

**TDSAT Seminar, Chennai
on
Dispute Resolution in Telecom**

Presentation

By
R K Arnold **I.T.S.**
Secretary, TRAI

www.trai.gov.in

TRAI's Mission

- **Mission: TRAI's mission is to create and nurture conditions for the growth of telecommunications including broadcasting and cable services in the country in a manner and at a pace which will enable India to play a leading role in the emerging global information society**

Telecom Regulation in India

TRAI

- ✓ Tariff
- ✓ Quality of Service
- ✓ Interconnection

Government

- ✓ Spectrum
- ✓ License
- ✓ Content

TRAI's Power & Functions

➤ **Recommendatory**

- **Licensing related issues**
- **Measures to facilitate competition and growth**
- **Issues related to technology & Efficient management of available Spectrum**

➤ **Regulatory Functions**

- **Interconnection**
- **Tariff Fixation of the Services**
- **Quality of Service**
- **Ensure compliance of license conditions and effective compliance of USO**

➤ **Issue Directions to the Service Providers on matters relating to its Regulatory Functions**

Regulatory Process (Adopted by TRAI)

- **Section 11(4) of the TRAI Act mandates TRAI to ensure transparency in Discharge of its Functions**
- **To Ensure Transparency TRAI adopts the following process before taking any regulatory decisions:**
 - **Consultation Paper is issued soliciting comments from stakeholders**
 - **The Comments of the stake holders are published on the website**
 - **Stake holders are invited in the Open House Discussions (OHDs) organized in different parts of the country.**
 - **The issue is discussed in detail and after providing multiple opportunity to the stake holders for submission of their views the decision is taken by Authority.**

