

**TELECOM REGULATORY AUTHORITY OF INDIA**

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**MEASURES TO PROTECT CONSUMER INTEREST  
IN TELECOM AND CABLE TV SERVICES**

TRAI has taken several measures in the past to protect the interest of consumers. The measures taken by TRAI in this regard are given below for awareness of consumers of telecom services:

<b>Steps taken by TRAI for protecting the interest of customers</b>	<b>TRAI Reference</b>
<b>TELECOM RELATED ISSUES</b>	
<b><u>Tariff related issues:</u></b>	
<ul style="list-style-type: none"><li>• Presenting, marketing or offering tariff plan in any misleading manner is not permitted. All monthly fixed recurring charges which are compulsory for the subscriber under any given plan shall be conveyed as a single figure under one head.</li><li>• The Service Providers must inform the customer in writing, within a week of activation of service, the complete details of his tariff plan. In addition, as and when there are any changes in any aspect/item of tariff in the chosen package, the operator shall intimate, in writing, such changes to those subscribers whose tariff packages undergo a change.</li><li>• A tariff plan once offered by a service provider shall be available to a subscriber for a minimum period of 6 months from the date of his enrolment into that tariff plan. During this 6 months period, the service provider is free to reduce the tariff; but increase in any item of tariff in the plan is not permitted. However, the subscriber is free to choose any other tariff plan even during the 6 months period.</li><li>• Customer has the right to move from one tariff to another plan offered by his service provider any time without having to pay any fee for the migration. A subscriber's request for a change of tariff plan shall be accepted and implemented immediately or from the start of the next billing cycle.</li></ul>	TRAI's Direction dated 16.09.2005.  TRAI's direction dated 29.06.2005 on information to customers about complete details of the tariff plan.  31 <sup>st</sup> amendment of Telecom Tariff Order dated 07.07.2004.  4 <sup>th</sup> amendment to TTO dated 28.07.1999 and Directive dated 15.03.2001
<b><u>Pre-paid customers:</u></b>	
<ul style="list-style-type: none"><li>• All services, which do not affect " talk time value", including incoming voice calls/SMS shall continue to be available to the Prepaid Subscribers during the entire validity period even if the talk</li></ul>	30 <sup>th</sup> amendment to Telecom Tariff Order dated 16.01.2004.

<p>time value has exhausted.</p> <ul style="list-style-type: none"> <li>The unused balance to pre paid subscribers has to be carried forward during the grace period applicable at the time of recharge.</li> </ul>	<p>TRAI's direction dated 16.01.2004.</p>
<p><b><u>Value Added Services:</u></b></p> <ul style="list-style-type: none"> <li>No chargeable value added service, shall be provided to a customer without his explicit consent. Any value added service, which was earlier being provided free of charge, shall not be made chargeable without the explicit consent of the customer. The above provisions are also applicable to Internet Service Providers.</li> <li>Voice Mail Service should not be offered without the prior consent of the subscriber.</li> </ul>	<p>TRAI's direction dated 03.05. 2005 and 12.9.2005 on Value Added Services</p> <p>TRAI direction dated 03.03.2004 on Offer of Voice Mail Service by CMSP without consent of the mobile subscribers.</p>
<p><b><u>Advertisement:</u></b></p> <ul style="list-style-type: none"> <li>The Service Providers must publish in all communications/ advertisements relating to premium rate services, e.g. ring tones, wall paper, astrology, quiz etc. the pulse rate/ tariff for the service.</li> <li>Websites of the service providers shall contain comparison of tariff plans in terms of estimated monthly bill. i.e. financial implications based on certain preset assumptions along with the complete details.</li> </ul>	<p>TRAI's direction dated 03.05.2005 on Premium Rate Services.</p> <p>TRAI's Direction dated 02.05.2005.</p>
<p><b><u>Rebate in rent for delays in repair of fault:</u></b></p> <p>In case any fault in respect of fixed line is not repaired within 3 days rebates in rent should be given as follows:</p> <ul style="list-style-type: none"> <li>Faults pending for &gt;3 days and &lt;7 days: Rent rebate for 7 days.</li> <li>Faults pending for &gt;7 days and &lt;15 days: Rent rebate for 15 days.</li> <li>Faults pending for &gt;15 days: rent rebate for 1 month.</li> </ul>	<p>Regulation on Quality of Service of Basic and Cellular Mobile Telephone Services, 2005 dated 1.7.2005.</p>
<p><b><u>Credit limit for postpaid subscribers:</u></b></p> <p>Credit limit set for a postpaid subscriber shall be intimated by the operator to him in advance and whenever he reaches 80% of the credit limit, an intimation should be given to him. Irrespective of the level of credit limit, the services of a subscriber shall not be disconnected as long as the amount due is below the amount of his security deposit.</p>	<p>TRAI's Direction dated 27.06.2005 on credit limit.</p>

