



COAI

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I-DIGEST

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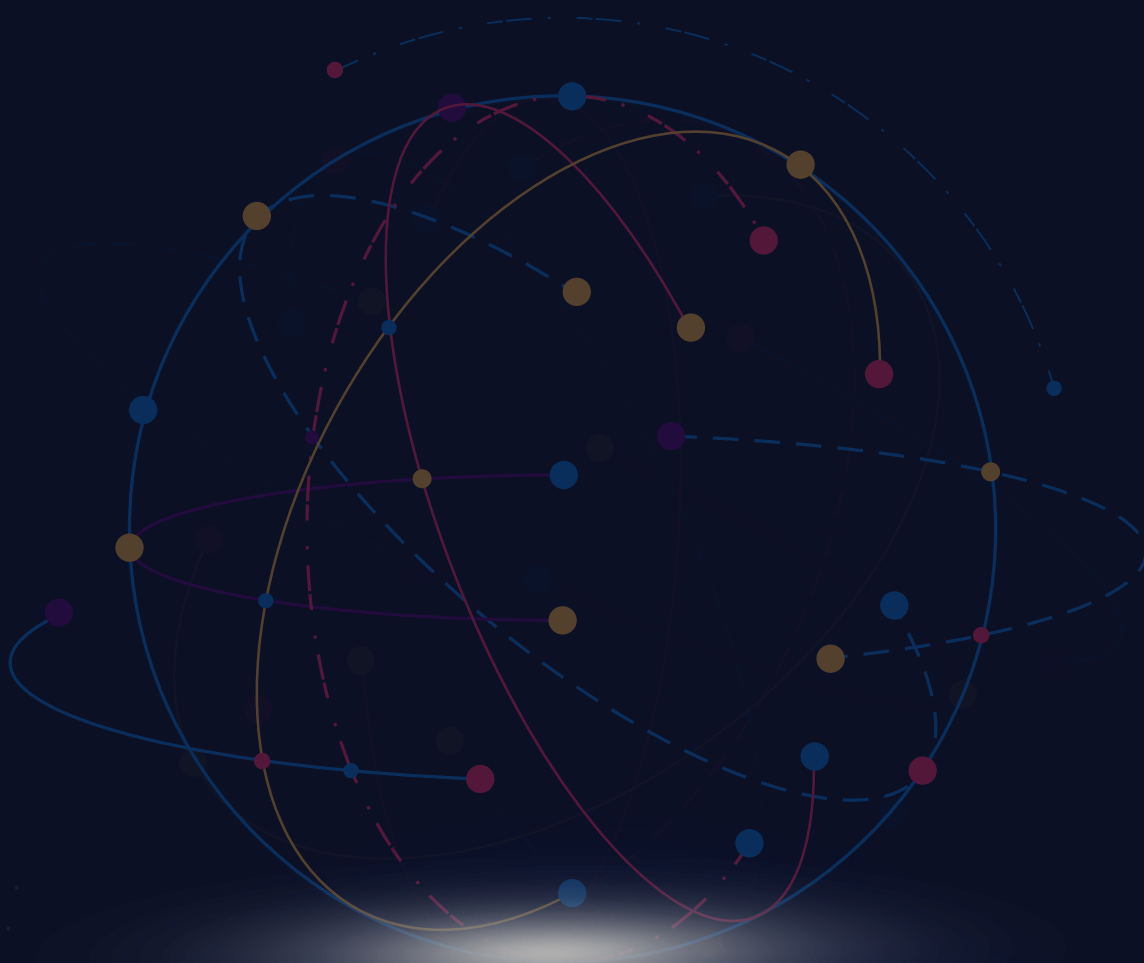
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information that matters



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LT. GEN DR. SP KOCHHAR (RETD.)

Director General, COAI

From DG's Desk

The Department of Telecom released the draft Indian Telecommunication Bill 2022, aiming to reform the telecommunication policy landscape in the country by focusing primarily on our aspirations to transform into a digital economy and making the Bill future ready. The DoT took a well-marked step led by the Hon'ble Union Minister for Communications & IT, in updating the erstwhile Acts relevant to Indian Telecom by introducing the draft Bill.