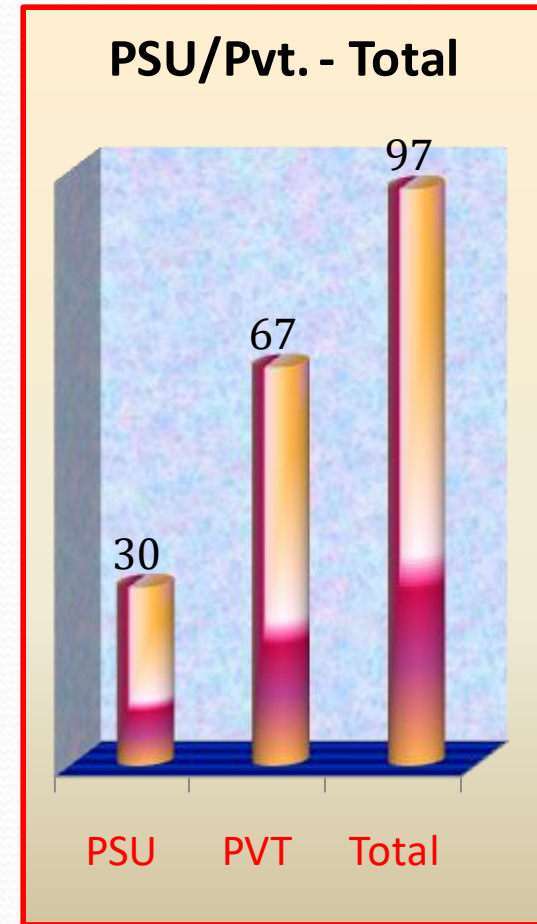
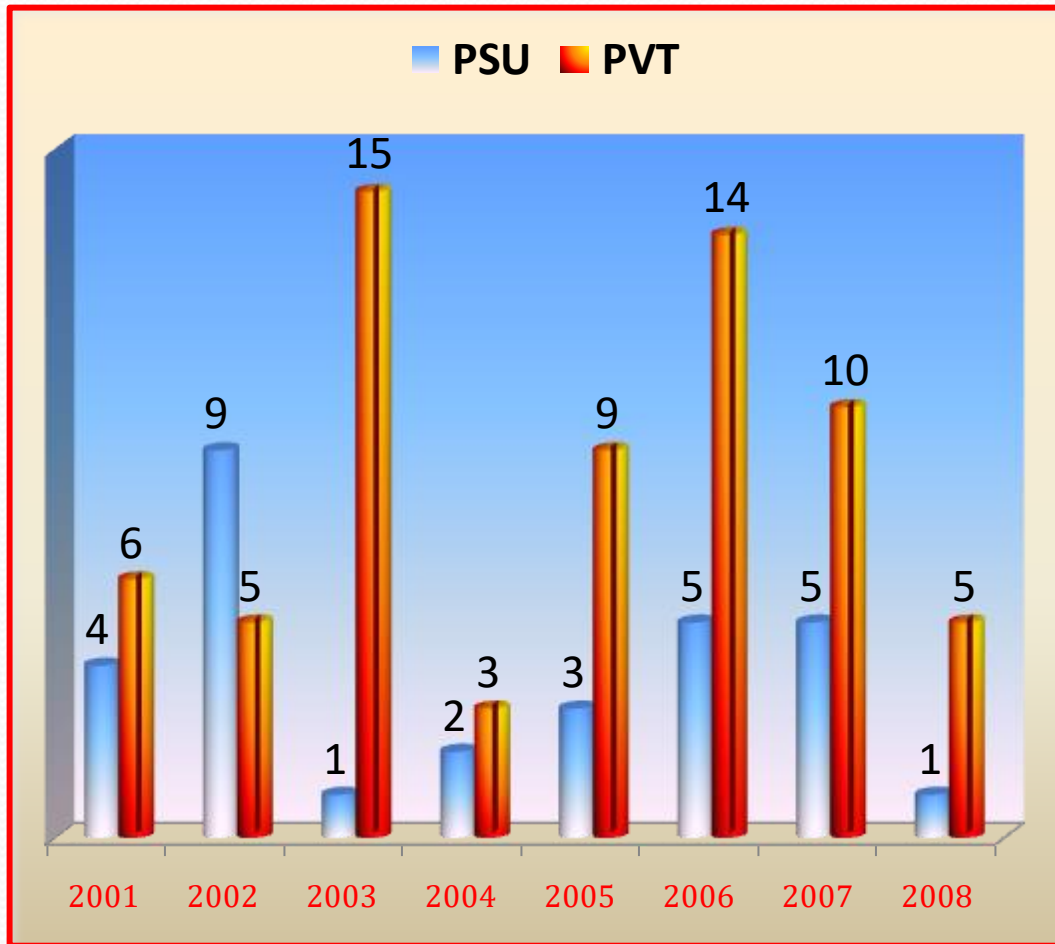
Telecom Dispute Resolution in India

- ❖ Since setting up of TRAI in 1997 and prior to amendment in 2000, TRAI was entrusted with Recommendatory, Regulatory and Adjudicatory functions
- ❖ In the year 2000 – TDSAT was established by carving out the adjudicatory functions from TRAI

