

VM IPL/REG/TRAI/2306/274

20 June 2023

Sh. Akhilesh Kumar Trivedi
Advisor (Networks, Spectrum and Licensing)
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg, (Old Minto Road)
New Delhi – 110002

Subject: TRAI Consultation on Definition of International Traffic

Dear Sir,

At the outset, we are thankful to TRAI for initiating this Consultation Paper and giving us this opportunity to provide our regarding “Definition of International Traffic”.

The Consultation paper is a welcome and timely initiative by the Authority.

In this regard, V-Con Mobile & Infra Private Limited (VM IPL) would like to submit our comments as below:-

Q1. Whether it would be appropriate to define the term ‘international traffic’ in the telecommunication service license agreements as ‘the international long-distance traffic originating in one country and terminating in another country, where one of the countries is India’? Kindly provide your response with a detailed justification.

Q2. In case your response to the Q1 is in the negative, kindly provide an alternative definition along with a detailed justification

VM IPL response:- No comments

Q3. Since the terms ‘Inter circle traffic’ and ‘Intra circle traffic’ are already defined in the telecommunication service license agreements, whether there is still a need to define the term ‘domestic traffic’ in the telecommunication service license agreements? If yes, what should be the definition of the term ‘domestic traffic’? Kindly provide your response with a detailed justification.

VM IPL response:- We strongly feel that despite the terms “Inter circle traffic” and “Intra circle traffic” defined in the telecommunication service license agreements, the scope of “domestic traffic” is still vague and there is a need to widen the definition in order to accommodate inclusion of Principal Entities under the purview of “domestic traffic”.

In our view, any entity having its registered office within the territory of India, holding a Certificate of Incorporation (Company registered under Ministry of Corporate Affairs), and holding a valid TAN/PAN/GST should be eligible to send to an Indian telecom subscriber, a message (in form of data/voice call/SMS) and such dissemination/transmission of message should also be covered under the definition of “Domestic traffic”.

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Q4. Whether there are any other issues/ suggestions relevant to the subject? If yes, the same may kindly be furnished with proper justification.

VM IPL response:- To ensure compliance by TSPs and Telemarketers to the relevant TRAI Regulations, Banking Regulations and taxation laws in India, there is a strong need to have a clear guidelines for treatment of traffic in the below points:-

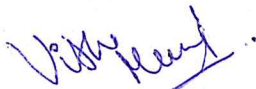
1. What would be the nature of traffic, i.e. whether Domestic or International in the below scenarios:-
 - a. SMS originates from India and terminates outside India (D2I)
 - b. SMS originates from outside India and terminates in India (I2D)

What would be the applicability of TRAI regulations on the SMS traffic in the above scenarios?

2. What bearing does the country of registration or the location of servers and network equipment of the Principal Entity have on the above categorization of traffic (domestic or international) and monitoring of traffic from TRAI's perspective.

Thanking you,

For **V-Con Mobile & Infra Private Limited**



(Authorized Signatory)