It is a bold and commendable step taken by the Hon'ble Union Minister for Communications & IT, to make the necessary advancements and lessen the challenges related to the sector. The current draft of the Bill expands the definition of "telecommunication services" to include OTT communication services, focusing on their need to have Unified Access Service License (UASL) to be able to provide telecom services in India. This will help establish a level playing field for similar services like voice/video calling and messaging being provided by both TSPs and OTTs to the same consumer base over the same application layer. Another crucial suggestion and recommendation was made in the licensing framework by reducing the LF from 3% to 1%. This will be marked as a new dawn for the telecom licensing regime in India.

There has been a lot of conjecture about these draft amendments and multiple opinions have been put forward by various experts. Regulatory Impact Assessment has been proposed to carefully assess all sides of the coin on the proposed regulations. Some concerns that have taken up include the need for communication services to be well defined keeping future technological advancements in mind, and the proposal to regulate two-way communication services, not one-way communication services like broadcasting via OTTs. DoT's transparent and open approach to consultation in the Draft Bill promotes inclusivity.

The bill has a framework for enforcing rules on the right of way (ROW), establishing how digital communications infrastructure will be laid out in states and municipal corporations. This framework is key for the rollout of 5G services, which require a huge increase in the telecom fiber backbone.

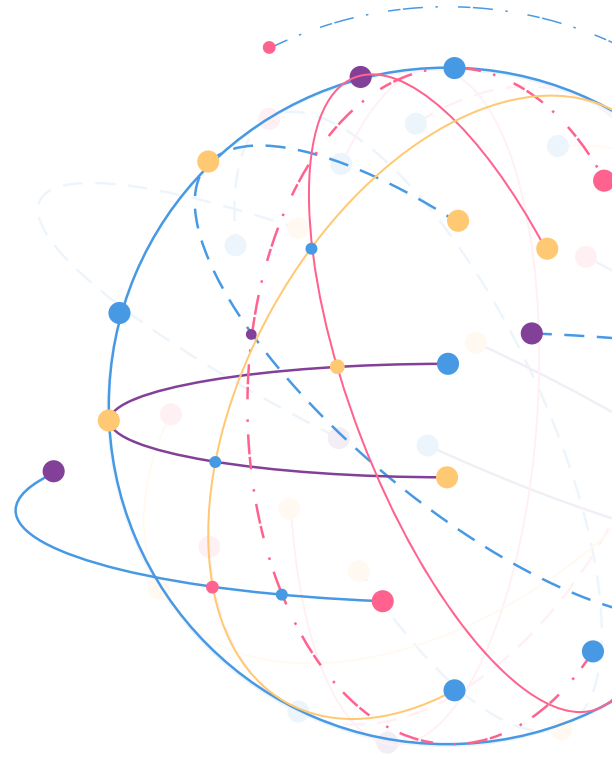
The draft Telecom Bill also lays emphasis on the "Protection of Users" with key provisions on KYC, Protection from Unsolicited messages, Identity of caller to be visible to receiver, Duty of user to give correct KYC, etc. This will help tackle the issues directly impacting the general public i.e., the issues of Security, Fraud and Unsolicited Telemarketing calls and messages.

Several positive provisions have been made in the draft Bill with the objective to enable Regulatory certainty, ensure a level playing field, and apply the law prospectively. We should definitely focus on the positive aspects of the reforms as this is the era of digitalization and we need to be ahead of the world by setting an example and becoming pioneers in the same. The government has taken a giant progressive step towards the vision of evolving into a 'Digital India' and promoting innovations and R&D in the technology industry.



COAI

Latest Updates:



Inputs on draft RFP for Unified Portal being developed by DoT

COAI has submitted a letter to DoT on 18th Nov 2022, providing inputs on draft RFP for the Unified Portal.

