



**Telecom Regulatory Authority of India**

# **Consumers' Handbook on Telecommunications**

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# Foreword

Protecting the interest of consumers of telecommunication services is one of the primary tasks of the Telecom Regulatory Authority of India (TRAI). TRAI has, from time to time, issued several Regulations, Direction and Orders on consumer protection, complaint redressal system, quality of service, metering and billing accuracy, transparency in tariff offers, activation of value added services, mobile number portability and curbing of unsolicited commercial communications etc.

It is important that consumers and the consumer organisations are made aware of these regulatory measures so that they can effectively safeguard their rights and privileges. It is precisely with this purpose that this handbook titled ‘Consumers’ Handbook on Telecommunications’ has been brought out. The Handbook is written in a simple consumer friendly language for easy understanding by all.

The handbook will be used in the regional consumer education workshops organised by TRAI and also distributed to the registered consumer organisations, free of cost. There are now about 90 organisations registered with TRAI, representing most parts of the country.

I hope that the consumers and the Consumer Advocacy Groups will find this book useful.



**(Dr. J. S. SARMA)**  
Chairman

New Delhi

Dated: 2<sup>nd</sup> May, 2012



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## **Content Disclaimer**

# Introduction

The Telecom Regulatory Authority of India (TRAI) was established in 1997 through an Act of Parliament, viz., the Telecom Regulatory Authority of India Act, 1997. The Authority's mission is to ensure that the interests of consumers are protected and at the same time to nurture conditions for growth of telecommunications, broadcasting and cable services in a manner and at a pace which will enable India to play a leading role in the emerging global information society. For achieving these objectives, the Authority issues from time to time regulations, directions, orders or guidelines with focus on providing consumer with adequate choice, affordable tariffs and high quality of service.

TRAI has recently issued new regulations on consumer protection, complaint redressal system, unsolicited commercial communications and mobile number portability. TRAI has laid down the standards of quality of service to be provided by the service providers to create conditions for consumer satisfaction by making known the quality of service, which the service provider is required to provide and the user has a right to expect.

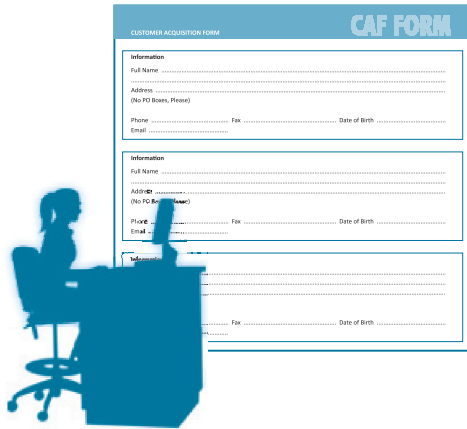
Even though the TRAI Act does not envisage dealing with individual complaints by the Authority, complaints received in TRAI help the Authority to gauge the performance of the sector and take further regulatory measures to address the issues. In fact many a regulations, directions and orders issued by TRAI can trace its roots to the complaints received in TRAI from the consumers.

This handbook contains the gist, from consumer point of view, of all the Regulations, Orders and Directions issued by the Authority. Starting from enrolment as a consumer of telecommunication service, all that are relevant to the consumer like complaint redressal, tariff, quality of service, mobile number portability, value added services, unsolicited commercial communications, saving mobile numbers in the handset, dialling tips and consumer education have been dealt in separate chapters. References have been indicated to the relevant regulations/orders/directions, details of which are available in the TRAI website: [www.trai.gov.in](http://www.trai.gov.in)



# Chapter 1

## Enrolment as a Consumer of Telecommunication services

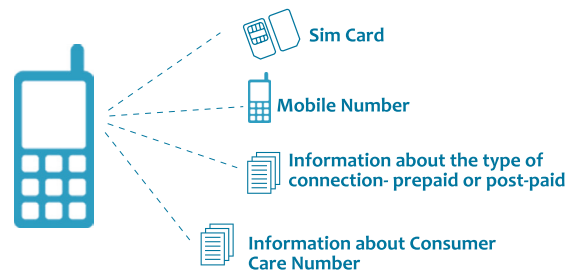


### Taking a mobile connection

In a service area, which generally consists of a state, there are several telecommunication service providers, licensed by the Government of India (Department of Telecommunications). They may provide telecommunication services, either basic (land line) services or mobile telephone services or internet services or broadband services or a combination of these services. A person interested in getting any of these services has to approach the service provider of his choice or its authorised sales outlets and submit an application form, generally known as

the Customer Acquisition Form (CAF), along with photographs and proof establishing address and identity. In the case of telephone connection, especially mobile connection, a customer may opt for a post paid or pre-paid connection (plan).

### Start-up Kit



At the time of enrolment into a network for a mobile connection, the customer should get from the service provider or its authorised sales man a start up kit containing inter alia:

- (a) SIM card, (in some CDMA connections there may not be any SIM card);
- (b) a mobile number, (other than in cases where the subscriber has ported the number from another service provider through mobile number portability);

- (c) information about the type of connection-prepaid or post-paid;
- (d) information about Consumer Care Number, General Information Number and appellate authority;
- (e) abridged version of the Telecom Consumers Charter.

The Start-Up Kit will not contain any Special Tariff Voucher.

## Vouchers

In order to avail the services, a customer has to buy separately the vouchers he requires. The service provider can offer only three types of vouchers, namely (a) Plan Voucher, (b) Top Up Voucher and (c) Special Tariff Voucher.

The plan voucher is to be used to enrol a consumer into a tariff plan and it would not provide any monetary value.

The top up voucher only offers monetary value expressed in rupee without any restriction on its validity or usage.

The special tariff voucher (STV) is intended to provide tariff benefits to the subscriber who desires to avail the benefit of altering one or more of the tariff components. Examples are - STV of Rs. 40/- providing tariff for STD at 40 paise per minute, STV of Rs. 30/- providing 500 SMS free etc. The STV indicates the plan to which it is applicable, tariff for different items and also the validity, which does not exceed 90 days. It is

The service provider offers three types of vouchers, namely  
 (a) Plan Voucher,  
 (b) Top Up Voucher  
 and  
 (c) Special Tariff Voucher.  
 The Start-Up Kit will not contain any Special Tariff Voucher.

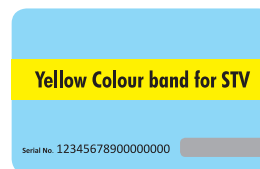


offered on standalone basis and does not provide any additional value.

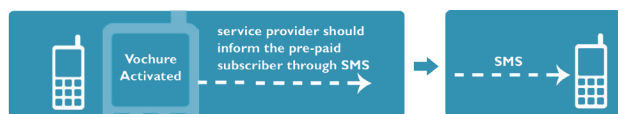
## Colour band on paper vouchers

For easy identification, the vouchers will have three different colour bands on the reverse side of the paper voucher. The colours are:

- (a) **Red** colour band for Plan Voucher;
- (b) **Green** colour band for Top Up Voucher; and
- (c) **Yellow** colour band for Special Tariff Voucher.



