

RJIL/TRAI/2024-25/132

16<sup>th</sup> August 2024

To,

**Shri Amit Sharma,**  
**Advisor (Finance & Economic Analysis),**  
**Telecom Regulatory Authority of India,**  
Tower-F, World Trade Centre,  
Nauroji Nagar, New Delhi - 110029

**Subject: RJIL's comments on TRAI's Consultation Paper on "Review of Telecom Consumers Protection Regulations (TCPR), 2012".**

Dear Sir,

Please find enclosed the comments of Reliance Jio Infocomm Limited (RJIL) on the Consultation Paper dated 26.07.2024 on **"Review of Telecom Consumers Protection Regulations (TCPR), 2012"**.

Thanking you,

Yours Sincerely,  
For **Reliance Jio Infocomm Limited**

**Kapoor Singh Guliani**  
Authorized Signatory

**Enclosure:** As above

**Reliance Jio Infocomm Limited's comments on TRAI's Consultation Paper on  
"Review of Telecom Consumers Protection Regulations (TCPR), 2012" dated 26<sup>th</sup>  
July 2024**

**Preface:**

1. Reliance Jio Infocomm Limited (RJIL) thanks the Authority for giving us an opportunity to offer comments on the important consultation paper on **Review of Telecom Consumers Protection Regulations (TCPR), 2012**.
2. It is an opportune time to review the TCPR 2012, as the tariff structure has changed over the years and the sector has moved from **'pay as you go'** tariffs riddled with multiple rate-cutters and VAS services to **flat tariffs**. Now a prepaid consumer pays a fixed charge once to avail all unlimited services for a fixed duration. The bundled flat tariffs provide all telecom services viz. data, voice and SMS at one go. Many such tariff offers include subscription to OTT services as well, providing the consumers the convenience of one-stop solution for all digital requirements. Thus, it is important that the regulations should reflect the changes in tariff structure.

**Policy of Forbearance in telecom tariffs**

3. Since the notification of Telecommunication Tariff Order, 1999 on 09.03.1999 ("TTO"), the Authority has gradually evolved the policy of forbearance in telecom tariffs. Under this the Authority gives the service providers freedom to design and implement the tariffs suited to the prevailing market conditions. The expansion in scope of forbearance over the years is credited with the lowest tariffs and generational changes that has soared the teledensity and increased wireless broadband penetration in the country. The policy of forbearance can also be credited with making India, the market with second highest smartphone penetration. Thus, it is important that any changes in the tariff regulations do not alter the basic tenets of forbearance. Consequently, we submit that the review of TCPR 2012 should lead to removal of redundant restrictions and no new restrictions should be implemented.

**Consumer Survey conducted by agency appointed by TRAI**

4. We have gone through the survey report published by the Authority and understand that a vast majority of customers covered under the survey had provided positive feedback on the current dispensation for telecom tariffs and on availability of tariff related information, as borne by below observations.

- a. Affordability is not a concern, over 90% respondents found the tariffs affordable.
  - b. 98% of respondents found their respective modes of information access user-friendly.
  - c. 79% felt that information disclosure by TSPs was prominent.
  - d. 56% of respondents felt that bundling is good for consumers.
  - e. Almost 75% of respondents who were aware of OTT services, felt that bundling is good.
5. These observations clearly indicate that current Forbearance and light touch regulation-based regime is paying desired dividends.

