TELECOM REGULATORY AUTHORITY OF INDIA

E-Newsletter

OCTOBER 2020

TRAI

Dr. P.D. Vaghela, 1986 Batch Gujarat Cadre IAS Officer has taken over as Chairperson, TRAI

1. Recommendations

1.1 Recommendations on Regulatory Framework for Over the Top (OTT) Communication Services dated 14th September, 2020

TRAI on 14th September 2020 submitted its recommendations on Regulatory Framework for Over the Top (OTT) Communication Services to DoT. The salient features of the recommendations are:

• Market forces may be allowed to respond to the situation without prescribing any regulatory intervention. However, developments shall be monitored and intervention as felt necessary shall be done at appropriate time.
• No regulatory interventions are required in respect of issues related with Privacy and security of OTT services at the moment.
• It is not an opportune moment to recommend a comprehensive regulatory framework for various aspects of services referred to as OTT services, beyond the extant laws and regulations prescribed presently. It may be looked into afresh when more clarity emerges in international jurisdictions particularly the study undertaken by ITU. Detailed recommendations may be accessed from the below link/QR code.

https://trai.gov.in/sites/default/files/Recommendation_14092020.pdf

1.2 Recommendations on Cloud Services dated 14th September, 2020

Cloud service is a broad term that covers all delivery and service models of cloud computing and related solutions. DoT, upon accepting TRAI's recommendations on the legal and regulatory framework on 'Cloud Services, sent a reference to seek recommendations on the framework for Cloud Service Provider's industry body on 27th September 2018. Recommendations were sought on "the terms and conditions of registration of Industry body, Eligibility, entry fee, the period of registration, and governance structure, etc.". TRAI, after the consultation process, submitted its recommendations on Cloud Services to DoT on 14th September 2020.

The Salient features of the recommendations are:

• Initiating a light touch regulatory framework by setting up an industry body through a three-step process: enrolment of CSPs operating in India; formation of an ad hoc body to frame broad rules, organizational structure, election procedure, etc.; and the election of office bearers to take over its functioning as a regular industry-led body.
• Industry body to be registered under the Societies Registration Act, 1860, and to be formed using the approach followed for the formation of the M2M body by DoT.

- Scope of Cloud Service Providers, initially, to be limited to cloud service providers of Infrastructure as a Service (IaaS) and platform as a Service (PaaS) who are providing services in India.
- Telecom Service Providers not to be allowed to share infrastructure and platforms related to Telegraph with a Cloud Service Provider (CSP) who is not a member of CSP's industry body registered with DoT.
- The industry body so created to review its experience and further deliberate upon the need to form multiple bodies for different market segments. DoT may require this review after two years of commencement of the functioning of the first industry body, or such time as it considers appropriate.

https://trai.gov.in/sites/default/files/Recommendations_CS_14092020.pdf

1.3 Response to DoT's back-reference on Recommendations on 'Review of terms and conditions for registration of Other Service Providers (OSPs)' dated 21st October, 2019

The Department of Telecommunications vide its communication dated 26.09.2020 has informed that the Recommendations on "Review of terms and conditions for registration of Other Service Providers (OSPs)" dated 21st October, 2019 have been examined by the Government and it has been decided to refer back of the following issues for reconsideration under Section 11 of the TRAI Act, 1997:-

(1) Categorisation of OSP based on Voice or Data
(2) Bank Guarantee
(3) CCSP/HCCSPs
(4) Network Diagram
(5) Foreign PABX for International OSPs
(6) Penalty
(7) Work from Home
(8) Interconnection of Data and Voice path

2. TRAI, after due deliberations, has finalized its response and sent to Secretary, DoT. On Points (1), (2) and (4) TRAI reiterated its recommendations, on points (5) and (6), it has agreed with the view of DoT and on the remaining points it has given its comments / clarification.