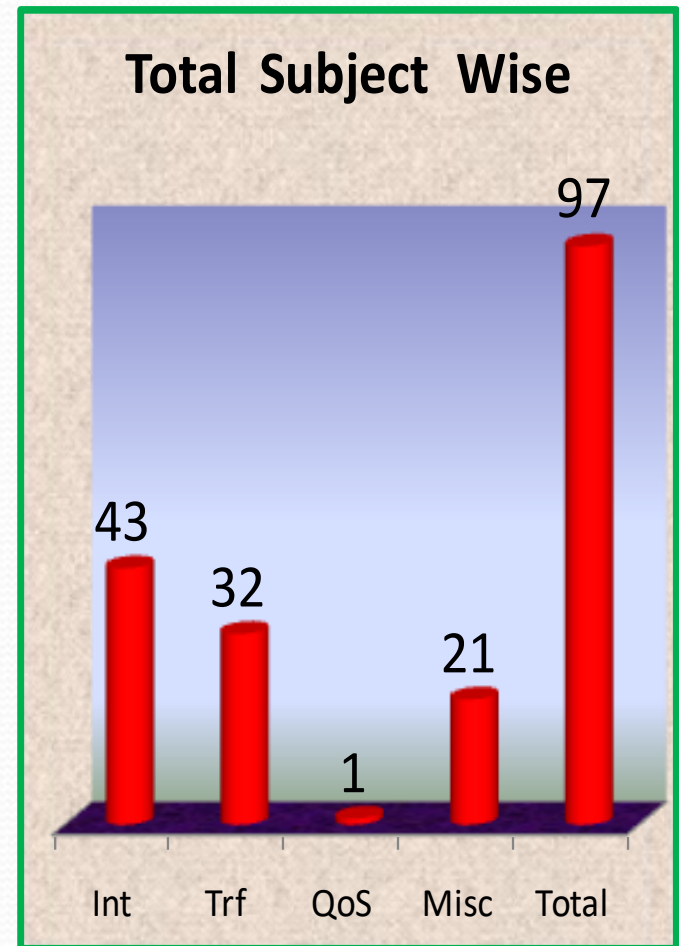
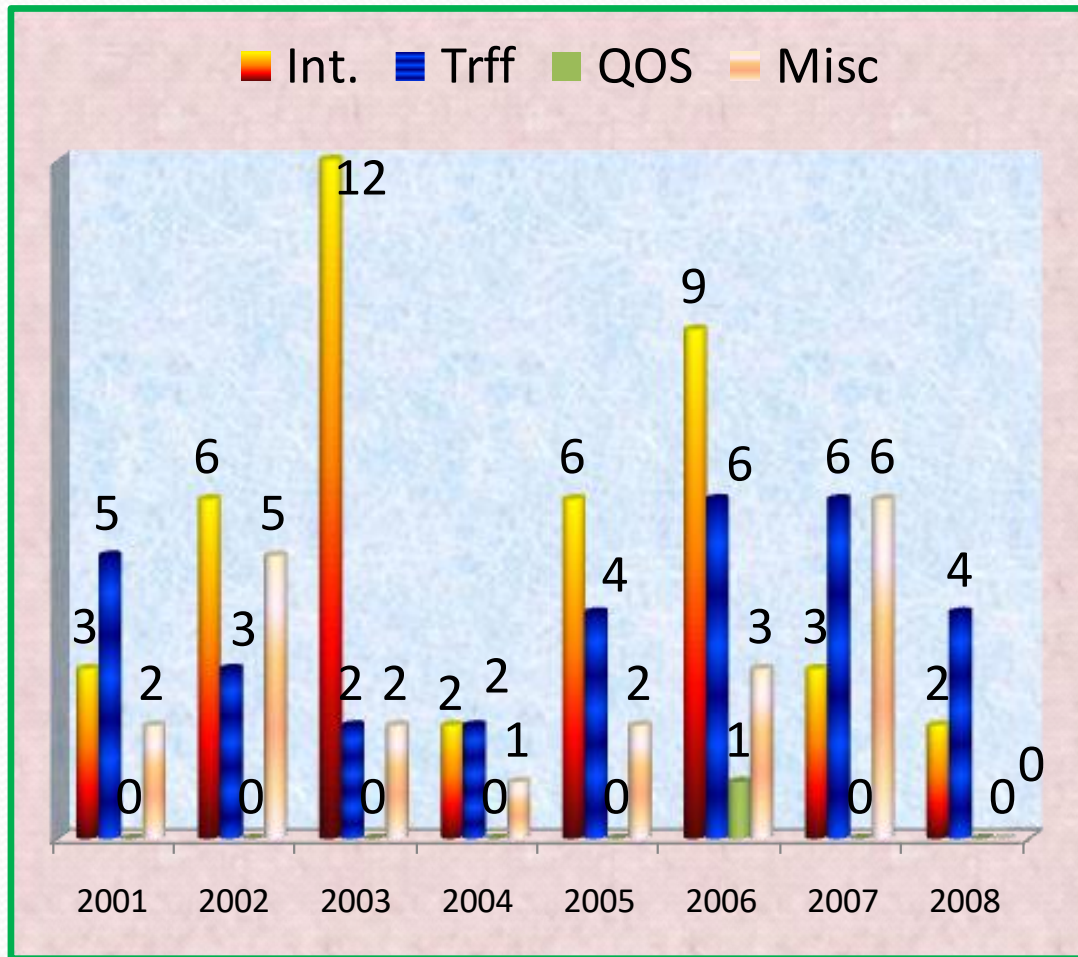
TDSAT 's power

