



TELECOM REGULATORY AUTHORITY OF INDIA



NEWS LETTER: Vol. V/2016

May 2016

NEWS LETTER FOR CAGs

This newsletter brings you the information and developments that have taken place during the month of May, 2016.

Recommendations:

1. Recommendations on Sale/Rent of International Roaming Cards/Global Calling Cards in India.

The Authority had received grievances from the consumers who had availed the services of Indian entities having No Objection Certificate (NOC) from DoT for sale/rent of International Roaming SIM cards/Global Calling cards in India. The complaints ranged from overcharging to poor customer care to transparency in tariffs etc. The Authority issued a letter on 19.5.2015 to all companies, who have been issued the NOC by DoT, asking them to respond to a questionnaire seeking details of type of SIM cards marketed, consumer grievance redressal mechanism etc. Out of the 38 companies listed on DoT's website as on 17.4.2015, response was received from 17 operators.

After analyzing the response received from these companies and taking into account the grievances of the consumers, the Authority has submitted its suo motu Recommendations on "Sale/Rent of International Roaming SIM Cards/Global Calling Cards of foreign operators in India" to DoT, in the interest of the consumer on 9th May, 2016. The recommendations are as follows:

- (i) The itemized bill shall be provided within 10 days of the date of culmination of the journey. If the journey is undertaken for a period exceeding 30 days then the itemized bill shall be generated in 30 days cycle from the date of the commencement of the journey and provided to customer within 10 days.
- (ii) The customer should be given the option by the firm to choose a data service or a voice service or combination of both.

- (iii) In respect of a postpaid connection, there shall be a credit limit which may be fixed as per the customer's requirement and customer be transparently informed of the same. The customer shall be informed through SMS/USSD message upon reaching 70% of the credit limit. If the credit limit is breached the services should be barred till such time the customer deposits the necessary amount with the operator.

2. Recommendations for redefining the definition of broadband speed/increase the Broadband speed.

A report on need for reviewing definition of Broadband alongwith the recommendations of the Authority that the current definition of broadband in the country be reviewed and minimum download speed be increased to 2 Mbps was sent to DoT on 24th May, 2016.

Directions :

1. Direction dated 6th May, 2016 with regard to obligation to provide Mobile Number Portability to the customer of M/s Videocon Telecommunication Limited in Bihar, Haryana, Gujarat, Madhya Pradesh, UP (East) and UP (West) licensed service areas on a non-discriminatory basis.

Pursuant to Spectrum Trading Guidelines, M/s Videocon Telecommunication Ltd. (M/s VTL) entered into an agreement with M/s Bharti Airtel Ltd to trade right to use the entire 1800 MHz spectrum allotted to it. M/s VTL informed that it shall discontinue its commercial services with effect from 11th May, 2016. TRAI issued direction on 25th April 2016 to M/s VTL in order to facilitate Mobile Number Portability for subscribers of M/s VTL in Bihar, Haryana, Gujarat, Madhya Pradesh, UP (East) and UP (West) licensed service areas. Through this direction, the Authority provided additional codes for generating UPCs and also relaxed the 90 days condition for activation of number in a network for subscribers of M/s VTL in these service areas.

Subsequently, it came to the notice of the Authority that M/s VTL has published advertisement in print media and also issued public notice informing its subscribers regarding closure of its commercial services by the mid-night of 11th May, 2016 and advised them to port out their mobile number to their preferred partner M/s Bharti Airtel Ltd.

By publishing such advertisement / public notice, M/s VTL had not followed non-discriminatory approach as mandated in the Mobile Number Portability Regulations, 2009. Therefore, the Authority through its direction dated 6th May 2016 directed M/s VTL :

- (i) to strictly comply with the provisions of Mobile Number Portability Regulations, 2009 dated 23rd September, 2009
- (ii) to rectify the public notice by issuing/publishing forthwith corrigendum of its public notice so published in the newspaper without suggesting / advising to its subscribers to use the Mobile Number Portability (MNP) facility to port out to its preferred partner and explicitly informing all its subscribers in the service areas of Bihar, Haryana, Gujarat, Madhya Pradesh, UP (East) and UP (West) to use Mobile Number Portability (MNP) facility to port their mobile number to any of the service provider of their choice
- (iii) to ensure that any public notice issued in future by M/s VTL in regard to availing of Mobile Number Portability facility by its customers shall be in line of para (ii) above
- (iv) to remove the public notice from its website with immediate effect and issue / post fresh Public Notice forthwith on home page of its website duly informing the subscribers to port their mobile numbers to any of the service providers of their choice.

