by the appropriate ministry within the prescribed time limit, the portal shall provide a provisional certificate.
   o Before any rejection, appropriate concerns shall be shared for resolution and in case resolved, approval shall be given. In case the concern cannot be resolved, the site may be rejected and necessary instructions passed on for removal of the site.

2. **Only one SACFA clearance for a site/tower for multi band / multi technology deployment by a TSP for providing wireless services should be required.**

3. **LPBTs should be made exempt from such requirements.**

Teleports:

From the perspective of Teleports, for the permissions granted by WPC, we request that the following suggestions be considered and incorporated into the existing processes of permissions:

1. **Review and update Channel de-boarding process:**

i. All the TV channels are being uplinked from the teleports only post procuring the MIB permission and endorsement of the channel by the WPC wing of DoT on Operating licenses for respective teleport hubs.

ii. In order to use the teleport bandwidth for up-linking a channel, the channel owner needs to pay certain charges to the Teleport as per mutually agreed terms and conditions. There are some instances in the recent past, where channel owners have defaulted in the payment and kept on utilizing the teleport bandwidth without paying for the same.

iii. As per the office memorandum dated 1st August 2012 issued by WPC, a permission letter from MIB and request from TV channel owner for deletion of the TV channel is a must for de-endorsement of the particular TV channel from the teleport license by WPC. In the aforesaid cases, the TV channels intentionally refused to issue any such request letter, thereby ensuring that they remained endorsed on the teleport operating license and continued to utilize the bandwidth. In such cases, the WPC also refuses to endorse any new or additional channels on the teleport license as the same does not have the required bandwidth to accommodate the same.

iv. All Teleport operators have been allocated a limited bandwidth by WPC on the teleport hub and can accommodate only a limited number of TV channels. The TV channels defaulting in terms of payments is causing a financial loss to the Teleport operator as no revenue is being received from these channels. Further, these channels also occupy a significant amount of bandwidth which is restricting the inclusion of new additional channels on account of bandwidth constraints which add to the financial losses. These financial losses severely impact the techno-commercial decisions and processes related to the teleport business.

v. **Considering the above, it is proposed that teleport operators should be allowed to discontinue TV channels which do not make the necessary payments even after serving notices from up-linking.** In such cases, no consent from the TV channel operator should be required for the aforesaid discontinuation. Teleport operators should also be allowed to allocate the bandwidth of the discontinued channels to new/additional channels to meet their business requirements.

   2. **Dispense with requirement for obtaining permission for a standby Antenna in Teleport Hub:**

   i. As a part of our business continuity, we need to have a standby antenna to mitigate the risk of main antenna system failure. As per WPC, a Teleport Operator is required to obtain an additional permission / approval for setting up a standby antenna to support the main antenna of the existing Teleport Hub.

3. **Remove requirement for prior permission before effecting change in CEO/BoD:**

i.   As per Clause 5.10 of the Uplinking Guidelines, it is obligatory on the part of the company to take prior permission from the Ministry of Information & Broadcasting before effecting any change in the CEO / Board of Directors.

ii. It is submitted that the position of CEO / Board of Directors is a very senior and dynamic position and the requirement of obtaining prior permission from MIB before making any such change forces the company to be non-compliant with the license conditions as it takes substantial time to find suitable replacements at this level. **Thus, the requirement of prior permission from MIB before effecting any change in the CEO / Board of Directors of the company should be relaxed.**

iii. Such a requirement also does not exist in the case of other Telecom Licenses and this clause of Uplinking Guidelines for Teleport services should be kept at par with other telecom licenses.

4.   Teleport License to be made available Online- Make available status of application online with tentative date of expected approval. **The Teleport Operating license with updated endorsed channels should also be made available online.**

5.   Permissions for TV Channels to be made available online- For each TV Channel Endorsement/De-endorsement permission should be available online for download.

6.   **The WPC permission issued to teleports should be valid for 10 years**. In case WPC permissions have been issued for a transponder on a certain frequency for a new channel, any additional channel applications by the same applicant on the same transponder and frequency should not necessitate a fresh WPC permission. The WPC should merely expect to be informed with respect to such additional channels.

7.   It is suggested that the validity of the permission/approval issued by DoS for use of satellite and transponder be same as the uplink and downlink permission for TV channel issued by MIB. The Uplink Downlink permission issued by MIB is valid for a period of 10 years whereas the validity of the DoS permission/approval is valid for 3 years.

8. No DOS permission should be required for individual channels for the foreign satellites which are already permitted & coordinated with ISRO.

   Currently minimum BW for endorsement of SD channel is 1.5Mbps & for HD channel is 5Mbps which needs to be revised for better bandwidth utilization. We recommend not to have any minimum bandwidth requirement for endorsement of TV channels on Teleport Operating License and let the system decide the bandwidth allocation. Considering the latest technological developments which includes very effective statistical multiplexing, bandwidth allocation is done dynamically based the need of the content. The fast-moving contents are dynamically allocated more bandwidth while static content is allocated less bandwidth. The dynamic allocation of bandwidth based the content requirement will help in optimizing the available bandwidth in better way and result in adding more channels in available capacity.

9. Status of all queries should be available online with a tentative date of closure.

10. A single window system that is integrated with all other required departments like MIB, WPC & NOCC, etc. should be instituted.

11. Any channel permission cancellation by MIB should directly flow to WPC and the channel should get de-endorsed automatically instead of the Teleport Operator having to apply separately for the de-endorsement.

12. Auto mail intimation to applicant as well as all concerned departments should be put in place for all approvals, rejections, resolutions, etc. of applications and queries.

WPC ETA approval delays from DoT for BIS CRS products
There are certain products which are exempted from import licensing requirements as per EXIM policy of DGFT AND operate in de-licensed frequency bands such as Bluetooth, Wi-Fi, NFC etc. These require Wireless and Planning Co-ordination Cell (WPC) approval called "ETA (Equipment Type Approval) through self -certification" under a process instituted in 2018. This is for speedy faceless approvals through an online portal which was very efficient. Since February 2020, WPC approval timelines changed from one week to several weeks and no expected Turn Around Time (TAT). This has started impacting the business significantly.

Therefore, this requires the processes to be responsive to meet the requirements of companies.

Recommendations:
- The approval / certification process needs to clearly define the timelines for processing of applications including grant of certification.

- The process should introduce a concept of "Deemed Approval" wherein the application will be considered deemed approval and certification granted if the application is not processed within a clearly defined time frame.
- The competent authority may determine the timelines. However, any delay beyond the stipulated timelines, deemed approval should be granted to the application and BIS number granted / WPC ETA.
- Applications will be filed as per the existing process and requirements including responding to clarifications.

Without these much-needed reforms in the times lines, such approvals will remain a major hindrance for ease of doing business.

Reference for Specific Timelines and Deemed Approval which exists.
Please find attached the TS-iPASS-Rules-Telangana State Industrial project approval and self-certification system (TS-iPASS) Rules,2015 – Amendment dated 28-07-2017, wherein the time bound clearances are mandated. If, no clearance is given in the stipulated manner, then it is the case for deemed approval. The relevant para from the TS-iPASS rule is given below:

"…...The government may notify the clearances in respect of which the failure of the competent authority to pass final orders on the application within the stipulated time shall result in deemed approval. Certificate so issued to the units shall be binding on all concerned departments."

Conclusion
The above is for reference purposes only to suggest similar certainty needs to be instituted by way of defining specific timelines and deemed approval in the approval / certification process. Processes may differ basis specific requirements, however certainty needs to be instituted from timelines perspective. This will go a long way in supporting ease of doing business by bringing certainty, predictability to the business environment dependent on approvals

d. Well-defined and time bound query system in place
- Well defined timelines for approval of application at each stage should be made available to the applicant at the time of submission and subsequent updates.

- WPC ETA approvals were made online in 2019 with the objective of faster turnaround time. Based on self-declaration, currently lead time of granting certificate sometimes exceeds 4 weeks. Approval timelines in any case should not exceed 1 week after submission of application

- On expiry of the defined timeline, the step of deemed approval may be activated and certificate issued to the applicant.

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> **Q10. Whether the present system of permission/approval mentioned in para no. 3.101 or any other permissions granted by NOCC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:**
>
> a. **Simple, online and well-defined processes**
> b. **Simple application format with a need to review of archaic fields, information, and online submission of documents if any**
> c. **Precise and well-documented timelines along with the possibility of deemed approval**
> d. **Well-defined and time bound query system in place**
> e. **Seamless integration and approvals across various ministries/departments with the end-to-end online system**
> f. **Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval**
>
> **Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.**

The Network Operations Control Centre (NOCC) performs various functions such as MPVT tests for all the antennas, providing approval for carrier plans for uplinking permissions, etc. For the purpose of getting these approvals from the NOCC, an operator has to follow a detailed step process. These processes are all conducted physically. Most of these permissions are linked to the permissions of WPC as well.

Introduction of new technologies and digitalization of the uplink process has allowed multiple channels to be carried on a single frequency. Consequently, **if WPC and NOCC permissions have been given for a transponder on a certain frequency for a new channel, any additional channel applications by the same applicant on the same transponder and frequency should not necessitate a fresh WPC and NOCC permission requirement**. The WPC and the NOCC should merely expect to be informed of developments when it comes to such additional channels.

Furthermore, the WPC is already actively engaged in the monitoring of such channels. In fact, delayed and independent permissions from WPC and NOCC could lead to lapses of validity, periods of "operationalization" as well as forfeiture

of the performance bank guarantees (hereinafter "PBG"), resulting in a heavy loss to the business in terms of rollout obligation.

We therefore request that clearances given by WPC, NOCC and MIB should be streamlined in order to facilitate ease of doing business. It is also suggested that an online portal be created for NOCC permissions and the same be integrated with the "single window clearance system" so as to enable ease of doing business.