3. The detailed response on back-reference can be accessed from the following link:

https://trai.gov.in/sites/default/files/Recommendation_28092020.pdf

1.4 Recommendations on Traffic Management Practices (TMPs) and Multi-Stakeholder Body for Net Neutrality dated 22nd September 2020

TRAI on 22nd September 2020 has submitted its recommendations on Traffic Management Practices (TMPs) and Multi-Stakeholder Body for Net Neutrality to DoT. The salient features of the recommendations are:

- A process for the creation of a repository of reasonable and necessary Traffic Management Practices (TMPs) that the Internet Access Service (IAS) providers may adopt for managing traffic on their networks.

- The DoT may frame a policy for IAS Providers to inform affected users regarding the impact of applied TMPs. The IAS providers may be required to maintain complete and accurate records of instances of application of TMPs for future reference.

- The DoT may establish a Multi Stakeholder Body (MSB) as a non-profit entity under the Societies Registration Act, 1860. It may start by registering all licensed service providers (UL, VNO license, UASL, and CMTS licensees) as mandatory members, and further invite and/or nominate other stakeholders to become its members.

- The MSB may comprise all TSPs and ISPs (license holders) and other stakeholders from among the content providers; research, academic and technical community; civil society organisations; consumers; and the government.

- The roles of the MSB would be to provide advice and support to DoT regarding monitoring and enforcement of net neutrality principles. The responsibilities of MSB includes to provide support to DoT in creating and maintaining the Repository of TMPs, investigate complaints regarding the violation of net neutrality, submit reports based on monitoring of internet services, investigations of incidents, and review of reports submitted by its members, recommend suitable technical standards and methodologies on matters pertaining to best practices to be adopted for TMPs etc.

- The functions of the MSB would be to perform the tasks of compilation and harmonisation of TMPs across all Internet Access Service (IAS) Providers, Maintain and publish the repository of TMPs, periodically review the TMPs listed in Repository of TMPs and reports on the application of TMPs, prepare technical standards and define methodologies in matters pertaining to net neutrality etc.

https://trai.gov.in/sites/default/files/Recommendations_22092020.pdf

2. Regulations

2.1 TRAI issues "Telecom Consumer Protection (Eleventh Amendment) Regulation, 2020 (7 of 2020)

Telecom Regulatory Authority of India notified the Telecom Consumers Protection (Eleventh Amendment) Regulations (TCPR), 2020 on 30.09.2020. With the enactment of this amendment, a new chapter is added in the Telecom Consumers Protection Regulations, 2012 providing the regulatory framework for International Mobile Roaming Services and to empower the consumer & ensuring protection of consumer from bill shock.

https://trai.gov.in/sites/default/files/Regulation_30092020.pdf

3. Consultation Paper

3.1 Consultation Paper on '"Review of The Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2006' on 1st September 2020

The metering and billing regulations were last reviewed in 2012-13. Since then telecom networks have gone significant changes. Many new services have been introduced by service providers, usage patterns of services changed, users have got many alternative communication channels, the number of service providers have come down and various issues were raised in the compliance of existing code practice.

In order to review the metering and billing accuracy regulations, TRAI issued Consultation Paper on '"Review of The Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2006' on 1st September 2020, seeking the comments of the stakeholders.

This consultation paper deliberates following issues:
- Need to review the quality of Service (Code for Metering and Billing Accuracy) Regulations, 2006.
- Technological solutions which can get the process of audit more efficient and effective.
- Guidelines for metering and billing in the changing scenario of the telecom world

The last date for written comments by stakeholders was 29th September 2020 and counter comments, if any, was 13th October 2020.

https://trai.gov.in/sites/default/files/CP_01092020.pdf

4. Direction

4.1 Direction regarding tariff advertisements.

With the above said Direction, the Authority, directed telecom service providers to prominently highlight the additional terms and conditions and shall also provide a link to the specified terms and conditions of each of the tariff offerings, wherever required, while disseminating tariff related information, including on their website and mobile applications, within fifteen days from the date of issue of this direction i.e. 18th September, 2020.

https://trai.gov.in/sites/default/files/Directions_18092020.pdf

4.2 Direction on tariff publications.

The Authority in supersession of Direction No.301-14/2010-ER dated 16th January, 2012 directed the telecom service providers vide Direction dated 18th September, 2020:

