

CONSUMERS' PROTECTION ASSOCIATION  
A National awardees Indian Consumers Organisation established in 1984  
A member of CAGs registered with TRAI  
An Investors' Association recognized by SEBI  
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To  
Dr. J. S. Sarma  
Chairman  
Telecom Regulatory Authority of India  
New Delhi

REF: CONSULTATION PAPER NO.12/2010 DATED 13TH OCTOBER, 2010  
CONSULTATION PAPER ON CERTAIN ISSUES RELATING TO TELECOM  
TARIFFS  
COMMENTS ON THE ISSUES FOR CONSULTATION AS MENTIONED IN  
CHAPTER 4 OF THE CONSULTATION PAPER

1. What, according to you, are the challenges which Indian telecom subscribers face while understanding and choosing the tariff offers?

[Deliberate Non-transparency, misleading, unfair trade practices by the service providers.](#)

2. What according to you are the required measures to further improve transparency in tariff offers and facilitate subscribers to choose a suitable tariff plan?

[All SPs should be compelled to introduce any tariff packs \(STP or ATP\) with consecutive serial numbers and date for future reference whenever required. The tariff packs with serial number and date should be made available at all the sales point of the SPs and also be published in the website of the SPs under a suitable heading such as "TARIFF PACKS" with drop down menu: current tariff packs and old tariff packs.](#)

3. Do you think mandating "One Standard Plan for All Service Providers" particularly for the prepaid subscribers as suggested by some consumer organizations would be relevant in the present scenario of Indian telecom market?

[Yes. Consumers' Protection Association is of the opinion that standard Tariff plan/pack for Rs 50.00, Rs 100.00 and multiples of Rs 100.00 on the principle of Standards of Weights and Measures \(Packaged Commodities \) Rules 1977 will](#)

help the consumers compare the service quality and other benefits within the same plan of different SPs.

4. Do you think the existence of large number of tariff plans and offers in the market are beneficial for the subscribers?

No

5. In your opinion is it necessary to revise or reduce the existing cap of 25 on the number of tariff plans on offer? If so, what would be the appropriate number?

Standard Tariff plan/pack for Rs 50.00, Rs 100.00 and multiples of Rs 100.00 should be mandated within the prescribed limit.

6. Should there any limit be prescribed on the rates for premium rate SMS and calls? If so, what should be the norms for prescribing such limit?

Yes. For help line of DTH, Railways and any entity, sms and calls should be free. Recently we have seen that toll free helpline of a DTH company was not accepting the push button command. Thereafter being compelled the consumer contacted the paid phone number. There was advertisement of the company at the cost of the consumer for sometime in the beginning. This unfair trade practice by the SPs, whenever detected, should be made disincentive by way of imposing punitive damage by the Authority.

7. If not, what further measures do you suggest to improve transparency in provision of the premium rate services to prevent the instances of subscribers availing such services without understanding financial implications thereof?

Nil.

8. Do you think there is sufficient justification to allow the service providers to realign the ISD tariff in respect of existing lifetime subscribers in view of the grounds mentioned in their representations?

Yes. TRAI should consider all aspects of income and expenses, taking into consideration of the balance sheet, profit and loss account and other relevant documents of the SPs.

9. What measures do you think are necessary to improve transparency and to prevent instances of un-intended recharges by subscribers in situations of cross-restrictions of recharges?

Tariff plan and its number should be published and should be informed to the consumer at the sales point.

There should be an option to the consumer to cancel the recharge within 24 hours and get the refund/adjustment against another tariff plan.

10. Considering the nature and structure of the prevailing tariff offerings in the market and advertisements thereof, do you think there is a need for TRAI to issue fresh regulatory guidelines to prevent misleading tariff advertisements?

Yes. All types of misleading advertisements must be stopped and made disincentive by the Authority.

11. Do you agree that the instances of 'misleading' tariff advertisements listed in this paper adequately capture the actual scenario in the market? If not, provide specific details. Stakeholders are free to raise any other issue that they feel is relevant to the consultation and give their comments thereon.

This is a very good documentation. The definition of "unfair trade practice" (UTP) by section 2 (1) ( r ) of the Consumer Protection Act, 1986 may be considered by the TRAI while defining unfair trade practice/ misleading advertisements by the telecom service providers. The definition of UTP should be adopted.

Submitted by

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Consumers

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