The task of approvals often gets delayed due to physical submissions and this situation has been still further exacerbated during the ongoing pandemic. There are also challenges involved in getting the status update of applications at the NOCC due to the already pending applications.

To address such challenges, we suggest the following (in terms of points *a to f* of current question):

1. **Simple, online and well-defined processes: An** online process should be put in place for a carrier plan approval & MPVT. In case NOCC permissions have been issued for a transponder on a certain frequency for a new channel, any additional channel applications by the same applicant on the same transponder and frequency should not necessitate a fresh NOCC permission. NOCC should merely expect to be informed of such additional channels

2. **Simple application format that is culled of all archaic fields, information and requirements for online submission of documents if any:** An online link budget tool should be part of the application process. Precise and well-documented timelines along with the possibility of deemed approval status of the application should be available online with the date of expected approval.

3. **Well-defined and time bound query system**: Along with this system, the status of the query should also be made available online with a tentative date of closure.

4. **Seamless integration and approvals across various ministries/ departments with an end-to-end online system**: Currently, Teleports are required to get approval from NOCC to up-link individual channels on the approved carriers post WPC endorsement. This delays service activation by 5 to 7 days. The NOCC approval should only be required for the complete carrier and not for adding individual channels to that carrier.

5. **Procedure, timelines and online system of notice/appeal for rejection / cancellation of license/ clearance/ certificate:** Auto mail intimation to applicant as well as all concerned departments should be in place for any approvals, rejection, resolutions, etc. of applications and queries.

6. **The NOCC should make available the multiple LOGIN feature for stake holders of a single entity.** This proves particularly useful in the event of a stakeholder of a

particular entity who has sole access to the NOCC ecosystem leaving. It then becomes impossible for other stakeholders to login to the portal provided by the NOCC and process for changing the details of stakeholders in the portal is time consuming and has no value to the system.

7. **High WPC and NOCC charges for satellite bandwidth:**
    a. Currently, DTH and teleport operators are paying significant payments to WPC (Rs.21 lac per 36MHz per annum) and NOCC (Rs.87,500 per MHz per annum) for the same satellite bandwidth as spectrum royalty charges and monitoring charges despite the fact that both WPC and NOCC are a part of DoT.
    b. Since DTH/teleport operators are paying huge money for satellite bandwidth, the above charges should be reasonable and nominal only to recover the administrative cost.

8. **Change of usage of spectrum from one service to another:**
    a. Currently, the service providers are permitted to use spectrum for a specific use which is mentioned in the agreement signed with the ISRO and subsequently in WPC and NOCC permissions. If the service providers want to change the usage of the spectrum from one service to another, it requires a prior clearance from ISRO and other government authorities, which in some cases takes 1-3 years.
    b. Therefore, operators should be allowed to use spectrum as per their business and operational requirements including rearranging of carriers, change of Modulation, Data rate, FEC, etc. within their allocated spectrum whenever necessary with a due intimation to all the concerned authorities.

9. We feel that in addition to our aforesaid suggestions, the appropriate authorities must also look into the following:

    i. **Infrastructure sharing between DTH/ Teleport/Telecom Operators should also be permitted in order to synergize the resources for effective utilization**.

    Operators should be allowed to use spectrum as per their business and operational requirements including rearranging of carriers, change of Modulation, Data rate, FEC, etc. within their allocated bandwidth whenever necessary with due intimation to all concerned authorities.

Q. 11: Whether the present system of permissions/approvals mentioned in para no. 3.107 or any other permissions granted by TEC requires

improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

1. **Simple, online, and well-defined processes**
2. **Simple application format with a need to review of archaic fields, information, and online submission of documents if any**
3. **Precise and well-documented timelines along with the possibility of deemed approval**
4. **Well-defined and time bound query system in place**
5. **Seamless integration and approvals across various ministries/departments with the end-to-end online system**
6. **Procedure, timelines, and online system of notice/appeal for rejection/cancellation of permission/approval**

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

POV1

At the outset, the industry is grateful for the acknowledgement by TRAI on the overlaps that exist between multiple certifications and multiple authorities. We highly recommend removal of overlaps from the said certifications, including MTCTE from TEC, ETA from WPC, COMSEC from NCCS and others and enable a single-window scheme to be introduced. In addition, we recommend the following:

1. The Phase 4 of the MTCTE currently is bifurcated into two parts with two different timelines:
   a. EMI/EMC and Safety requirements: February 1, 2022
   b. TR requirements: July 1, 2022

As you must be aware, Safety tests are destructive in nature, and once a sample is tested for safety requirements they can't be used for any other testing. Because of the bifurcation of the certification of Phase-4, the OEMs would be forced to arrange minimum two sample for testing Phase-4 products. This would unnecessarily double the sample and certification costs for the OEMs/applicants.

It is requested that the bifurcation is removed and all parameters are made mandatory within a single timeline, to empower the OEM to choose the sequence of tests. Apart from reducing the cost and manpower by the OEM, it will also

reduce the burden on the authority to issue two certificates – interim and complete.

2. **Decouple National Security Directive for Telecom Scheme (NSDTS) and MTCTE:** Currently there is a pre-requisite of obtaining a Trusted Product certification to further obtain the MTCTE certification. This is problematic because the NSDT scheme is only applicable to products in the Indian public telecom network, whereas the MTCTE scheme is applicable to all telecom products sold or imported in the country. Further, the NSDT scheme is still in its early stages of implementation and evolution. If the schemes are coupled, there will be delay in certification, which will further disrupt installation in critical infrastructure.

3. **Industry consultations for change in procedures:** TEC conducts regular Mandatory Testing Consultative Forum (MATCOF) for discussions pertaining to Essential Requirements (ER) and General Requirements (GR). However, there are no active consultations for any procedure related changes. It is recommended that an Annual MATCOF is conducted to review the procedures of the MTCTE scheme to understand the challenges faced by the applicants, CABs, and other members of the ecosystem.

POV2

1. **Dealer Possession License (DPL):**
As you are aware the Dealer Possession License (DPL) is renewed every calendar year. This renewal requires the DPL holder to submit the stock register for the complete year along with the renewal application.
Since the validity of DPL expires on 31st Dec every year hence DPL holder is supposed to submit the renewal application before the expiry of the license so to say Ericsson submits the DPL renewal application with a stock register which is not for full year (one month less) i.e., from 1st Jan till 30th Nov for the year.
The officer-in-charge in the wireless monitoring station asks for the full year stock register to renew the DPL which is feasible to submit only in the first month next year i.e., first week of Jan. Post submission of details, the data is validated by the concerned in-charge and DPL is renewed after few days e.g., 15th of Jan or later. Hence there is always a gap of at least 10 to 15 days between the expiry of old DPL and its renewal for next year.
This is an ongoing practice for the last few years, and there was no challenge till the introduction of "simplification of WPC import license for domestic OEM" vide office memo **"R11018/06/2019-PP" dated 27th July 2019** where DPL holder is permitted to import via undertaking instead of import license for each shipment.

The challenge is that for import clearance against the undertaking from DPL holder, the customs officer asks for a valid DPL license along with an undertaking to release the shipment.

Since Ericsson is a regular, and daily importer of radio shipments to meet routine business demands, critical and unexpected customer requirements. The above-stated gap (15 to 20 days or more) during DPL renewal for the year 2021 has interrupted the customer supplies.

Proposal: In light of the above, below listed are proposed:

"The DPL should be issued for the period of five years instead of one year and we may submit DPL data every year."

2. **Details of valid Frequency to TSP allotted by DOT:**

As per the WPC guidelines vide office memo **"R11018/06/2019-PP" dated 27th July 2019**, the DPL holder to ensure that the supply of radiating equipment is to TSP having valid frequency issued from DOT. This detail is not available on the DOT portal to validate the received frequency letters from TSP for the supply of Radiating equipment.

DoT should publish allotted frequencies to TSPs on public portal for both backhaul and access spectrum, OEM may take print out from portal along with time, date, and stamp for DPL audit purpose.

3. **ATA carnet Import:**
Customs asks for the NOC from WPC for the temporary import of radiating items. This requirement is neither specified in customs rules nor WPC guidelines.

Background: Earlier for customs clearance of ATA carnet shipment (temporary time-bound import into India), there was no requirement to obtain the WPC Import license or NOC, and ATA shipments were cleared by authorities.

Recently, we have come to know that customs have started asking for the WPC Import license or NOC (in the absence of license) at the time of shipment examination for customs clearance. To verify the same, we met the customs officer to sought clarity and the latest updated notification. We are told that the import license/NOC from WPC is necessary now and, the enclosed notification was shared. Further, we shared the equipment list along with catalogues with CHA and requested to meet the customs authorities to seek deeper insights in this regard. He has also received a similar kind of response from customs authorities.

Problem statement: There is no notification from WPC authorities confirming that temporary import is exempted from WPC license/ NOC hence this can't be discussed beyond a point with customs authorities.

Though none of our shipments is stuck however very soon there would be the requirement to import equipment temporarily for a demo, testing, and trial basis.

Support required: Is it possible to obtain the exemption in general from DOT for ATA carnet shipments?

4. **Grant of Class I/II Local Supplier Status - Public Procurement (Preference to Make in India) Order:**

This is with reference to the Public Procurement (Preference to Make in India) order No. P-45021/2/2017-PP (BE-II) dated 16 Sep 2020 issued by Department of Promotion of Industry and Internal Trade, Ministry of Commerce, and Industry.

We request TRAI to recommend for granting the **"Deemed Local Supplier" or Class I/II Local Supplier status** to those companies who are consistently manufacturing in India and have also participated in the PLI scheme. We also request you to kindly extend such Class I/II Local Supplier status to the OEMs who are manufacturing in India through their EMS partners. EMS companies are into manufacturing of the OEM products and do not offer such products directly to the end customers. All activities pertaining to presales, sales, installation, commissioning, after sales service, warranty and maintenance etc. including adhering to the various product regulatory compliance requirements including the recent trusted directive are the responsibilities of the OEMs. Hence, we request Class II Local Supplier status be extended to the OEMs who have participated in the PLI scheme.

