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SECTION 4

**TELECOM REGULATORY AUTHORITY OF INDIA**

**NOTIFICATION**

**New Delhi, 23<sup>rd</sup> December, 2024**

**No. RG-13/1/(1)/2023-ADV\_FEA-I ----** In exercise of the powers conferred upon it under section 36, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations further to amend the Telecom Consumers Protection Regulations, 2012 (2 of 2012), namely:-

**TELECOM CONSUMERS PROTECTION (TWELFTH AMENDMENT) REGULATIONS, 2024**

**(08 of 2024)**

1. (1) These regulations may be called the Telecom Consumers Protection (Twelfth Amendment) Regulations, 2024;  
(2) They shall come into force after thirty days from the date of their publication in the Official Gazette.
2. In regulation 2 of the Telecom Consumers Protection Regulations, 2012 (2 of 2012) (hereinafter referred to as the "principal regulations"), in clause (ca), for the words "ninety days", the words "three hundred and sixty-five days" shall be substituted.
3. In regulation 4 of the principal regulations, in sub-regulation (2) –
  - (a) in clause (a), sub-clause (iv) shall be deleted;
  - (b) in clause (b), sub-clause (v) shall be deleted;
  - (c) in clause (c) –
    - (i) in sub-clause (iii) for the words "ninety days", the words "three hundred and sixty-five days" shall be substituted;
    - (ii) in sub-clause (iii), after the third proviso, the following proviso shall be inserted, namely-

"Provided also that the service provider shall offer at least one Special Tariff Voucher exclusively for Voice and SMS with validity period not exceeding three hundred and sixty-five days".
    - (iii) sub-clause (vi) shall be deleted;
  - (d) in clause (d), sub-clause (v) shall be deleted.

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4. Regulation 5 of the principal regulations shall be deleted.

  
(Atul Kumar Chaudhary) 23/12/24

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Note.1. - The Telecom Consumers Protection Regulations, 2012 were published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 6<sup>th</sup> January, 2012 vide notification number No. 308-5/2011-QOS dated the 6<sup>th</sup> January, 2012.।।

Note.2. – The Telecom Consumers Protection Regulations, 2012 were amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 11<sup>th</sup> January, 2012.

Note.3. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 21<sup>st</sup> February, 2012.

Note.4. - The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 7<sup>th</sup> March, 2012.

Note. 5. -The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 22<sup>nd</sup> October, 2012.

Note.6. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 27<sup>th</sup> November, 2012.

Note.7. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-5/2011-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 21<sup>st</sup> February, 2013.

Note.8. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-3/2012-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 3<sup>rd</sup> December, 2013.

Note.9. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.308-1/2015-QOS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 7<sup>th</sup> August, 2015.

Note.10. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.301-23/2015-F&EA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 16<sup>th</sup> October, 2015.

Note.11. – The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No.301-7(2)/2015- F&EA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 19<sup>th</sup> August, 2016.

Note. 12.- The Telecom Consumers Protection Regulations, 2012 were further amended vide Notification No. 301-20/2020-F&EA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated the 30<sup>th</sup> September, 2020.

Note.13 – The Explanatory Memorandum explains the objects and reasons of the Telecom Consumers Protection (Twelfth Amendment) Regulations, 2024 (08 of 2024).