### **Primacy of Data Services**

6. The data services are the basic unit for modern telecom tariffs. The tariffs are designed around the quantum of high-speed data to be provided and the mode of provisioning the same i.e. whether with daily capping or monthly capping or no restrictions. Unlimited Voice services in both home and national roaming are provided in all RJIL voice and data plans alongwith a large number of domestic SMS. Other major operators in the market also follow similar tariff structure with a few additional 'pay as you go' tariffs for their 2G customers.
7. However, the primacy of the data services is neither without context, nor is it limited only to telecom sector. It is a global phenomenon where all sectors of economy are now data driven and Government is aggressively promoting broadband proliferation as Digital literacy and availability of broadband services is deemed to be the key for economic societal welfare and growth.
8. In this context, it is difficult to imagine tariff without data services, as even if you do not use data services for any other purpose, you would need it to access India's magnificent technology enabled innovation of instant real-time payment system i.e. Unified Payments Interface (UPI) to make payments. Of course, there will be users that require less data and want to pay primarily for voice services, however, the same is addressed with tariffs having less data allocation.
9. We further submit that when all efforts are on to connect the unconnected, the attempts to classify subscriber categories that do not use data or are unlikely to use data and to make regulations for the same seems counter-productive. Therefore, we submit there is no need to mandate voice/SMS only plans and the policy of forbearance should be persisted with. It is further submitted that even for this segment; by providing plans without data, we will lose the chance of connecting

these users with digital economy. With the limited data allocation, these customers will have the chance to experience data services and realize its importance, thereby enabling them to join the data led economy. However, in case such segment is kept under only voice plans, we will lose this important opportunity of upliftment.

### **Role of Top up vouchers**

10. The Top up vouchers are a unique tariff instrument that enables the consumers to store monetary value in their account and use it for various telecom services, as per the consumer requirements. While the Top ups were in prevalence for a long time, a need to regulate the same was felt in 2012 due to various reasons. We have extracted the same from the explanatory memorandum of TCPR 2012 and reproduced below.

*At present, often Top Up vouchers besides providing monetary value, also contain certain other benefits like – night minutes, free SMS, on-net minutes etc. Sometimes, these extra benefits, which may also restrictions, are not of any use to the prepaid consumers purchasing the top up voucher. Marketing of such products is not done in a fully transparent manner resulting in some consumers buying the Top Up voucher without knowing the inherent restrictions. As a result, the consumer is not able to make effective use of the extra benefits despite paying an extra cost in lieu of such benefits. He, therefore, ends up having to forfeit some monetary value after expiry of the prescribed validity period for the extra benefits of which he may not be aware.*

11. We submit that these misuses of the Top up vouchers were curbed by ensuring that there are no validity restrictions on monetary value under a Top up and by mandating that these need to be made available on stand-alone basis with a capping on processing charges. We submit that these restrictions have been successful in ensuring the sanctity of Top up vouchers.
12. However, there was another provision made i.e. to reserve all denominations of Rupees Ten and multiple thereof only for Top up Vouchers. This restriction on denominations reserved for Top up has become redundant with passage of time. Primarily for the near sunset of ‘pay as you go’ tariffs due to prevalence and adoption of unlimited tariffs. Further, digital recharges and clear communication over all medium prevents the possibility of misuse. Additionally, the Top-ups are offered by the TSPs in a handful of denominations only, and for very limited and niche usage like international calling / SMS etc., leading to wastage of a large number of important denominations.

13. Therefore, it is submitted that the provisions to reserve the denomination should be done away with and in case the Authority still feels that it is important to mark distinct identity of Top-up vouchers through denomination, then a few popular denominations like 10, 20, 50, and 100 can be reserved for Top up vouchers and all other denominations should be freed up for use under other vouchers, as such denominations, if required, can still be achieved with combination of above mentioned voucher values.

#### **Validity of Special Tariff Voucher (STVs)/Combo Vouchers (CVs) and colour coding of vouchers**

14. The validity of STVs and CVs was restricted to 90 days under TCPR 2012, as these were deemed to be short term rate-cutters or limited duration special benefit tariffs. However, with prevalence of unlimited tariffs, the consumers prefer large validity recharges whether it is STV or CV, and there is no need for keeping a validity cap for such recharges.

15. We submit that the validity restrictions on prepaid recharges should be removed and if deemed necessary it should be capped at 365 days, as already done in case of data only STVs.

16. Similarly, the colour coding of the vouchers was relevant in the era of paper recharges and as there are hardly any paper recharges done anymore, this redundant requirement should also be removed.

