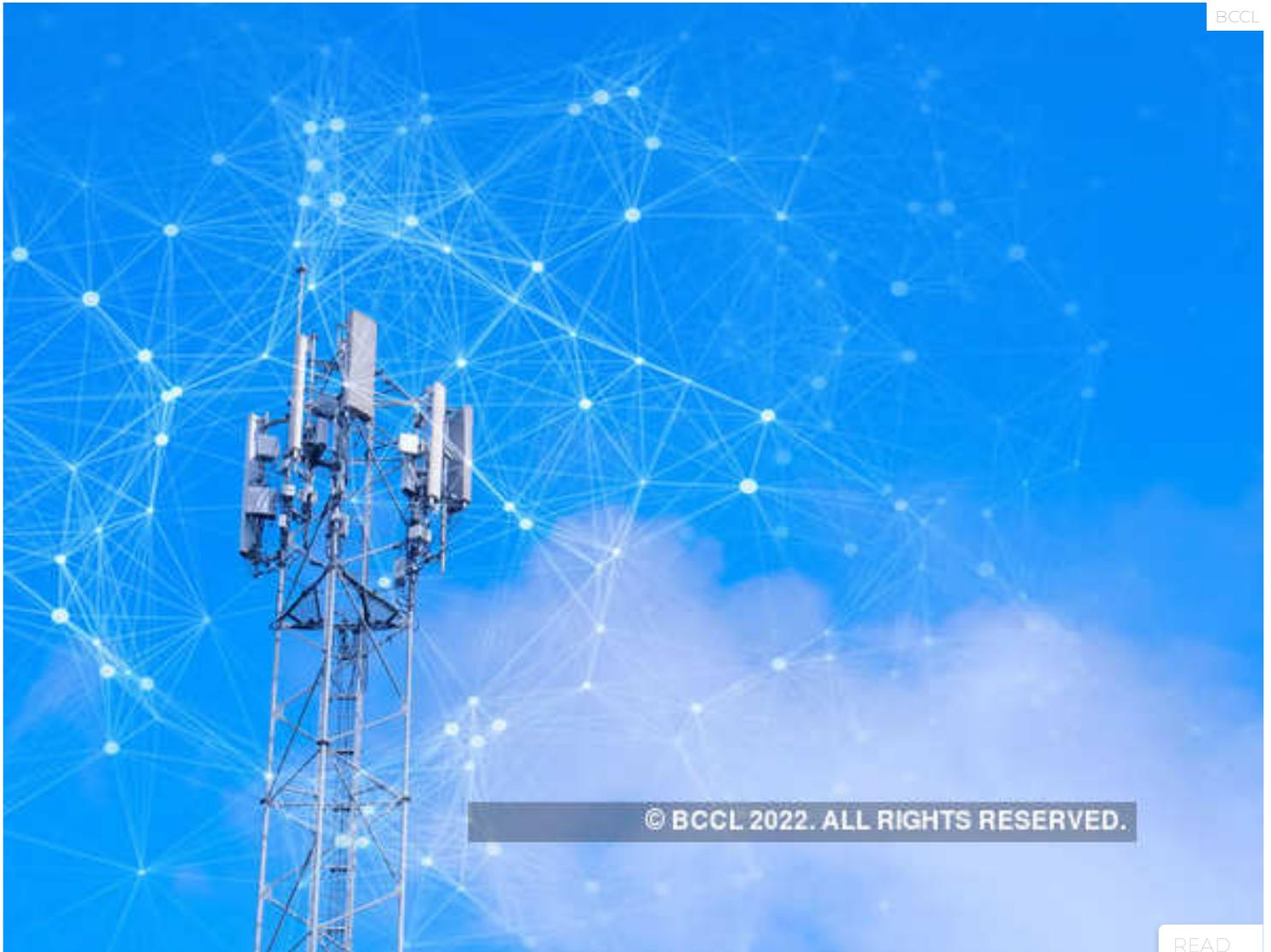




TELECOM

India to bring at least 3 more legislations to overhaul digital regulatory system