Leveraging Artificial Intelligence and Big Data in Telecommunication Sector

COAI has submitted response to the TRAI CP on "Leveraging Artificial Intelligence and Big Data in Telecommunication Sector" on 07th Nov 2022. TRAI Open House on this subject is awaited.

Cloud Based Service offering by new licensees

COAI has submitted a letter to TRAI on 27th Oct 2022, requesting TRAI's intervention in allocation of Mobile series & LRN codes by DoT to licensees who do not have spectrum, access network.

Parameters for Internet Protocol Detail Record (IPDR) and SYS LOG of Network Address Translation (NAT)

COAI has submitted a letter to DoT on 25th Oct 2022, requesting DoT to grant extension at least till 31st March 2023 and informing that our members are exploring solutions to implement the DoT instructions in the interest of National Security. DoT has granted the extension till 31st Jan 2023.

Meeting with Power Secretary, Delhi

An industry meeting was held on 25th November 2022, under the Chairmanship of Power Secretary, on the subject of bulk application and common billing for EB connections for small cells.

Coordination with Members, FIFA official and DoT

Regular coordination was done with members and other relevant stakeholders for providing seamless coverage during the FIFA U-17 Women's World Cup event, held for the first time in the country. The overall service experience and support was much appreciated by the FIFA officials.

3rd Jharkhand SBC meeting was held on 17th November 2022, under the Chairmanship of Shri Sukhdeo Singh (CS, Jharkhand) to discuss the RoW related issues and alignment to RoW Amendment 2022.

Uttarakhand 3rd SBC meeting was held on 17th November 2022, under the Chairmanship of Shri S.S. Sandhu (CS, Uttarakhand) to discuss RoW related issues and further alignment to RoW Amendment 2022 in the State.

Capacity Building Conference

5G Conferences were held in Andhra Pradesh, Manipur, Haryana, West Bengal and Chandigarh for show-casing the importance of 5G and its use cases. Officials from various departments of the respective state governments attended the conference. The NBM, DoT and Industry requested support in facilitating the infrastructure deployment for 5G.

The Draft Chandigarh RoW Policy as approved by the Working Committee (under the State Broadband Committee) under the chairmanship of Secretary I.T. was shared with the industry. COAI and its members reviewed the Draft RoW policy and submitted suggestions to the Chandigarh Administration for their consideration.

3rd SBC of Karnataka was convened on 22nd November 2022, chaired by the Chief Secretary, Government of Karnataka.

Issues like fibre cuts, provision of Government land and Building to TSPs for deployment of telecom infra, a single online portal for all Local Authorities, refund/ adjustment of Security Deposits, etc. were discussed.

6th SBC of Rajasthan was convened on 25th November 2022, chaired by the Chief Secretary, Government of Rajasthan. The issue of high rentals for using EB poles, other charges not being aligned with RoW Rules and amendments of August 2022, pendencies of RoW application with Forests, etc. were taken up in the same.

Submission made to the Chief Secretary, Government of Rajasthan, requesting support towards issuance of G.O. to Police and other law enforcement agencies from the State Government.

Submission made to the Principal Secretary, UDH and Government of Rajasthan, requesting support for relooking at the rates recommended by the 5G working group for deployment of telecom infra.

Submission made to the Chief Secretary, Government of Maharashtra, requesting support on the issue of Property Tax charges related meeting called by MBMC. Mumbai LSA has taken cognizance of the letter and pursued the same with the state government.

Submission made to the Chief Secretary, Government of Madhya Pradesh, Government requesting for including COAI representation as a member in the reconstituted committee for 5G recommendation.

Submission made to Chief Secretary, Government of Tamil Nadu, seeking extension of time for Regularization. The same has been granted till the period ending 31st Mar 2023.

Meeting held with CTO, Government of Tamil Nadu on issues related to RoW in the state, including portal availability and completeness, extension of regularization, etc.

3rd SBC of Assam was held on 7th November 2022, under the chairmanship of Chief Secretary Shri Paban Kumar. COAI made a representation regarding issues pertaining to power supply.