17. Colour coding in digital medium will also not serve any additional purpose, as the TRAI directions on Tariff Publication and Tariff Advertisement dated 18<sup>th</sup> September 2020, sufficiently ensure clear communication of tariff offers and their complete details on digital media. Further, with reduced and negligible use of Top-ups and Combo vouchers and Plan vouchers being used at the time of onboarding or migration only, we do not think much differentiation can be achieved by digital colour coding of vouchers. Thus, this proposal can be dropped.

#### **Start Up Kit**

18. One important section of the TCPR 2012, that also requires to be reviewed is the requirements around provision of Start-Up Kit (SUK) at the time of onboarding of new customers.

19. We submit that with the increasing adoption of digital modes of communication and information for the subscribers, the requirement of providing some important information in paper form has lost its relevance. This is truer when all the relevant information is already available on TSPs website and self-care app.

20. Further, TSPs like RJIL post 'How to.' videos on YouTube and our website for any telecom related activity relieving the customer from searching for old SUK for any details. Therefore, the requirements for paper SUK should be waived off and if required, the same information can be provided to the customers in digital form. This would include the information about Customer Care Number and General Information Number through SMS. The abridged version of the Telecom Consumers Charter and the information regarding deactivation due to inactivity can also be provided through a weblink to the customer. This will ensure that all mandatory information is provided to the customer while simultaneously avoiding the unnecessary waste of paper. The increasing adoption of e-SIMs is further obviating the need for paper SUK.

## 21. Conclusions

1. **The current tariff plans are aligned with consumer choices as is also borne by the survey report published by the Authority.**
2. **There is no need to mandate voice/SMS only plans.**
3. **The validity restrictions of 90 days on the STVs and CVs should be removed completely, or at least increased to 365 days.**
4. **The colour coding of vouchers is redundant and should be removed.**
5. **The provisions for reserving all denomination of Rupees Ten and multiple thereof should be removed and if at all deemed necessary, a few popular denominations like 10, 20, 50, and 100 can be reserved for Top up vouchers.**
6. **The requirement for providing physical Start up Kit (SUK) should be removed.**

### Issue wise response:

**Question 1: How do current tariff plans offered by telecom service providers align with the preferences and usage patterns of consumers, particularly elderly individuals? Please Justify with rationale.**

### RJIL Response:

1. The current tariff plans offered by RJIL are completely aligned to meet the requirements of entire spectrum of the customer preferences and usage pattern. RJIL has a very active customer service and feedback mechanism. We are interacting with customers while serving them at call centres, through Interactive BOTs (short for Ro bot), our website and self-care application, through physical stores located across the country and through home visits by our agents to deliver SIMs or to address service queries and issues.

2. This enables us to decipher consumer choices and design products to match the consumer requirements. This understanding has shaped the entire bouquet of tariffs on offer. The tariffs being offered meet the requirement of all users e.g.
  - a. An unlimited 4G data plan for regular heavy data users.
  - b. An unlimited data pack with 1 day data validity for occasional heavy data users.
  - c. Tariff offers providing daily data entitlements of 1 GB/1.5 GB/2 GB/2.5 GB/3 GB with validity ranging from 18-22 days to 84-98 days.
  - d. PV, CV and STV with monthly i.e. 30 days validity and those that can be renewed on same date every month.
  - e. Annual tariffs with heavy data as well as low data allowance.
  - f. A voice centric low cost 28/84/336 days validity tariff offer that provides unlimited voice calls with only 2 GB of monthly data allocation.
  - g. Special data boosters for all kind of intermittent data requirements.
  - h. Very low entry level as well as regular tariff for customers with low paying capacity and using smart feature phones.
3. These varied tariff choices ensure that all RJIL customers have sufficient choices and can find the best fit tariff to meet their requirements. Further, RJIL ensures that customers can easily move from one tariff to another whether prepaid or postpaid, to enhance consumer choices. With our eyes on market pulse, we remain open to further improve our tariffs, thus, **we can easily assert that our tariff bouquet is able to meet the requirements of all our customers and more particularly the elderly customers.**
4. Further, we do not agree with the assumption that only 65% of population with age above 65 years would own a smartphone in India, in line with USA. The US data has to be examined in context of the higher tariffs and massive wireline broadband penetration in USA. Which would imply that most of the users in US meet their data requirements through Wi-Fi to avoid paying for mobile data.
5. It is submitted that same age group smartphone usage data can be vastly different in India, as India has lowest data tariffs with second largest number of smartphone users in the world. The smartphone users exceed<sup>1</sup> 1000 million already with projections of exceeding 1500 million by 2040. Over 76% of Indian wireless users are broadband users<sup>2</sup>. Further, it is widely accepted fact that India