We believe this is a win-win solution for the entire ecosystem. This will support government organizations including PPP projects to get access to latest technologies, products and solutions manufactured in India, allow OEMs like us to supply to government projects and participate in tenders, accelerate Digital India and lead to increase in local manufacturing.

5. **PMA Value addition:**
We request the following issues to be considered from the PPP MII (Preference in Public Procurement for Make in India) meeting. Kindly refer to the existing DoT PPP MII Policy. https://dot.gov.in/dot-pmapmi-policy

Existing policy	Change sought
Table – B Main Inputs /stages for manufacture of telecom products & conditions for the inputs to be qualified as Local Content	DoT to increase Local Value Addition calculation on local manufacturing from existing 10% to 16-18% % of the total product Bill of Material. This is a

(6) Assembly/Integration/Testing# The upper ceiling limit of Domestic Local Content (LC) for Assembly/ Integration/ Testing in respect of the telecom products listed in Table-C would be 10% of the total product Bill of Material	true reflection of the manufacturing cost in India. **Reason:** Telecom network equipment are specialized B2B equipment and are customized to the requirement of the end customer. There is an additional element of testing of each and every manufactured telecom network equipment to ensure that they qualify the stringent requirements to be deployed on the networks. This increases the cost of local manufacturing of telecom network equipment compared to consumer electronics.
Challenges of component ecosystem	
(2) Components (a) Integrated chips (ICs) – Processor, Memory etc. (b) Active components – Transistors, Diodes etc. (c) Passive Components – Resistors, Capacitors, Inductors etc. Manufactured in India	Need to modify in DoT Order, the classification of Components such as Integrated Chips (ICs) including processor, memory to be aligned with component eco-system realities in India. Current Classifications as per DoT Order below states that Components such as Integrated Chips (ICs) have to be manufactured in India to be qualified as Local Content. Challenge – ICs such as Processors, Memory required by OEMs are not being Manufactured in India Proposed Solution – We request DoT to kindly modify the Condition in Table B in DoT Order of 29-Aug-2018 from "Manufactured in India" to "Domestic SMT Assembly and Testing from imported/ indigenously manufactured parts and components". We are submitting for reference below a **comparison of the DoT Order with MEITY Order for Mobile Phones and Servers** which recognises the issue and has proposed corrected measures accordingly. **MEITY order addresses the challenges in Indian electronics components eco-systems and ensures that Manufacturers in India are not unduly penalized in Preference to Make in India Policy in case the components they need to use are not manufactured locally in India.** Excerpt from DoT Order (Annexure 1)

Table-B
Main Inputs /stages for manufacture of telecom products & conditions for the inputs to be qualified as Local Content

Main Inputs /stages for manufacture of telecom products *	Conditions for the inputs to be qualified as Local Content

(2) Components
  (a) Integrated chips (ICs) – Processor, Memory etc.
  (b) Active components – Transistors, Diodes etc.
  (c) Passive Components – Resistors, Capacitors, Inductors etc.
	Manufactured in India

(3) PCBs
  (a) PCB Fabrication
  (b) PCB population using components
	Manufactured in India

Excerpt from MEITY Order for Mobile Phones (Annexure 2):

(C)   Criteria for BOM to be classified as domestic:

The domestic BOM of Cellular Mobile Phones would be the sum of the cost of main inputs as specified in Column 1 of the following table, provided the inputs individually satisfy the value addition requirement specified in Column 2 of the table:

Main inputs in BOM/stages for manufacture of Cellular Mobile Phone	Value addition required for the input to be classified as domestic BOM
1	2
Main PCB*	Domestic assembly and testing from imported/ indigenously manufactured parts and components including Processor and Semiconductor** BOM (i.e the Semiconductor Chips and Modules on Main PCB), and excluding value of bare PCB
Bare PCB	Domestically manufactured from imported/ indigenously manufactured inputs

Excerpt from MEITY Order for Servers (Annexure 3):

(C)   Criteria for BOM to be classified as domestic:

The domestic BOM of Server would be the sum of the cost of main inputs as specified in Column 1 of the following table, provided the inputs individually satisfy the value addition requirement specified in Column 2 of the table:

Main inputs in BOM/stages for manufacture of Server	Value addition required for the input to be classified as domestic BOM
1	2
Server Board/Mother Board/CPU	Domestic assembly and testing from imported/indigenously manufactured parts and components including value of Processor(s)* and excluding bare PCB
Memory	Domestic assembly of imported memory chips on imported/indigenously manufactured bare PCB/Domestic ATMP/fabrication/or combination
Hard Disk Drive/Solid State Storage Drive	Domestic assembly and testing from imported/indigenously manufactured parts and components

| (3) PCBs
  (a) PCB Fabrication
  (b) PCB population using components | PCB fabrication of telecom network equipment is of a higher grade (multi-layer) than that of consumer electronics and such PCB fabrication facilities/ suppliers are not available in India. |

Manufactured in India	Hence the above request may be considered even for PCB population
Design (a) Hardware design (b) Software Design & Development The maximum Local Content (LC) percentage for Design which can be claimed by a Local manufacturer for the telecom products based on inhouse/in country R&D costs incurred/amortized to create IPR in India are as per Table-C subject to the condition that: (a) The Intellectual Property Right (IPR) resides in India for Hardware Design, (b) The Copyright is in India for the software Design & Development.	The LC percentage for Design is extremely high at 35-40% for Radios. None of the MNCs who are doing local manufacturing can clear this threshold as their design and IPRs even if designed from Indian development/ R&D centers are owned by their parent/ holding companies. This puts the MNCs at a significant disadvantage. Refer Page 16 of the document. Table C - Maximum ceiling for Design as Local Content out of total LC for Telecom Equipment
The present calculation methodology of DoT for local value addition doesn't capture the local sourcing of material and services during physical deployment, installation, and commissioning of the equipment by the supplier in the customer's network.	DoT to recognize the local sourcing of Made In India Materials in network rollout. Presently due to evaluation at product level, these costs are not getting captured. In a telecom network rollout project such costs of local sourcing of materials can go up to 15% of the overall project cost. No customer buys individual telecom network products. It is always an end to end project. Telecom network equipment by its very nature are supplied as part of an end to end project. It is very rare for customers to buy off the shelf product to deploy in the network.
Present calculation methodology doesn't capture the local value addition at the Project or aggregate level, and it is an individual product level.	Customers buy end to end solutions through turnkey projects and not individual products. We request DoT to calculate local value addition at the aggregate level of the project to ensure the true capture of all local value addition across the project. This will essential as it is not possible to manufacture 100% of the Bill of Material of the Project in India.

	Customer's requirement typically covers warranty and AMC for a period of 5-10 years after the expiry of the warranty period. During the project rollout vendors must maintain local spares and inventory warehouses at circle level (telecom circle level) along with local transportation. These costs (appx 10-12% of the overall project cost) while significant are not captured in the local value addition cost while they are provided as integral part of the turn key project.

6. **Other issues:**
   Integration of WPC tool with ICE gate:

   WPC portal should be integrated with the ICE gate portal which will facilitate customs authorities to validate the license online during shipment assessment which is a part of customs clearance.

   Experimental License – Demo and Testing

   DPL holders should be exempted from the experimental license, non-radiating type required for in-house Demo and testing purposes, especially business locations covered under license. Under existing DPL rules, the DPL holder submits these details at the time of yearly DPL renewal in Form 5.

   BIS referring CRS scheme: Since the BIS is issued to the manufacturing unit (India/Overseas), not for the Brand. Arranging BIS from overseas supplier is time consuming and sometimes challenging for import clearance. **Hence** it is proposed that BIS data related to CRS should be made available online and integrated with the customs portal for speedy & smooth clearance.

   ### POV3

- Processes need to be well defined. Within TEC, the various departments or sections involved and the stages the application is being currently processed need to be made transparent to the applicants.

- The current process of getting stakeholder inputs for the MTCTE scheme and technical inputs for ERs is archaic and currently not fruitful. A formal process of involving stakeholders is required to enable the industry and TEC to understand and contribute together. Views of the industry are important for any scheme to succeed. Any ill thought and untimely certification scheme will cause a severe impact to the industry.

- The entire process application should be online without any requirement of printed hard copies.

- Option of Digital Signatures should be available.

- Any new phase of MTCTE scheme should have minimum one-year timeline for implementation after the phase is notified. This will help OEMs to gear up for the certification in multiple areas-arrange the required samples that in many cases need to be imported, do trial testing in the accredited labs to prepare for the requirements, address short comings, seek clarity and give adequate window for supply chain and sales functions.

- Maintaining the confidentiality of a product before it is launched need to be built within the application system. Applicants should be allowed to choose the date of publication of the Certificate after the due process of scrutiny and grant of the application has been completed. This will prevent leakage of product details to the competition before the official launch of the product/model.

- Inclusion of High-volume products in any phase of MTCTE scheme needs to be taken keeping in view the following aspects:
    - Readiness of TEC (manpower, portal, etc.)
    - Readiness of Labs (competence, number of labs having facility to cover full scope of MTCTE ERs)
    - Coverage under any existing certification scheme. Any product that falls in some other scheme needs to be left out.

- Acceptance of International standards and reports-
Acceptance of MRA ILAC reports- The International Telecommunications Union (ITU), the International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC) have signed a Memorandum of Understanding (MoU). Accreditation bodies independently evaluate the compliance of conformity assessment bodies against recognized international standards, verifying their competence and impartiality. TEC can continue to accept ILAC reports if it is meeting the required standards. This will help OEMs to comply with the requirements in a flexible manner leveraging Local labs and international labs as suitable for one requirement.