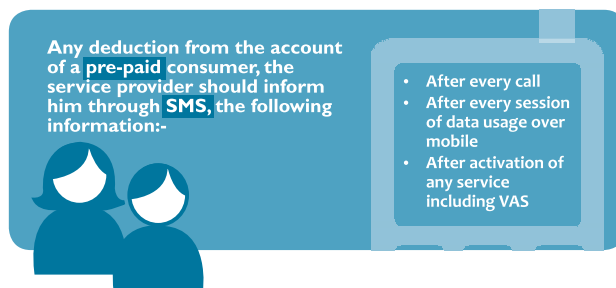
## Information to pre-paid consumers on activation of a Voucher



Immediately on activation of a voucher, the service provider should inform the pre-paid consumer through SMS the following information:-

- (a) **on activation of Plan Voucher:-**
  - (i) title of the plan ; and
  - (ii) validity period of the plan;
- (b) **on activation of Top Up Voucher:-**
  - (i) total amount charged;
  - (ii) processing fee or administrative charge, as the case may be;
  - (iii) taxes deducted;
  - (iv) net monetary value added; and
  - (v) total available monetary value;
- (c) **on activation of Special Tariff Voucher:-**
  - (i) total amount charged;
  - (ii) validity period of the voucher; and
  - (iii) benefits specific to the voucher.

## Information to pre-paid consumers relating to usage



Immediately on making any deduction from the account of a pre-paid consumer, the service provider should inform him through SMS or USSD, the following information:-

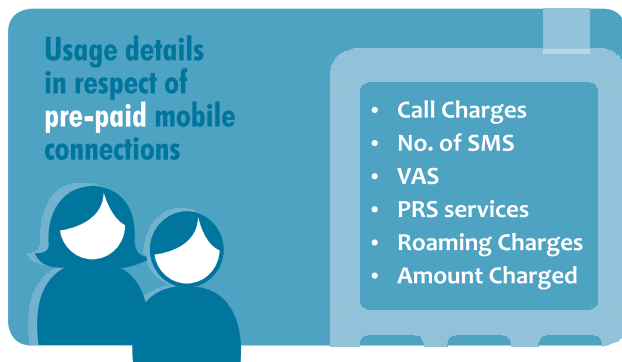
- (a) **after every call--**
  - (i) duration of the call;
  - (ii) charges deducted for the call;
  - (iii) balance in the account; and
  - (iv) in case of Special Tariff Voucher, minutes of usage deducted and balance minutes of usage available;
- (b) **after every session of data usage over mobile, ---**
  - (i) quantum of data usage;
  - (ii) charges deducted; and
  - (iii) the balance in the account;

(c) **after activation of any service including Value Added Service, -**

- (i) amount deducted;
- (ii) purpose for which the amount has been deducted;
- (iii) balance in the account; and
- (iv) the validity period of the Value Added Service.

*Note: These provisions will not apply to a consumer if he is roaming outside his service area.*

## Past Usage details in respect of pre-paid mobile connections

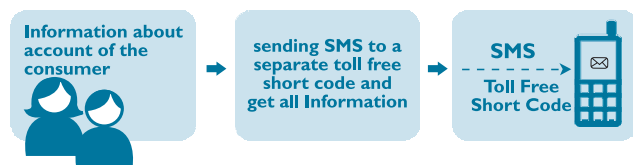


A prepaid consumer does not get monthly bills. However, he is entitled to get from his service provider, at a reasonable cost, subject to a maximum of Rs. 50/-, information relating to:-

- (a) itemized usage charge for all calls;
- (b) number of SMS sent and the amount charged for such SMSs;
- (c) Value Added Services availed and the amount charged for such service;
- (d) Premium Rate Service availed and the amount charged for such service;
- (e) roaming charges;

The service provider has to provide this information to him within a period of thirty days of receipt of such request. It will not be obligatory on the part of the service provider to provide information for any period beyond a period of six months preceding the date of request.

## Information about account of the consumer



As a consumer, one can also get the following information by sending SMS to a separate toll free short code:

- (a) tariff plan opted by him including,--
  - (i) rates for local and long distance (STD) calls, and differential charges, if any, applicable for on-net and off-net usage;
  - (ii) rates for SMS;
  - (iii) rates for data service;
- (b) balance available in the account of the pre-paid consumer; and
- (c) Value Added Services activated on his telephone number;

**Note:** *It is not obligatory on the part of the service provider to provide such information to a consumer who is roaming outside the country.*

[Telecom Consumers Protection Regulations, 2012 dated 06<sup>th</sup> January 2012]



# Chapter 2

## Complaint Redressal

### Establishment of Complaint Centre



Telecom Consumers Complaint Redressal Regulations deal with handling of consumer complaints, service request and provision of information to consumers. The complaint centre will have ‘Consumer Care Number’, which is toll free and “General Information Number”. The consumer care number is for complaints and service requests and general information number for seeking information. Establishment of general information number is not mandatory where general information is also provided on the consumer care number.

**In case a consumer has a complaint,** he has to approach the Complaint Centre of his service provider through the toll-free “Consumer Care Number”. The Complaint Centre has to be open at least from 08.00 hours to 24.00 hours, i.e. 8

O'clock in the morning to 12 O'clock at midnight on all days of the week. In case his telephone/mobile is faulty, he can use a connection from any other service provider to contact the Complaint Centre for which there is a separate number. The consumer may opt to speak in Hindi or English or in the local language of that service area.

### Handling of complaints at the Complaint Centre

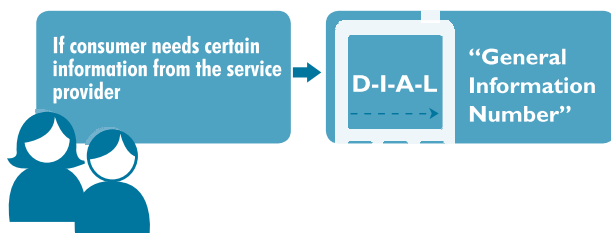
Every complaint is registered by allotting a ‘unique docket number’. The Complaint Centre will communicate the unique docket number along with date and time of registration and the time limit for resolution of the complaint through SMS. Also on completion of action on a complaint, the consumer will be informed of the action taken through SMS. Details of complaint will remain in the system for at least three months against each docket number.

**The consumer is advised** to store the unique docket number and the information on action taken. In case he is not satisfied with the redressal, he can use these details while going for appeal.

## Time limit for handling complaints and service requests

The time limit for handling complaints and service requests is as specified in the Quality of Service regulations, given in Annex. –I. In cases where no time limit is specified in the QoS regulations, the complaints and service request have to be addressed within 3 days.

## Handling of queries



In case a consumer needs certain information from the service provider, he may dial the “General Information Number” established by the service provider. If he calls the Consumer Care Number and asks for information, he may be directed to call General Information Number. The service provider may charge the consumer for speaking to a consumer care agent. Charging will take place only when one presses the key for speaking to consumer care agent in the IVRS menu.

## Operation of IVRS on Customer Care Number

The Interactive Voice Response System (IVRS) at the “Consumer Care Number” should operate in the following manner:

- 1 First level of IVRS provides for language selection
- 2 Second level of IVRS provides for selecting broad categories of complaints and service requests
- 3 Third level of IVRS provides for sub-menu under complaints and service requests with the option to speak to a consumer care agent.