- To adjudicate any dispute
 - Between a licensor and a licensee
 - Between two or more service providers
 - Between a service provider and a group of consumers
- To hear and dispose of appeals against decisions of TRAI
- Central Govt. or State Govt. or a local Authority or any person aggrieved by decision/direction/order of Authority may prefer an appeal in TDSAT

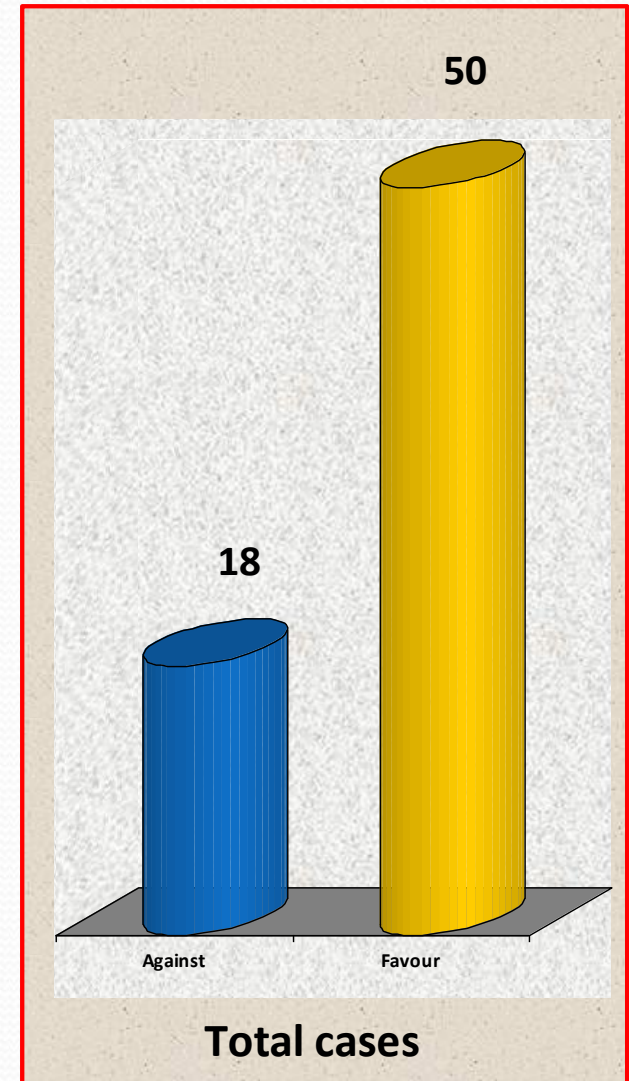
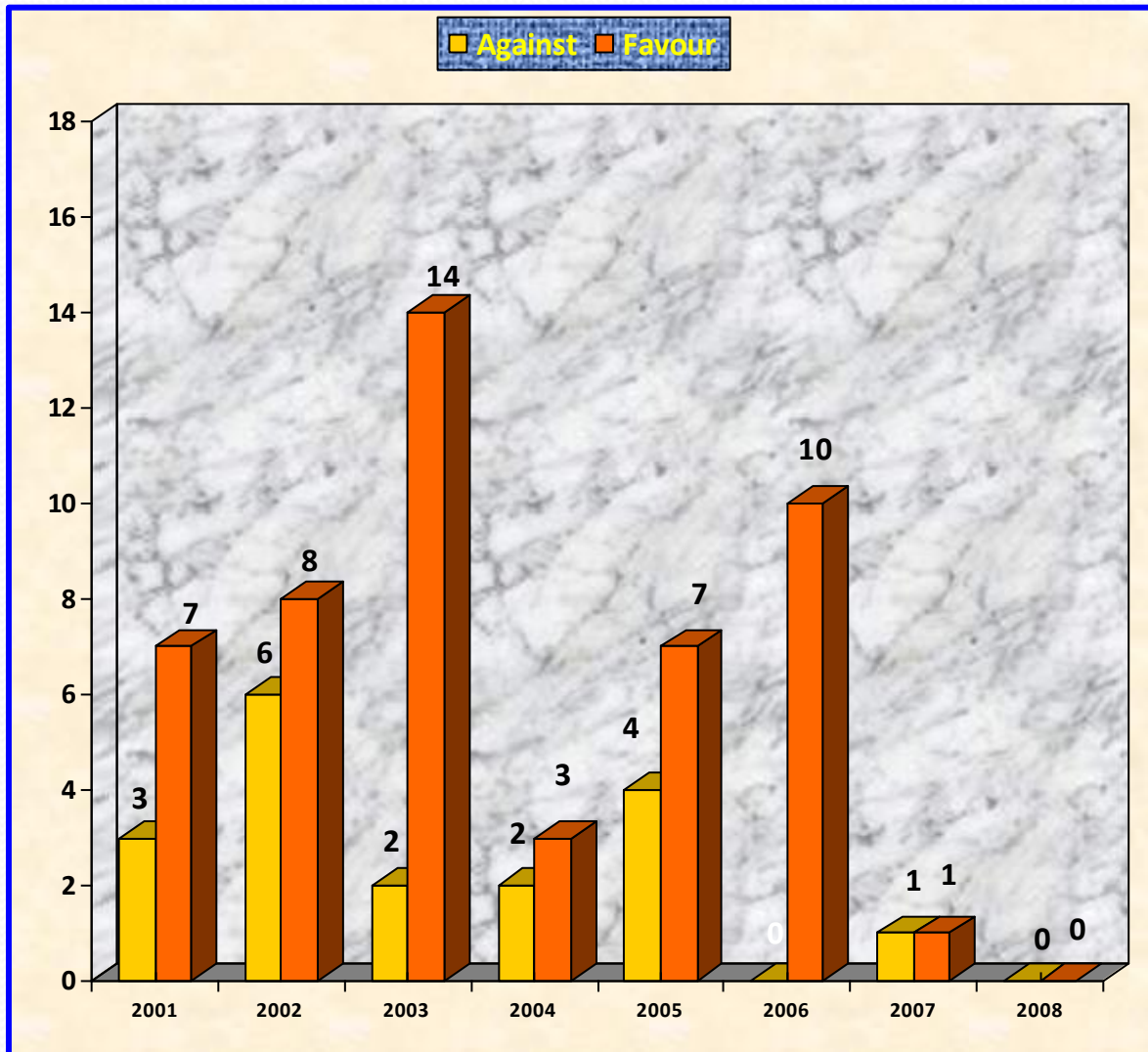
Analysis of Appeals – PSU/Pvt.