(A) Publish, service area wise, each Tariff Plan for post-paid subscribers and pre-paid subscribers, as applicable. Service Providers shall make available such Tariff Plans to the subscribers at the Customer Care Centres, the points of sale, retail outlets and on the website, App of the telecom service provider. The service providers shall have the following essential disclosures for **tariff plans** and **Special Tariff Vouchers/Combo Vouchers/Add on packs**:

  (i)   All important information, viz, units/volume of voice, data and SMS, rates for the same as applicable, limit of usages, rates and speed beyond the entitled use etc,
  (ii) Complete details of upfront cost along with relevant itemized details,
  (iii) Information regarding validity period of the tariff plan/pack and the last date of payment of bill,
  (iv) An exhaustive list of all specific inclusions in tariff plan /pack,
  (v)   Complete details of all charges that can be levied on consumers for usage of telecom and non-telecom products beyond the specified entitlement or for telecom and non-telecom products which are not specifically proposed or included in the Tariff Plan/pack,
  (vi) All the promised service parameters such as data speed etc., and
  (vii) Complete details of all material conditions including, but not limited to, details of applicable Fair Usage Policy.

(B) ensure that the tariffs published are updated on the website, App and Customer Care Centre of the service provider, points of sale and retail outlets every time is any change in any of the tariff offers or new tariff offer is launched

(C) submit to the Authority a compliance report of the directions within fifteen days of the publication of the Direction and

(D) submit to the Authority, the fact of continued compliance in respect of directions by way of a self-certificate by 7th of the month following the quarter ending 31st March, 30th June, 30 September and 31st December er of the fiscal year.

https://trai.gov.in/sites/default/files/Direction_18092020.pdf

5. Webinar

5.1   TRAI conducted webinar on "Cyber Security" held on 21.09.2020

TRAI organized a webinar through online on "Cyber Security" via online meeting platform on 21.09.2020.

The webinar was inaugurated by Sh. S. K. Gupta, Secretary, TRAI. In his inaugural address he explained that the objective of holding such events and also on the importance and relevance of the topic of this particular webinar. He highlighted the need to create awareness among the telecom consumers about the various kinds of threat a consumer may face in cyber world and the ways to protect themselves from such threats. Shri Sanjeev Banzal, Advisor (IT &CA), TRAI spoke on pitfalls related to cyber-crimes, especially identity theft.

The webinar had sessions covering three important aspects of cyber security. Shri M D Sharath, SP, Cyber Crime Division, CID Karnataka Police spoke on Cyber Crimes and Cyber Laws- Indian Perspective. Shri K Venkatesh Murthy, Director, DSCI spoke on Digital Forensics – Skillsets & Opportunities.   Shri Jai Prakash M S, State Head- Risk Intelligence & Control – Payment Business, Karnataka HDFC Bank Spoke on Digital payment Frauds- Latest Trends & Counter Measures.

The Webinar had wide participation from faculty members, students from reputed Engineering Colleges, Laws Colleges, Management and Business Institutes, Consumer Advocacy Groups (CAGs), Officers from State/Central Government department/PSUs, Telecom Service Providers and consumers.

6. Workshop

Telecom Regulatory Authority of India and the Ministry of Housing and Urban Affairs (MoHUA) jointly organised a day-long conference on "Improving Connectivity Inside Buildings" on 04.09.2020.

2. The conference was inaugurated by Shri Durga Shanker Mishra, Secretary, MoHUA and Dr RS Sharma, Chairman, TRAI. Both inaugural speakers emphasized the need to improve the network in buildings, which is a challenge because signal from the street outside does not penetrate the walls of the building very well, leading to patchy coverage. This need was especially accentuated during the pandemic and is not likely to regress in future.

3. The conference was divided into four technical sessions, where experts from India, Singapore, Europe and the US discussed policy, regulatory, technical, and economic aspects in delivering the desired Quality of Service.