## Appeal to Appellate Authority

If a consumer is not satisfied with the redressal of his complaint, or his complaint remains unaddressed or no intimation of redressal of the complaint is received within the specified period, he can approach the Appellate Authority for redressal of his complaint. The contact details of the Appellate Authority would be available in the start-up kit, web site of the service providers and their sales outlets.

There is no fee or charge for filing an appeal. He may file the appeal either through e-mail or fax or



post or in person, within thirty days after expiry of time limit prescribed for redressal of complaint. The presence of the appellant is not obligatory, but he may, if he so desires, appear in person to present his case before the Appellate Authority.

## Advisory Committee

There would be an Advisory Committee to the Appellate authority of the service provider in every service area. It would have two representatives – one from the service provider and the other from registered Consumer Advocacy Group (CAG). The Advisory Committee has to give its advice on every appeal to the Appellate Authority for its consideration.

## Handling of appeals

The secretariat of the Appellate Authority has to:

- ▶ Register an appeal immediately on receipt by assigning a unique appeal number.
- ▶ Acknowledge the appeal, within three days of its receipt, by sending the unique appeal number through SMS or e-mail to the consumer.
- ▶ Forward, within three days from the date of receipt of the appeal, a copy of the appeal to the service provider concerned for filing a reply, within seven days, along with relevant information, document or record; and

- ▶ Place before the Advisory Committee for its consideration the reply of the service provider along with the appeal, within two days of receipt of reply from the service provider.

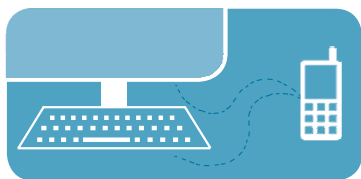
The Advisory Committee has to render its advice on every appeal placed before it within fifteen days. The secretariat has to place the advice of the Advisory Committee before the Appellate Authority, within two days of receipt from the Committee.

## Disposal by the Appellate Authority

When an appeal is placed before the Appellate Authority, it may conduct such inquiry as it considers necessary and dispose of the appeal within ten days by passing a reasoned order in writing, stating therein the points for determination and the decision thereon. The Appellate Authority is expected to give due consideration to the advice given by Advisory Committee. In case the Appellate Authority decides the appeal against the advice of the Advisory Committee, it should record the reasons for the same in the order passed by it.

The secretariat of the Appellate Authority has to intimate the decision on the appeal to the appellant and the service provider.

## Web based Complaint Monitoring System



The regulations require the setting up of a Web based complaint monitoring system by the service provider through which the consumers can track their complaints. The process for monitoring complaints is to be published in newspapers and repeated every six months.

## Telecom Consumers Charter

All service providers are required to publish a Telecom Consumers Charter in Hindi, English and the local language of the service area. The Charter will contain inter-alia terms and conditions of service, information about complaint redressal mechanism, complaint redressal procedure, different time frames specified by the Authority for various complaints under QoS regulations, QoS parameters specified by the Authority in respect of each of the services, and quality of service promised by the service providers, amount to be deducted as administrative expenses or otherwise, Customer Care Number, General Information Number, various procedures related to services like mobile number portability, procedure for termination or disconnection of each service offered by the service provider, right

of the consumers under different regulations, orders issued by the Authority, duties and obligations of service providers under different regulations, orders and directions issued by the Authority etc.

The Start-up Kit, which a mobile customer gets at the time of his enrolment, would contain an abridged version of the Telecom Consumers Charter containing salient features.

## Publication of information in Newspapers and website



The service providers have to publish the following information in leading newspapers in Hindi or English and a local language once in every six months and also make the same available on their web site:

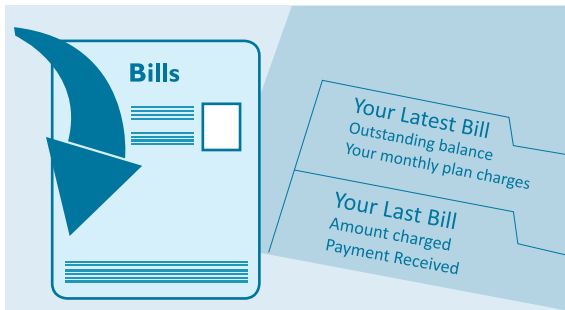
- ▶ Customer Care Number
- ▶ General Information Number
- ▶ Contact details of the Appellate Authority
- ▶ Procedure for monitoring of complaints on the web based complaint monitoring system.

**Telecom Consumers Complaint Redressal Regulations, 2012 dated 05<sup>th</sup> January 2012]**

# Chapter 3

## Quality of Service and Billing Accuracy

The TRAI Act provides that the Authority shall lay-down the standards of quality of service to be provided by the service providers and conduct periodical survey of such service provided by the service providers so as to protect the interest of the consumers of telecommunication service.



### Quality of Service (QoS)

TRAI has laid down the Quality of Service standards for various services through Quality of Service regulations issued, from time to time. The first Regulation on Quality of Service of Basic and Cellular Mobile Telephone Services was notified in July 2000, which was subsequently revised in July 2005 and March 2009. At present, the quality of service is being monitored on the basis of the standards of quality of service regulations notified in March 2009. The Quality of Service standards for Broadband service were notified through the

regulations issued on 6th October, 2006. The important parameters on quality of service and the benchmarks for meeting the parameters by the service providers are given at Annex I.

### Monitoring of QoS in TRAI

In order to ensure quality of service and to monitor the performance of service providers against the QoS parameters prescribed in the regulations, TRAI adopts mainly a threefold strategy: (i) Quarterly Performance Monitoring report from service providers; (ii) Audit of QoS by third party agency and (iii) Survey of Customer satisfaction through third party agency.

TRAI also obtains Point of Interconnection (POI) congestion reports on monthly basis from the service providers.

The audit of the network for quality of service for mobile telephone service is presently done on

quarterly basis in all the service areas, while the audit for basic and broadband services is done on yearly basis. The survey of customers to ascertain the level of customer satisfaction is done on half-yearly basis. The audit and survey are carried out through independent agencies and their findings are published in News Papers in the respective service areas for information of the consumers.

**[The standards of Quality of Service of Basic Telephone Service (Wire line) and Cellular Mobile Telephone Service Regulations, 2009 dated 20<sup>th</sup> March 2009 and Quality of Service for Broadband Service Regulations, 2006 dated 6<sup>th</sup> October, 2006]**

## **Billing Accuracy**

In order to protect the interest of subscribers from inaccurate billing and charging, the Authority has prescribed a uniform code of practice for metering and billing accuracy. The service providers have to arrange audit of their Metering and Billing System on an annual basis through any one of the auditors empanelled by TRAI and an audit certificate thereof has to be furnished to the Authority not later than 30th June of every year. The service providers are also required to submit to TRAI by 30th September of every year Action Taken Report on inadequacies, if any, pointed out by the auditor in the audit report.

During the audit, tariff plans with more than 10% subscriber base and 3 prepaid plans and 2 post-paid plans launched during the year which have the maximum subscriber base are to be audited on sample basis. TRAI has issued a detailed checklist of audit for the implementation of metering and billing regulation which includes every item of the Code of Practice and the Terms of reference. The audit covers checking of overbilling, checking of roaming charges levied on customers vis-à-vis the published tariff, checking of charging for value added services, verification of bill delivery process, verification of redressal of billing complaints and complaint handling process, activation time for recharges etc. Also the various billing complaints received in TRAI are referred to the auditor for verification.