2. Direction dated 20th May, 2016 with regard to closure of CDMA services and rollout of LTE services by M/s Reliance Communications Limited in Haryana, Himachal Pradesh, Odisha, Punjab & West Bengal licensed service areas w.e.f. 15th May, 2016 and in Andhra Pradesh, Bihar, Delhi, Gujarat, Kolkata, Madhya Pradesh, Maharashtra, Mumbai, UP (East) & UP (West) licensed service areas w.e.f. 31st May, 2016, consequent to liberalization of 800 MHz spectrum.

DoT approved liberalization of spectrum held by M/s Reliance Communication Ltd (M/s RCL) in 800 MHz in 16 Licensed Service Areas. Subsequently, M/s RCL informed the Authority regarding discontinuation of its CDMA services w.e.f. 15th May 2016 in Haryana, Himachal Pradesh, Odisha, Punjab & West Bengal licensed service areas and w.e.f. 31st May 2016 in Andhra Pradesh, Bihar, Delhi, Gujarat, Kolkata, Madhya Pradesh, Maharashtra, Mumbai, UP (East) & UP (West) LSAs.

TRAI issued direction on 20th May 2016 to M/s RCL, other TSPs and MNPSs, in order to facilitate Mobile Number Portability for subscribers of M/s RCL, providing additional codes for generating UPCs and also to relax the 90 days condition for activation of number in a network for subscribers of M/s RCL in these service areas.

Consultation Papers:

A. Telecom:

1. Consultation Paper on Free Data:

To address the issue of providing free internet access to consumers and to explore a possibility of 'TSP agnostic platform' which can facilitate app developers to promote their website without entering into agreement with TSPs for making their website popular, the Authority has come out with the Consultation Paper (CP) on 19th May, 2016 on "Free Data" to explore model(s) that could achieve the benefits of offering free data while avoiding the ingenuity that the Differential Tariff Regulation is meant to prevent. The written comments on the issues raised in the consultation paper are invited from the stakeholders by 16th June 2016 and counter comments by 30th June 2016.

2. Pre-Consultation Paper on 'Net Neutrality'

TRAI issued Pre-consultation Paper on Net Neutrality on 30th May 2016 for seeking the comments of the stakeholders. Pre-consultation paper is an attempt to identify the relevant issues in these areas, which will help TRAI in formulating its view on the way forward for policy or regulatory interventions on the issue of net neutrality. The last date of written comments by stakeholders is 5th July 2016. This Pre-consultation paper is available on TRAI's website.

B. Broadcasting:

3. Consultation Paper on 'Interconnection framework for Broadcasting TV Services distributed through Addressable Systems'.

TRAI, on 04.05.2016, released a Consultation Paper on "Interconnection framework for Broadcasting TV Services distributed through Addressable Systems". This consultation paper aims at fostering competition, increasing trust amongst service providers, facilitating ease of doing business, reducing disputes, improving transparency & efficiency, promoting sustainable & orderly growth and providing effective choice to consumers. The last date of written comments by stakeholders was 17.06.2016.

4. Consultation Paper on 'Issues related to Quality of Service in Digital Addressable Systems and Consumer Protection'

TRAI, on 19.05.2016, released a Consultation Paper on "Issues related to Quality of Service in Digital Addressable Systems and Consumer Protection". The main objectives of current consultation are:

- I. To develop unified regulatory framework for Addressable TV Platforms (DTH/ CABLE TV/ HITS/ IPTV) for QoS and consumer protection.

- II. To make consumers aware of the choices of services, terms and conditions of services, and providing ease of subscription
- III. To simplify complaint booking and speedy redressal of complaints.
- IV. To ensure orderly growth and level playing field for overall development of the broadcasting sector
- v. To encourage use of modern Information Communication Technologies (ICTs) for improving

The last date of written comments by stakeholders is 8th July 2016

5. Pre-Consultation Paper on ‘Infrastructure Sharing in Broadcasting TV distribution sector’.

TRAI, on 23.05.2016, released a Pre-Consultation Paper on “Infrastructure Sharing in Broadcasting TV distribution sector”. The pre-consultation paper aims to identify various issues relating to sharing of infrastructure and separation of network & service provider functions so as to reduce cost of distribution of services through various TV distribution platforms. Comments of various stakeholders, organizations, associations, experts, individuals etc. are solicited so that all likely issues can be identified for consultation. The last date of written comments by stakeholders is 23.06.2016.