3rd SBC of Arunachal Pradesh was held on 14th November 2022, under the chairmanship of Shri Naresh Kumar, Chief Secretary. Alignment with the central RoW guidelines was emphasised.

4th SBC of Mizoram was held on 16th November 2022, under the chairmanship of Chief Secretary Smt. Renu Sharma. Formation of a 5G working group and alignment with central RoW guidelines were emphasised.

2nd SBC of Andaman and Nicobar was held under the chairmanship of Chief Secretary Shri Keshav Chandra on 18th November 2022. Alignment with the central RoW guidelines was emphasised.

Meeting on Fiberisation of Mobile towers in Mizoram was conducted under the chairmanship of Secretary IT by the Government of Mizoram to discuss fiberisation of mobile towers in the state. The state government is working closely with the industry to ensure better telecom services and streamlined 5G deployment for the citizen of Mizoram. The Government will be further engaging with the industry to keep the momentum going.

DoT North East LSA organised a Hybrid EMF awareness event on 24th November 2022. The event was focussed on allaying myth about EMF emission from mobile towers and was simulcast across all north east states. The event saw attendance from Government, public and the industry across regions.

Pre-Budget Meeting of DG, COAI held with Hon'ble Finance Minister & delegation on 21st November 2022

During the Pre-Budget meeting held with Hon'ble Finance Minister, the following key points were discussed:

1. Strategic intervention in the Telecom Sector to enhance financial viability

- Abolition of USOF
- Reduction of remaining License Fee from 3% to 1% of AGR
- Definition of Adjusted Gross Revenue

2. Key points related to taxes:

- Clarification regarding availability of input tax credit (ITC) on critical telecom equipment installed on telecom towers
- Removal of GST on License Fees, Spectrum Usage Charges and Payment of Spectrum acquired in auction
- Refund of accumulated Input Tax Credit of GST (INR 32,000 Cr)
- Reductions of Customs Duties on key network equipment
- Interpretational issues related to custom duty (Various terminologies used in tariff / exemption notifications to be defined to reduce disputes with the department)
- Clarification(s) regarding activities relating to cable repair/installation operations carried out in Exclusive Economic Zone (EEZ).

Implementation of DoT Guidelines / Clarifications towards the deduction verification exercise – Applicable Date of Clarification on Deductions Claimed from GR

- a. DoT issued clarifications on 23.03.2021, regarding verification of deductions but vide letter dated 24.11.2021, asked CCAs' offices not to apply the DVR clarifications for years prior to 2019-20.
- b. Clarifications removed many ambiguities and streamlined the deduction verification process. Unfair and unreasonable to disallow deductions up to FY 2019-20 after examining issue for many years.
- c. The LF/SUC related demands are being raised without reviewing deductions which are permissible as per clarification.

We have again requested DoT that the letter dated 24.11.2021 should be withdrawn and deductions from GR may be allowed on the basis of Clarification dated 23.03.2021.

Pre-Budget recommendations for the year 2023-24

Recommendations were made for reduction of regulatory levies - including abolishing USOF and reduction of remaining License Fee from 3% to 1% of AGR. Detailed recommendations were made on the key issues with

regard to Direct Taxes as well as for Indirect Taxes. Under Indirect Taxes, issues regarding Service Tax and Custom Duty were included.

Detailed representations were sent to DoT, MoF, DoT, CII, FICCI and ASSOCHAM

GST Compliances:

We made a detailed submission on key issues faced by the industry, including:

- a. Centralized registration
- b. Exemption from GST on Spectrum payment, LF and SUC or refund of INR 32000 Cr to members.
- c. Input Tax Credit on telecom equipment
- d. Departmental actions – Notices/Enquiries in relation to non-compliance by the Vendors
- e. Denial of credit due to noncompliance by supplier.
- f. Relaxation of compliances in relation to removal of capital goods
- g. Mismatch of tax reported in GSTR-1 Vs GSTR-3B and e-way bill.
- h. Issues related to reconciliation / mismatch of ITC

