



Fourteenth Edition (July to September 2023)

Regulatory Updates

Consultation Paper on Regulatory Mechanism for Over-The-Top Communication Services, and Selective Banning of OTT Services

The Telecom Regulatory Authority of India (“**TRAI**”) *vide* notification dated July 7, 2023 released a consultation paper on Regulatory Mechanism for Over-The-Top (“**OTT**”) Communication Services, and Selective Banning of OTT Services (“**Consultation Paper**”). The Consultation Paper was issued pursuant to a letter dated September 7, 2022, from the Department of Telecommunications (“**DoT**”) requesting TRAI to reconsider the recommendations on the regulatory framework for OTT communication services which was released in the month of September 2020 (“**2020 Recommendations**”) owing to the exponential growth of the OTT services in the recent past.

Some of the issues on which the views of the stakeholders are sought include (a) the definition of “*OTT services*” and “*OTT communication services*”; (b) list of categories of OTT services and OTT communication services that could be reasonably classified based on intelligible differentia; (c) the need to bring OTT communication services under any licensing/regulatory framework to promote a competitive landscape for the benefit of consumers and service innovation; (d) the probable provisions in the licensing/regulatory framework for OTT communication services in respect of lawful interception, privacy and security, quality of service, unsolicited commercial communication, customer verification, customer grievance redressal, among others; and (e) the need to ban any specific websites apart from the OTT services.

While the timeline for counter-comments from stakeholders was extended to September 29, 2023, the Consultation Paper for comments from stakeholders remains closed.

Clarifications on definition of gross revenue and adjusted gross revenue

DoT *vide* notification dated July 17, 2023, released its responses to the representations received for review of definitions of gross revenue and adjusted gross revenue (“**AGR**”) (“**Responses**”). The issues raised by various associations and the Responses to the same include the below:

1. In response to the request to clarify the term “revenue from operations other than telecom activities/operations, DoT clarified that all activities covered under the scope of license are classified as telecom activities, and the nature of non-telecom activities varies between companies, and it would make it impractical to list the same;
2. Regarding the issue of excluding revenue from licenses issued by the Ministry of Information and Broadcasting retrospectively, DoT responded that such revenue would be excluded from October 2021 onwards, subject to ongoing litigation in the Telecom Disputes Settlement and Appellate Tribunal;

3. Regarding the request to exclude capital gains on business combinations, such as merger or demerger, DoT's comment was that such gains are excluded as per the license agreement;
4. Concerning the request to exclude sales of non-licensed services, such as sale proceeds of handsets, terminal equipment or ancillary services like OTT subscription, DoT replied that the activities ancillary to telecom activities would be included in AGR;
5. In relation to the issue of including any notional income, including free airtime, in AGR, DoT's comment was that any notional income, including free airtime, is considered part of AGR;
6. Regarding the request to exclude credits from the operational expenditure/capital expenditure vendors from AGR, DoT's comment was that credits from such vendors are excluded from AGR; and
7. In response to the issue of including management support charges if related to telecom services in telecom revenue, DoT replied that management support charges related to telecom services are considered part of telecom revenue.

Recommendations on leveraging artificial intelligence and big data in telecommunication sector

TRAI *vide* notification dated July 20, 2023, released its recommendations on "Leveraging Artificial Intelligence ("AI") and Big Data in Telecommunication Sector" ("**AI and Big Data Recommendations**"). The AI and Big Data Recommendations broadly cover the following:

1. The need to adopt a regulatory framework applicable across sectors for responsible AI development;
2. The need to establish an independent statutory authority designated as Artificial Intelligence and Data Authority of India ("**AIDAI**"), to ensure development of responsible AI and regulation of use cases;
3. The need to assess data digitization requirements, oversee data-related issues, define AI process frameworks, establish an ethical data use framework;
4. The need to collaborate with international agencies and other countries to establish a global agency as the primary international body for AI development, standardization, and responsible use;
5. The need to recommend a uniform framework for sharing data available with the government and its entities with industry, educational institutes, startups, etc., while ensuring compliance with privacy and other applicable laws and policies; and
6. The need for DoT to collaborate with access service providers to deploy AI/machine learning and new technologies for real-time data analysis, network security, customer grievance redressal, and combating spam.