The systemic deficiencies observed during audit are to be corrected in a time bound manner. The audit of the metering and billing system has helped in identifying many systemic issues and has also helped the service providers to improve their system processes in billing and thereby reduce incidences of billing complaints. The audit has helped the consumers considerably by enhancing the accuracy and reliability of the billing and refund of excess charges levied.

**[Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations, 2006 dated 21<sup>st</sup> March 2006]**

# Chapter 4

## Mobile Number Portability

Mobile Number Portability means the facility which allows a subscriber to retain his mobile telephone number when he moves from one Access Provider to another irrespective of the mobile technology or from one cellular mobile technology to another of the same Access Provider within in a licensed service area. The portability process involves three parties, (i) the subscriber interested in moving, (ii) the Donor Operator or service provider from whom the subscriber wants to move and (iii) the Recipient Operator (New Service Provider) to whom the subscriber wants to move.

### Porting Procedure

A subscriber desirous of porting his mobile number needs to:-

- ▶ Contact Recipient Operator (RO) to whom he wants to port his mobile number.
- ▶ Obtain Customer Acquisition Form (CAF) & Porting Form from the R.O.
- ▶ Read the eligibility, permissible grounds for rejection of porting requests and other conditions carefully.
- ▶ Obtain 'Unique Porting Code' (UPC) by sending SMS from the mobile number to be ported. To obtain UPC send SMS to number '1900' with the text 'PORT' followed by space followed by the 10 digit mobile number to

be ported. It may be noted that the UPC so obtained will be valid for 15 days for all service areas except J&K, NE & Assam Service Areas where it will be valid for 30 days.

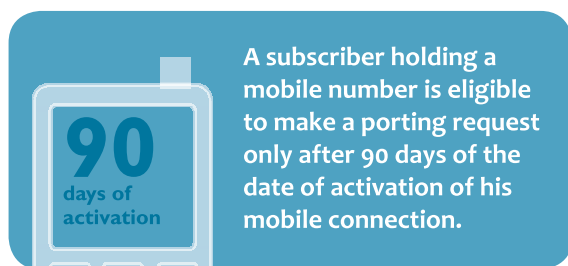


**Note:** As pre-paid SMS is not permitted in Jammu & Kashmir the subscriber has to dial '1900' to get an UPC. The operator at '1900' will provide the UPC after verifying subscriber number with CLI.

- ▶ If eligible, fill up the CAF and Porting Form, mentioning UPC.

- ▶ Submit the duly filled Porting Form and CAF along with documentary proof to the Recipient Operator.
- ▶ A post paid subscriber should also submit a paid copy of the last bill along with Porting Form and CAF.
- ▶ Obtain new SIM card from the Recipient Operator

## Eligibility for porting



A subscriber holding a mobile number is eligible to make a porting request only after 90 days of the date of activation of his mobile connection. If a mobile number is already ported once, the number can again be ported only after 90 days from the date of the previous porting.

At the time of porting request, a post paid subscriber is required to submit an undertaking that he has already paid all the dues as per the last bill to the Donor Operator and that he/she would be bound to pay all the dues to the Donor Operator till its eventual porting and agrees that

in event of non-payment of any such dues to the Donor Operator, the ported mobile number is be liable to be disconnected by the Recipient Operator.

In the case of a pre-paid subscriber, he needs to give an undertaking that he understands that at the time of porting the balance amount of talk time, if any, would lapse.

## Grounds for rejecting porting request

Porting request can be rejected under the following conditions:

- (a) If the outstanding payment is Rs. 10/- or more.
- (b) If it has been made before the expiry of a period of ninety days from the date of activation of a new connection.
- (c) If change of ownership of the mobile number is under process.
- (d) If the case related to the mobile number sought to be ported, is sub-judice.
- (e) If the mobile number sought to be ported has been prohibited by a Court of Law.
- (f) If the subscriber has applied for inter-service area porting.
- (g) If the unique porting code mentioned in the porting request does not match with the

unique porting code allocated by the Donor Operator for the mobile number sought to be ported or validity of UPC has expired.

- (h) On the ground of subsisting contractual obligations, except in the case of (i) post-paid connection with bundled handset with contractual obligations having exit clause and the subscriber has not complied with the same and (ii) corporate connection with contractual obligation having exit clause and the subscriber has not complied with the same.

## Withdrawal of a porting request

A subscriber may withdraw his porting request within 24 hours of making a request for porting by informing recipient operator in writing. However, the service provider is not obliged to refund the porting charges paid.

## Porting time

The regulation envisages a maximum time period of 7 working days for the completion of porting process in all licensed service areas except in the case of J&K, Assam and North East licensed service areas where the maximum time allowed is 15 working days.

## Activation of ported number

- ▶ The Recipient Operator will intimate the date & time of porting to subscriber.
- ▶ The service disruption time will be around 2 hrs during night time of the date/time of porting.
- ▶ Replace the old SIM with the new SIM provided by the Recipient Operator after the specified date and time. (Note: Balance in the account of the prepaid connection would not be carried forward to the new SIM.)

 ***[Telecommunication Mobile Number Portability Regulations, 2009 dated 23<sup>rd</sup> September 2009]***





# Chapter 5

## Curbing Unwanted Commercial Communications (UCC)

In order to curb menace of unsolicited commercial communications/telemarketing calls, TRAI had notified the Telecom Unsolicited Commercial Communications Regulations and established the National Do Not Call Registry (NDNC). Despite various measures taken by the Authority for curbing unsolicited commercial communications, dissatisfaction on this account among telecom customers continued. After review of the provisions in that regulation, TRAI issued new regulations on 1.12.2010 providing for a revised framework for effectively controlling the menace of unsolicited commercial communications. Also these regulations prescribe several steps for protection of customers from unsolicited commercial calls and SMSs.

### Main features of Customer preference regulations

- (i) The 'NDNC Register has been replaced by the 'National Customer Preference Register' (NCPR). In this Register, customer can opt to block all commercial communication or can selectively block SMS from specified seven categories of 1) Banking/insurance/ financial products/credit cards; 2) Real Estate; 3) Education; 4) Health; 5) Consumer goods and automobiles; 6) Communication/ Broadcasting / Entertainment/IT and
- 7) Tourism and leisure or can continue to get all calls/ SMS.
- (ii) Telemarketers have to register with TRAI and have to deposit Rs.1,00,000 as security deposit with the operator before taking telecom resources.
- (iii) Stringent penalty provisions for violation of the regulations with provision for recovery of penalty from the security deposit. The penalty amount increases with the increase in violations and the telemarketer has to deposit additional security deposit of Rs.2 lakhs on first violation and Rs.4 lakhs

on third violation. The telecom resources are disconnected on sixth violation in a calendar year and the telemarketer is blacklisted for two years. All the service providers who have provided telecom resources to the blacklisted telemarketer have to disconnect the telecom resources provided to such telemarketer.