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any.

- Format for any scheme needs to be discussed with wider industry stakeholders, inputs for improvements considered and explained. Many a times, OEMs must struggle to understand the fields that have been asked for and the information to be provided.

- Adequate file size for test reports and other documents needs to be enabled. File may contain drawings and pictures which require larger file sizes.

c. **Precise and well-documented timelines along with the possibility of deemed approval**

- Timelines should be published and known to the applicant for each stage of the application with well-marked SLAs and reasonable timelines. On completion of each stage, the actual date of completion should also be highlighted.

- Certificate grant should not exceed 2 weeks, after applying at the portal.

- Timelines may be shown as follows for Scrutiny and Review at each stage and each department if more than one department is involved

Example –

epartment	xpected date	ctual) Completion date	emarks

- The timelines should be visible on the portal for an applicant at each stage. This will avoid ambiguous information like Application under process. The applicant needs to be aware which department or section is handling the application or query at each stage. This will enable transparency in the entire process of the grant of certificate.

- If the processing of an application crosses the defined timeline threshold, there need to be a provision of Deemed Approval. This will ensure that the OEM is not penalised for day at the TEC end.

d. Well-defined and time bound query system in place

- The query resolution details may be made available in the following format at the portal.
  Query raised on----
  Query details ….
  Query response submitted on…

Department	Expected date	(Actual) Completion date	Remarks
A			
B			

- There need to be an adequate space for submitting the response and each stage should be visible online.

- If response to a query is found inadequate, sufficient reason and explanation should be given to enable the respondent to understand and modify the response.

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval
- If more information is required, adequate reason for query should be clear. If at any stage, if applicant is not satisfied, an escalation matrix should be provided with clear SLA and timelines.

POV 4

   a. The entire application process should be conducted online without the need for printed hard copies. The option of Digital Signatures should be made available.

   b. Any new phase of MTCTE should have a minimum one-year timeline for implementation after the phase is notified. This will help OEMs gear up for certification in multiple areas, arrange the required samples that in many cases need to be imported, do trial testing in the accredited labs to prepare for requirements, address shortcomings, seek clarity and give an adequate window for supply chain and sales functions.

   c. Maintaining the confidentiality of a product before it is launched needs to be built into the application system. Applicants should be allowed to choose the date of publication of the Certificate after the due process of scrutiny and grant of application has been completed. This will prevent leakage of product details to competition before the official launch of the product/model.

   d. Inclusion of high-volume products in any phase of the MTCTE scheme need to be considered keeping in view the capabilities of the labs.

   e. Timelines should be published and known to the applicant for each stage

of the application process with well-marked SLAs and reasonable timelines. On completion of each stage, the actual date of completion should also be highlighted.

f. **MTCTE certificate approvals** for running smooth business operations **should have a reduced lead time**. The process of MTCTE testing requiring OEMs to bring the sample product in India should be simplified.

g. **Cost of testing under the MTCTE regime needs to be reduced**.

O**verlaps between the MTCTE regime and NSDTS should be identified and removed.**
Q12. What measures should be taken to ensure that there is no duplicity in standards or in testing at BIS, WPC, NCCS, and TEC? Which agency is more appropriate for carrying out various testing approvals? Provide your reply with justification.

Measures to be taken to ensure that there is no duplicity in standards or in testing at BIS, WPC, NCCS and TEC
- Inter-ministerial/departmental dialogue is necessary to ensure that no more than one ministry/department/authority is working on standards or certification on any specific area.

- Even if standards have been framed, before issuing/publishing the standard document to the industry and public, the departments should discuss and finalize which standard is to be issued instead of publishing conflicting standards and thereby increasing the burden on the OEMs.

- One glaring example is the Certification of ICT/IT products like Smart Cameras. MeitY/BIS had included Smart Watch as part the existing CRO process through Gazette Notification No S.O. 2742(E) dated 17th August 2017. As a result of the notification, Testing and Certification started and many brands and models have been certified successfully. The CRO Scheme is now running for the last four years for Smart Watch and the industry including labs and OEMs are fully aware of the process and the requirements. The end consumer is also now fully aware of the BIS registration number for Smart Watch. Surprisingly and to the dismay of the industry, Smart Watch is being included in the TEC notification for MTCTE Phase-3 dated 22 Sept 2021. This has created an unprecedented scenario wherein a single product is now going to be tested and certified by two separate government agencies. The TEC notification comes at a time when there are several lacunae in the MTCTE certification process itself- Adequate and competent labs are not available to test all the functionalities asked in the TEC MTCTE ER requirements. As on date, to the best of our knowledge, not a single lab exists which can test all the functionalities under one roof. The result is that

an OEM must run to multiple labs for carrying the mandatory testing increasing the time, resources and money for testing and submission of application. This brings an undue pressure and complexity on an OEM who has been so far meeting all the required certification needs of the government. The Time to Market, Number of Samples to be arranged, Number of resources to allocated for the project and the uncertainty of meeting the requirements of a new regulator puts an unnecessary and undue pressure on the industry leading to severe EoDB challenges.

- Another pertinent example is the Security testing of mobile devices. BIS LITD-17 has published Mobile security testing requirements while at the same time DoT-NCCS wing has also published another set of documents for the same product. It is a case of the left hand not knowing what the right hand is doing.

- What is required for the authorities is to let existing certification scheme continue for such products which are already under a government scheme. New products and product categories not already undergoing certification within an existing scheme may be put under a new scheme such as the TEC MTCTE scheme. This will avoid EoDB challenges to the industry and help prevent confusion to the end consumer for redressal if required.

Which agency is more appropriate for carrying out various testing approvals-

- In a world of convergence where Telecom, IT and media are merging rapidly, all end user consumer products like Smart Watch, Phones should be under the Ministry Electronics/BIS certification scheme as these products have a heavy dependency on applications, Software, Safety and Security much beyond the hardware and connectivity of the device. All the core telecom nodes and equipment like the Mobile Switching elements, Gateways, Radio, and access products which talk directly to the Core switching nodes like Radio Base Stations etc. can be tested and certified by TEC which has got adequate experience and know-how of the intricacies of such telecom and wireless core and radio products and solutions, a knowledge which has been built up over the decades. The expertise and knowledge of a department needs to be factored in while deciding the certification ownership of a Product.
- Consumer ICT end products- MeitY/BiS
- Telecom Core nodes and equipment- DoT/TEC
- The need is to ensure that
  o Fragmentation
  o Duplicity and
  o Overlap

is avoided for the certification of a single product to ensure EoDB.

POV2

Commonalities in Various regulations in India

	BIS	WPC	MTCTE	ComSec
Concerned Ministry	Bureau of Indian Standards MEITY, Department of Consumer Affairs	Wireless Planning Commission (WPC), Department of Telecommunications	Telecom Engineering Centre (TEC) Department of Telecommunications	National Centre for Communication Security (NCCS) Department of Telecommunications
Application format		Saral sanchar portal	MTCTE portal	To be announced
Effective Duration	2,3,5 years Depending on fee	No end date	5 years	5 years
Domains	Safety (IS 13252, IEC 60950)	Radio Frequency	Safety (IS 13252, IEC 60950, IEC 62368) EMC/EMI Radio Frequency Telecom	Communication Security
Product categories	Consumer ICT products	Telecom products in the delicensed band	All telecom products	All telecom products
Products common in Scope with MTCTE	IPMCE, Servers, Smart Cameras,	Wi-Fi Access Points	IoT Gateway, Wi-Fi Access Points, WLAN Controller Equipment, PTP PMP Wireless Access Equipment, Smart Camera, Router, LAN Switch, Optical Networking (DWDM),	IP Routers, PON Devices, SDH/SONET, DWDM, DXC, Wi-Fi Products, IoT/Cellular Gateway, etc.

		IP MCE, Conferencing Equipment, IP Security Equipment	
Avg lab Test cost for in-country testing in India (INR)	80,000 – 120,000	0 (No in-country testing, submit global TR)	10,00,000 – 40,00,000	10,00,000 – 40,00,000
Avg Certification Cost	100,000	10,000	300,000	300,000

It must be noted that the present consultation does not capture the essentials of the National Security Directive in Telecom (NSDT), which is governed by the National Security Council (NSC). The Directive attributes Trusted Source to the OEM supplying products and 'Trusted Products' which are installed in the Indian public telecom network.

Given the above context, we propose the below:

I. Integration of ETA and MTCTE

1. As is evident in the above table, there is overlap between products, testing parameters between ETA and MTCTE. WPC also requires only global test reports, which is currently valid under the MTCTE regime till June 30, 2022. Presently, it is unclear whether global test reports will be acceptable for ETA after June 30, 2022. Further, both respective agencies – WPC and TEC – are under the domain of the DOT. Considering this, we propose the following:

    i. Option 1: Subsume ETA approval for Wi-Fi products under MTCTE scheme. Eliminate separate filing entirely for ETA approvals

    ii. Option 2: Retain ETA approvals but offer a section within the MTCTE portal to seek ETA approvals. This will eliminate separate filing for ETA approval under the Saral Sanchar portal

        iii. In both cases, it is recommended that additional fees for WPC approval is removed

II. Integration of CRO and MTCTE

1. The BIS regulation seeks information pertaining to two key aspects of the products – Safety and the supply chain (location of manufacture). For example, BIS provides factory authorization (location-based approval) and factory registration requires documents such as Business license, ISO. Therefore, the Factory owns the certificate. However, in TEC, Brand is manufacturer.