Timelines for digitization of Paper CAFs (including associated documents) by the Licensees

DoT *vide* notification dated July 24, 2023, released the timelines for digitization of paper customer application forms ("**CAFs**") (including associated documents) by the unified access services license ("**UASL**"), unified license ("**UL**"), unified license for virtual network operator licensees ("**UL(VNO)**") ("**Licensees**"). The Licensees have been instructed to submit only digitized copies of paper CAFs (including associated documents) and have also been instructed to complete the activity of such digitization by September 30, 2023. The Licensees are required to submit only digitized copies of paper CAFs and associated documents during the monthly CAF audit. If Licensees submit paper CAFs or scanned copies of CAFs, the same will be treated as a procedural lapse from October 1, 2023, onwards and appropriate action will be taken.

Draft Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023

TRAI, *vide* notification dated July 24, 2023, released the draft Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023 (“**Draft Regulations**”) to amend the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (“**Principal Regulations**”).

Earlier, the Telecommunication Consumers Education and Protection Fund (“**TCEPF**”) was maintained in Corporation Bank. Subsequently, there was a merger between Corporation Bank and Union Bank of India. Accordingly, the objective of the Draft Regulations is to align the Principal Regulations with recent changes, particularly the merger and the repeal of the Consumer Protection Act, 1986.

Additionally, the amendments aim to provide explicit provisions for expenses incurred during meetings participated by representatives of consumer groups regarding the seminars, workshops, programmes, etc conducted by the Committee for Utilisation of TCEPF. Such expenses incurred are aimed to be utilised from the TCEPF.

DoT notification on shifting of telecom equipment from one LSA to another

DoT *vide* notification dated July 26, 2023, released an office memorandum on “Shifting of Telecom Equipment from one Licensed Service Area (“**LSA**”) to another by the TSPs”, in continuation to various steps taken by the government for promoting the ease of doing business in the telecom sector. The following decisions were taken by the authority, in respect of the transfer/ shifting of telecom equipment from one LSA to another by the TSPs:

1. TSPs are now permitted to shift/re-deploy their wireless equipment from one LSA to another as per their requirement, after giving prior intimation to Wireless Planning and Coordination wing of the DoT online through the Saral Sanchar portal. Formal approval by the DoT would not be necessary.
2. TSPs may submit the details of such shifting through email, to et-intimation-dot@gov.in, till such time as the online facility is made available, along with an undertaking that such details will be updated subsequently, as and when the online facility is made available by the DoT.
3. Necessary stock/ records arising out of such transfer shall be required to be maintained/ reflected wherever applicable.

Amendment of License Agreements

DoT *vide* notification dated July 27, 2023, amended the UL, UL(VNO), and UASL agreements to specify another prohibited activity. Licensees are now restricted from entering into any exclusive contract for establishing public network to provide public telecom services or right of way with any public entity or any person. The amendment also includes new definitions for “*Person*” and “*Public entity*”.

Telecom Regulatory Authority of India Repealing Regulations, 2023

TRAI *vide* notification dated July 27, 2023, released its “Telecom Regulatory Authority of India Repealing Regulations 2023” (“**TRAI Regulations**”) thereby repealing the erstwhile regulations on “Quality of Service of Dial-Up and Leased Line Internet Access Service, 2001” (“**2001 Regulations**”). The 2001 Regulations were introduced as TRAI noted the redundant nature of the 2001 Regulations.

Procedure for Testing of Roll-out Obligations

DoT *vide* notification dated July 31, 2023, released the Procedure for Testing of Roll-out Obligations by LSA units of DoT in case existing licensee has already filled the required roll-out obligations of earlier allocated spectrum and has acquired subsequent spectrum through Notice Inviting Applications (“**NIA**”) 2022. The procedure requires licensees

to submit an undertaking to LSAs, stating compliance with the roll- out obligations of the NIA 2022. The procedure does not require payment of fees or re-validation of earlier Service Test Result Certificates needed.