- (iv) Separate number series starting with '140' for telemarketers for voice calls, which will facilitate easy identification of telemarketing voice calls by unregistered customers receiving such calls. This will also facilitate automated filtering of commercial communications.
- (v) All telemarketers should ensure scrubbing of numbers using their own arrangement and all Access Providers should ensure filtering of unsolicited commercial calls and SMS so that no call or SMS is sent to any customer registered on NCPR unless he has opted for it.
- (vi) Separate headers for transactional and promotional messages to facilitate identification by consumers.
- (vii) In order to ensure that normal telephone connections are not misused to send promotional messages, restrictions have been placed for sending of SMS in excess of 200 per SIM per day for prepaid

connections and 6000 per SIM per month for postpaid connections. This limit is not applicable for blackout days.

- (viii) To prevent the telemarketers from dumping promotional SMSs which results in inconvenience to consumers as well as networks, a promotional SMS charge of Rs.0.05 is to be paid by the originating operator to the terminating operator.
- (ix) The service providers have to ensure that any commercial communication including SMS, other than transactional messages, is sent only between 0900 hrs and 2100 hrs.

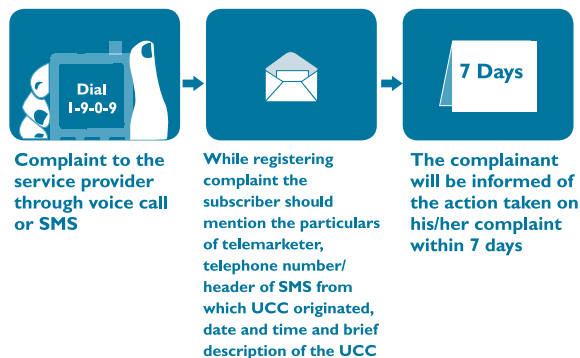
## How to Register

- ▶ A subscriber can register his preference or change of preference by making a call on toll free number 1909 and inform the customer care executive regarding preference of registration i.e. 'Fully blocked' or 'Partially blocked', if "preference is for "partially blocked", the choice of preference among the 7 categories or any change of choice. The customer care executive will confirm and register the preference of the customer in the Provider Customer Preference Register. The customer care executive informs about the preference exercised by him through SMS and also indicates the unique registration number.



- ▶ The subscriber can also register his preference or change of preference by making a call on short code 1909 and select preference to register or change preference as prompted by IVRS. The IVRS will confirm exercise of preference. The customer will be informed of his registration of preference and the unique registration number.
- ▶ The subscriber can also register preference by sending SMS to 1909. For example, if the customer wants to register under fully blocked category, he has to send msg. text “START<space>0” to 1909. For receiving only banking/insurance related information, he has to send msg. text “START<space>1”. To exercise option for Partially blocked and choose more than one options out of 7 categories he has to send msg. text “START<space>1, 2,...”
- ▶ The subscriber can stop/alter his preference by making voice call to 1909, or call IVRS (1909) or sending SMS to 1909. To stop the message from any partially blocked/opted preference, customer has to send SMS STOP<OPTION>, e.g. ‘STOP 1’ for stopping messages from opted banking category.
- ▶ The customer needs to make call/send SMS for registration of preference or change of preference or deregistration from telephone number which is to be registered or deregistered.
- ▶ Once the subscriber registers the preference, he would cease to receive commercial communications as per the preference(s) after a period of 7 days from the date of registration or change preference.

## What to do in case he gets commercial communications even after registration



In case a subscriber receives unsolicited commercial communication after registration, he may make a complaint to the service provider through voice call or SMS to toll free short code 1909 within 3 days of receipt of such UCC.

For registering the complaint through SMS, the subscriber should send an SMS to 1909 in the following format:

COMP TEL NO XXXXXXXXXXXX; dd/mm/yy; Time in hh:mm; short description of UCC, where XXXXXXXXXXXX is the telephone number or header of the UCC. On registration of complaint, a unique complaint number will be communicated to the complainant by the operator and the action taken on the complaint will be informed within 7 days.

**[Telecom Commercial Communications Customer Preference Regulations, 2010 dated 1<sup>st</sup> December, 2010]**

# Chapter 6

## Telecommunications Tariff

Telecommunication Tariff is one of the most important issues concerning the consumers. The Telecom Regulatory Authority of India Act, therefore, specifically provides that the Authority may from time to time notify in the official gazette the rates at which the telecommunication services shall be provided. Accordingly, the Authority notified the first comprehensive tariff order in 1999. During the course of the years, Telecommunication Tariff Order, 1999 has undergone several changes and amendments to address new issues and situations.

Some of the important consumer centric tariff orders are discussed below.

### Protection against hike in tariff

- i. A tariff plan once offered by an access provider shall be available to a subscriber for a minimum period of six months from the date of enrolment of the subscriber to that tariff plan.
- ii. The subscriber shall be free to choose any other tariff plan, even during the said six months period. All requests for change of plan shall be accepted and implemented immediately or from the next billing cycle.

**[TTO 31<sup>st</sup> Amendment Order No. 301-2/2004/Eco. dated 07<sup>th</sup> July 2004]**

### Tariff plan with longer validity including lifetime tariff plans

- i. Any tariff plan presented, marketed or offered as valid for any prescribed period exceeding six months or as having lifetime or unlimited validity in lieu of an upfront payment shall continue to be available to the subscriber for the duration of the period as prescribed in the plan and in the case of lifetime or unlimited validity plans, as long as the Service Provider is permitted to provide such telecom service under the current license or renewed license. In the case of plans with lifetime validity or unlimited validity, the service provider shall also

inform the subscribers of the month and year of expiry of their current license.

- ii. For any tariff plan, the service provider is free to reduce tariffs at any time. However, no tariff item in a tariff plan can be increased by the service provider -
  - ▶ In respect of tariff plans with prescribed periods of validity of more than six months including tariff plans with lifetime or unlimited validity and also involving an upfront payment to be made by the subscriber towards such validity period, during the entire period of validity specified in the tariff plan;
  - ▶ In respect of other tariff plans, within six months from the date of enrolment of the subscriber; and,

*[TTO 43<sup>rd</sup> Amendment Order No. 301-2/2006/Eco. dated 21<sup>st</sup> March 2006]*

## Tariffs for roaming services

For customers, whether prepaid or post-paid, roaming outside his service area, a usage based composite roaming tariff was introduced, thereby removing the rental component from the charging pattern. Maximum permissible per minute charges for roaming calls, irrespective of the terminating networks, and irrespective of tariff plans would be:



**₹ 1.40 for outgoing local calls**



**₹ 2.40 for outgoing Nation Long Distance (NLD) calls**



**₹ 1.75 for incoming calls**

Receiving SMS is free while roaming. Tariff for outgoing SMS while roaming has not been prescribed by TRAI.

*[TTO 44<sup>th</sup> Amendment Order No. 301-34/2006/Eco. dated 24<sup>th</sup> January 2007]*

## Safeguards for Prepaid Subscribers

Majority of the consumers of mobile services are users of prepaid services. There are specific orders and directions intended to safe guard their interests. Some of the stipulations are:

- ▶ The charges for replacement of lost/damaged SIM card shall be based on cost with a reasonable mark-up.
- ▶ If there is any amount that is unused at the end of the validity period, this amount should be carried over to the renewed card, if such renewal is done within a reasonable, specified period.