Other Information:

1. Inflation linked hikes for TV tariff.

TRAI had issued two tariff orders (Eleventh and Thirteenth Tariff Amendment Order) on 31.03.2014 and on 31.12.2014 respectively providing for inflation linked hike of around 27% for TV tariff. These tariff orders were set aside by the TDSAT vide its judgement dated 28.04.2015. The order of TDSAT was later also upheld by the Hon,ble Supreme Court in its final order of 04.08.2015 and it observed that TRAI should reconsider the matter.

Pursuant to observations of Hon’ble Supreme Court, the matter was re-examined afresh by TRAI and based on the analysis of all the fact, the Authority has observed that there is a healthy growth in the industry with rise in revenues outstripping the increase in inflation over the years. The Authority has, therefore, concluded that inflation linked hike provided earlier vide the above Tariff orders (the Eleventh and Thirteenth Tariff Amendment Order) which had been set aside by TDSAT and by Supreme Court, is not required at present.

TRAI on 09.05.2016 has uploaded the decision of the Authority on its website as a Press Release.

2. Data relating to average duration per hour of advertisements (commercial & self promotional) during peak hours in News & pay Non-news Channels

Data relating to average duration per hour of advertisements (commercial & self promotional) during peak hours in News & pay Non-news Channels for the period 28th December 2015 to 27th March 2016 is uploaded on TRAI's website.

3. Audit Report for assessment of QoS provided by TSPs :

The audit work for the period October to December 2015 has been completed and final Audit Reports have been published through TRAI's website 16th May 2016.

4. Indian Telecom Service Performance Indicator Report:

TRAI has released the 'Indian Telecom Service Performance Indicator Report' for the quarter ending December 2015. The report provides broad perspective of the Telecom Services as well as cable TV, DTH and radio broadcasting services in India for the period from 1st October, 2015 to 31st December, 2015.

5. Drive Tests :

The Independent Drive Tests in Delhi, Mumbai, Lucknow, & Kanpur, Chandigarh, Hyderabad, Darjeeling & Sikkim, Bhopal and Ahmadabad have been conducted during the month of May 2016. The Independent Drive Tests in Ranchi and Trivandrum are being carried out during the month of June 2016. The report of Independent Drive Test will be released by TRAI shortly.

6. Telecom Subscription Data as on 31st March, 2016:

Particulars	No. of Wireless subscribers (in Millions)	No. of Wire-line Subscribers (in Millions)	No. of Total subscribers (Wireless + Wire-line) (in Millions)
Urban Subscription	588.79	20.90	609.69
Rural Subscription	444.89	4.32	449.17
Total Subscription	1033.63	25.22	1058.86
Overall Tele-density	80.38	1.99	83.36
Share of Urban Subscription	56.96%	82.86%	57.58%
Share of Rural Subscription	43.04%	17.14%	42.42%
No. of Broadband Subscribers	132.77	16.98	149.75

Mobile number Portability requests increased from 204.73 million subscribers at the end of February, 2016 to 209.13 million at the end of March, 2016. In the month of March, 2016 alone 4.40 million requests have been made for MNP.

Active wireless subscribers on the date of Peak VLR in March, 2016 were 936.46 million.

TRAI EVENTS:

1. Open House Discussion (OHD) on the consultation paper on 'Issues related to Radio Audience Measurement and Ratings in India'.

Open House Discussion (OHD) on the consultation paper on 'Issues related to Radio Audience Measurement and Ratings in India' was held on 18.05.2016 at India International Centre, Lodhi Estate, New Delhi.

2. Open House Discussion (OHD) on 'Register of Interconnection Agreements (Broadcasting and Cable Services' Regulations 2016'.

Open House Discussion (OHD) on the 'Register of Interconnection Agreements (Broadcasting and Cable Services' Regulations 2016, was held on 26.05.2016 at Gulmohar" Habitat World at India Habitat Centre, Lodhi Road, New Delhi.