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Synopsis

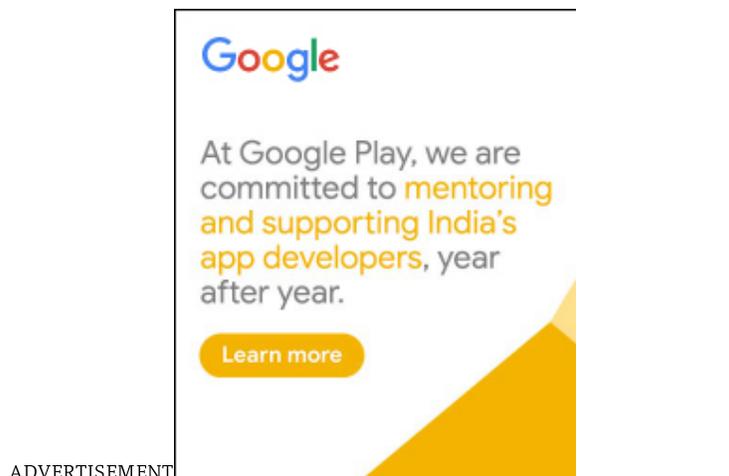
The reforms process for the telecom sector was started in September last year, when the government announced a slew of structural reforms including redefining adjusted gross revenue (AGR) definition. It was followed by reforms in



By ET Bureau

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Telecom Minister Ashwini Vaishnaw Thursday said the government will bring in at least three more legislations, so that the entire digital regulatory system in the country comes at the level of global standards. To start with, licensing reforms will follow the enactment of Telecommunications Act.



“In a very methodical way, we are moving step by step. By end of which, we should see India's telecom sector, among the best in the world,” Vaishnaw said during a Public Affairs Forum of India (PAFI) event.

The reforms process for the telecom sector was started in September last year, when the government announced a slew of structural reforms including redefining adjusted gross revenue (AGR) definition. It was followed by reforms in the wireless promotion and coordination (WPC) wing and more recently the right of way rules (RoW).

The enactment of the Telecommunications Act is the fourth set of reforms, which will be followed by licensing reforms.

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"In keeping with the recent trend of reformative policy making by the government, this draft Indian Telecommunication bill is another milestone step to develop a modern and future-ready legal framework in telecommunication. We are studying the newly drafted Bill and will share our comments with the Government in due course of time," SP Kochhar, director general of Cellular Operators Association of India (COAI), said in a statement.

COAI represents India's three private operators - Reliance Jio, Bharti Airtel and Vodafone Idea.

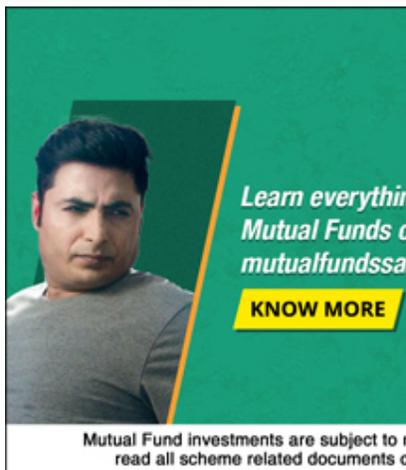


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As per the draft Bill, spectrum can be assigned through an auction or administrative process, depending on the requirements. It has proposed provisions to waive fees, charges and penalties of a company if it is required to protect the interest of consumers or ensure fair competition.

The draft has also enlarged the definition of telecommunication services, bringing over-the-top (OTT) services such as WhatsApp, Signal and Telegram, satellite-based communication services, Internet and broadband services, in-flight and maritime connectivity services, etc., under the ambit of the proposed law. The draft document states that in case of insolvency, spectrum assigned to an entity shall revert to government control.

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The draft Bill has been put up for public consultation and stakeholders can send their comment till October 20.

“Continuing on the path of reforms, the draft bill proposes a comprehensive framework to further enhance ease of doing business. Clarity has been provided on spectrum allocation, restructuring, insolvency, and user protection among others. OTT is proposed to be considered as a telecom service, which may see some developments," Jaideep Ghosh, chief operating officer of legal firm Shardul Amarchand Mangaldas & Co, said in a statement.

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“The Indian Telecommunications Bill, 2002, is indeed a great move and a long awaited one. It has been a challenge for the telecom industry dealing with archaic



different forms of technology such as over-the-top (OTT), internet services via satellite-based communication services, in-flight and maritime services, broadcasting, internet, and broadband services, which will now fall within licensed services,” Tony Verghese, Partner, JSA said.

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