Decriminalization of Act

To discuss on Decriminalization of Acts like Income Tax Act, Customs Act, GST, etc., a meeting was called on 3rd November 2022, under the Chairmanship of Additional Secretary, Department of Revenue, Ministry of Finance (MoF). Other concerned senior officers from the ministry were also present. Following points were presented during the meeting:

- **GST:**

Based on data analytics, various inappropriate notices are being sent by the field formation. Although most of the information is available with GSTN, still the information is asked from the taxable persons. It was informed that even in the same state, companies are getting summons from multiple agencies such as DGCI, State intelligence agencies, State Government and Central Government.

Companies are getting summons from various agencies for the same things even for data seeking such as for Mismatch in 3B Vs 2B, Reconciliation of data, Decrease in revenue, etc.

It was suggested that there should be one agency to handle and coordinate amongst each other and Summons are not required, simple enquiry should be sufficient.

- **Custom Duty:**

It was informed that there is lot of problem due to Imposition of penalty for minor amendments in bill of entry. Field

formations are resorting to imposing of penalties whenever importer requests amendments in bill of entry due to clerical errors. It was informed that DRI has now started investigating interpretational issues in respect of classification or exemptions. These issues can be tagged to customs formations who can deal with the same appropriately. It was suggested that clear guidelines be issued for invoking penalty provisions by customs authorities. Regarding interpretational issues, it was recommended that clarification be issued to reduce disputes with the department on the various terminologies used in tariff / exemption notifications.

Draft Telecom Bill

Meeting held with the Hon'ble Union Minister of Communications on 21st October 2022, wherein a presentation was made by COAI on the common points agreed by the members. Detailed Clause wise response along with the summary note was submitted to DoT on 18.11.2022.

Draft Discussion Paper released by TEC on 'Radio Frequency (RF) Electromagnetic Field (EMF) Compliance Assessment of 5G Base

In this regard, TEC has extended the deadline to submit the response to the Discussion Paper till 14th December 2022. The COAI draft response is being prepared.

Working group on EMF radiation from M2M/IoT Devices

A meeting of the Working Group on EMF radiation from M2M/IoT Devices was held wherein COAI inputs were incorporated. Additional inputs have been sought from the members.

Committee for preparation of D-KYC guidelines and CAF Format for subscribers of Internet Service Providers (ISP), ISP(UL), ISP(UL-VNO)

A meeting of the Committee on preparation of D-KYC guidelines and CAF Format for subscribers of Internet Service Providers (ISP), ISP(UL), ISP(UL-VNO) was held on 25th November 2022. In this regard, COAI inputs were discussed, and most of the inputs were incorporated accordingly.

COAI inputs to the Committee formed for Studies In 6 GHz Frequency Band (5925-7125 MHz)

DoT Meeting of the Committee constituted to conduct co-existence studies in 6 GHz frequency band (5925-7125 MHz)-DoT OM dated 03.11.2022 was held on 25th November 2022.

As a member of the Committee, COAI participated in the meeting and provided its inputs based on the comments received from member TSPs. COAI is in the process of

preparing a note highlighting the position of its members with respect to the 6 GHz band.

Data Protection Bill:

The Ministry of Electronics and Information Technology (MeitY) issued a draft Bill, titled 'The Digital Personal Data Protection Bill, 2022'. The last date to submit feedback on the draft bill is 17th December 2022.

COAI is preparing its initial draft, on which inputs will be sought from the members. In this regard, an extension of one month is being sought from MeitY.

NITI Aayog Discussion paper on "RESPONSIBLE AI #AIFORALL - Adopting the Framework: A Use Case Approach on Facial Recognition Technology"

COAI submitted request for a month's extension to respond to the draft Discussion Paper. The same has been granted by NITI Aayog till 30th December 2022.

EMF Limits & Compliance Testing Methodology for 5G

COAI had been taking up the issue of reduction of testing sites from 10% annually. DoT issued its Directions on 03.11.22, that LSA field units of DoT will now test annually up to 5% of the total BTS sites (new and existing) randomly.

