

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:4367
ANSWERED ON:06.12.2010
TRANSPARENCY IN TELECOM SERVICES
Pakkirappa Shri S.

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Telecom Regulatory Authority of India (TRAI) has issued guidelines to telecom operators to maintain transparency in the Telecom services;
- (b) if so, the details thereof;
- (c) whether many telecom operators are violating these guidelines and misleading the subscribers in the country;
- (d) if so, the number of cases reported during the last three years and the current year;and
- (e) the action taken by the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT)

(a) to (e) Madam, transparency in the provision of telecom services and marketing thereof by the companies has been an issue of high priority to the Telecom Regulatory Authority of India (TRAI). A number of measures have been taken by the TRAI since its inception to promote transparency in the offer of services in the interest of protecting consumers. These include the issue of Regulations, Directions, Orders and Advisories from time to time and this is an ongoing process. Some of the important measures mandated by the TRAI to improve consumer transparency include the following:-

With a view to remove confusion in respect of tariff plans marketed as having 'Lifetime Validity' the TRAI issued regulatory guidelines vide Telecommunication Tariff Order (TTO) 43rd Amendment notified on 21st March, 2006. Any tariff plan presented, marketed or offered as having lifetime or unlimited validity shall continue to be available to the subscriber as long as the service provider is permitted to provide such telecom service under the current license or renewed license. The service providers were told to inform the customers the current period of expiry of their license.

All publication/Advertisements of tariffs shall be in a specified format and shall provide certain essential information vide Direction dated 2nd May, 2005.

The websites of the service providers and the tariff brochures available in the retail outlet shall contain complete details of the tariff plans vide Direction dated 2nd May, 2005.

No chargeable value added service shall be provided to a customer without his explicit consent vide Direction dated 3rd May, 2005, 30th October, 2007, 27th April, 2009 and 4th September, 2009.

The pulse rate/tariff for premium rate service shall be published in all communications/advertisements vide Direction dated 3rd May, 2005.

Service providers shall inform customers in writing, within a week of activation of service, the complete details of his tariff plan. The changes in any item/aspect of tariff in the chosen package shall also be intimated to the customers in writing vide Direction dated 29th June, 2005.

No tariff plan shall be offered, presented, marketed or advertised in a manner that is likely to mislead the subscribers vide Direction dated 16th September, 2005.

All monthly fixed recurring charges which are compulsory for a subscriber under any given plan shall be shown under one head vide Direction dated 16th September, 2005.

Quality of Service (Metering and Billing Accuracy) Regulations, 2006 issued on 21st March, 2006.

Direction on Docket number and termination of service issued on 29th August, 2006.

Telephone bills issued by service providers are to contain certain essential information vide Direction dated 4th May, 2007.

Prescribed procedure/practice and code of conduct for outsourced agencies engaged by the service providers vide guidelines dated 16th November, 2007.

Further transparency measures mandated Direction dated 1st September, 2008, and vide 48th Amendment to TTO notified on 1st September, 2008 include the following:-

(i) Tariff information to be provided in vernacular language also.

(ii) Blackout days (customary/festival days on which free/concessional calls/SMS are not available) restricted to a maximum of 5 days in a calendar year. Such days to be pre-specified and no subsequent alteration or addition is permitted

(iii) Straight tariff reductions are to be posted on to consumers without any precondition.

(iv) The service providers shall not insist on recharge between periods lesser than six months in lifetime plans for remaining connected during the promised lifetime validity period.

The inconsistencies with Regulatory guidelines come to the notice of TRAI mainly by way of consumer complaints, tariff reports filed by the Service Providers, audit of metering and billing system of Service Providers, media reports etc. The year-wise details of the complaints received during the last four years are indicated below:-

Year	No. of complaints
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2007-08	2697
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2008-09	2645
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2009-10	6258
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1.4.10 to 30.9.10	2645
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Total	14366
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Many of the complaints listed above inter-alia involve alleged violation of transparency related regulatory guidelines.

The issues raised in the complaints are taken up with the Service Providers for remedial action. In cases where prima facie violation is observed, action is being taken. Further, the Audit of the metering and billing system of service providers undertaken have revealed several instances of overcharging of calls/ SMS. Such instances were also taken with the concerned service providers and the customers were refunded such excess charges by the service providers.

Compliance with the Regulations, Directions, Orders mandated by the TRAI is monitored on a continuous basis. As and when inconsistencies with the Regulatory guidelines come to or are brought to the notice of TRAI, appropriate remedial actions are taken. Further, while examining the tariff reports filed with the TRAI, cases which are potentially misleading and / or lacking in transparency are taken up with the service providers with a view to make the schemes offered consistent with Regulatory mandates.