

**TELECOM REGULATORY AUTHORITY OF INDIA**  
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**Sub:- Amendment to Direction dated the 27<sup>th</sup> April, 2009 on provision of Value Added Services to customers.**

New Delhi, 4<sup>th</sup> September, 2009: The Telecom Regulatory Authority of India (TRAI) today issued a direction to all Access Service providers, including BSNL and MTNL, amending its direction dated 27<sup>th</sup> April, 2009 on provision of value added services, for addressing the concerns of industry while protecting the interests of consumers with regard to explicit consent and for preventing accidental subscription to value added services. To address the issue of unintentional/ accidental activation of value added services through pressing of certain key(s) in the telephone set/ mobile handset, the Authority had issued the Direction dated 27<sup>th</sup> April, 2009 on provision of value added services to customers, which inter-alia provide that the explicit consent of the customer shall be obtained through a customer originated call, SMS, interactive session to a specified number or request made in writing or by Fax or by e-mail

2. Subsequent to the issue of the said direction, the Authority had received representations from the industry associations such as Cellular Operators Association of India (COAI), Association of Unified Telecom Service Providers of India (AUSPI) and Bharat Sanchar Nigam Limited that the direction could significantly harm and slow down the growth of value added services due to multi stage activation process and the delay in obtaining the explicit consent of the customer through a customer originated call, SMS, interactive session to a specified number, request made in writing or by Fax or by e-mail. The Authority considered the matter, and worked out a solution which shall address the concern of the industry as well as protect the interest of consumers about ease of subscription to value added services

and prevention of unintentional/ accidental activation of value added service. Accordingly, the Authority has amended the direction dated 27<sup>th</sup> April, 2009.

3. This amendment to direction dated 27<sup>th</sup> April, 2009 provides an alternative procedure to “customer originated call, SMS, interactive session to a specified number or request made in writing or by Fax or by e-mail” for obtaining the explicit consent of the customer for subscribing to value added services. The amendment provide a process of confirmation by pressing key other than ‘\*’ (star) and ‘9’ keys to select the choice of the song and expression of interest to subscribe the service and reconfirmation to subscription to the value added service by pressing ‘\*’ and ‘9’ keys in the case of subscription through OBD calls and pressing of two keys, ‘\*’ (star) and ‘9’ keys, instead of only one key like ‘\*’ (star) key as in the case of “Press Star to Copy Hello Tune”, for subscription through copy tune facility. The alternative procedure of double confirmation process provided in the amendment would not only obviate multistage activation process and resultant delay in the provision of value added services to the customers but also protect the customers against unintended or accidental activation of such value added services. The amendment also mandates the service providers to intimate the subscriber, at least three 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 un-subscribing of such value added service.

The full text of the “Direction dated 4<sup>th</sup> September, 2009 regarding Value Added Services” is available on TRAI’s website: [www.trai.gov.in](http://www.trai.gov.in)

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**Authorised for Issue**

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