**[TTO 13<sup>th</sup> Amendment Order No. 303-4/ TRAI/2001 dated 01<sup>st</sup> May 2001]**

- ▶ All services which do not affect “talk time value” including incoming voice calls / SMS shall continue to be available to the Pre-paid subscribers during the entire validity period even after the talk time value is exhausted.

**[TTO 30<sup>th</sup> Amendment Order No. 301-4/ 2004-Eco dated 16<sup>th</sup> January 2004]**

- ▶ Where the terms and conditions of any tariff plan with lifetime validity or unlimited validity include any condition or stipulation which requires any subscriber to recharge for any specified minimum amount within specified

time periods or intervals during such validity so as to keep the said tariff plan valid, such specified time period or interval, should in no case be less than 6 months.

- ▶ In case of straight tariff reductions, the subscribers should automatically get the benefit of such reduction without any precondition of any explicit action by the subscriber.
- ▶ Subscribers in the existing lifetime validity plans or unlimited validity plans can migrate to new lifetime plans or unlimited validity plans with lower entry fee without having to make additional payment or recharges.

**[TTO 48<sup>th</sup> Amendment Order No.301-31/2007-Eco dated 1<sup>st</sup> September 2008]**

- ▶ Every service provider should offer and make available to the consumer at least one top up voucher of Rs.10/- denomination for adding monetary value in the account of pre-paid subscribers.
- ▶ The fee towards administrative cost would not be more than Rs.2/- for top up vouchers having MRP below Rs.20/- and not more than Rs.3/- for top up vouchers having MRP of Rs.20/- or more.

**[TTO 50<sup>th</sup> Amendment Order No.301-24/2012-ER dated 19<sup>th</sup> April 2012]**

## Safeguards to Postpaid Subscribers

Postpaid subscribers have the right to demand hard copy of the bill free of cost.

*[TTO 46<sup>th</sup> Amendment Order No. 301-36/2007-Eco. dated 24<sup>th</sup> January, 2008]*

Bills raised by service providers should contain sufficient information required by the customer and in case any customer requests for itemised bills relating to long distance calls, it should be provided free of charge.

*[TTO 32<sup>nd</sup> Amendment Order No.301-37/2004-Eco dated 07<sup>th</sup> October 2004]*

## Refund of security deposit

The Regulations on Quality of Service issued contain a parameter on refund of security deposits within a period of 60 days after closure of connection. In case security deposit is not refunded within the stipulated period, service providers are required to pay interest at the rate of 10% per annum for the delay

*[Direction No.303-1/2004-Eco. dated 08<sup>th</sup> July 2005]*

## Credit limit for post-paid subscribers

- i. A credit limit is set for every post-paid subscriber and the same has to be intimated to him in advance. The initial credit limit has to be intimated within 7 days of activation of the service.
- ii. Consequences of usage and other applicable charges exceeding the credit limit as well as the manner in which the credit limit could be enhanced, also has to be informed to the subscriber in advance.
- iii. When the usage and other applicable charges reaches 80% of the credit limit, an intimation to this effect should be provided to the subscriber.
- iv. On receipt of the intimation, the subscriber has the option to make interim payments in whole or in part or to restrict his further usage so that the credit set for him is not exceeded.
- v. Services to the subscriber cannot be disrupted until and unless the credit limit fixed for a subscriber is exceeded, despite adequate intimation about the same.
- vi. Irrespective of the level of credit limit, the services of a subscriber cannot be disrupted as long as the amounts due is below the amount of his security deposit.



- vii. The credit limit set for a post-paid customer has to be included in his monthly statement / bill.

*[Direction No.301-27/2005-Eco. Dated 27<sup>th</sup> June 2005 and 07<sup>th</sup> June 2006]*

## Safeguards common to Pre-paid and post-paid subscribers

### Tariff Plan with pulse duration of one second

- ▶ Every service provider providing cellular mobile service should offer to the subscriber at least one pre-paid and one post-paid tariff plan with pulse duration of one second for local and national long distance calls.

- ▶ This provision would not apply to calls terminating outside the country, i.e. to international calls.

### Tariff for Premium Rate Services

- ▶ ‘Premium Rate Service’ or ‘PRS’ means service for which charges are levied at a rate higher than the rate applicable to the consumer as per his tariff plan.
- ▶ Tariff applicable for some of the premium rate services are as under:

S.No.	Item	Tariff
1	Calls made to participate in contests and competitions and to vote in television and radio programmes.	Four times of the applicable local call charges in the Tariff plan opted by the subscriber, as ceiling.
2	SMS sent to participate in contests and competitions and to vote in television and radio programmes	Four times of the applicable SMS charges in the Tariff plan opted by the subscriber, as ceiling.
3	All other matters relevant to tariff for Premium Rate Services.	Forbearance.

*[TTO 5<sup>st</sup> Amendment Order No.301-26/2011-ER dated 20<sup>th</sup> April 2012]*

## Tariff plans with misleading titles prohibited

- (i) No tariff plan should be offered, presented, marketed or advertised in a manner that is likely to mislead the subscribers. For example, title of a tariff plan, which suggests absence of rental, (e.g. 'zero rental') would be misleading if the plan has Monthly Mandatory Fixed Charge in one form or other.
- (ii) All monthly fixed recurring charges, which are compulsory for a subscriber under any given plan, should be shown under one head.
- (iii) Charges for CLIP facility cannot be made a compulsory item of tariff for subscribers in any tariff plan. Whenever, CLIP charges are sought to be levied by the service providers it should be optional for the subscribers.

*[Direction No.301-49/2005-Eco dated 16<sup>th</sup> September 2005 and 23<sup>rd</sup> August 2007]*

## Publication of Tariff Plans

In order to facilitate the telecom subscribers to choose the tariff plans that best meet their needs, directions have been issued to all the service providers on 'Publication of Tariff Plans'.

The salient features of this Direction are:

- (i) Tariff plans offered to post-paid subscribers has to be as per the format at Annex II. Tariff plans meant for pre-paid subscribers has to be as per the format at Annex III.
- (ii) All the tariff plans should be made available to the subscribers in the prescribed formats at the Customer Care Centres, points of sale/retail outlets as well as on the website of the service providers.
- (iii) Every time there is a change in any of the tariff plans, the service provider has to update the same in the prescribed formats on their website and customer care centre, and make available the updated tariff plans in these formats by the 7<sup>th</sup> day of January, April, July and October at their points of sale and retail outlets.
- (iv) The service providers also have to publish all the tariff plans in prescribed formats in at least one regional language and one English newspaper at an interval not more than six months.

