

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

UNSTARRED QUESTION NO:3779
ANSWERED ON:17.04.2002
TELECOM REGULATORY AUTHORITY OF INDIA
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Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the objectives behind setting up of Telecom Regulatory Authority of India;
- (b) the works performed by this Authority during the last two years;
- (c) whether this authority is not functioning properly; and
- (d) the reaction of the Government thereto?

Answer

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

(a) In terms of the provisions contained in the Telecom Regulatory Authority of India Act 1997 as amended by the Telecom Regulatory Authority of India (Amendment) Act 2000, the objectives behind establishing the Telecom Regulatory Authority of India are to regulate the telecommunications services, to promote and ensure orderly growth of the telecom sector and to protect the interest of service providers and consumers of telecom sector.

(b) Salient features of the important works performed by the Authority during the last two years, as intimated by the Authority, is at Annexure.

(c) No, Sir.

(d). Does not arise in view of (c) above.

Annexure

The works performed by Telecom Regulatory Authority of India (TRAI) in the last two years are enumerated below:

(A) Recommendations on need and timing for introduction of new service provider and terms and conditions of licence to a service provider

In terms of the provisions of the TRAI Act 1997, TRAI (the Authority) has given recommendations to the Government, or responded to comments of the Government on previous recommendations on the following matters during the last two years :

- i). Licensing issues for Basic Service Providers.
- ii). Licensing issues for National Long Distance Service Providers.
- iii). Licence Fee, Terms & conditions of License Agreement for Global Mobile Personal Communication by Satellite Service.
- iv). Issues relating to Cellular Mobile Service.
- v). Fresh Licenses for VSAT Service.
- vi). Provision of Mobile Community Phone Services.
- vii). Introduction of 4th operator of Cellular Mobile Services.
- viii). Licensing issues relating to Public Mobile Radio Trunking Operators.
- ix). Issues relating to license terms and conditions for Radio Paging Services.
- x). Licensing issues related to voice mail/audiotex.
- xi). Unified Message Service.
- xii). Universal Service Obligations.
- xiii). INSAT MSS Reporting Services.
- xiv). Filling up of vacant slots for cellular services in four Circles.

xv). Licensing issues relating to International Long Distance Service Providers.

xvi). Introduction of Internet Telephony.

In the process of making its recommendations, the Authority produces a detailed papers on the subject based on which consultation are held and responses/comments on the issue are invited from all stakeholders. It holds public consultations through Open House Meeting in major cities of the country. During the last two years 42 public consultations were held. In addition the Authority conducts meeting/seminars and workshop inviting specific experts and stakeholders including industry, research institute, Consumer Organizations for understanding and knowing their response. In last two years seven Seminars were held.

B. Fixation of rates of Telecom Services

The Authority has notified the tariffs for various Telecommunication services under the Telecommunication Tariff Order 1999 and its amendments. During the last two years the Authority has notified 13 substantives decision with respect to Tariffs

In addition to issuance of Tariff Orders, the Authority also made two determinations ordering the Cellular Mobile Service Providers to refund Migration Fee and WPC charges levied, if any, in contravention of the Tariff Order issued by the Authority and to refund the excess charges levied in respect of ISD Calls made on Sundays and National Holidays.

(C). Ensuring compliance of terms and conditions of licence agreement

The Authority has prescribed quarterly performance monitoring reports from service providers and these reports are analyzed vis-à-vis the terms and conditions of licence. It also holds regular meetings with service providers for reviewing their performance and compliance with the various terms and conditions their licence agreements.

(D). Ensuring effective interconnection :

The Authority has specified the principles of interconnection and revenue share, it addresses interconnection problems which arise between different service providers, and notifies from time to time the interconnection rates or revenue share applicable to specific types of call carriage.

In the last two years, the Authority has issued the following two Regulations on interconnection and revenue shares :

i). Telecommunication Interconnection (Charges & Revenue Sharing) Regulation 2001 which specify the mechanism for revenue sharing arrangements between the interconnecting seeker and interconnection provider.

ii). Telecommunication Interconnection (Port Charges) Regulation, 2001 which specify the port charges for Interconnection seekers from the Interconnection Provider to be applicable w.e.f. 31st January, 2002

Further the Authority had setup a High Level Technical Committee comprising of its officials and several experts/stakeholders to implement the National Long Distance Guidelines. Based on the deliberation, the Authority conveyed to the Government its views on carrier access code for the National Long Distance Operators, and other issues relating to equal ease of access.

(E). Steps taken to protect the interests of consumers of telecommunication services :

The Authority emphasizes the interests of consumers in its policy decisions, and encourages the participation of these organizations in providing their inputs and to participate actively in its process. To better inform and involve these organizations in its process, it notified a Regulation in January, 2001 to register them with it and to specify a systematic framework for it to interact with them. At present 17 Consumer Organizations/NGOs from different parts of the country have been registered with the Authority. It holds periodic meetings with these organizations to discuss various issues.

The recommendations of the Authority on Universal Service Obligations also cater specifically to consumer interests, in particular those residing in rural and remote areas.

(F). Steps taken to facilitate competition and promote efficiency in the operation of telecommunication services so as to facilitate growth in such services :

TRAI's recommendations, its work on interconnection, the tariff framework that it has put in place - all these focus on encouraging competition and promoting the efficiency of operation in the telecom sector. For this purpose, the Authority adopts a technology neutral approach, and provides an open platform for stakeholders to discuss the issues with them.

The Authority has also obtained expert views through special studies/seminars for further analysis of issues that will affect the efficiency of the telecom sector, such as the types of policies to be followed in a converged environment, how to ensure a smooth transition of the Access Provision by Cable Operators, the appropriate Inter Carrier Billing for Interconnection in Multi-operator situation.

(G). Steps taken to ensure effective compliance of Universal Service Obligation :

The Authority provided its recommendations to the Government on Universal Service Obligation (USO) policy, after a very detailed consultative process.

(H). Laying down Standards of Quality of Service to be provided by the Service Providers and ensuring the Quality of Service:

The following standards of quality have been prescribed and the Authority is monitoring as to whether these instructions are being followed for providing better and proper services to the consumer.

(i) Basic and Cellular Mobile Service Providers:

The Authority had issued a Regulation laying down the standards of Quality of service to be provided by the basic and cellular mobile telephone services providers. This Regulation specifies the values of parameters, which are required to be met by the basic and cellular mobile telephone service providers after the end of 12 months, 24 months and 48 months from the date of issue of this Regulation.

(ii). Internet and Dialup Internet Access :

The Authority has issued a Regulation on Quality of Service of Leased Line and Dialup Access for Internet on 11th December, 2001. TRAI is one of the few regulators to prescribe benchmarks for QOS for Internet.