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<sup>1</sup> <https://www.statista.com/statistics/467163/forecast-of-smartphone-users-in-india/>

<sup>2</sup> [https://www.trai.gov.in/sites/default/files/PR\\_No.40of2024\\_0.pdf](https://www.trai.gov.in/sites/default/files/PR_No.40of2024_0.pdf)

is way ahead of USA in digital adoption in areas like UPI payment, quick commerce etc. and therefore Indian users' behaviour cannot be extrapolated using US data.

6. Furthermore, our experience tells that a vast number of consumers in age above 65 years like to use mobile data services as this enables them in hassle-free daily shopping with help of UPI, staying connected over social media groups, ordering daily needs including medicines on e-commerce / quick commerce platforms and for using video on demand. Thus, evidently, there is no need to classify this age group any differently in India.

**Question 2: Is there a need for separate plans for Voice & SMS and data to meet the specific requirements of subscribers. Please justify with reasons.**

**RJIL Response:**

1. No, there is no need for a separate plan for either voice or SMS. We submit that the data services are now the most integral part of a telecom consumer's life. The consumers depend on data services to make payments, access Government services, access news content, meet religious requirements and various other daily needs.
2. Data services are required for even the least data savvy customers to at least use the UPI, which is the most preferred payment instrument in the country right now. Further, the Government under its Digital India mission and Viksit Bharat vision is heavily relying on data services to deliver the Government services, scheme benefits to the consumers. The consumers are also using the data services for their critical daily need services like mobile recharge, train and bus ticket booking, electricity, water and gas bill payment, downloading boarding pass and using applications like Digi-Yatra. Thus, a world without data services is unimaginable, at least in India. Consequently, mandating a voice/SMS only plan will be a huge travesty to data centric world.
3. The service providers already offer voice centric low data plans with 28/84/336 days validity that provides unlimited voice calls with only 2 GB of monthly data allocation to the customers. Further, RJIL plans for low-cost handset users come with as little as 0.1 GB data per day, while the same for smartphone users is 2 GB highspeed data for 28 days, which ensures that the customer can use the connection primarily for voice while simultaneously remain connected to data services as well. Other service providers also offer low data packs and even Pay as you Go data tariffs with their entry level plans.



4. Evidently, the market need is well addressed and does not warrant any intervention by the Authority.
5. It is also worthwhile to mention here that Unlimited voice services is an important generational change in telecom tariffs in India. RJIL introduced these beneficial innovations post extensive study of international examples of flat tariffs and simplified charges for voice services. Unlimited voice in both home and roaming has unburdened the consumers from continuous ongoing recharges and gone are the days when the customers would need expensive roaming packs or search for PCOs to make important calls while travelling. The impact of these innovations is seen in the increased MOUs and the fact that such tariffs have now become the norm across industry. Therefore, no curbs should be put on such innovations by TSPs under current Forbearance regime by mandating the tariffs. It is submitted that any move to impact the unlimited voice benefits will be a retrograde step against the national vision and policy documents like NDCP-2018.
6. Further, SMS only packs were curbed by the Authority itself only to control the menace of Unsolicited Commercial Calls (UCC) with TCCCPR 2010, which entailed capping the no. of SMS per day per SIM followed by a floor price for SMS beyond 100 SMS per day per SIM, which was later removed on the request of a government organization.
7. However, in all this experimentation over the SMS, the P2P SMS market has been completely captured by unregulated OTTs. Currently the average number of outgoing SMS by consumers has fallen down to 201 per month<sup>3</sup> in March 2010 to around 11 SMS per month<sup>4</sup> in March 2024.
8. In view of this and in the interest of the fair market rules and level playing field we do not recommend any unnecessary regulation over voice or SMS services. We further submit that any unnecessary regulation over services currently under forbearance **should also weigh in the fact that there is an equally strong unregulated OTT market waiting to pounce upon such opportunities, for instance the current movement of taking transactional/service messages as well as UCC through OTT route.**
9. With regards to data only plan, we submit that such plans with varied validity are already available in the market. Further, the Authority has already allowed the TSPs to offer a 365-day validity data only voucher and the same is being offered by all TSPs under active encouragement by the TRAI.

