



सत्यमेव जयते

भारतीय दूरसंचार विनियामक प्राधिकरण
Telecom Regulatory Authority of India



DRAFT
THE TELECOMMUNICATION TARIFF
(SEVENTIETH AMENDMENT) ORDER, 2024
(_____ OF 2024)

New Delhi
23rd August 2024

World Trade Centre, Tower-F,
Nauroji Nagar,
New Delhi- 110029

Stakeholders are requested to send their written comments on the Draft Telecommunication Tariff (Seventieth Amendment) Order, 2024 by 6th September 2024. Counter comments, if any, may be submitted by 13th September 2024.

The comments and counter comments may be sent, preferably in electronic form to Shri. Amit Sharma, Advisor (Financial & Economic Analysis), TRAI, on the e-mail: fa@traigov.in. Comments and counter comments will be posted on TRAI's website (www.traigov.in).

For any clarification/information, please contact Shri. Amit Sharma, Advisor (F&EA), TRAI, at Tele no.: +91-11-20907772.

**TO BE PUBLISHED IN THE GAZETTE OF INDIA,
EXTRAORDINARY, PART III, SECTION 4**

TELECOM REGULATORY AUTHORITY OF INDIA

DRAFT NOTIFICATION

New Delhi, the, 2024

F. No. RG-(6)/2024-FEA-II ---- In exercise of the powers conferred upon it under sub-section (2) of section 11, read with sub-clause (i) of clause (b) of sub-section (1) of the said section, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following Order further to amend the Telecommunication Tariff Order, 1999, namely:-

**THE TELECOMMUNICATION TARIFF (SEVENTIETH AMENDMENT)
ORDER, 2024
(No. of 2024)**

1. (1) This Order may be called the Telecommunication Tariff (Seventieth Amendment) Order, 2024.

(2) It shall come into force from the date of its publication in the Official Gazette.

2. In Schedule VI to the Telecommunication Tariff Order, 1999, the following item (5) and entry thereto shall be inserted, namely: -

ITEM	TARIFF
(5) Tariff for PM-Wani scheme	Tariff for Public Data Office under PM-Wani scheme shall be same as is applicable for retail broadband(FTTH) connection

(Amit Sharma)
Advisor (F&EA)

Note - The Telecommunication Tariff Order, 1999 was published in the Gazette of India, Extraordinary, Part III, Section 4 under notification No. 99/3 dated 9th March, 1999, and subsequently amended as given below: -

Amendment No.	Notification No. and Date
1 st	301-4/99-TRAI (Econ) dated 30.03.1999
2 nd	301-4/99-TRAI(Econ) dated 31.05.1999
3 rd	301-4/99-TRAI(Econ) dated 31.05.1999
4 th	301-4/99-TRAI(Econ) dated 28.07.1999
5 th	301-4/99-TRAI(Econ) dated 17.09.1999
6 th	301-4/99-TRAI(Econ) dated 30.09.1999
7 th	301-8/2000-TRAI(Econ) dated 30.03.2000
8 th	301-8/2000-TRAI(Econ) dated 31.07.2000
9 th	301-8/2000-TRAI(Econ) dated 28.08.2000
10 th	306-1/99-TRAI(Econ) dated 09.11.2000
11 th	310-1(5)/TRAI-2000 dated 25.01.2001
12 th	301-9/2000-TRAI(Econ) dated 25.01.2001
13 th	303-4/TRAI-2001 dated 01.05.2001
14 th	306-2/TRAI-2001 dated 24.05.2001
15 th	310-1(5)/TRAI-2000 dated 20.07.2001
16 th	310-5(17)/2001-TRAI(Econ)dated 14.08.2001
17 th	301/2/2002-TRAI(Econ) dated 22.01.2002
18 th	303/3/2002-TRAI(Econ) dated 30.01.2002
19 th	303/3/2002-TRAI(Econ) dated 28.02.2002
20 th	312-7/2001-TRAI(Econ) 14.03.2002
21 st	301-6/2002-TRAI(Econ) dated 13.06.2002
22 nd	312-5/2002-TRAI(Eco) dated 04.07.2002
23 rd	303/8/2002-TRAI(Econ) dated 06.09.2002
24 th	306-2/2003-Econ dated 24.01.2003
25 th	306-2/2003-Econ dated 12.03.2003
26 th	306-2/2003-Econ dated 27.03.2003
27 th	303/6/2003-TRAI(Econ) dated 25.04.2003
28 th	301-51/2003-Econ dated 05.11.2003
29 th	301-56/2003-Econ dated 03.12.2003
30 th	301-4/2004(Econ) dated 16.01.2004
31 st	301-2/2004-Eco dated 07.07.2004
32 nd	301-37/2004-Eco dated 07.10.2004
33 rd	301-31/2004-Eco dated 08.12.2004
34 th	310-3(1)/2003-Eco dated 11.03.2005
35 th	310-3(1)/2003-Eco dated 31.03.2005
36 th	312-7/2003-Eco dated 21.04.2005
37 th	312-7/2003-Eco dated 02.05.2005
38 th	312-7/2003-Eco dated 02.06.2005
39 th	310-3(1)/2003-Eco dated 08.09.2005