4. The experts deliberated upon the provisions for telecom infrastructure in the National Building code 2016, how to enhance their effectiveness, and the challenges faced in delivering in-building services. OEMs (Nokia and Ericsson) provided a glimpse of technological solutions for enhancing the customer experience, while international speakers shared practices that have been found effective in other parts of the world. It concluded with in-depth case studies on the subject conducted by TRAI.

7. Other Information

7.1 Telecom Subscription Data as on 31st July 2020.

Particulars	Wireless	Wireline	Total (Wireless + Wireline)
Urban Telephone subscribers (Millions)	620.68	17.78	638.46
Rural Telephone subscribers (Millions)	523.50	2.04	525.54
Total Telephone subscribers (Millions)	1144.18	19.82	1164.00
Overall Tele-density (%)	84.56	1.46	86.03
Share of Urban Subscription (%)	54.25%	89.70%	54.85%
Share of Rural Subscription (%)	45.75%	10.30%	45.15%
No. of Broadband Subscribers (Million)	685.27	20.13	705.40

Active wireless subscribers on the date of Peak VLR in July, 2020 were 955.82 million.

In the month of July, 2020, 7.53 million subscriber requests were made for MNP. Till the end of July, 2020, a total of 504.57 million consumers have availed MNP facility since its implementation.

7.2 White Paper on Smart Cities in India: Framework for ICT Infrastructure

The objective of smart city is to enhance quality of life of people and provide a clean and sustainable environment by establishing a common core infrastructure and deploying 'Smart Solutions' using digital infrastructure.

In order to manage the ever-increasing population in the cities, it is important that infrastructure in the cities are upgraded and managed by using Information and Communication Technologies (ICT) to make them sustainable in the long run.

While studying the ICT infrastructure being planned and deployed in various smart cities in India, it has been observed that each smart city is planning and deploying ICT solutions in its own way and there is no common framework for ICT infrastructure for smart cities.

In absence of any regulation or standards, non-standardized proprietary devices and solutions have come up in the market. Such

proprietary or non-standardized solutions have been created in silos and pose problems of interoperability and prevent sharing of data amongst divergent applications.

Non-standardized and non-interoperable ICT solutions will pose a risk as it will suffer from the following constraints:

- Proprietary solutions will have proprietary maintenance and vendor lock-in
- Upgradation and Scalability will also be proprietary and hence costly
- Replicability in other areas will be a challenge
- Integration of various applications and information sharing will be a challenge
- In disaster situation, it will be difficult to have integrated relief operations

Keeping this in view, TRAI has released a **White Paper on Smart Cities in India: Framework for ICT Infrastructure** on 22nd September 2020. The White Paper discussing the relevant aspects related to ICT infrastructure used in Smart Cities. The following topics have been covered in the White Paper:

- ❖ Elements of a Smart City- Ecosystem
- ❖ ICT Requirement for different Elements of Smart City
- ❖ Gaps and Challenges
- ❖ Standardized ICT technology to make system interoperable
- ❖ Common Framework for ICT Infrastructure for a Smart City
- ❖ Integrated efforts of various Stakeholders in developing and deploying standardized, inter-operable, resilient, secure ICT Infrastructure

The White Paper highlights the role of digital technologies for smart cities, discusses the key smart solutions, deliberates the need of Global Standardization and connectivity related aspects specific to smart cities, and tries to identify the framework for ICT Infrastructure for the success of Smart Cities Mission in India.

As a way forward, the White Paper has laid emphasis to achieve Standardization, Inter-operability, Scalability, Sustainability, Resiliency in the ICT infrastructure for Smart Cities which can be achieved through Harmonized Standards, Compliance Testing, Cloud Strategy, National Trust Centre (for Device testing), Cyber Security Strategy and Data Analytics.

The White Paper will open the gates for the industry and the technocrats to kindle their thought process and bring about transformation through identification of key enablers to accelerate the development of Smart Cities in India.