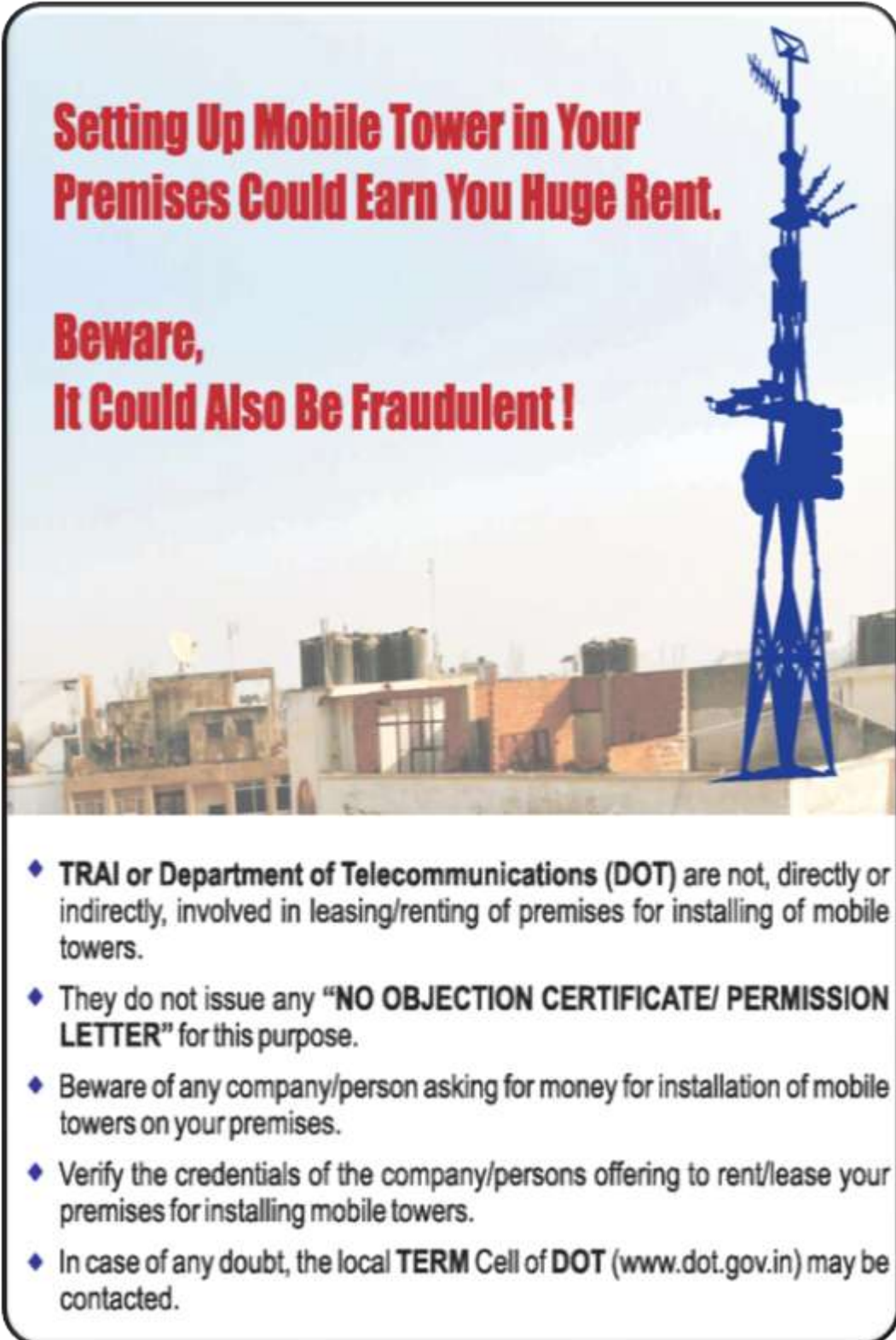
3. Consumer Outreach Programmes:

In May, 2016 TRAI organized 7 Consumer Outreach Programmes at the following places:

Aizawl (Mizoram)	06.05.2016
Margao (Goa)	09.05.2016
Nahan (Himachal Pradesh)	20.05.2016
Gangtok (Sikkim)	24.05.2016
Haridwar (Uttarakhand)	24.05.2016
Anantapur (Andhra Pradesh)	25.05.2016
Canning (West Bengal)	31.05.2016