40 th	310-3(1)/2003-Eco dated 16.09.2005
41 st	310-3(1)/2003-Eco dated 29.11.2005
42 nd	301-34/2005-Eco dated 07.03.2006
43 rd	301-2/2006-Eco dated 21.03.2006
44 th	301-34/2006-Eco dated 24.01.2007
45 th	301-18/2007-Eco dated 05.06.2007
46 th	301-36/2007-Eco dated 24.01.2008
47 th	301-14/2008-Eco dated 17.03.2008
48 th	301-31/2007-Eco dated 01.09.2008
49 th	301-25/2009-ER dated 20.11.2009
50 th	301-24/2012-ER dated 19.04.2012
51 st	301-26/2011-ER dated 20.04.2012
52 nd	301-41/2012-F&EA dated 19.09.2012
53 rd	301-39/2012-F&EA dated 01.10.2012
54 th	301-59/2012-F&EA dated 05.11.2012
55 th	301-10/2012-F&EA dated 17.06.2013
56 th	301-26/2012-ER dated 26.11.2013
57 th	312-2/2013-F&EA dated 14.07.2014
58 th	312-2/2013-F&EA dated 01.08.2014
59 th	310-5 (2)/2013-F&EA dated 21.11.2014
60 th	301-16/2014-F&EA dated 09.04.2015
61 st	301-30/2016-F&EA dated 22.11.2016
62 nd	301-30/2016-F&EA dated 27.12.2016
63 rd	312-1/2017-F&EA dated 16.02.2018
64 th	301-20/2018-F&EA dated 24.09.2018
65 th	301-03/2020-F&EA dated 03.06.2020
66 th	C-3/7/(5)/2021-FEA-1 dated 27.01.2022
67 th	C-3/7/(5)/2021-FEA-1 dated 31.03.2022
68 th	C/(5)/2021-FEA-II dated 07.04.2022
69 th	C/(2)/2021-FEA-I dated 06.12.2022

Note – The Explanatory Memorandum explains the objects and reasons for the proposed Telecommunication Tariff (Seventieth Amendment) Order, 2024.

EXPLANATORY MEMORANDUM

1. The Telecom Regulatory Authority of India (hereinafter referred to as the Authority) is established under the Telecom Regulatory Authority of India Act, 1997 (TRAI Act). Section 11(2) of TRAI Act provides that:-

“Notwithstanding anything contained in the Indian Telegraph Act, 1885 (13 of 1885), the Authority may, from time to time, by order, notify in the Official Gazette the rates at which the telecommunication services within India and outside India shall be provided under this Act including the rates at which messages shall be transmitted to any country outside India.

Provided that the Authority may notify different rates for different persons or class of persons for similar telecommunication services and where different rates are fixed as aforesaid the Authority shall record the reason therefor.”

2. In the exercise of the above powers, the Authority has been notifying tariffs for various telecommunication services.

3. In March 2017, TRAI through its Recommendations on "Proliferation of Broadband through Public Wi-Fi Networks"¹ addressed various issues pertaining to bandwidth availability, regulatory and commercial constraints, demand side issues, authentication, and payment processes that potentially impact the uptake of public Wi-Fi.

4. In December 2020, Department of Telecommunication (DoT), vide its press release dated 09.12.2020², highlighted various economic³, financial and other benefits of the PM Wani scheme, such as:

- (i) It is expected that with Public Wi-Fi Broadband, the user experience and Quality of Service for Broadband will be improved significantly;
- (ii) This service will be specially useful in rural areas where Public Wi-Fi Hotspots are also being created under BharatNet;

¹ https://traigov.in/sites/default/files/WiFi_Recommendation_09032017.pdf

² <https://pib.gov.in/PressReleasePage.aspx?PRID=1679342>

³ <https://pmwani.gov.in/wani>

- (iii) Proliferation of Public Wi-Fi Hotspots will lead to increased employment for small and micro entrepreneurs and provide them with an additional source of income;
- (iv) The telecom and internet service providers will also benefit due to the sale of bandwidth to Public Data Office (PDOs);
- (v) Made in India Wi-Fi access points are envisaged to be encouraged for use in PM-WANI.

5. In November 2022, DoT in its communication to TRAI, inter alia, stated that the proliferation is quite limited and much below the targets. It was cited that one of the reasons for low proliferation of PM-Wani is the extremely high cost of backhaul internet connectivity charged by TSPs and ISPs from PDOs.