7.3 **TRAI released Monograph on "Quest for a good quality network inside Multi Story Residential Apartments." Dated 22.09.2020**

TRAI on 22nd September 2020 has released the Monograph on "Quest for a good quality network inside Multi Story Residential Apartments." The monograph covers the recommendations on the following aspects:

- To build a good quality network with collaborative partnerships
- Engaging with the end user while designing the networks
- Developing processes and practices which assures a good quality network
- Aligning incentives of principals and agents in a manner which do not conflict

7.4 **TRAI has issued Panel of Auditors (Updated List) to carry out audit of Digital Addressable Systems (DAS) on 30th September 2020.**
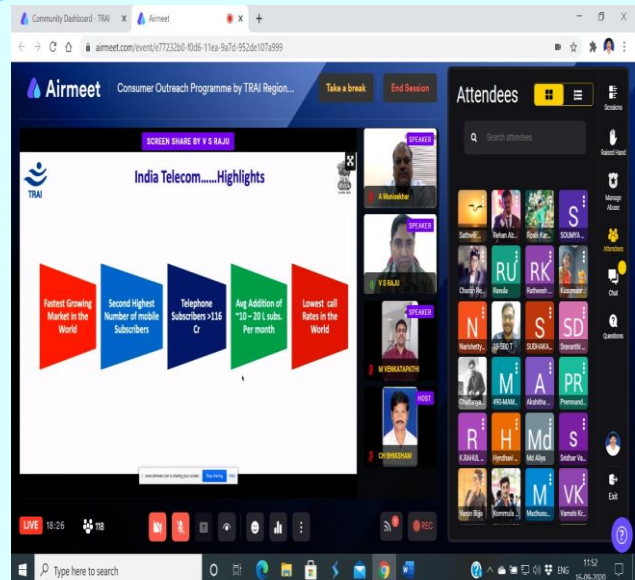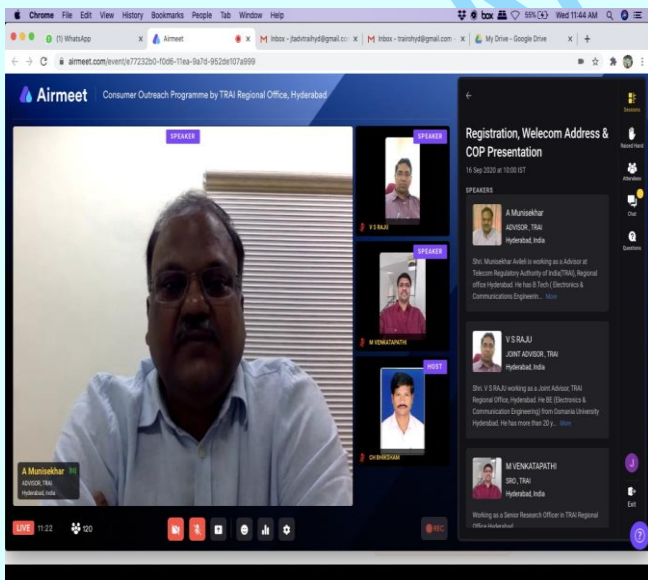
8. Events

8.1 **The following Consumer Outreach Programmes were organised during the month of September 2020 through online platform**