2. The supply chain parameters for telecom products are also governed by the NSDT regime under NSC

3. There is also an overlap between products that are covered under the present phases of both CRO and MTCTE regulations. In a recent MATCOF by TEC, more consumer products like Servers and ICT equipment are proposed under Phase V, which is expected to be made mandatory by January 2023

4. Therefore, there is a clear overlap in the testing parameters and products between the CRO, NSDT and MTCTE regulations

5. Considering this, we propose the following:

6. Integration can be done in phases:

    a. Phase 1 - Use of Single safety test report across CRO and MTCTE

        i. Since TEC is overarching of BIS, testing for common products for both regulations should be done under MTCTE and safety results to be used for CRO

        ii. Products that are not covered under TEC, separate safety testing to be performed for BIS but Test Reports need to be used in future for TEC (in case these products come under TEC scope)

        iii. Safety Test Reports should be acceptable by both depts irrespective of labs (TEC should accept Test Reports from BIS approved labs and vice-versa)

    b. Phase 2 – Integration of complete process:

        i. Common portal for BIS and TEC with various option of roles access – separate users for BIS and TEC; User authorization of the portal should be given to multiple users for the given company

        ii. Portability of test reports and report formats across BIS and TEC

        iii. Optimization of certification fee between 2 agencies with single payment method.

        iv. Single certification to be leveraged for BIS and TEC

        v. Uniform documentation

        vi. Single label

        vii. Single cert repository

        viii. Single renewal timeline & process

        ix. Internal alignment of various dept.

III. Alignment of BIS, ComSec, ECR/EP, etc. Main Tested Model/Hardware Configs with TEC

1. If the worst-case config for each regulation differs, we end importing different set of Hardware of all types of testing. At present TEC worst case Config might not be worst case config for ComSec and so for ECR/EP. For e.g., For ECR/EP we need to use the highest power consumed Optics while TEC limit these optics type as per IEEE Standards, so when ECR/EP becomes mandatory in-country testing we might face these issues

2. Main and associated model definition should be uniform for all ComSec, ECR/EP, TEC, etc., it will make sure we get one hardware to test and comply all the Indian Certification

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Q13. Whether the present system of getting fresh and additional space segment capacity on Indian and foreign satellites for various services mentioned in para no. 4.15 or any other new service from DOS, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of

a. Simple, online and well-defined processes

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

c. Precise and well-documented timelines along with the possibility of deemed approval

d. Well-defined and time bound query system in place

e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of space segment capacity

Give your suggestions with justification for allocation of space segment capacity for each service separately with detailed reasons along with examples of best practices if any.

> **AND**
>
> **Q14. Whether the existing procedures to acquire a license for providing satellite-based services in the existing framework is convenient, fast, and end-to-end online for the applicants? If not, what other measures are required to simplify the various processes to enable ease of doing business in India for satellite-based services? Give details along with justification.**

Currently, DTH operators cannot directly engage with foreign satellite operators for availing capacity due to the lack of an open sky policy for Ku Band. The engagement is directly done by Antrix without involving the concerned DTH operator, which is quite time-consuming and costly. Further, DTH operators are required to pay a certain percentage of the negotiated price to Antrix.

Therefore, we request TRAI for the following:

a) **Like Broadcasters and Teleport Operators, there should be an Open Sky Policy for Ku Band as well so that DTH operators can directly engage with multiple foreign satellite operators and negotiate the rate of satellite bandwidth with them directly**. Since the cost of satellite bandwidth runs into hundreds of crores, DTH operators should have the reasonable right to be a party to such negotiations. DTH operators should be allowed to hire bandwidth in any satellite based on their business requirements.

b) **Currently, DTH operators cannot enter into an agreement via Antrix with foreign satellite operators for a period of more than 3 years.** For an Indian satellite, the period of agreement cannot be more than one year. The short duration of these contracts not only increases the cost of satellite bandwidth, but also adversely affects the business plans of DTH operators.

   Since satellite spectrum is the most critical and basic resource for a DTH operator (like access spectrum for a mobile operator) to run its business/services and DTH operators hold a license for 15 years, **the period of contracts should be longer for Indian and foreign satellite operators. This would not only reduce the overall cost of satellite bandwidth significantly, but also protect the business interests of DTH operators** by having the assured and contracted satellite bandwidth for a longer period.

c) **At present, the entire process of allied permissions for satellite bandwidth and capacity for DTH operators involves approvals from multiple ministries and departments, such as MHA, DoS, MCA, MoF, WPC and NOCC.** The approvals are sought independently and separately from each Ministry/Authority, and any delay with one Ministry/Authority adds to the delay in the subsequent process for applying to other ministerial/authority stakeholders in the chain. This challenge gets further aggravated through the absence of stipulated timeframes and, in cases where there are timeframes, timelines being overrun.

In highly time-sensitive businesses like DTH, such delays impact the business adversely including the financial obligations of making payments of valuable forex to foreign satellite operators while the approvals are still pending due to which satellite bandwidth is yet to be operationalized. All these processes involve the physical filing of documents with the relevant authorities.

Therefore, in order to bring EoDB, cost effectiveness and efficiency to the entire process, we recommend the following:

1. **A portal should be set up that is integrated between all authorities/departments/ministries viz. MIB, WPC, NOCC, DOS,** etc. so that applications and approvals automatically reach the department/Ministry they are meant for. This will not only reduce timelines but will also make the administrative process faster and more seamless.

2. **The complete approval process should be integrated into a single window clearance system** that enables the filing of applications online with MIB. The concerned Ministries/Departments should be asked to give their comments/approvals online through the intranet shared between ministries. The process should be guided by specific timelines.

3. An auto mail system should be put in place so it can be operated whenever intimations of approvals, rejections, resolutions etc. of applications or queries have to be sent to applicants, concerned departments, etc.

4. Final permissions and approvals should be enabled online and in a downloadable form.

5. Digital signatures should be endorsed and accepted by the portal.

6. Agreements like GOPA should be digitally signed in order to escalate the process.

7. Any payment obligations including payments for satellite bandwidth should commence post receipt of last approval in the chain and from the date of actual use of the bandwidth.

8. One-time Forex Remittance authorizations should be provided for the entire duration of the contract executed between the approved satellite service provider and the DTH Operator on the basis of the copy of the contract filed with MIB. DTH Operators can continue to provide the details of such payments on a yearly basis.

9. The validity of the approvals from different Authorities/Ministries on the same matter should be for the same period /term so as to obviate the need for re-approvals.

10. All the periodic intimations or reports should also be made online only.

Q. 15. Whether the present system of permissions/registrations mentioned in para no. 5.10 or any other permissions granted by MeitY along with BIS, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
1. **Simple, online and well-defined processes**
2. **Simple application format with a need to review of archaic fields, information, and online submission of documents if any**
3. **Precise and well-documented timelines along with the possibility of deemed approval**
4. **Well-defined and time bound query system in place**
5. **Seamless integration and approvals across various ministries/ departments with the end-to-end online system**
6. **Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/registration**

Give your suggestions with justification for each permission/ registration separately with detailed reasons along with examples of best practices if any.

POV1

Over the last few months, the applicant does not get intimated on the queries being raised. The applicant is required to manually visit the portal every day to check any new queries, or the status of the responses provided. It is recommended that if there is any query raised by BIS, the applicant and Manufacturer should both be intimated through E-mail and/or SMS.

Similarly, till the schemes are rationalized, it is recommended that BIS adopts the helpdesk model under TEC where the Applicant and Manufacturer can reach out for any clarification related to product, application or for any query raised by BIS on any applications and obtain a clarification in a time-bound manner.

POV2

The existing certification process under the Compulsory Registration Scheme (CRS) has been operational since 2013.The certification lead time got reduced to

1 to 5 days which was 4 to 6 weeks till the end of 2019. The remarkable reduction in the certification time was achieved through concerted efforts of BIS over the past several years. However, for last few months there has been a drastic increase in the BIS certification time leading to delays with no clear Turn Around Time (TAT).

When a product under CRS requires certification from BIS, the following steps must be undertaken:

1. Testing of a product in BIS accredited Indian Lab
2. Report submitted to BIS with all documentation
3. BIS reviewer scrutinizes the technical test report
4. BIS reviewer raises query if any
5. BIS reviewer approves the technical report if response to the query is accepted
6. BIS reviewer changes status of the application to "Decision awaited from Granting Officer"
7. Granting Officer grants the registration
8. BIS certificate of product is available online for download.

Manufacturers undertake Steps 1 and 2. BIS' have control on steps 3 to 8 of which Steps 3 – 6, as described above, have been working smoothly. However, all applications that move into Step 6 do not seem to go beyond that stage and get the BIS certification.

The above delays have also impacted the certification of products covered under the CRO. BIS approval delays have started impacted the product new launches, business losses. The delays in granting BIS certification are affecting the Indian consumers' access to products and is significantly impacting the businesses of our member companies.

in the time bound clearances are mandated. If, no clearance is given in the stipulated manner, then it is the case for deemed approval. The relevant para from the TS-iPASS rule is given below:

"…...The government may notify the clearances in respect of which the failure of the competent authority to pass final orders on the application within the stipulated time shall result in deemed approval. Certificate so issued to the units shall be binding on all concerned departments."

Conclusion
The above is for reference purposes only to suggest similar certainty needs to be instituted by way of defining specific timelines and deemed approval in the approval / certification process. Processes may differ basis specific requirements, however certainty needs to be instituted from timelines perspective. This will go

a long way in supporting ease of doing business by bringing certainty, predictability to the business environment dependent on approvals.

a. Simple, online and well-defined processes

- Any change in the online process and tool need to informed well in advance to the stakeholders and applicants.
  Example: LIMS process/ tool was introduced by BIS in August 2021 for labs and OEMs without any prior intimation to the stakeholders and impacted parties. This created issues both to the labs as well as applicant OEMs. Labs were not having experience in using the new tool and unaware of the data to be uploaded in the portal. The result was delay in generating test requests and uploading the test reports. The overall impact was delay in issuing certificates to applicant OEMs.