Committee constituted for Intelligent Transport System (ITS)/ Vehicle-to-Everything (V2X)

COAI inputs on the Committee report on ITS/V2X has been shared with members for final approval. The objective of the report is to recommend the overall policy requirement including spectrum requirement for the introduction/rollout of V2X in the country.

Committee constituted to study the apportionment/sharing of frequency bands 37-43.5 GHz, 47.2-48.2 GHz and 66-71 GHz

The Committee was constituted to undertake the study for the apportionment/sharing of frequency bands 37-43.5 GHz, 47.2-48.2 GHz and 66-71 GHz among various co-primary services, considering their existing and future requirements. COAI inputs were captured in the Committee Report on Sharing/ Apportionment of Frequency Bands 37 - 43.5 GHz, 47.2 - 48.2 GHz and 66 - 71 GHz.

COAI Letter- Removal of old and deployed devices from Authentication ecosystem strengthening authentication security

This is with reference to the UIDAI circular mandating all Authentication User Agency (AUA) and KYC User Agency (KUA) to identify and upgrade or phase out the old devices with expired STQC certificated from the Authentication ecosystem, otherwise such devices will be stopped at

UIDAI end from authentication with effect from 31.12.2022. In this regard, COAI submitted a letter on 24th November 2022, requesting to postpone the deadline for discontinuing these devices by at least 3 months, to 31st March 2023.

TRAI Guidelines - Streamlining the process of seeking renewal of exemption of 05 paisa on SMS Charges in terms of TCCCPR, 2018

In this regard, COAI submitted a letter on 16th November 2022.

Benefits of Introducing E-SIM in handsets

Further to the COAI letter dated 20th July 2022 on "Introduction of E-SIM in handsets", a COAI letter highlighting the various benefits to include E-SIM in mobile phones was submitted to DoT on 10th November 2022.

Request for Removing Export Requirements and Extension in Timelines for Registering IMEIs of Locally Manufactured Phones

DoT had issued clarification regarding the subject on 27th Oct 2022. In this regard, a COAI letter requesting to remove the requirement of registering the IMEIs of mobile devices meant for export and also for Extension in Timelines for Registering IMEIs of Locally Manufactured Phones was submitted to DoT on 7th November 2022.



COAI

News Wires:

OTT players should not have an unfair edge over Indian telcos

The proposed regulation of over-the-top communication services in India's Draft Telecom Bill has stirred up an intense debate. [Read more](#)



Low Fiberisation, telecom equipment availability affecting network coverage expansion:

The telecom operators are facing challenges due to delay in supply of equipment from the off-shore vendors in terms of shift in focus from China. [Read more](#)



Same service, same rules shall prevail: Telecom Carriers

"We are very clear that spectrum should be treated similarly for anybody offering a similar service. If any entity is not offering similar service, you can treat it differently under legal jurisdictions or pronouncements" SP Kochhar DG COAI said. [Read more](#)



COAI

News Wires:

Trai views on use of street furniture for small cells, aerial fibre deployment to speed up 5G roll out: COAI

The telecom regulator on November 29 recommended that the DoT should issue an advisory to states mandating that owners of street furniture should share assets with TSPs/IP-1s for the deployment of cells. [Read more](#)



COAI seeks Regulation of 'Communication OTTs' not all OTTs

DG COAI weighed in with his thoughts on how over-the-top platforms should be regulated in India in an interview. [Read more](#)



COAI Events

2nd Task Force meeting for 5G rollout

COAI thanks Shri C. Sibin (Director, Industries & Commerce, Punjab Government & DoT LSA Punjab for conducting the 2nd Task Force meeting for the 5G rollout. Deliberations of today's meeting will help towards policy support & simplifications of procedures for faster rollout of 5G.



One Day Capacity Building Conference on 5G Adoption

COAI thanks Shri Biren Singh (Chief Minister, Manipur) for gracing "One Day Capacity Building Conference on 5G Adoption". Today's conference will support the faster roll-out of 5G across the State of Manipur.