Modification in the Guidelines for trading of access spectrum by access service providers

To facilitate trading of access spectrum between TSPs across all spectrum bands and all applicable block size(s), DoT has decided to modify the Guidelines for Trading of Access Spectrum by Access Service Providers dated October 12, 2015 ("**Guidelines**") by way of a notification dated August 1, 2023. All the other terms and conditions of Guidelines remain unchanged except the below:

1. Para 4 of the Guidelines, has been replaced with "*Leasing of spectrum only to Captive Non-public Network (CNPN) licence shall be permitted as per leasing guidelines L-14006/02 /2022-NTG dated 27.06.2022 amended from time to time.*"
2. Para 6 of the Guidelines has been amended to indicate that the block sizes of access spectrum to be traded in different spectrum band(s) is to be as per the block size(s) as specified in the NIA for the latest auction held. Further, if there is any residual spectrum to be traded, it may be considered on pro-rata basis. If a particular spectrum band is not the part of the NIA for the latest auction held, then the block size as per latest available NIA for that band shall be considered for trading.

Recommendations on Introduction of Digital Connectivity Infrastructure Provider Authorization under UL

TRAI *vide* notification dated August 8, 2023, released the recommendations on '*Introduction of Digital Connectivity Infrastructure Provider Authorization under Unified License UL*' ("**UL Recommendations**"). The UL Recommendations broadly cover the following:

1. Creation of a new license category, the 'digital connectivity infrastructure provider ("**DCIP**")' license that allows the creation of active and passive digital connectivity infrastructure. It is recommended that this DCIP is not a standalone license, but an authorisation under the UL;
2. Certain onerous conditions from Part-I of the UL should be exempted for DCIP authorization to keep the licensing process light touch;
3. There should not be any license fee or performance bank guarantees applicable to the DCIP authorisation;
4. The entry fee for DCIP authorization should be set at INR 2,00,000 (Indian Rupees two lakh), and the application processing fee at INR 15,000 (Indian Rupees fifteen thousand);
5. DCIPs should be allowed to share their infrastructure with other UL licensees, provided the shared infrastructure aligns with the recipient's own license terms.

Order to DPOs for deploying CAS and SMS

TRAI *vide* notification dated August 9, 2023, has issued an order to the distribution platform operators ("**DPOs**") for deploying conditional access systems ("**CAS**") and subscriber management systems ("**SMS**") ("**Order**"). The Order is issued under the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017, and it directs all DPOs to ensure that:

1. Only such new CAS and SMS systems that have been tested by the duly accredited testing labs and certified by the telecommunication engineering centre ("**TEC**"), or any other agency designated by TRAI is deployed on or after March 1, 2024.

2. All existing CAS and SMS systems must be upgraded, tested by accredited testing labs and certified by TEC or any other agency designated by TRAI on or before March 1, 2025.

Indian Telegraph Right of Way- Amendment Rules 2023

DoT *vide* notification dated August 14, 2023, released the Indian Telegraph Right of Way (Amendment) Rules, 2023 (“**RoW Amendment Rules**”) amending the Indian Telegraph Right of Way Rules, 2016 (“**RoW Rules**”).

The RoW Amendment Rules have introduced Rule 9A (1) and Rule 9A (2). Rule 9A (1) states that in case of damage of any existing underground telegraph infrastructure for any reason, any entity holding a licence issued under sub-section (1) of section 4 of the Indian Telegraph Act, 1885 (“**Telegraph Licensee**”) whose existing underground telegraph infrastructure is damaged may temporarily establish overground telegraph infrastructure, in lieu of the damaged underground telegraph infrastructure, to restore the telegraph service for the period of 60 (sixty) days from the date of reporting of damage of the infrastructure to the appropriate authority. Additionally, Rule 9A (2) states that no fee or compensation is to be charged by such appropriate authority for the establishment of these temporary overground telegraph infrastructure.