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<sup>3</sup> <https://www.trai.gov.in/sites/default/files/finalperformanceindicatorReport9agust.pdf>

<sup>4</sup> [https://www.trai.gov.in/sites/default/files/QPIR\\_04072024\\_0.pdf](https://www.trai.gov.in/sites/default/files/QPIR_04072024_0.pdf)

10. Thus, there is no need to provide for separate plans for Voice & SMS and data to meet the specific requirements of subscribers. Nevertheless, in case the Authority still feels the need for such vouchers, it is very critical that the current regime of forbearance should continue without any change.

**Question 3: Whether the maximum validity of Special Tariff Vouchers (STVs) and Combo Vouchers (CVs) for consumers should be increased? Please Justify your response with reasons.**

**RJIL Response:**

1. We agree with this requirement, 90 days validity cap on STVs and CVs is too restrictive and should be removed immediately. In order to provide increased tariff flexibility, if at all required, the cap of 365 days can be considered.
2. We submit that this restriction was implemented when the customers were onboarded on a pay as you go plan and thereafter to get any special tariffs in voice, SMS or data, STV/CV were made available to help provide a limited duration tariff discount and post that the customer reverted to his/her plan tariffs.
3. However, these provisions have lost relevance under the prevailing tariff structure of Unlimited tariffs, where most STVs provide unlimited voice, high speed data with daily cap and large number of SMS.
4. Most customers prefer this type of STVs and also do not want the hassle of repeat recharges, thus removing the 90 days validity restriction of STVs and CVs is a consumer-friendly measure and should be implemented and if a cap is at all required then it should be kept at 365 days.

**Question 4: Are there specific consumer segments that would benefit from longer validity periods for Special Tariff Vouchers (STVs) and Combo Vouchers (CVs)? Please Justify along with rationale.**

**RJIL Response:**

We submit that while there is general popularity of annual tariffs across segments, such packs will be also useful for the prepaid customers travelling abroad for longer durations, as they can keep their mobile number in an active stage by opting for a low-cost long-term recharge and avoid the possibility of number deactivation due to inactivity.

**Question 5: In the current scenario, where dealers are doing recharge of vouchers online instead of selling physical vouchers. How relevant is colour coding of physical vouchers?**

**Please justify with reasons.**

**And**

**Question 6: Whether colour coding can be introduced in digital mode to enhance consumer convenience and clarity? Please Justify your response with rationale.**

**RJIL Response:**

1. We submit that colour coding of vouchers has long lost its relevance in the digital era. It will be difficult to find any printed telecom vouchers in the market, so this regulation has lost its relevance over time and should be removed.
2. Further, while colour coding in digital medium appears to be an interesting thought on paper, it is also equally irrelevant under the current tariff structure. The colour coding was implemented for the paper vouchers to enable the consumers to identify the type of voucher, especially the Top-up voucher providing monetary value.
3. However, under the prevailing tariff structure, the vouchers providing monetary value i.e. Top-up voucher and Combo voucher are seldom used. While the most used recharges are the unlimited packs, which will generally be of same colour code, if the coding was implemented, thus leading to no material change for customers. Further, any such intervention would not be equally applicable to all customers as the import of such an intervention will be lost to the consumers using monochrome or black and white display screens.
4. We further submit that current digital designs of vouchers on self-care app or website give due consideration to the Authority's and stakeholders concerns, as noted in the explanatory memorandum of TCPR, 2012. We are extracting and reproducing the same as herein below.

