



Telecom Regulatory Authority of India



Draft Direction on delivering broadband services in a transparent manner

20th January, 2016

Mahanagar Door Sanchar Bhawan,
Jawahar Lal Nehru Marg,
Next to Dr. Zakir Hussain College,
New Delhi – 110002

Stakeholders are requested to furnish their written comments on the Draft Direction on delivering broadband services in a transparent manner, by 01/02/2016. Counter Comments, if any, may be submitted by 08/02/2016. The comments and counter-comments may be sent, preferably in electronic form to Advisor (Networks, Spectrum & Licensing), TRAI, by e-mail to kapilhanda@traigov.in.

For any clarification/ information, Shri Arvind Kumar, Advisor (NSL), TRAI, may be contacted at Tel. No. +91-11-23220209 Fax: +91-11-23230056.

TELECOM REGULATORY AUTHORITY OF INDIA
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi- 110002

Dated: the January, 2016

DRAFT DIRECTION

Subject: Draft Direction under section 13, read with clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) to service providers for delivering broadband services in a transparent manner by providing adequate information to broadband consumers.

No. 4-4/2016-NSL-I --- Whereas the Telecom Regulatory Authority of India, [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act, 1997), has been entrusted with discharge of certain functions, *inter alia*, to regulate the telecommunication services, protect the interests of service providers and consumers of the telecom sector, lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect interest of the consumers of telecommunication services;

2. And whereas the Authority, vide its Direction No. 4-1/2011 BB&PA dated the 27th July, 2012 *inter alia* directed the service providers to provide broadband services in a transparent manner;

3. And whereas, Department of Telecommunication vide its Notification No. 4/4/2009-Policy-I dated the 18th July, 2013, amended the definition of broadband which reads as under:

“Broadband is a data connection that is able to support interactive

services including Internet access and has the capability of the minimum download speed of 512 kbps to an individual subscriber from the point of presence (POP) of the service provider intending to provide Broadband service.”

4. Now, therefore, in supersession of its earlier direction No. 4-1/2011 BB&PA dated the 27th July, 2012, the Authority, in exercise of the powers conferred upon it under section 13, read with clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and in order to ensure transparency in delivery of internet and broadband services and to protect interests of consumers of the telecom sector and to facilitate further growth of internet and broadband services in India, hereby directs all the telecom service providers providing broadband (wire-line or wireless) services to –

(a) provide on their website and also in all advertisements published through any media, the following information in respect of all broadband tariff plans offered under Fair Usage Policy: -

(A) for Fixed broadband service:

- (i) data usage limit with specified speed;
- (ii) speed of broadband connection upto specified data usage limit; and
- (iii) speed of broadband connection beyond data usage limit;

(B) for Mobile broadband service:

- (i) data usage limit with specified technology (3G/4G) for providing services;
- (ii) technology (3G/4G) offered for providing broadband services upto specified data usage limit; and
- (iii) technology (2G/3G/4G) offered for providing broadband services beyond data usage limit;

(b) provide information specified in para (a) above to both new and existing subscribers on their registered email address and through

SMS on their mobile number registered with the service providers;

- (c) ensure that download speed of broadband service provided to the fixed broadband subscriber is not reduced below 512 kbps in any broadband tariff plan;
- (d) provide alert to the subscriber when his data usage reaches eighty percent of the data usage limit under his plan and ensure that such alert is provided to the fixed broadband subscriber at each login after data usage crosses the said limit of eighty percent; and
- (e) send alert to the subscriber either through SMS or Unstructured Supplementary Service Data (USSD) on his mobile number, registered with the service provider or to his registered email address, each time when the data usage by the subscriber reaches eighty percent and hundred percent of the data usage limit under his plan,- and furnish compliance report by the (date).

(Arvind Kumar)
Advisor (NSL-I)

To

All Unified Licensees,

Unified Access Service Licensees (UASL)

Cellular Mobile Telephone Service Licensees (CMTS)

Internet Service Providers (ISPs)