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## Explanatory Memorandum

### A. Introduction and Background:

1. The Authority had conducted a consumer survey between September 2022 to November 2022 in respect of Tariffs of Telecommunication Services and related issues with the objective to understand:
  - the consumer views on evolution of tariffs per se;
  - the efficacy of consumer protection regulations included in the Tariff Order;
  - the efficacy of transparency framework in publishing of tariff offers or in advertisement given by the Telecom Service Provider (TSP).
2. Based on the feedback received from consumers and various stakeholders including TSPs and their associations, etc. TRAI issued a consultation paper on review of Telecom Consumer Protection Regulations (TCPTR) 2012 on July 26, 2024. The paper deals with the following key areas:
  - **Choice of Tariff Availability:** To explore the requirement of separate Voice and SMS plan, and separate data plans tailored to specific segments like elderly persons, people residing in rural areas etc. in addition to bundled offerings presently provided by TSP's.
  - **Validity of vouchers:** To explore the need for reviewing the validity period of Special Tariff Vouchers (STV) which is presently capped at ninety (90) days and to assess whether there are specific consumer segments that would benefit from longer validity periods for Special Tariff Vouchers (STVs) and Combo Vouchers (CVs).
  - **Colour coding of vouchers:** To explore the relevance of colour coding of physical vouchers in present scenario when online vouchers are more prevalent and also whether colour coding can be introduced in digital mode to enhance consumer convenience and clarity.
  - **Denomination of vouchers:** To explore the relevance of reserving denomination of ₹10/- and multiple thereof only for Top up Vouchers in the present situation where re-charge of vouchers is carried out through the digital mode and also whether all types of vouchers can be allowed to be offered in any denomination of the choice of service provider.

### B. Consultation Issues:

The paper posed the following issues for consideration before the stakeholders:



- i. 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.
- ii. Is there a need for separate plans for Voice & SMS and data to meet the specific requirements of subscribers. Please justify with reasons.
- iii. Whether the maximum validity of Special Tariff Vouchers (STVs) and Combo Vouchers (CVs) for consumers should be increased? Please Justify your response with reasons.
- iv. 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.
- v. 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.
- vi. Whether colour coding can be introduced in digital mode to enhance consumer convenience and clarity? Please Justify your response with rationale.
- vii. In the present situation where recharge of vouchers is carried out through digital mode, is there any relevance of reserving denomination of ₹10/- and multiple thereof only for Top up Vouchers. Please Justify with reasons.
- viii. 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.

**C. Response from the stakeholders:**

In response to consultation paper, a total of 41 comments and 05 counter-comments by stakeholders representing associations, TSPs, individuals and Consumer Advocacy groups were received which are available in public domain on the TRAI website. There was an online Open House Discussion (OHD) held on 21-10-2024 in which various stakeholders participated. Post online OHD, comments of stakeholders were also received.

**1. Choice of Tariff Availability:**

- 1.1 On reviewing the views of stakeholders, it is noted that there has been a clear-cut divide of opinion between the TSPs (except BSNL) and consumer organisations/individuals on the matter of mandating of Voice & SMS only vouchers. The TSPs except for BSNL have opposed separate Voice & SMS only packs while the consumer organisations and other individuals have come in favour of these types of vouchers.
- 1.2 The views against having separate Voice & SMS only vouchers were based on the following:
  - i. The existing policy of forbearance should be continued with.
  - ii. Separate Voice & SMS vouchers would reverse data inclusion as it is critical for consumers today (like online re-charges, UPI etc) and in-line with initiatives by the Government like the Digital India programme.
- 1.3 The points raised in favour of having separate Voice & SMS vouchers were based on the following:
  - i. Separate Voice & SMS only vouchers would be helpful for the elderly customers and especially those living in rural areas.

- ii. Consumers must have right to choice.
- iii. Separate Voice and SMS only vouchers would be beneficial on account of varied aspects like catering to voice centric users, cost effective plans, flexibility & customization and market segmentation.
- iv. Separate Voice and SMS vouchers cater to users who prioritize voice communication, offering a cost-effective solution without data features, thus simplifying their choices and enhancing user satisfaction.
- v. Elder people are lesser inclined to use data services due to lack of knowledge especially in rural areas.
- vi. Families having broadband at home feel that recharging for data is extra burden and forcing them to pay for services which is not required.
- vii. For getting OTP from registered mobile numbers given in Banks, Aadhar, ITR filling report etc, Voice and SMS packs are required especially when registered mobile number is not the primary number of user.

Apart from above, data collected from various Telecom Service Providers (TSPs) reveals that still a significant segment i.e. about 150 million subscribers continues to rely on feature phones for communication. This indicates an ongoing demand for Voice and SMS-only plans, as these users primarily require basic telecommunication services viz. only Voice and SMS.