*10. Currently, different combinations of tariff packs are available in the market and the consumers have difficulty in identifying these packs and their benefits. Several stakeholders have alleged non-transparency of tariffs on the part of service providers, resulting in unintended activation of certain packs. With a view to facilitating easy identification by the consumers, the regulations now specify a colour band code on the reverse of the vouchers to distinguish different types of vouchers. A major concern*

*of the consumers regarding size of the letters giving details of the plan, MRP, net monetary value available on the voucher etc. has been addressed by the Authority by prescribing the printing of information on the paper voucher in font size of not less than eight points.*

5. It is submitted that all the relevant details of the plan i.e. MRP, validity, entitlements etc. are provided in clear and easy to understand manner, as also prescribed under Directions dated 18<sup>th</sup> September 2020.
6. Thus, the provisions relating to colour coding in TCPR are not required and the same should be removed. There is no need to prescribe colour coding in digital mode as well.

**Question 7: In the present situation where recharge of vouchers is carried out through digital mode, is there any relevance of reserving denomination of Rupees Ten and multiple thereof only for Top up Vouchers. Please Justify with reasons.**

**RJIL Response:**

1. No, we submit that there is no relevance of denomination of Rupees Ten and multiple thereof being reserved only for Top up Vouchers. The Top up vouchers related regulations were implemented to prevent mis-selling that led to lapse of the monetary value purchased by the consumers and the denominations of Rupees Ten and multiple thereof were reserved to enable the customer to easily identify these vouchers.
2. However, the relevance of these vouchers has reduced over the time, as the tariff structure has moved extensively towards unlimited offerings and consumers hardly use pay as you go tariff, and this monetary balance is generally used for VAS or international services. In RJIL network, the monetary balance is opted by the consumers only for international roaming / calling, which would comprise a small section of subscribers.
3. Therefore, we do not see any justification of blocking a large number of denominations for vouchers that are used by only a few subscribers and Authority should free-up these denominations.
4. However, in case the Authority feels that it is still relevant to maintain distinct identity and denominations for Top-up vouchers, then a few popular denominations like 10, 20, 50, and 100 can be reserved for Top up vouchers and all other denominations should be freed up for use under other vouchers.

5. This will provide sufficient flexibility to the subscribers as well as TSPs. Further, as the processing fee for Top-up vouchers is capped at Rs. 2 per voucher, this will hardly make a difference to a few consumers that may need to opt for multiple vouchers at one go.

**Question 8: Whether all types of vouchers can be allowed to be offered in any denomination of the choice of service provider? Please Justify along with rationale.**

**RJIL Response:**

Yes, in view of our response to the previous question, in the interest of tariff flexibility and upholding the principle of Forbearance, all types of vouchers should be allowed to be offered in any denomination of the choice of TSP, barring (if) a few denominations are reserved for Top-up vouchers.

**Additional points for consideration under the review of TCPR 2012.**

1. Start-up kit (SUK) Requirement: There is an urgent need to review the requirements around provision of paper Start-up kit at the time of onboarding of new customers. As mentioned above in the preface, with the increasing adoption of digital modes of communication and information to the subscribers, paper-based requirements have lost relevance. All important information is already available on website and self-care app to the consumers and can also be provided through digital means. Further 'How to....' videos are made available on YouTube and TSP website for any telecom related activity. The increasing adoption of e-SIMs is further obviating the need for paper SUK. Therefore, the requirements for paper SUK should be waived off.
2. Exclusion of TRAI mandated plans from the cap of 25 Tariff plans: All plans mandated by the Authority like the plan with 30 days validity and plan with provision of same date recharge every month should be kept out of the cap of 25 plans for wireless services.