- Any maintenance or upgrade in the online portal or existing process should be informed to stakeholders well in advance in the portal.

- New phases are to be announced only after ensuring that lab infrastructure and accreditation is in place. On the day of notification- FAQs and TRF both should be published. Delay in releasing the TRF means that OEMs cannot start the certification/changeover process

- Considering the advancements and to reduce timelines, Digital signature may be accepted as an option in addition to physical signatures.

- For change in Management information for an applicant, the process needs to incorporate acceptance of soft copies and online payment instead of the current requirement of submitting Demand Drafts.

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

- The BIS portal crsbis.in has one login for each factory. In the current manufacturing ecosystem, one factory is producing models for different brands. Within the master login, one more level of login should be made available for each brand. Persons who are working on one brand then cannot access the information pertaining to some other brand preventing league of confidential information.

c. Precise and well-documented timelines along with the possibility of deemed approval

- Currently there is no timeline defined for the scrutiny and approval stages. A well-defined timeline for each stage needs to be made available to the applicant in the portal to show the lifecycle of the application from submission to approval including all intermediate steps.

Department	Expected date	(Actual) Completion date	Remarks
A			
B			

- Certificate grant should not be more than 1 week, after applying at the portal.

- If the processing of an application crosses the defined timeline threshold, there need to be a provision of Deemed Approval. This will ensure that the OEM is not penalised for delay at the MeitY/BIS end.

- Other applications viz. Change of Authorised Indian Representative, Management details need also have well defined timelines. Sometimes it is observed that such changes take 30-45 days. This needs to be reduced to 1 week at the maximum.

d. Well-defined and time bound query system in place

The query system needs to have more clarity and information to the applicant. It is observed that similar queries are asked for different products/ factory when the response had already been submitted and accepted. The queries and responses for a particular product/model/factory needs to be synced.

- The query resolution details may be made available in the following format at the portal.
  Query raised on----, Query details ….
  Query response submitted on…
  Query resolution handled by Department A, Expected date of completion. Y days, Actual completion date-

- There need to be an adequate space for submitting the response and each stage should be visible online.

- If response to a query is found inadequate, sufficient reason and explanation should be given to enable the respondent to understand and modify the response.

e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system

- Status of an application across departments/ministries should be available to the applicant in the portal with well-defined timelines for each stage.

- Surveillance Challenges:

  - Lead-time for sample collection is less
  - Lab competency to test the complex products
  - No predictability of overall process timelines for final completion of MS Order

For Ease of Doing Business, the current process of targeting compliant OEMs with the additional burden of repeat testing which is good as testing the entire product once again needs to be modified. If MeitY grants Compliant companies' relaxation in Market Surveillance, it will encourage other OEMs also to come to get added to the List of Compliant Companies.

Q.16 What improvements do you suggest in the various extant audit processes conducted by DoT LSAs? How the process of the Customer Acquisition Form (CAF) audit can be further simplified? Provide your comments with justifications.

Considering telecom infrastructure has to be operational 24x7 and for 99.95% of the time, it is important to ensure that uninterrupted grid power is made available to the telecom sector. Accordingly, we submit that TSPs should be provided with:

  i. **Electricity Board (EB) connections at Utility/Industrial rates.**
  ii. Uninterrupted supply to Telecom Towers on 24x7 basis and on top priority.
  iii. An exemption from scheduled power load-shedding.
  iv. Consolidated billing and payment with availability of supply hours:
      a. Consolidated electricity bills to be provided on the company's registered email id to eliminate the time and effort required for physical collection and download of thousands of bills.
      b. Consolidated online payment allowed so as to avoid late payment and disconnection.
      c. Electricity availability hours for the period of bill provided in bills

Further, finding reliable and economical solutions to supply the BTS power installed in rural areas and away from the grid has become a challenge for mobile operators.

In such a situation, **renewable energy sources like Open Access policy are very promising. However due to the limitations of minimum connected load**

(of 0.5 or 1MW) prescribed under the Open Access policy, TSPs are unable to make use of it since a single tower may consume around 15 to 20KW of energy.

Accordingly, we recommend that Open Access for Solar / Renewal Energy should be allowed without any policy restrictions on minimum usage (single point generation-multi point consumption allowed to be aggregated for multiple tower sites) or else, the TSPs should be allowed to aggregate a certain number of towers to be able to make use of the Solar open Access policy.

Further, state electricity boards should support the telecom infrastructure with uninterrupted power supply and time bound closure in terms of electricity connections.

Power availability in USOF projects:

At the sites being installed in the remoter locations of the USOF scheme, in several cases, either 24x7 grid power is not available or it doesn't exist at all. The quality of the supply is also a concern which needs to be addressed by the Authorities. Moreover, there are inordinate delays in provisioning connections and inordinate amounts of time and effort have to be spent to complete the application processes and subsequently follow up on them.

These remote locations also have a lot of challenges in terms of access and this only becomes worse during severe weather conditions. So, the provisioning of power supply through alternate arrangements like DG is also difficult due to accessibility issues, especially as such power sources require a continuous supply of fuel.

The State Authorities should provide a framework wherein such sites are provided with a reliable grid power on priority, so that inhabitants of these remote locations are able to reap the socio-economic benefits of telecom services in their entirety. This will also help the TSPs to adhere to the QoS norms as laid down by the TRAI and meet the KPIs specified in the USOF agreement without incurring a non-performance penalty.

Therefore, it is necessary that the State Authorities prioritize uninterrupted and reliable power supply to such locations in a time bound manner and also provide a single-window online system for submitting applications.

Q17. **Whether the extant mechanism of reporting and filing at the SARAS portal and the offices of Controller of Communication Accounts (CCA) simple and user-friendly? If not, what measures are required to make it simple, transparent, and robust? Justify your comments.**

AND

Q18. **Whether any issues are being faced by the telecom service providers during declaration and verification of documents for deduction claimed from the Gross Revenue and special audits of revenue? If yes, provide your comments with the reasons thereof.**

SARAS as a portal for compliance was introduced during 2019 with an objective to allow on-line compliance for better administration and management of LF and SUC including that for payment of fees, verification of deduction and assessment of LF & SUC dues.

a.   The mechanism of reporting and filing at the SARAS portal and the office of Controller of Communication Accounts are although simple, however it still requires a lot of iterations to make it more user-friendly and ease out the compliance process as was expected before the implementation this on-line module. At present the objective of ease of doing business has not been achieved completely with implementation of SARAS.

b.   Similarly, on the issue of compliance, declaration and verification of revenue with Controller (CCA) offices, the entire mechanism of compliance requires a review as it has issues. The review is also required in-light of the new telecom regime starting from 1st Oct'21.

c.   The issues with SARAS and CCA offices arise primarily for the inherent complexities of areas covered for the compliance and the processes attached to it. The gets further complicated for involvement of multiple stakeholders spread over different geographies at different point in time.

d.   For instance, assessment of LF is dependent on DVR report collected from circle by the central office. The response for demand cum SCN is also required to be submitted in two parts – for DVR to respective circles and for rest to the DoT HQ. Again, finalization of demand shall depend on the response received from CCA office. This leads to a loop getting created in the system.

e.   Another example, in the matter of verification of deduction, the activity being akin to an audit, requires lot of judgement to be exercised by the officers carrying out verification. This leads to varied interpretation of the same guideline by the different CCA offices leading to varied results and representation with DoT HQ for intervention. This again creates a loop.

Since these issues are inter-linked, these have been discussed in detail as below:

1. **Reporting and Filling at SARAS**:

   a. Even after 2 years of implementation, the system is still evolving. There are lot of basic issues which requires urgent attention e.g., time taken in generation of GAR 6 & GAR 7 and consequent upload of documents in SARAS again. The overall time taken in compliance has increased after implementation of SARAS and so is complexities. The issues have been flagged with DoT and we are awaiting resolutions for quite some time now.

   b. As the process is not yet streamlined, dual submissions i.e., physical as well as on-line submissions both are continuing leading to an increased work pressure and time. Further, even if these module gets implemented fully, the requirement of physical submission of documents in some cases are not fully done away with, e.g., quarterly compliance of LF and submission of notarized documents.

   c. In some case post implementation of SARAS, although there has been ease of payment towards payment of LF & SUC dues, however, the overall time taken towards compliance has increased. The same has further been explained as below:

   In the matter of payment of LF & SUC Dues

   a. Previously the LF & SUC payment compliance was a 1 step process wherein all the documents along with payments used to get submitted with respective CCA offices.

   b. However, the main issue with this was that since payment was getting done through DD, huge sum of money was unnecessary getting locked in the banking system without giving any benefit to DoT and having a cost on the TSP.

   c. Now with introduction of SARAS, although the payment process has eased out (for being on-line directly to Govt. account with RBI) however, additional steps got introduced w.r.t. verification of payment, thereby delaying the complete process of compliance by 1-2 days. Some examples as below:

   - 1st Payment through SARAS then wait for the generation of GAR 6 (Final receipt of Payment) & GAR 7 (Challan),

   - Taking the printout of all documents along with provisional receipt, GAR 6 & GAR 7

   - Getting these physical documents notarized and submission with CCAs,

   - Finally, submission of acknowledged documents is in the SARAS portal.

II. **In the matter of Verification of Deduction**

   a. There are still some basic issues which require a resolution to make the SARAS a complete tool:

ii.   In case of single evidence for multiple transactions there is no provision for GL extract upload

iii.   The document size that can be uploaded in the SARAS is also limited and requires improvement.

iv.   Upload of complete set of documents again and again (audited vs unaudited and re-upload of full set again and again) is cumbersome and time consuming.