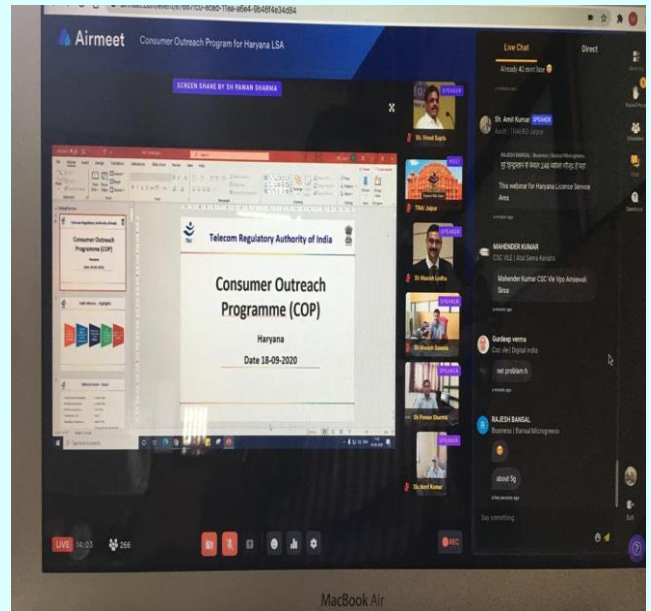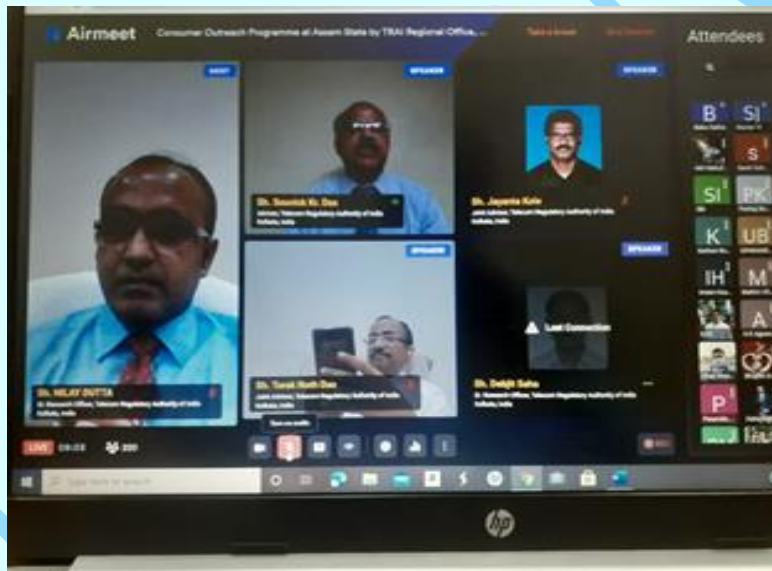| S.No.	Place	Date
1	Jharkhand	09.09.2020
2	Uttarakhand	11.09.2020
3	Hyderabad	16.09.2020
4	Haryana	18.09.2020
5	Assam	28.09.2020

PHOTO GALLERY
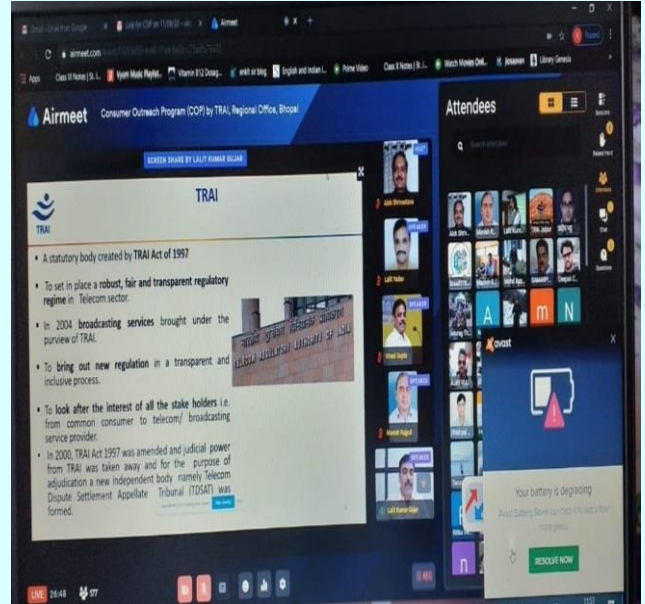
CoP for Uttarakhand held on 11.09.2020

CoP at Hyderabad held on 16.09.2020

CoP for Haryana held on 18.09.2020

CoP for Assam held on 28.09.2020

Full details of the Directions/Orders/Consultation Paper/Report, Subscription Data, etc mentioned in this newsletter are available on TRAI website www.trai.gov.in MahanagarDoorsancharBhawan, JawaharLal Nehru Marg, (Old Minto Road), New Delhi-110 002.

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