#### 1.4 International Practices:

- Banglalink, a telecom service provider in Bangladesh, offers Voice-only and SMS only packs for their subscribers.
- Grameenphone, another telecom service provider in Bangladesh also offers Voice-only and SMS only packs for different validity periods.
- Tello, a telecom service provider in United States, offers a tariff plan with custom choice of minute units and free SMS packs for their subscribers.
- Telenor, a leading telecom service provider in Pakistan, offers a variety of packages to meet diverse customer needs. These include Voice-only and SMS-only plans, as well as an internet usage calculator on their website, enabling users to select the most suitable plans based on their requirements.
- Ufone, another telecom service provider in Pakistan offers tariffs for Voice only services, and combination of Voice and SMS services.

- 1.5 In view of the above, after going through the views of stakeholders and best international practices, the Authority is of the view that a separate STV for Voice and SMS in addition to existing Data only STV and bundled offers shall be mandated. It is also observed that mandating Voice and SMS only STV will provide an option to subscribers who do not require data and this in anyway will not reverse the government initiative of data inclusion as service providers are at liberty to offer bundled offers and data only vouchers.

## 2. Validity of Vouchers:

- 2.1 With respect to the issue related to extending the validity of STV and CV, most of the stakeholders including service providers were in favour of extending the validity of beyond the present cap of ninety (90) days. The TSPs felt that in the changing landscape, the cap on validity is no longer relevant. There was almost unanimous view that extension of validity period would benefit consumers from the hassle of frequent re-charges.
- 2.2 The authority after going through the views of stakeholders and keeping in view the existing provision of validity of Data only packs up to three hundred and sixty-five (365) days provided by Telecom Consumers Protection (Tenth Amendment) Regulations, 2016, is of the opinion that in sync with validity of Data only packs, the cap on validity of STV and CV be extended from present ninety (90) days to three hundred and sixty-five (365) days. Here it is to be noted that increasing the cap on validity is no way prohibiting service providers to offer smaller validity packs.

## 3. Colour coding of Vouchers:

- 3.1 On the matter of colour coding of vouchers and introducing colour coding in the digital mode, most of the participants were of the view that colour coding has become irrelevant in today's scenario of online recharge and is therefore not required either in the physical or digital mode.
- 3.2 In view of above unanimous view on the issue, Authority is of the opinion that colour coding of vouchers be done away with.

## 4. Denomination of Vouchers:

- 4.1 In the matter of reserving denomination of ₹10/- and multiple thereof only for Top up vouchers and whether all types of vouchers can be offered in any denomination, most participants were of the view that such distinction can be done away with as miniscule re-charges happen for top-up vouchers and also that all types of vouchers can be offered in any denomination as online re-charges have become more common nowadays. Moreover, the issues of currency change prevalent at the time of reserving denomination of ₹10/- and multiple thereof only for Top up vouchers are not of much relevance in an era where digital transactions are prominent.
- 4.2 Considering above, the Authority is of the view that reserving of denomination of ₹10/- and multiple thereof only for top-up voucher be done away with and TSPs may be allowed to offer all the vouchers in any denomination of their choice while retaining mandate of at least one Top Up voucher of denomination of ₹10/- provided by Telecommunication Tariff Order (TTO) (50<sup>th</sup> amendment) Order 2012.





**D. Conclusion:**

To summarize, in view of the responses from stakeholders and in view of the specific consumer requirements, the Authority has decided the following:

- i. To mandate a separate STV for Voice & SMS. This would give consumers an option to pay for the services they require in general and in particular benefit certain segments of consumers especially the elderly persons, those living in rural areas and feature phone users.
- ii. The cap on validity period for STV and CV be increased from existing ninety (90) days to three hundred and sixty-five (365) days in line with validity of data only vouchers as this would benefit consumers from the hassles of frequent re-charge.
- iii. Colour coding of vouchers as it exists in the physical form be done away with in view of the prominence of online re-charges.
- iv. The reserving of denomination of ₹10/- and multiple thereof only for top-up voucher be done away with and TSPs may be allowed to offer all the vouchers in any denomination of their choice while retaining mandate of at least one Top Up voucher of denomination of ₹10/- provided by TTO (50<sup>th</sup> amendment) order 2012.



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