2. Reporting and Filing with Controller of communication of accounts including Deduction Verification with CCA and other compliances:

a.   At present, the LF assessment is a two-step process:

i.   CCA offices carrying out verification of deduction from Gross Revenue and send their report, known as Deduction Verification Report ('DVR') to DoT HQ. This report carries the disallowances made by the CCA offices w.r.t the deduction claimed by the operators.

ii.   DoT HQ further carries out re-computation of revenue and takes into cognizance the DVR received from circle. Accordingly, DoT HQ sends a demand cum show cause notice to the operators.

b. Post receipt of this Demand cum SCN, there are two separate representations required to be filed:

- In the matter of DVR, representation is required to be made with respective CCA

- On assessment of revenue and other issues, representation is required to be made to DoT HQ.

i.   This whole process is not only cumbersome but also time taking, confusing and sometimes leads to disagreements between different stakeholders.

ii.   Further, **as the activities are being carried out by multiple stakeholders, varied interpretation of the same guideline and resultant practices leads to unnecessary debate and resultant disallowances even for the genuine issues.**

iii.   The current decentralized mechanism is also not in sync with the new era of licensing regime starting from 1st Oct'21. For instance, with introduction of ApGR, a reconciliation with Company books is required. It would be relevant to mention that some of the income that accrues to Company but does not accrue to the licenses. Such revenues/gains are thus accounted for in HO books but not circle/license books. The ApGR cannot complete till the time complete reconciliation with Company books are done.

iv.   Therefore, this whole mechanism needs simplification.

3. Issues w.r.t. Declaration and Verification of Deduction from Gross Revenue

There are lot of issues being faced at the ground when it comes to implementation of deduction verification process.

a. The size of documents submission

i. At present thousands of papers are being submitted every quarter with CCA offices towards verification of deduction from Gross Revenue.

ii. It is submitted that the process of verification has settled over last 4-5 years and it is the time when these processes should move to next level. **Instead of the current 100% verification, a process of sample base deduction verification should be adopted. The approach of Sample base is a scientific approach**

iii. **of audit wherein samples are getting selected based on the audit tools.**

iv. In case the TSP fails on the sample size, as a rule the sample size may further be increased. The usual prevailing practice is that for every failed sample, there shall be additional 3 samples. If the auditee fails again, the sample size is further increased to 5 additional sample. In cases where the auditee fails again, 100% verification or special audit gets recommended. The same type of mechanism may also be evaluated to avoid the current cumbersome and time taking process.

b. The approach to deduction verification:

i. The verification of deduction is a process akin to an audit wherein sufficiency of the documents submitted gets evaluated for the claim towards deduction. However, at present, the process of document verification is more being treated like an investigation rather than an audit. For instance, challenging the validity of a document or asking to prove that the expense shown in one case is being shown as revenue by the other operator.

ii. These are even though of all these documents are being submitted under the signature of the Authorized Signatory. Further, at the end of the year, the details of these submissions are getting certified by the Statutory Auditors of the Company before being submitted to DoT.

4. Issue of Special Audit:

a. At the outset it is submitted that **with beginning of this new Telecom era from 1st Oct'21, now these multiple levels of audits of TSP's should be removed**.

b. It is suggested that as the name suggest, the Special Audit are special tools which are exercised under exception. This should not be a routine feature. As such it is requested that any attempt to regularize the same should be discouraged.

c. Further, going by the past experiences, the approach of Special Audit and Auditors should be participative and inclusive.

Therefore, we recommend and **suggest the following steps for ease of doing business in the above context:**

1. To resolve issues with SARAS, DoT should have their in-house team of technical expert who should be managing this application end to end. Dependence on NSDL is delaying the successful implementation.

2. In-line with management of Bank Guarantees which has now been centralized, the payment and related administration / management of LF and SUC too should be centralized. This shall also allow the centralized agencies managing BG to effectively manage their work by removing their dependency on the field office to check every time the sufficiency of the BG.

3. The verification of DVR and the **Assessment of License fees and SUC fees should be handled by one and the same office. A centralized mechanism to do so is required** as.

a. It allows effective management of ApGR as all the revenue of the Company might not be pertaining to the Specific License. For example, Dividend income may be arising to the Company for the investment made by it in different Company and does not pertain to any license. Such type of reconciliation can be done at Company level before preparing the AGR statement for the License.

b. It helps better management of Demand cum SCN or the demand as the all the issues would be required to be addressed at one place. This shall reduce the possibility of errors and multiple iterations to the notices and the resultant delay. Thus, these would effectively ease the implementation of the notices and the timeline to discharge a particular demand notice.

4. The process of verification of deduction has been settled over last 4-5 years and it is the time when this process should move to next level. Instead of the current 100% verification, the audited report submitted for the purpose should be relied upon. In case DoT still wants to verify the correctness of the deduction claim and approach of Audit of Audit may be adopted wherein a process of sample base deduction verification may be adopted.

5. The approach of Sample base is a scientific approach of audit wherein samples are getting selected based on the audit tools. In case the TSP fails on the sample size, as a rule the sample size may further be increased. The usual prevailing practice is that for every failed sample, there shall be additional 3 sample. If the auditee fails again, the sample size is further increased to 5 additional sample. In cases where the auditee fails again, 100% verification or special audit gets recommended. The same type of mechanism may also be evaluated to avoid the current cumbersome and time taking process.

6. Alternatively, implementation of concept of LfDS in-line with the concept of TDS under the Income Tax laws should be adopted. This shall have the following benefits:

a. Reduce the paperwork and thus submission of papers (e.g., submission of bank statement, TDS proof etc.)

b. Prepone the payment of License Fees

c. Ease of deduction verification process

d. Verification of revenue.

7. **Any attempt to regularize the Special Audit of TSPs should be seriously discouraged. These are special tools to be exercised under exceptions and cannot and should not be a routine affair**. The reason for doing so shall be recorded and the TSP should be given a fair and reasonable opportunity to make their submission against the same. The reason for acceptance / rejection of TSP plea should also be recorded and intimated to the TSP. The outcome of the decision should follow.

8. Further even in-case of Special Audit, the rules of audit should be adhered. Accordingly, while adhering to the Terms of Reference (TOR) given by the DoT, submission of TSP should also be recorded and with it the reason for acceptance / non-acceptance. As per the routine audit practice, a draft report should first be share with the TSP for their final comment. The reason for acceptance / non-acceptance of the should also be recorded. The Copy of final report should also be given to the TSP by the Auditors.

Q19. What improvements do you suggest in the various extant audit processes conducted by DoT LSAs? How the process of the Customer Acquisition Form (CAF) audit can be further simplified? Provide your comments with justifications.

- **CAF audit be carried out only for a newly implemented process** (after 1 month of implementation) for 3 consecutive months and corrections (if any) be given to the TSP for rectification. No penalties should be levied based on the observations. **Thereafter, the CAF audit should be carried out every six months for subscribers acquired in the last 1 year.**
- **TSPs should be given 3 months' time to make corrections for all future activations and if completed within this 3-month period, no penalties should be imposed for the period.**
- **The sample size should be fixed @ 5000 samples / LSA or 1% whichever is lower and the frequency should be six monthly as recommended.**
- Database submission and CAF audit should only be done electronically.
- **The concept of Outstation & Local subscriber should be abolished and the requirement of capturing local referee details on CAF too should be done away with.** Most used PoI/ PoA like Driving Licenses, Voter ID Cards, Passports, Aadhaar cards are valid for various purposes across sectors, so why should there be any discrimination when it comes to telecom services. This also defeats the objective of the one country one policy.

- With the high level of compliance being demonstrated by TSPs and the intent to improve compliance, the graded slabs should be modified to-
  - \> 90% @ Rs. 1000
  - \> 85% and < 90% @ Rs. 5,000
  - \> 80% and < 85% @ Rs. 10,000
  - \< 80% @ Rs. 50,000
- **Similarly, the special consideration for AS/NE & JK by applying multiplication factor of 4 on penalty slab should also be done away with.**

Some additional points that should be considered from the point of view of EoDB:

- **Only an incremental base for the monthly subscriber audit should be considered**.

- **The requirement to change SIM for P2P, ownership transfer, COCP to Individual, individual to COCP even with fresh KYC should be done away with.**

- **Local referee addresses should be made non-mandatory in the case of outstation customers as valid details will be available with the corresponding TSP of referee number.**

- **Quarterly & Periodic Verification:**

  - Periodic verification should be exempted as taking B2B connections is more authentic than prepaid and PV is already happening before sim activation.
  - As there are changes in the working culture of corporates due to the pandemic with most corporates working from home, operators are struggling to complete verification from corporates. In the wake of the pandemic and various offices being shut-down or partially operating, the process of verification should be exempted.

- Live photos in the eKYC should eliminated as matching Live Vs. UIDAI image is a tedious task and may not be 100% accurate.

- API for De-dupe by DOT should be instituted across all operators for better customer experience.

- Re-activation Process

  - Numbers outside LSA should be reactivated (PD Recreation process to be simplified), currently there is no process.
  - Numbers with change of customer, who is a bonafide user of the connection, or even new customers should be reactivated.

- Agent addition under an existing retailer should be allowed like in the rest of India. For JK & NESA, every activating retailer has to be police-verified and cannot have agents under him activating under the same PoS code.

- **Aadhaar and PAN should start being accepted as proof of validity.** We have started Aadhaar Biometric activations from the month of December parallelly with DKYC activations. Still, in NESA, we do not accept Aadhaar as a document while processing DKYC acquisitions. Since in EKYC biometric activation is already done through Aadhaar, we can explore incorporating this in the case of DKYC as well as the PAN card.

- Every month we submit the **scanned images of the LTD base to all the 3 TERM cells of NESA. This should either be modified or eliminated completely.** This activity takes around a weeks' time as entire numbers need to burned in CDs. This can be simplified if we submit only the incremental numbers activated every month or eliminate the process completely.

