

Subject: Consultation paper on Regulatory Principles of Tariff Assessment Paper No. 3/2017

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National centre for Human Settlement and Environment ,
Bhopal have the following comments on the above subject. We are not writing issues but writing only the comments on the questions.

Question No. 1 It is true that TRAI has prescribed and implemented various measures to ensure transparency in the tariff offers put but the TSP but some how in some cases they are not being followed and for this following additional measures can be adopted.

A. TSP should be ensured that copy of their tariff plans whenever published must be sent to concern CAG of the circle and CAG should report it periodically to TRAI. It will help to check the publishing of tariff plan by TSP offers regularly.

B. A study conducted by the UK regulator Ofcom is useful. TRAI may think over it.

C. A regular check in the market can be think of.

Question No. 2. The current definition relating to 'non-discrimination' is adequate.

Question No. 3. Any tariff offers if exceed Cap of 25 plans should be treated as promotional offer and if it has come up suddenly can be treated as a promotional offer . The promotional offer can be of maximum of two in numbers. The jio reliance offers which are currently available can be point to take the decision in this direction specially the period limit.

Question No. 4. Relevant geographical market in terms of telecom services in India should telecom service license taken by the or authorise to provide telecom services and the rest services like basic services ,Cellular mobile service, internet, VAS etc., should be covered under Relevant Product Market. It is not necessary to determine the market that how much area is covered by TSP.

Question No 5. To determine the dominance in these two relevant markets, the approach as given in the paras 3.4 and 3.5 are quite satisfactory but in the present scenario the speed of the availability of data and other facilities by different TSP should also be taken into consideration.

Question No. 6. The following factors should be taken into consideration while deciding the SMP in each relevant market:

- a Market share of the enterprise,
- b Size and resources of the enterprise,
- c Economic power of the enterprise, and
- d. Network services of the enterprise.

Question No. 7 Any product or services if it is below Average Variable Cost (AVC), than regulator must check it.

NCHSE, BHOPAL