*[Direction No.301-14/2010-ER dated 16<sup>th</sup> January, 2012]*

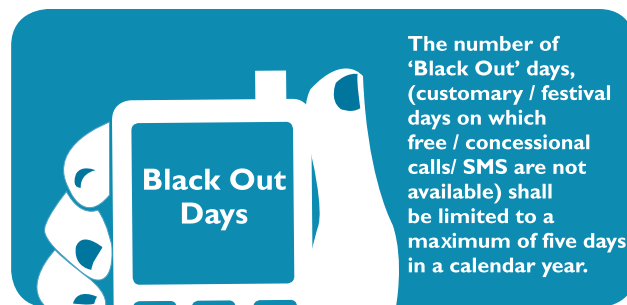
## Tariff Advertisements

In order to ensure further transparency in telecom tariff offers and facilitate the telecom subscribers to choose the tariff plans that best meet their needs, further directions have been issued to all the service providers on 'Tariff Advertisements'. The salient features of this Direction are:

- (i) Every advertisement published by the service provider must be transparent and non-misleading and the design, colour, font type & size, tone & volume of the advertisement is legible, audible and unambiguous;
- (ii) all tariff advertisements must disclose all material information which is likely to influence the decision of a subscriber in an unambiguous manner;
- (iii) all tariff advertisements must contain the website address and customer care number of the telecom service provider to enable the customer to obtain any information pertaining to the tariff plan.

**[Direction No.301-14/2010-ER dated 26<sup>th</sup> March, 2012]**

## Black Out Days



The number of 'Black Out' days, (customary / festival days on which free / concessional calls/ SMS are not available) shall be limited to a maximum of five days in a calendar year.

The number of 'Black Out' days, (customary / festival days on which free / concessional calls/ SMS are not available) are limited to a maximum of five days in a calendar year. The service provider cannot make any addition or alteration to the number of days specified as 'black out' days after the same is subscribed by a consumer. The SMS/ call charges applicable on such specified black out days have to be indicated on the package itself offered to the consumers.

**[Direction No.301-31/2007-Eco.dated 1<sup>st</sup> September 2008]**



# Chapter 7

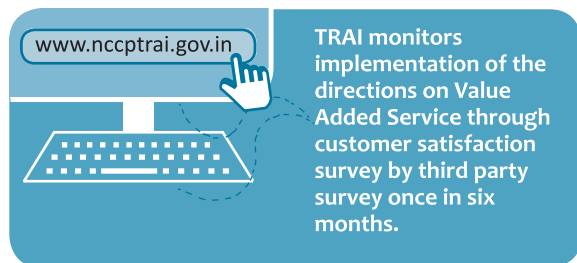
## Value Added Service

### Instructions on activation and charging for value added services



- ▶ The service provider cannot provide any chargeable value added service without the explicit consent of a consumer. Any value added service, which was earlier being provided free of charge cannot be made chargeable without consumer's expressed consent.
- ▶ The service provider has to provide toll free toll facility for un-subscription of value added service. The Department of Telecommunication has allotted '155223' (toll free) as common short code for un-subscription of value added service.
- ▶ VAS can be charged to the customer only after getting verifiable confirmation from the consumer within 24 hours of activation of VAS through consumer originated SMS, e-mail, fax or letter. If no confirmation is received, within 24 hours, the VAS has to be deactivated without any cost to the consumer.
- ▶ Confirmation through SMS to be obtained for renewal of subscription where there is insufficient balance in the account of the customer
- ▶ If there is insufficient balance in the account of prepaid subscriber, VAS cannot be automatically renewed and money deducted on subsequent recharge without explicit consent.
- ▶ The service provider has to inform subscriber at least 3 days before the due date of renewal of a subscribed value added service, the due date for renewal, the charges for renewal

and the toll free telephone number for unsubscribing of such value added service.



## Monitoring implementation of the directions on Value Added Services

TRAI monitors implementation of the directions on Value Added Service through customer satisfaction survey by third party survey once in six months. The result of survey is published on TRAI website.

TRAI is also monitoring the Value Added Service through the empanelled auditors engaged for metering and billing audit on annual basis.

*[Directions: No.305-8/2004-QoS dated 03<sup>rd</sup> May 2005; No.303-1/2006-QoS dated 30<sup>th</sup> October 2007; No.303-1/2006-QoS dated 27<sup>th</sup> April 2009; No.305-5/2008-QoS dated 04<sup>th</sup> September 2009 and No.305-15/2011-QoS dated 4<sup>th</sup> July, 2011]*

# Chapter 8

## Saving Telephone Numbers in mobile handset and dialing procedures for call/SMS

It has come to the notice of TRAI that there had been several instances of wrongly dialing landline/mobile number by customers, resulting in unintended charging. Consumers may please note the dialing procedure and saving of telephone numbers in mobile handset.

### Saving mobile numbers in your handset:

(a) Saving local mobile number in mobile phones (for example number 9812345678):

Correct	Remarks
9812345678	However, if you are roaming outside the service area you will not be able to dial the number from your contact list in the handset
+919812345678	It is better to save the number in this format as you can easily use the number from contact list even if you are on roaming.  <b>Tips:</b> You can always save in this format if you save a number based on the incoming call details

Incorrect	Remarks
009812345678	The call or SMS may get charged at international rates
+9812345678	The call or SMS may get charged at international rates

(b) Saving mobile number outside your service area in mobile phones (for example number 9922345678):

Correct	Remarks
09922345678	
+919922345678	It is better to save the number in this format as you can easily use the number from contact list if you are on roaming outside the country.  <b>Tips:</b> You can always save in this format if you save a number based on the incoming call details

Incorrect	Remarks
009922345678	The call or SMS may get charged at international rates
+9922345678	The call or SMS may get charged at international rates

(c) Saving landline numbers in mobile phones:

Save landline numbers in mobile phones with the STD code, for eg. for saving a Delhi number prefix '011' followed by the number. The same number can also be saved with the prefix '+9111'.

## DIALING TIPS

### Do Not

1. Do not dial or send SMS to any mobile number, whether local or outside the service area, with prefix '00' as the call or

SMS may get charged at international rates for eg. 009812345678.

2. Do not dial or send SMS to any mobile number, whether local or outside the service area, with only prefix '+' as the call or SMS may get charged at international rates for eg. +9812345678.

### Do

3. Any mobile number, whether local or outside the service area, can be dialed from a mobile phone from anywhere in the country with prefix '+91', for eg. +91-9922345678.



4. For making a call or SMS from a mobile phone to any local mobile number, you can dial the mobile number without any prefix.
5. For making a call or SMS from a mobile phone to any mobile number outside your service area, dial the mobile number with prefix '0' or '+91', for eg. 09922345678 or +919922345678.
6. Dial a local landline number (within the Short Distance Charging Area) from a landline phone without any STD code or any prefix.
7. Dial a non-local landline number from a landline phone by prefixing STD Code to the number, for eg. for calling Chennai from any place outside Chennai, the telephone number should be prefixed with 044.
8. Dial international numbers with prefix '00'.



# Chapter 9

## Consumer Education

The telecom sector is a high growth sector. Large percentage of the new customers added belongs to semi-urban and rural areas. Their awareness and exposure to various telecom related issues is limited. Hence TRAI has initiated consumer education programmes. TRAI conducts regional workshops for consumer education and capacity building of Consumer Organizations and NGOs registered with TRAI. The consumer education workshops provide a platform to Consumer Advocacy Group (CAGs) and service providers to come together and discuss the concerns of the consumers and understand the local problems.