<p><b><u>Refund of security deposit:</u></b></p> <p>The security deposit after adjustment of dues, if any, is required to be refunded to subscribers within a time frame of 60 (sixty) days. The service provider has also to pay an interest @ 10% per annum for any delay in making refund within the stipulated period.</p>	<p>TRAI's direction dated 08.07.2005 on Refund of Security Deposit.</p>
<p><b><u>Provision of detailed bill for STD/ISD charges:</u></b></p> <p>On the request from a post-paid subscriber, the operator has to provide detailed bill for STD/ISD calls free of charge.</p>	<p>32<sup>nd</sup> amendment of Telecom Tariff Order dated 07.10.2004.</p>
<p><b><u>Roaming:</u></b></p> <p>Whenever a subscriber roam into another license area he should be informed through SMS by the operator that he will be charged for the roaming facility only when he chooses to either make or receive a call while roaming and no roaming rental shall be charged until roaming is activated i.e. a call is either made or received while roaming.</p>	<p>TRAI's direction dated 16.06.2004 on Auto Roaming services to all pre-paid subscribers.</p>
<p><b><u>Registration, maintenance of wait list for fixed telephone:</u></b></p> <ul style="list-style-type: none"> <li>• Telephone connections should be provided to the prospective subscribers on first come first served basis without any discrimination.</li> <li>• Operators should not deny Registration for provision of telephone connections to a prospective subscriber on any account until directed by the Licensor in writing to so refuse.</li> <li>• Wait list should be maintained and strictly followed for providing telephone connections.</li> </ul>	<p>TRAI's directions dated 08.01.2001 and 20.11.2001.</p>
<p><b><u>Consumer complaints:</u></b></p> <ul style="list-style-type: none"> <li>• TRAI is not empowered to handle individual consumer complaints against service providers, but will look into issues of systemic failure or of generic nature affecting large number of consumers. Consumers may approach the service providers or Consumer Redressal Forum for redressal of their grievances. For speedy redressal of grievances of telecom consumers, TRAI has recommended to the Government for setting up of an Ombudsman.</li> </ul>	<p>Recommendations on Ombudsman dated 10.08.2004</p>
<p><b><u>Common Charter:</u></b></p> <p>TRAI, in consultation with various NGOs/ Consumer Advocacy Groups and telecom service providers, finalized a Common Charter for adoption by all the Telecom Service Providers. The Common Charter is a voluntary declaration of the Service Providers to promote the</p>	<p>Common Charter for Telecom Services dated 24.02.05.</p>

<p>services in the best spirit of competition and traditions of service. The Charter, inter alia, acknowledges the rights of the citizens to have a free choice in selecting the Service Providers, right to education, representation and redress of complaints.</p>	
<p><b>CABLE TV RELATED ISSUES</b></p>	
<p><b><u>Tariffs:</u></b></p> <ul style="list-style-type: none"> <li>• Pay channels being provided as on 26.12.2003 are frozen at these levels with an escalation of 7% from 1.1.2005 and further 4% on such enhanced tariffs w.e.f. 1.1.2006.</li> <li>• For additional pay channels/free to air channels converted to pay after 26.12.2003, additional charges are to be paid similar to those existing on 26.12.2003.</li> <li>• The ceiling cable charges shall be reduced in case if the MSO/Cable Operator gives a lesser number of channels compared to what were shown as on 26.12.2003.</li> </ul>	<p>Tariff Order on Broadcasting and Cables services of 1.10.2004 as amended by Tariff Order dated 26.10.2004, 1.12.2004 and 29.11.2005.</p>
<p><b><u>Disconnection of signals:</u></b></p> <ul style="list-style-type: none"> <li>• Notice by the Broadcaster/Multi System Operator to the distributor to discontinue signal shall be given in two local newspapers in case the distributor of TV channels is operating in local area and in two national papers in case the distributor of TV channels is providing services in a wide area. Alternatively consumers can be informed through scroll on the concerned channel(s).</li> </ul>	<p>Regulation on Interconnection dated 10.12.2004.</p>

The full text of the Directions, Regulations and Tariff Orders mentioned above are available on TRAI's website [www.traigov.in](http://www.traigov.in).

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