The RoW Amendment Rules also inserted the word "street furniture" in Rule 10 (5)(d) which is defined as '*post or pole used for electricity, streetlight, traffic light, traffic sign, bus stop, tram stop, taxi stand, public lavatory, memorial, public sculpture, utility pole or any other structure or contrivance of such nature established over the property of an appropriate authority.*'

Further, the new sub clause (1A) to Rule 10A states that Telegraph Licensees have the option to submit a single application for the establishment of small cells for multiple sites, and the appropriate authority is to make provisions for accepting such applications and issuing a single permission for the same. Rule 10A (5) substituted by way of the RoW Amendment Rules states that the appropriate central authorities are required to permit deployment of small cells on buildings and structures at no charge or administrative fees or compensation. The only charges in the case of deployment of such small cells will be levied for power, fixtures etc. as per actuals.

The RoW Amendment Rules also substitute the schedule of the RoW Rules to accommodate the above-mentioned changes.

Amended KYC Instructions

DoT *vide* notification dated August 31, 2023, addressed to licensees of UASL and UL, released the amendment/addendum to the existing instructions on customer verification and subscriber-related matters (“**Amendment**”). Following are the broad changes:

1. The process of issuing mobile connections under bulk category is to be discontinued and a new category of "*Business Connections*" be introduced to meet the requirements of various kind of entities like company, organization, firm, institution, undertakings, proprietorship, trust, society, etc.
2. To minimize manual errors in filling of CAF auto-population of customer demographic details and photographs by scanning the Aadhaar QR code via the mAadhaar app is to be adopted. If the QR code is not readable/ available on the Aadhaar produced by the subscriber, then he/ she may be asked to obtain latest Aadhaar.
3. In the Aadhaar based electronic - know your customer (“**KYC**”) process, UASL and UL licensees may use fingerprint, iris or face authentication for biometric authentication of the customer.
4. The previous subscriber identity module (“**SIM**”) swap process is replaced with either e-KYC or digital KYC processes. The new SIM can only be activated if the captured demographic details (excluding address) and photographs match those in the UASL and UL’s Licensee's database.

5. Before activating a new SIM, either for new mobile connection or for SIM swap/ replacement, the UASL and UL licensee is to ensure that the global positioning system (GPS) coordinates captured during the process shall be within the relevant area of operation.
6. Regarding reallocation of deactivated/disconnected cellular mobile telephone connection of a subscriber, the cellular mobile telephone connection of a subscriber deactivated or disconnected shall not be allocated to any other subscriber till the expiry of 90 (ninety) days, from the date of such deactivation or disconnection.
7. UASL and UL Licensees must provide a copy of the CAF to the subscriber in a password-protected mode via digital means, physical form, or SMS link, while preserving records of delivery.

The Amendment will be effective from October 1, 2023, and will not apply to 13 (thirteen) digit machine to machine (M2M) SIMs.

Recommendations on Issues related to FM Radio Broadcasting

TRAI *vide* notification dated September 5, 2023, released the recommendations on “*Issues related to FM Radio Broadcasting*” (“**FM Recommendations**”). The FM Recommendations broadly cover: (a) de-linking of the annual license fee of FM radio channels from non-refundable one time entry fee; (b) calculation of license fee at 4% of the GR of the FM radio channel during the respective financial years; (c) measures to be taken by the government to assist FM radio operators in addressing challenges posed due to the COVID-19 pandemic; (d) an online grievance redressal portal be established for submitting complaints or information about non-compliance with FM radio functionality in mobile handsets.

TRAI releases regulation on QoS (Code of Practice for Metering and Billing Accuracy) Regulations, 2023

TRAI *vide* notification dated September 11, 2023, released the Regulations on “Quality of Service (“**QoS**”) (Code of Practice for Metering and Billing Accuracy) Regulation 2023”. (“**QoS Regulations**”). The key features of the QoS Regulations are as follows:

1. Reduction of the frequency of audits for each LSA from 4 (four) times a year to once a year;
2. Provisions for upfront financial disincentives (“**FD**”) on TSPs are calculated as a percentage of the total overcharged amount to discourage overcharging;
3. Deletion of provision related to self-evaluation by TSPs before start of audit by the auditor;
4. Providing flexibility to TSPs in selection of LSAs to be audited in each quarter;
5. Enhancement of time limit to 30 (thirty) days for providing the raw call data records to the auditor from 15 (fifteen) days that was initially proposed; and
6. Introduction of graded FD which would be based on the quantum of delays in submission of the audit report instead of a flat-rate FD.