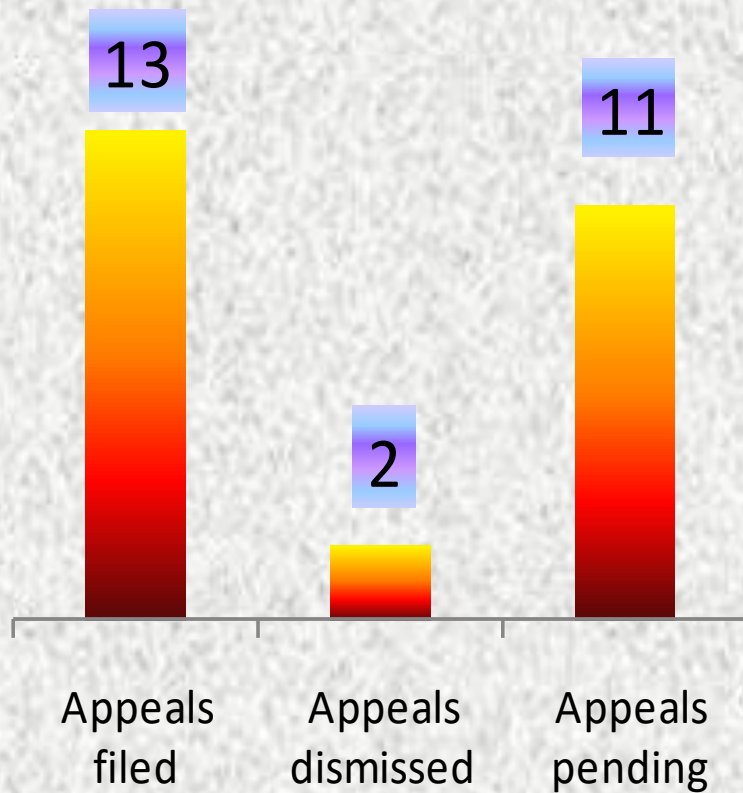
Analysis of Appeals– Subject-wise



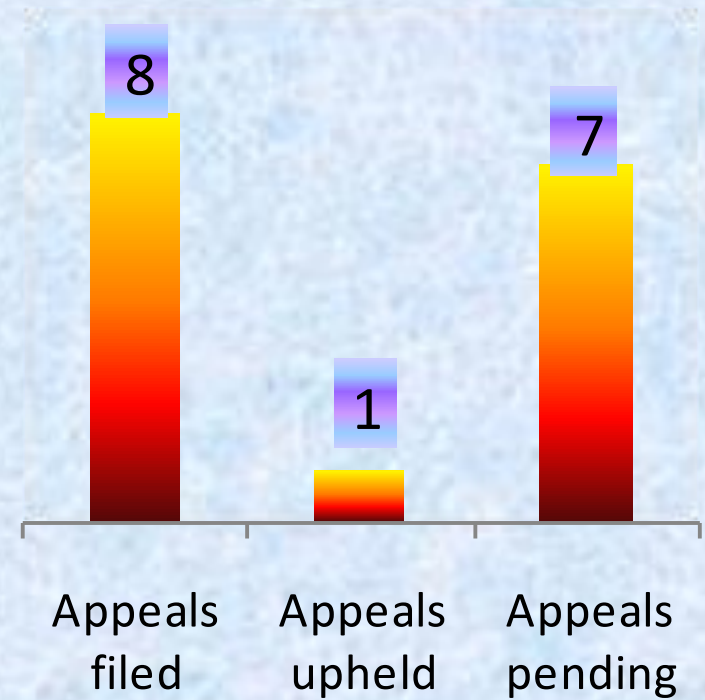
Analysis of Appeals – Decision Wise



**No. of appeals filed by SPs
in Supreme Court against 50
decisions of TDSAT**



**No. of appeals filed by
TRAI in Supreme Court
against 18 decisions of
TDSAT**



Regulatory Issues addressed

Regulatory Tool Box

USO

Comprehensive USO Policy in place

Interconnection

Issues have been addressed through various regulations and directives;

One of the few countries to publish RIO

A comprehensive IUC regime too is in place

Tariffs

Telecom Tariff Order & amendments;

De-regulation of tariffs, starting with cellular tariffs

Monitoring of tariffs for predation

Licensing

Based on TRAI recommendations, open competition has been introduced in all sectors including unified access.

Internet Telephony introduced

Recommendations for total unification with Govt.

QoS

End User Quality of Service regulation,

Publicly available customer survey

Competition

Accounting separation, RIO by service providers with Significant Market Power, Merger issues

Broadband

Broadband Policy 2004 issued by Govt.

Major Initiatives of TRAI in Recent Times

- Recommendations on:
- Internet telephony , MVNO
- Provision of Calling Cards by Long Distance Operator
- Reserve price and auction process for 3G services
- Mobile TV , IPTV & HITS
- Licensing provisions for Cable TV Operators, MSOs and Steps for Digitalisation
- Tariff Order fixing ceiling on Cable TV subscription

Thank you

A Presentation by

rkarnold@traf.gov.in

www.traf.gov.in

R.K.Arnold
Secretary
New Delhi



The image features the words "Thank You" in a large, bold, 3D font. The text is rendered with a vertical gradient, transitioning from a bright yellow at the top to a deep orange at the bottom. The letters are thick and have a slight shadow beneath them, giving them a three-dimensional appearance. The text is positioned in the center of the frame, slanted slightly upwards from left to right. At the top of the image, there is a decorative border consisting of several wavy, overlapping lines in shades of light blue and white, creating a sense of movement and depth. The background is a plain, light cream color.

Thank You