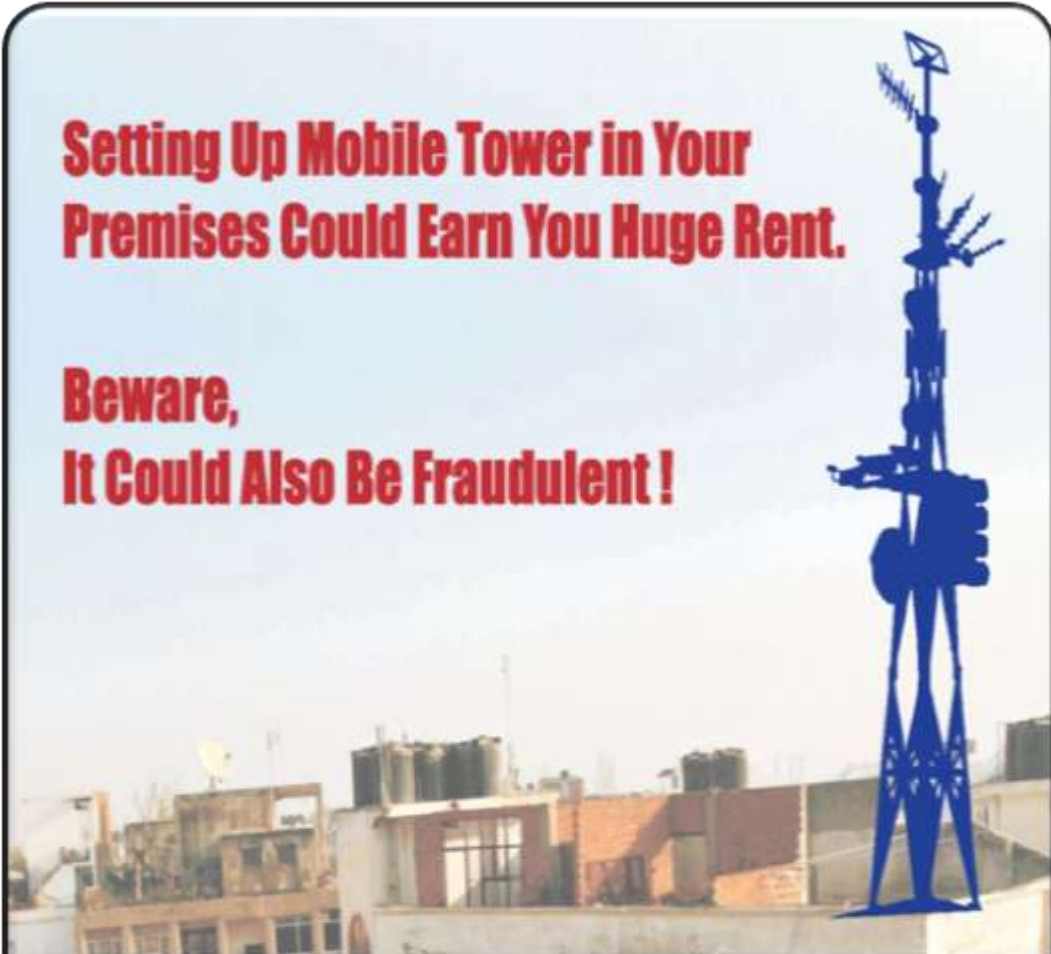
Advertisement released in the month of May, 2016:

TRAI issued advertisements in newspaper across the country cautioning Public against the Tower Fraud.



Setting Up Mobile Tower in Your Premises Could Earn You Huge Rent.

**Beware,
It Could Also Be Fraudulent !**



- ◆ **TRAI or Department of Telecommunications (DOT)** are not, directly or indirectly, involved in leasing/renting of premises for installing of mobile towers.
- ◆ They do not issue any **“NO OBJECTION CERTIFICATE/ PERMISSION LETTER”** for this purpose.
- ◆ Beware of any company/person asking for money for installation of mobile towers on your premises.
- ◆ Verify the credentials of the company/persons offering to rent/lease your premises for installing mobile towers.
- ◆ In case of any doubt, the local **TERM** Cell of **DOT** (www.dot.gov.in) may be contacted.

PHOTO GALLERY

TRAI Interactions with Consumers

Regional Workshop for CAGs & Consumer Outreach Programme (CoP) :



Regional workshop and CoP at Aizawl, Mizoram held on 06.05.2016



CoP at Nahan, Himachal Pradesh held on 18.05.2016



CoP at Haridwar, Uttarakhand held on 24.05.2016



CoP at Margao, Goa held on 24.05.2016



CoP at Canning, West Bengal held on 31.05.2016



CoP at Gangtok, Sikkim held on 24.5.2016

Full details of the Directions/Orders, Recommendations, Consultation Paper, Subscription Data, etc as mentioned in this newsletter are available on our website

www.trai.gov.in

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