6. DOT further added that in the name of commercial agreement, many times TSPs/ ISPs insist on PDOs to connect public Wi-Fi Access Points using expensive Internet Leased Line instead of regular FTTH Broadband connection.

7. In December 2020, the Union Cabinet approved the proposal of DoT to proliferate Broadband through Public Wi-Fi networks under the framework of Prime Minister's Wi-Fi Access Network Interface (PMWANI). This framework takes forward the National Digital Communications Policy, 2018 (NDCP, 2018)'s mission of 'Connect India' for creating a robust digital communications infrastructure. The PM-WANI framework envisages provision of Broadband through Public Wi-Fi Hotspot providers and consists of the following elements:

- (i) Public Data Office (PDO), which establish, maintain, and operate PM-WANI compliant Wi-Fi Access Points and provide last-mile connectivity to deliver Broadband services to subscribers by procuring internet bandwidth from telecom service providers and/ or internet service providers;
- (ii) Public Data Office Aggregator (PDOA), which provide aggregation services such as authorization and accounting to PDOs, thereby facilitating PDOs in providing services to the end consumer;
- (iii) App Provider, who develops an application to register users and 'discover' and display PM-WANI compliant Wi-Fi hotspots in the proximity for accessing the

internet service and also authenticate the potential Broadband users;

(iv) A Central Registry, which maintains the details of App Providers, PDOAs, and PDOs. The Central Registry is maintained by the Centre for Development of Telematics (C-DoT)⁴;

(v) Wi-Fi Access Network Interface (WANI) ensures the interworking among systems and software applications used by these distributed entities i.e. PDOA, PDO, App Provider, and Central Registry.

8. The National Digital Communications Policy, 2018 under 'Connect India' mission had set the goal to enable deployment of 5 million public Wi-Fi hotspots by 2020 and 10 million by December 2022⁵ for creating a robust digital communication infrastructure.

9. Further, for Digital India 2030 mobile and broadband policy objectives, the Bharat 6G Vision⁶ sets the goal of 10 million public Wi-Fi hotspots by 2022 and 50 million by 2030.

10. As on 22.07.2024, there are 2,07,642 deployed PM-Wani Wi-Fi hotspots in the country and 199 PDOAs and 111 app providers⁷. Presently, PM-Wani hotspot numbers are much below the targeted numbers, as envisaged in NDCP, 2018 document and in Bharat 6G vision document. Thus, effective proliferation of PM-Wani hotspots is essential to achieve the outlined targets.

11. As per the information gathered from PM-WANI Central Registry⁸, the average daily data usage per Wi-Fi hotspot was of the order of 1 GB, till last year, and now it has come down to a few MBs, which is quite less than the monthly average data limit being provided to retail broadband customers. The Authority is of the view that such a low data utilization indicates that PDOs requirement may be fulfilled by retail broadband connection and they may not require an Internet Leased Line (ILL) connection.

12. A comparison of 100 Mbps of Internet leased line tariff vis-à-vis 100 Mbps of FTTH

⁴ <https://dot.gov.in/sites/default/files/202-12-11%20Brief%20PM%20WANI%200-0.pdf?download=1>

⁵ <https://dot.gov.in/sites/default/files/EnglishPolicy-NDCP.pdf>

⁶ <https://bharat6galliance.com/bharat6G//public/assets/OurOfferings/Bharat-6G-Vision-Statement-copy%2021.pdf>

⁷ <https://pmwani.gov.in/wani>

⁸ <https://pmwani.gov.in/pages/admin-kpi-dashboard>

broadband connection shows that the annual tariffs for Internet leased line are 40 to 80 times higher than a retail connection. The Authority is of the view that PDOs, specifically the small scale PDOs viz. small establishment, local shops/ retailers, chaiwalas, kiranawalas, storekeepers etc., generally having low revenue potential, neither need an ILL connection nor they can afford high backhaul rates which are applicable for large commercial entities. This elevated cost of broadband connectivity may act as an impediment for PDOs, subsequently impacting the proliferation of PM-WANI.

13. Therefore, considering economy wide potential benefits of the PM-WANI scheme as highlighted by the Government at para 4 above, the goals and objectives of the Government at para 8 and 9 above and the limited revenue potential of small scale PDOs, the Authority is of the view that it is necessary to rationalize the cost of broadband connectivity to PDOs to pace up the proliferation of PM-WANI scheme.

14. In view of the above, the Authority proposes that for the purpose of providing PM-WANI scheme, PDOs may be charged tariff rate at par with the tariffs for retail broadband (FTTH) connections, for the capacities for which the said retail tariff is being offered to subscribers by the service providers. Based on the experience gained, the Authority may review the proposed arrangement for PM-Wani scheme, after a period of two years.