### Consumer Education Fund

The consumer education programmes are financed by funds from the Telecommunication Consumers' Education and Protection Fund (TCEPF). Under various Directions and Orders issued by the Authority from time to time, a significant amount of money became due for refund to a large number of consumers but the same could not be refunded to them for different reasons by the concerned service providers. Retention of such money, which actually belonged to the consumers, by the service providers would amount to their undue or unjust enrichment. The TCEPF has been created by collecting all such money lying with service providers by notification

of a regulation. The regulation prescribes the manner of collection of the unclaimed amount lying with the service providers and utilization of the same for consumer education.

The income from the fund is to be utilized for the following purposes:-

- (a) to undertake programmes to educate the consumers of the Telecommunication services about various measures taken by the Central Government or TRAI for protecting the interests of consumers of telecommunication services;
- (b) to conduct studies and market research projects, either directly or through

specialized agencies or institutions on matters relating to protection of the interests of consumers of telecommunication services;

- (C) to organize seminars, symposia and workshops on the subject of consumer welfare and consumer education in the field of telecommunication.

## **Committee for Utilisation of Telecommunication Consumers Education and Protection Fund (CUTCEF)**

Any expenditure from the TCEPF is to be incurred on the recommendations of the Committee for Utilization of Telecommunication Consumers Education and Protection Fund, duly constituted as per the provisions in the Regulations. The Committee consists of five representatives each from TRAI, service providers and consumer organizations registered with TRAI.

# Annex I

## Important QoS parameters (Basic and Cellular Mobile Services)

Sl. No.	QoS parameter	Benchmark
1.	Provision of landline telephone after registration	100% within 7 days (subject to technical feasibility)
2.	Shifting of telephone (landline)	Within 3 days.
3.	Fault repair in urban areas (landline)	100% within 3 days.
4.	Fault repair in rural and hilly areas (landline)	100% within 5 days.  <b>Rent rebate</b> Faults pending for > 3 days and < 7 days : 7 days.  Faults pending for > 7 and <15 days : 15 days  Faults pending for > 15: one month
5.	Resolution of billing/ charging complaints	100% within 4 weeks.
6.	Period of applying credit/adjustment to customer's account.	Within one week of the resolution of the complaint.
7.	Termination/closure of service	Within 7 days.
8.	Refund of security deposit after closure	100% within 60 days.

## Important QoS parameters (Broadband)

Sl. No.	QoS parameter	Benchmark
1.	Service provisioning/activation time	100% cases in < 15 working days (subject to technical feasibility)
2.	Fault repair/restoration time	<p>99% within 3 days.</p> <p><b>Rebate</b> :Faults pending for &gt; 3 days and &lt; 7 days : rebate equivalent to 7 days of minimum monthly charge or usage allowance.</p> <p>Faults pending for &gt; 7 and &lt;15 days : rebate equivalent to 15 days of minimum monthly charge or usage allowance.</p> <p>Faults pending for &gt; 15: one month rebate equivalent to 1 month of minimum monthly charge or usage allowance.</p>
3.	Resolution of billing complaints	100% within 4 weeks
4.	Refund of deposits after closure	100% within 60 days.
5.	Broadband connection speed (download)	Subscribed broadband connection speed to be met > 80% from ISP Node to user.

# Annex II

## Format – A for Publication of Post-paid Tariff Plans

SI No	Particulars/ services	Details	Tariff Plan Titles (#)			
			P1	P2	P3	P4
1.	Registration /Activation/Installation fees/ charges, if any					
2.	One Time charge, if any (specify whether convertible to security deposit)	Plan enrolment				
		Advance rental / other charges				
3.	Security Deposit (Refundable), if any	Local				
		STD				
		ISD				
		Intl roaming				
		Others				
4.	Monthly Rental / Minimum billing amount, if any					
5.	Free/discounted calls/ SMS/data transfer if allowed (specify the conditions, if any)	Local				
		STD				
		ISD				
		SMS				
		Data				
6.	Monthly usage discount/ discount against fixed charges, if any					
7.	Pulse Rate					
8.	Billing Period /Cycle					

Continued

SI No	Particulars/ services	Details	Tariff Plan Titles (#)							
			P1		P2		P3		P4	
			Voice	Video	Voice	Video	Voice	Video	Voice	Video
9.	Call charges									
a.	Local	on net								
		off net								
		Mobile/Fixed (*)								
b.	STD	on net								
		off net								
		Mobile/Fixed (*)								
c.	ISD	ISD tariff to be made available on website & point of sale								
10.	SMS	Local								
		National								
		International								
11.	Data	Home								
		Roaming								
12.	Charges while Roaming– National		Voice	Video	Voice	Video	Voice	Video	Voice	Video
		STD Outgoing								
		Incoming								
		SMS (Local/STD/ ISD)								

(#)The term tariff plan will have the same meaning as contained in the unique numbering guidelines issued vide TRAI letter No. 301-31/2008-Eco. Dated 8th April 2009 and P1 to P4 columns are illustrative and can be added as per the requirements/ (\*) As applicable e.g., whether from fixed to mobile or mobile to fixed.



# Annex III

## Format – B for Publication of Prepaid Tariff Plans

Sl No	Particulars/ services	Details	Tariff Plan Titles (#)							
			P <sub>1</sub>		P <sub>2</sub>		P <sub>3</sub>		P <sub>4</sub>	
1.	One time charges, if any									
2.	Free calls/SMS/data transfer, if any (included in one time charges)									
3.	SIM / Account Validity									
4.	Tariff Validity (initial / promotional / base)									
5.	Pulse rate									
6.	Call charges (initial / promotional / base, if any)									
a	Local		Voice	Video	Voice	Video	Voice	Video	Voice	Video
		on net								
		off net								
		Mobile/Fixed (*)								
b	STD	on net								
		off net								
		Mobile/Fixed (*)								

Continued

Sl No	Particulars/ services	Details	Tariff Plan Titles (#)							
			P1		P2		P3		P4	
c	ISD		ISD tariff to be made available on website & point of sale							
d.	SMS	Local								
		National								
		International								
7	Data	Home								
		Roaming								
8	Charges while Roaming- National	Local outgoing	Voice	Video	Voice	Video	Voice	Video	Voice	Video
		STD Outgoing								
		Incoming								
		SMS (Local/ STD/ISD)								
9	Special benefits, if any									
10	Recharge/ other condition, if any									

(#)The term tariff plan will have the same meaning as contained in the unique numbering guidelines issued vide TRAI letter No. 301-31/2008-Eco. Dated 8th April 2009 and P1 to P4 columns are illustrative and can be added as per the requirements/ (\*) As applicable e.g., whether from fixed to mobile or mobile to fixed.



# Content Disclaimer

This handbook has been published for the assistance, education and information of the consumers of telecommunication sector and information contained therein is general in nature, condensed from the original telecommunication tariff orders, directions and regulations. Full text of these telecommunication tariff orders, directions and regulations are available on TRAI's website [www.trai.gov.in](http://www.trai.gov.in). The users may refer to the TRAI Act, 1997 (24 of 1997), as amended from time to time and to the text of telecommunication tariff orders, directions and regulations and their amendments, as published in the Gazette of India/TRAI's website before taking any legal recourse. Under no circumstances shall the Telecom Regulatory Authority of India be liable for any loss, damage, liability or expense incurred or suffered that is claimed to have resulted from the use of material contained in this handbook, including, without limitation, any error or omission, with respect thereto.