Workshop on 5G use cases, Rollout in WB & Allied Issues

COAI thanks Shri Rajeev Kumar, IPS, Principal Secretary (IT&E), West Bengal & DoT India for today's "Workshop on 5G use cases, Rollout in WB & Allied Issues". The workshop will enable the streamlined rollout of 5G services for the benefit of the people of West Bengal.



COAI Events

4th State Broadband Committee – Mizoram

COAI thanks Dr. Renu Sharma, Chief Secretary, Government. of Mizoram for conducting the 4th SBC of Mizoram held today. The deliberations of the meeting will support easy and quick deployment of telecom services across the state.



“COAI welcomes the RoW Rules 2022 along with the launch of the Application Form on”

GatiShakti Sanchar Portal Giving a major push to India's 5G run, Hon'ble Union Minister Shri Ashwini Vasihnwaw, Ministry of electronics and information technology released the Right of Way (RoW) rules amendment. 5G RoW Application form was also launched on the Gati Shakti Sanchar portal. The minister said: A Series of reforms by the govt has solved issues like spectrum allocation & right of way. We've taken all state governments with us & will be rolling out 5G by October.



Rating of Buildings/Areas for Digital connectivity conference

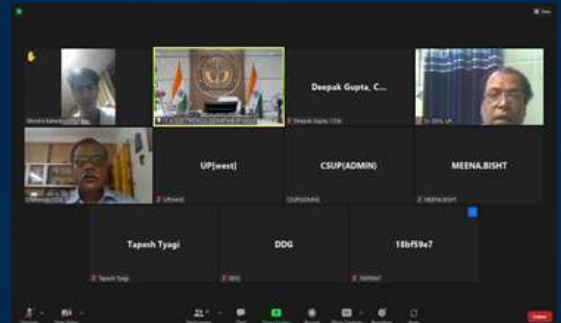
"While technology solutions exist for all problems, it is important to have a conducive policy framework in place. We need to employ AI, AR & VR technologies to create innovative solutions": DG COAI, Lt. Gen. Dr. S. P. Kochhar at the conference – Rating of Buildings/Areas for Digital connectivity



COAI Events

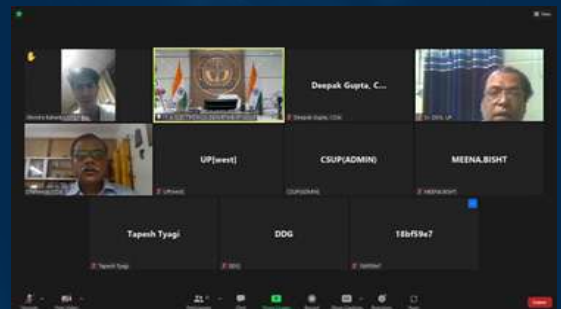
3rd State Broadband Committee Meeting

COAI thanks Dr. Sukhbir Singh Sandhu (Chief Secretary, Uttarakhand) and DoT LSA Uttarakhand for conducting the 3rd State Broadband Committee (SBC) meeting. The deliberations held today will lead to a faster roll-out of the 5G network and resolve other telecom issues in the State



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ET Digital Telco Summit 2022

"We need to have networks that are all-encompassing & across the nation, powered by uninterrupted, reliable electricity supply at industrial rates. This needs to be enabled through apt interventions," DG COAI, Lt. Gen. Dr. S. P. Kochhar at the ET Telecom Digital Telco Summit 2022.



EMF Awareness Webinar

DoT North East LSA organized EMF Awareness Webinar as part of the DoT India public advocacy program to make the general public aware of the need for mobile towers and dispel myths regarding the alleged health effects of EMF exposure from Mobile Towers.





Contact Us

Address : 14, Bhai Veer Singh Marg, New Delhi – 110 001

Phone : +91 - 11- 23349275 | Fax: +91 - 11 - 23349276

Email : contact@coai.in | Website: www.coai.in

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