

## Written Comments by SITI NEWTWORKS LIMITED

With reference to

### Draft (Second Amendment) to The Telecommunication (B&CS) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulation, 2017

*At the outset we would like to congratulate TRAI for its continuous engagement in the growth of sector and efforts made by TRAI in implementing the New Regulatory Framework.*

*Further we would like to submit that conceptually we welcome the very idea of bringing in the present amendment to facilitate the consumers in channels selection and bringing in more transparency in the selection process. We have already established our website and mobile application and have also started the online payment option to the subscribers. In addition, we have been given to understand that most of the MSOs having presence in PAN India have also taken the similar steps as proposed in the draft regulations.*

*The packages and offerings of such DPOs are already available in their websites and mobile apps.*

*We would like to draw your attention that the subscribers are facing the hinderance where some of the DPOs (present in a local area only) have not complied with the framework and have not established their websites, mobile app, channel selection and payment mechanism etc. We would like to mention that the present amendment would not be effective in those cases where these DPOs avoid to make comply with the provisions in true*

*letter and spirit. This kind of avoidance defeat the purpose of regulations and lead to a great difficulty not only to the subscribers, LCOs but other DPOs also.*

*We have been informed that these DPOs have not yet started the online payment mechanism because the API will not be able to communicate with their servers until they are on board with the new framework and provide these facilities to the subscribers.*

*Thus, requirement of the hour is to ensure that every player in the value chain is brought under the regulatory framework and a sustainable transparent audit and inspection mechanism is developed to ensure the compliance of the regulations for the benefit and ease of consumers at large and thereby providing level playing field to all the players.*

*We appreciate the intent behind the present amendment, however, we strongly believe that many regional players (As mentioned above) who have not complied with the existing provisions and are yet to establish their websites and mobile applications should not be relieved from compliance of the present provisions and some stringent action also to be taken against the non-compliers .*

*Further we would like to submit that the actual benefit of TRAI's efforts will reach to the customers and all other stake holders only once the regulations are implemented in holistic approach. If few DPOs including the large MSO's are being considered for compliance of the regulations whereas such players (who are quite dominant in their respective markets) are not complying with the regulatory framework, the purpose of introduction of the regulations would be defeated and lead to discrimination.*

*We have been given to understand that most national level players have already complied and implemented the New Regulatory Framework including the requirements of website, toll free, customer care centre etc., however many regional players are yet to comply with the conditions of new regulations.*

*The continuous defiance of regulations by such players has impacted the whole business environment and has made adverse effect in the business interest of other service providers/platform operators who are complying with the regulations.*

*In fact, in the implementation of regulatory framework, TRAI has taken the Downhill Approach wherein the focus of implementation has been on the major MSOs rather the TRAI should take the Uphill Approach to ensure that the implementation of regulatory framework is done by all the players in the industry in non-discriminatory manner. In our opinion, the present amendment will be helpful in minimizing the consumer complaints only once the new regulatory framework is enforced on all the players and a strong inspection and audit mechanism is put in place to verify that compliance is done by all the service providers and not only by few selective operators.*

*In view of the above, we would request the authority to take steps for effective implementation of the regulation as stated above against the erring MSOs and reconsider the timing of the draft regulations and publish the same once the existing regulations are implemented across by all the DPOs including the smaller MSOs and their systems are ready to implement the provisions of this amendment.*