Catalogue of Indian Standards for Space Industry

Indian National Space Promotion and Authorisation Centre (“**IN-SPACe**”), on September 14, 2023, released the “Catalogue of Indian Standards for Space Industry” (“**Catalogue**”). The Catalogue, unveiled by the Bureau of Indian Standards (“**BIS**”), ISRO, and IN-SPACe marks a significant stride towards enhancing the quality and reliability of India's space endeavors.

Volume 1 of the Catalogue comprises a brief of 15 (fifteen) standards published by BIS covering a spectrum of domain that encompasses space system program management strategies, systems engineering principles and product

assurance mechanisms, amongst others, in all sectors of space endeavors like satellite, launch systems, ground systems etc. IN-SPACE, in its subsequent volumes, intends to publish *Indian Standards for Space Industry* published by BIS in all domains in space industry such as management of space programs, design, test, production, launch, maintenance, operation and disposal of space vehicles.

TRAI releases Draft Registration of Consumer Organisations (Amendment) Regulations, 2023

TRAI *vide* notification dated September 14, 2023, released the Draft “Registration of Consumer Organisations (Amendment) Regulations, 2023” (“**Draft Amendment Regulations**”). The key features of the Draft Amendment Regulations are the expansion of the eligibility criteria for registering consumer organizations as national-level consumer organizations and the introduction of a simplified registration process for the proposed national-level consumer organizations.

Recommendations on Rationalization of Entry Fee and Bank Guarantees

TRAI, *vide* notification dated September 19, 2023, released the recommendations on “*Rationalization of Entry Fee and Bank Guarantees*” (“**Entry Fee Recommendations**”).

The Entry Fee Recommendations broadly cover: (a) the need to reduce entry fee, registrations, authorizations or permission for UL, UL(VNO) licenses and other licenses; (b) the need for a uniform entry fee across all authorizations; (c) the need to adopt a process for submitting electronic bank guarantees to streamline and facilitate the ease of doing business in the telecom sector.

Recommendations on Promoting Networking and Telecom Equipment Manufacturing in India

TRAI, *vide* notification dated September 23, 2023, released the Recommendations on “Promoting Networking and Telecom Equipment Manufacturing (“**NATEM**”) in India” (“**NATEM Recommendations**”). Some of the key points of the NATEM Recommendations are as follows:

1. Modification of the eligibility criteria;
2. Applicable gross revenue for a licensed service provider is required to be reduced on annual net basis, by an amount equivalent to the aggregate certified value of indigenous Networking and Telecom Equipment (“**NATE**”) deployed in respective telecom networks during a financial year;
3. Creation of a fund with a corpus of INR 10,000 crore (Indian Rupees ten thousand crore), with an objective to exclusively focus on promotion of NATEM in India;
4. Establishment of telecom product development clusters within approved electronics manufacturing clusters or in close vicinity; and
5. Introduction of policy guidelines and procedural simplification to undertake repair/replacement/calibration activities associated with after-sale services of NATE equipment.

Consultation Paper on EO Data from Indian Satellites Missions

In-SPACE released a consultation paper for comments by the stakeholders on “*Status of Indian Earth Observation (EO) Missions and Opportunities for participation for Indian Industries*” on August 1, 2023 (“**In-SPACE CP**”). The In-SPACE CP seeks opinions and views from the stakeholders broadly on aspects such as: (a) improvements expected for the data available from EO missions of Indian Space Research Organization (ISRO) in terms of continuity of data for a

defined spatial and temporal resolution; (b) thoughts on the adequacy of proposal presented in the In-SPACE CP to address the data requirements, in-terms of spatial, spectral, and temporal resolution; (c) views on the prioritization towards realization of EO satellite constellation missions; (d) inputs on the approach for realization of the satellite constellation.