- CLIR process should be simplified. (ADG/DG Intelligence to write to DOT/ TERM Cell directly and DoT can ask the required CAF/Verification to approve.)
- The process for TERM Sample for Paper acquisitions should be modified. Currently, we submit copies of the numbers activated on paper. These then need to be numbered in box files and indexed. Can we not look to an option of submitting scanned images even for paper acquisitions? This will save a lot of man hours currently going into printing and then filing.

- Verified Digi-locker documents for both individual and corporates should be accepted for DKYC activation process.

- ATR / Re-verification Window be increased to 7 days instead of 72 Hrs. for Non - Compliant cases in monthly TERM audit.

- Retrospective Non – Compliance cases of Rectified POS/Agent should not be considered as Non-Compliant.

- Ad hoc connection verification (MHA) cases should be given in schedule (once in a month) instead of whenever they come up as it is impossible to manage timelines.

- **End user for Govt entities should be relaxed.**

  - o Though DOT has relaxed mandatory POI / POA guidelines for defense and army accounts, the same support should be extended to other strategic accounts (Restricted to IT / security sector) on the basis of company risk undertaking.
  - o Journey needs to be bifurcated into KYC of corporate and information of end user. Company documents, i.e., POE, POA, POI of Authorized signatory can be collected before onboarding. Numbers shall be activated as and when information is received of end user against the number through user themselves.

Security Audits:

In today's telecom eco system, most of the controls in the telecom network from the point of view of data and communication security are implemented at the central level and are equally applicable to the entire network in all the areas the TSPs operate in.

> **Hence, it is suggested that a single audit is conducted by the DoT HQ as this will ease the burden on the licensor as well as the licensee.**

Q20. What measures are required to be taken to simplify the various submissions/filings made by teleport operators, DTH operators, MSOs, and other stakeholders at MIB? Provide your detailed reply with justifications.

Presently, there are multiple (pre-defined) periodic as well as incidental filings (reports included) which a DTH Operator is required to file with the MIB. Almost all these filings are submitted in physical form. This poses challenges in following up with relevant departments/verticals within the ministry or department or any feedback loops.

In this digital age, such an archaic process is highly time consuming and has an impact on cost for the DTH operators. It can easily be made more efficient by enabling a single portal for facilitating such submissions.
Therefore, we recommend the following:

1.   A simplified and common portal for periodic filings by operators.

2.   The requirement of prior permission from MIB before effecting any change in the CEO / Board of Directors of the company should be relaxed. It is submitted that the positions of CEO / Board of Directors/key officers are very senior and dynamic positions and the requirement of obtaining prior permission from MIB before making any such change forces the company to be non-compliant to the license conditions as at times it takes substantial time to find a suitable replacement. Such a requirement of obtaining prior permission for effecting any change in the CEO / Board of Directors does not exist in the case of other Telecom Licenses and this should be kept at par with them.

3.   The process of payment of License Fee should be simplified. Post the payment of License Fee, the Operator is required to file Form D and the intimation of payment of License Fee to the Ministry. This incidental process should be aligned with the present fee payment procedure and the physical filing terminated. The Form D and other documents required in the physical format may be attached in a fresh window post payment of the License Fee.

Q21. TRAI seeks multiple reports through its multiple divisions at predefined frequency intervals. Reports submitted by operators are examined and for non-compliances, show cause notices are issued and financial disincentives are imposed, wherever applicable. Do you think there is a need to improve reporting and compliance system in TRAI? Please elaborate your response with justifications.

Telecom Reports

Presently approximately 60 reports are submitted on periodic (monthly/quarterly) basis as required under various regulations and orders e.g., multiple subscriber base report that are submitted to TRAI and DOT regularly with break-ups subscribers in LSAs, state, rural, urban, mobile, landline, broadband.

We recommend revising the format and including all the above in a single submission, and **TRAI to holistically review all such reports and reduce number of reports by consolidating them.**

Review of QoS Benchmark for Customer service-related parameters:
Most of the QoS parameters were devised at the time when the industry was at a very nascent stage and services were dominated by voice calls. For example, one of the parameters for mobile services, i.e., **Percentage of calls answered by the operators (voice to voice) within 90 seconds (> 95%): Ov**er the period technological advancement/digitalization has led to new and effective ways for the customer to reach out to the TSPs which include TSPs mobile App, chat-bots, WhatsApp etc. These are far more effective, time saving modes raising issues/queries/complaints with the TSP, hence these modes should be encouraged, and lesser thrust should be imposed on maintaining the compliance on accessibility of call center.

Therefore, we feel that there is a need to review the existing benchmarks for Customer service parameters under mobile, broadband and landline services in accordance with the changing scenario of interactive modes between TSPs and the customer.

Review/revision of provisions for Financial Disincentive: While TSPs do their utmost to always comply with the various reporting and compliance requirements set out by TRAI stipulated regulations, directions, and orders, financial disincentives, parameters are discussed above are not relevant today and hence the financial disincentives against noncompliance to such parameters should be done away with.

Reporting Timelines Presently, we are submitting about 60 plus reports to TRAI

and its various divisions. Sometimes, it becomes a daunting task especially during quarter endings. **Hence it is submitted that the reporting timelines be increased for all monthly and quarterly submissions by at least 10 days**, thereby giving additional time for the TSPs to ensure error free submissions.

DTH Reporting Requirements and Suggestions:

DTH Reports: DTH Reporting at TRAI is quite a cumbersome task which involves physical filings and filing of various reports through Email as well. It is recommended that TRAI **get the reports through a portal facilitated by TRAI wherein all the periodic filings and other filings such as filing of Tariffs/Bouquets can be done by the DTH Operators at prescribed intervals.**

EPG guide has too many rules – sequence of genre and prior approval etc which needs to go away.

Monthly and Quarterly submission needs to be simplified as it is extremely exhaustive.

Price changes should be like Telecom – within 7 days of launch rather than 15 days prior to launch.

Micro Regulation on issues such as installation charges, activation charges and STB schemes etc. This is a highly competitive industry and such oversight needs to go away.

Q22. Identify those redundant items which require deletions and at the same time the items that need to be included in the reporting and regulatory compliance systems due to the technological advancements. Suggest such changes with due justifications.

AND

Q23. What kind of IT-based reports and compliance submission processes do you suggest in TRAI? Provide your comments.

1. **Online Tariff Filing and Review System (OTFRS):** TRAI needs to holistically review the tariff reporting formats which contain over 270 fields out of which the majority are redundant and need to be reduced if not eliminated.

2. **Revenue Reporting:** TRAI is collecting a detailed revenue report on various components such as MOUs (Local(on-net/off-net), STD (on-net/off-net), under

the heading of Number of outgoing/incoming and average holding time (in seconds) for Local/STD/ISD of revenue. Due to convergence of services or unlimited services these heads are no longer relevant.

3. **Refinements in the Accounting Separation Report (s): The** ASR were modified in 2016 and now there is a need to align them with the present business model. Requirements like special board approval for ASRs should be done away with since being a listed company and under the Companies Act, Telcos are already subjected to various audits. Presently, Access providers, NLD & ILD service providers are required to submit their Accounting Separation Report based on replacement Cost Accounting every second year along with Historical Cost Accounting. For example, a Pan India mobile operator submits the equivalent of 207 reports[1] on replacement cost accounting under the ASR.

Since the telecommunication sector is under forbearance, we note that during the last 10 years, **TRAI has not used ASR based replacement cost accounting for any tariff fixation/telecom pricing perhaps for regulatory decisions. Therefore, this redundant requirement should be done away with**.

a. **Mobile Number Portability Regulation:** MNP Regulation was released in 2009 and with changes in the regulatory environment and increased adaption of automation techniques, it has been refined as is evident from the 8 amendments which have been carried out in the Mobile Number Portability regulation. While the regulation has evolved over the last 10 years, there are still some issues which need deliberation and have been points of contention over the past few years. Hence, we suggest some changes which will ease out the process lapses and create a conducive environment towards ease of doing business.

1. In the case of customers whose numbers get disconnected due to non-payment of dues to the donor operator, there is the possibility that such customers may not remember their account numbers while making the payment which may result in the payment getting posted to some other account. **Hence, while raising Non-Payment Disconnection Service Request, the mandatory field for the account number should be enabled to provide the account number details in which the payment should be made by the customer.** This will resolve a lot of operational issues and will benefit customers in ensuring that the reconnection happens without any delay.

2. **In corporate porting, the authorization letter format should be issued by the DO TSPs, and letter should be simplified to have a better porting**

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[1] Under ASR, a TSP prepares nine Performa for each of 22 LSAs and one at national level.

experience as there are a lot of fields which are nor relevant in the extant authorization letter as mandated under the MNP regulation.

3. **There should be provisions about the payment to be made by the corporate entity for the last generated bill in case a limited number/one subscriber needs to be ported out from a corporate account.**

Q24. Are there any other issues in the present system of licenses/ permissions/registrations granted by MIB/DoT/WPC/NOCC/TEC/DOS/ MeitY/MoP that can be identified as relevant from the perspective of ease of doing business in the telecom and broadcasting sector? If yes, provide a list of those processes and suggest ways for their improvement.

One of key concerns of TSPs is concern about selling of illegal mobile signal repeaters that has become one of the biggest reasons for customers facing network issues. These illegal repeaters interfere with the existing network signals, resulting in call disconnections, low data quality and compromised speed with all surrounding mobile networks, impacts signal quality and degrades network experience in the entire area.

While the DoT has made installation, possession or selling of illegal repeaters as a punishable offence as per Indian Wireless Telegraphy Act, 1933 and Indian Telegraph Act, 1885[1], however it continues to be sold in market or remained deployed probably at various places across cities.

We therefore suggest various enforcement Authorities, TRAI and DoT to form a special task force that is empowered to curb this menace instantly in the impacted areas once intimated by the TSPs or identified on its own by DoT/TRAI.

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