Telecommunication Mobile Number Portability (Ninth Amendment) Regulations, 2023

TRAI, *vide* notification dated September 27, 2023, released the Telecommunication Mobile Number Portability (Ninth Amendment) Regulations, 2023 ("**Draft Portability Regulations**") to amend the Telecommunication Mobile Number Portability Regulations, 2009 ("**Principal Portability Regulations**").

The Draft Portability Regulations aim to curb the fraudulent porting of mobile connections, by increasing the conditions that are required to be fulfilled by subscribers for making a request for porting their mobile connection. The Draft Portability Regulations also introduce additional steps that are to be taken by mobile number portability service providers before allocating the unique porting code ("**UPC**") to subscribers.

Additionally, stakeholders are required to provide their comments on the Draft Portability Regulations by October 25, 2023, on the following:

1. The introduction of the additional criterion for rejection of the request for allocation of UPC in relation to any mobile connection that has undergone a SIM swap/replacement/ upgradation;
2. The requirement of the recipient operator to review the demographic details of the subscriber received from the donor operator;
3. Steps to be taken to improve the process of porting mobile numbers.

TRAI releases consultation paper on "Digital Inclusion in the Era of Emerging Technologies"

TRAI *vide* notification dated September 14, 2023, released a consultation paper on "*Digital Inclusion in the Era of Emerging Technologies*" ("**Digital Inclusion Consultation Paper**"). The Digital Inclusion Consultation Paper aims to address the challenges and opportunities arising from the rapid advancement of emerging technologies and focuses on ensuring inclusivity for all segments of society, with special attention to Micro, Small, and Medium Enterprises ("**MSME**").

The Digital Inclusion Consultation Paper seeks to gather stakeholder opinions on matters, including: (a) efforts required to provide reliable digital connectivity to MSMEs and efforts required to raise awareness and digital literacy amongst the business owners and employees of MSMEs; (b) parameters to be included in the definition of '*digital inclusion*' highlighting the disparities in digital inclusion across different sections of the society; (c) measures to be taken to make devices and digital connectivity affordable to citizens and to be taken to engage the industry and academia in promoting digital literacy in India; (d) steps to be taken to ensure that artificial intelligence and new technologies do not result into a further digital divide; (e) utilization of digital literacy toolkits developed by multiple industry players to improve digital literacy in India.

The stakeholders are required to provide their comments and counter-comments by October 16, 2023 and October 31, 2023 respectively.

Pre-Consultation Paper on Inputs for Formulation of National Broadcasting Policy

TRAI, *vide* notification dated September 21, 2023, released the consultation paper on “*Encouraging R&D in Telecom, Broadcasting, and IT Sectors*” (“**Pre-Consultation Paper**”).

The Pre-Consultation Paper seeks inputs from the stakeholders broadly on the following:

1. Possible structure and content for the NBP in relation to the preamble, vision, mission, objectives, strategies, etc;
2. Objectives, goals and strategies for NBP, including aspects such as public service broadcasting, policy and regulation, promotion of local content, piracy and content security etc; and
3. Any other issue which may be considered for the formulation of the NBP.

The Stakeholders are required to provide their comments and counter-comments by October 10, 2023.

Consultation Paper on Encouraging R&D in Telecom, Broadcasting, and IT Sectors

TRAI, *vide* notification dated September 22, 2023, released the Consultation Paper on “*Encouraging Research and Development (“R&D”) in Telecom, Broadcasting, and IT Sectors*” (“**R&D Consultation Paper**”). The purpose of this paper is to develop a comprehensive ecosystem for enhancing R&D in the Information and Communication (“**ICT**”) Sector in India. The R&D Consultation Paper seeks the views of the stakeholders broadly on the following:

1. Whether the current education system promotes scientific skills among students that propels them to contribute towards R&D activities in the ICT sector;
2. Whether the current institutional mechanism is adequate to cater to the needs of R&D in ICT sector in India;
3. Steps to be taken to strengthen the roots of R&D ecosystem more specifically in the ICT sector that ensures career progression for students, advance research for researchers, increase in employability and career progression for students enrolled in Science, Technology, Engineering, and Mathematics courses;
4. Measures to be taken to ensure students in tertiary institutions are encouraged towards advanced R&D at the university level;
5. Practices to be adopted by public sector enterprises involved in R&D to ensure a national effort in R&D and innovation in ICT; and
6. Steps to be taken to ensure transparent mechanism for adequate and timely disbursement of funds for R&D programs.

Tata Communications Ltd v. Union of India

The Telecom Dispute Settlement Appellate Tribunal (“**TDSAT**”) *vide* its order August 28, 2023, directed the DoT to refrain from taking any coercive action in relation to the demand letter issued to Tata Communications Ltd (“**TCL**”).

DoT, through a demand letter dated August 17, 2023, raised a license fee demand on TCL of INR 6,159 crore (Indian Rupees six thousand one hundred fifty nine crore) pertaining to National Long Distance (“**NLD**”), International License Distance (“**ILD**”), Internet Service Provider (“**ISP**”) licenses of the company. The license fee demand pertained to the aforementioned licenses for financial years 2009- 2022. Subsequently, TCL filed a petition challenging DoT’s demand letter.

TDSAT, in its order dated August 28, 2023, adjourned the matter listing it for directions and further directed DoT to not initiate any coercive steps against TCL, in pursuance of the demand letter, till the next date of hearing i.e., September 13, 2023. The matter has now been adjourned for further directions and no date has been notified.

Local Cable Operators v. Tamil Nadu Arasu Cable TV Corporation Limited

As per reports, a petition was filed in the Madras High Court by the Local Cable Operators (“**Petitioner**”) challenging a recovery notice under the Revenue Recovery Act (“**RR Act**”) issued against it by Tamil Nadu Arasu Cable TV Corporation Limited (“**Respondent**”).

The Petitioner submitted that the RR Act can only be invoked for revenue dues owed to the government. However, since the Respondent was merely a body corporation, the Petitioner submitted that such a recovery cannot be done through the RR Act. The Petitioner further submitted that any dispute between the parties is subject to the exclusive jurisdiction of the TDSAT under Section 14 of the TRAI Act, 1997.

Accordingly, the Madras High Court *vide* an interim order dated July 14, 2023, stayed the recovery notice issued by the Respondent.

Telecommunications & Broadcasting Practice

Our Communications practice is handled by a team with specific domain-expertise, and we advise various stakeholders in both Telecom & Broadcasting sectors on a wide range of transactions and assignments that involve constitutional, legal, contractual, commercial, regulatory and policy advice. We advise broadcasters, BPOs, internet service providers (ISP), operators and investors in the Global System for Mobile Communications (GSM) and the Code Division Multiple Access (CDMA) technologies, and new investors on diverse licensing issues, entry strategies, structuring, national security challenges, and other regulatory issues. We represent the interests of licensees and other stakeholders in interacting with the licensor and regulators with respect to reforms in the regulatory and policy framework to facilitate business growth drawing upon international best practices. We advise and represent investors, broadcasters, and telecom licensees on commercial transactions in this sector, including mergers, acquisitions, restructuring, divestment, licensing, and project financing. We advise telecom service providers and other corporate houses on all aspects of spectrum licensing and allocation, including fundamental issues relating to the scope of spectrum bands, the regulatory framework governing their allocation in India, and planning, strategising and following up on their application to the Government.

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17 Practices and
24 Ranked Lawyers



16 Practices and
11 Ranked Lawyers



7 Practices and
2 Ranked Lawyers



11 Practices and
39 Ranked Partners
**IFLR1000 APAC
Rankings 2022**

Banking & Finance Team
of the Year

Fintech Team of the Year

Restructuring & Insolvency
Team of the Year



Among Top 7 Best Overall
Law Firms in India and
9 Ranked Practices

11 winning Deals in
IBLJ Deals of the Year

10 A List Lawyers in
IBLJ Top 100 Lawyer List



Banking & Financial Services
Law Firm of the Year 2022

Dispute Resolution Law
Firm of the Year 2022

Equity Market Deal of the
Year (Premium) 2022

Energy Law Firm of the
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