



15<sup>th</sup> September 2010

**Mr. S.K. Gupta**  
**Advisor (CN & QoS)**  
**The Telecom Regulatory Authority of India,**  
Mahanagar Door Sanchar Bhawan,  
Jawahar Lal Nehru Marg (Old Minto Road)  
New Delhi-110002

**Subject: Response to Consultation Paper on Review of Measures to Protect the interest of Consumers in telecom sector dated 2<sup>nd</sup> August 2010.**

Dear Sir,

This is in reference to the TRAI's Consultation Paper on "Review of Measures to Protect the interest of Consumers in telecom sector" dated 2<sup>nd</sup> August 2010 put up on TRAI's website for stakeholders' comments.

In this regard, please find enclosed our point-wise reply to the issues raised for consultation as Annexure-1.

We hope that our submissions would merit the kind consideration of the Authority.

Thanking you and assuring you of our best attention always.

Yours sincerely,

**Anand Dalal**  
**Vice President – Corporate Regulatory Affairs**  
**Tata Teleservices Limited**  
**And**  
**Authorized Signatory**  
**For Tata Teleservices (Maharashtra) Limited**

Enclosures: As above

**TATA TELESERVICES LIMITED**

2-A, Old Ishwar Nagar, Main Mathura Road, New Delhi 110065  
Tel.: 91-11-66558555, 66558666 Fax : 91-11-66558908, 66558909  
[www.tatateleservices.com](http://www.tatateleservices.com)

Registered Office : 10th Floor, Tower 1, Jeevan Bharati, 124 Connaught Circus, New Delhi-110001

**Tata Teleservices comments on TRAI's Consultation Paper on Measures to Protect Interest of Consumers in the Telecom Sector**

The present review of the measures to protect the interests of customers is based on the feedback received by the TRAI from the environment. We are all well aware of the tremendous expansion of Telecom services in the country and the intense competition in the market. The QoS parameters were prepared on the basis of QoS parameters of other countries besides technical arguments to support specific values for a given parameter. It is well understood that the Authority has based its observations in this Consultation on the documented performance parameters of each telecom circle; however we would have appreciated if the “reasons for being above or below” the performance parameters/ or meeting the customer issues on circle wise basis of different operators would have been indicated for more transparent analysis and consultation. Some aspects such as irregular availability of power supply, availability of human resources particularly in non metro and rural areas, etc., are beyond the control of the Telecom Service Providers. We recommend these for attention of the Authority as they directly affect the QoS compliance costs, achievement of specified parameters and meeting the desired levels of customer satisfaction.

Given the market conditions in India and with the increasing competition with around 12 operators and each operator is very conscious of delivering better quality of service to his customers itself has the unique conditions for ensuring continuous effort at improving QoS by the TSPs. This combined with the forthcoming implementation of MNP will automatically encourage better service delivery to retain the customers. It is therefore recommended that we only have a minimal set of QoS parameters for regulation by the Authority. It is pertinent to mention here that there are numerous TRAI regulations (as below) on this subject are already existing:-

- a) Standards of Quality of Service of Basic Telephone Service (wireline) and Cellular Mobile Telephone Service Regulations, 2009.
- b) Telecom Consumers Protection and Redressal of Grievances Regulations, 2007.
- c) Quality of Service of Broadband Service Regulations 2006.
- d) Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulations 2006.
- e) Regulations on Guidelines for Registration of Consumer Organizations/Non-Government Organizations (NGOs) and their Interaction with TRAI, 2001.

The above numerous regulations need to be included into one single regulation for ease of understanding, monitoring and implementation by all the concerned stakeholders. This will also avoid the duplicacy/ repetition of certain inter-related parameters. This will significantly facilitate easy interpretation by all.

Our response to the issues for consultation is given below.

**5.1. What should be the benchmark for the parameter “Provision of a landline Telephone after registration of demand”? (Reference Para 2.11)**

The existing provision has been functioning well and the customers are adequately satisfied with this aspect. There is no change recommended for this parameter.

It is proposed that this parameter may be prescribed for monitoring purposes by the licensees. The action taken report if not able to achieve this benchmark shall also be recorded for audit purposes. However, this parameter shall not be reported to TRAI for its compliance.

We agree with this proposal of the Authority. We recommend that the instances where:

A request is made more than seven days in advance and it is technically feasible, the connection be provided as per customer’s request.

Cases where telephone requests are made, but the delay is on the customer end such as customer is not present at the premises in the 7 days, installation location is not ready/ under construction etc., be excluded from this monitoring with reasons indicated.

**5.2. Do you agree that parameter “Provision of a landline Telephone after registration of demand” may be removed from the list of parameters requiring mandatory compliance to the Authority? (Reference Para 2.11)**

We agree with the suggestion of the Authority that this parameter may be removed from the list of parameters requiring mandatory compliance to the TRAI.

**5.3. Do you suggest any changes to the benchmark for the parameter for landline fault repair, including rent rebate for delay in rectification of fault? If so, please provide details. (Reference Para 2.16)**

and

**5.4. What framework do you suggest to ensure payment/adjustment of rebate for prolonged landline phone fault as per QoS regulations? (Reference Para 2.16)**

and

**5.5. How do you propose to ensure its effectiveness? (Reference Para 2.16)**

and

**5.6. Do you propose any changes to the existing provisions relating to shift of a landline telephone connection? (Reference Para 2.18)**

The parameters are unambiguous and well defined by the TRAI. We agree with the proposals of the authority. The procedure for implementation of rent rebates must be followed by the respective operators more diligently.

- 5.7. **Do you suggest any change in existing provisions to ensure timely termination of service/closure? If so, please provide details. (Reference Para 2.22)**  
and
- 5.8. **Do you agree with the suggestions for seeking explicit consent of the customer, in writing or SMS or e-mail or FAX, to continue with the service, once a request has been made for termination of service? (Reference Para 2.22)**

We agree with this proposal of the Authority, For ease of computation and standardization, the benchmark should be 100% within 7 working days.

- 5.9. **Do you agree with the time period of four weeks provided for resolution of billing/ charging complaints? If not, please suggest alternatives. (Reference Para 2.25)**  
and
- 5.10. **Do you agree with present provisions regarding period of one week for applying credit/waiver/adjustment to customer's account upon resolution of billing complaint? (Reference Para 2.28)**

Yes, we agree with the present provisions regarding period of four weeks provided for resolution of billing / charging complaints and one week for applying credit/waiver/adjustment to customer's account.

However, it is pertinent to mention here that we invest resources in ensuring that the address of the customer is right and that the first bill is delivered; through customer visit and/or tele calling. Post that, our experience has been that the delay in most cases happen because either the customer is not at his billing address, or we are not allowed (by security) to approach his address or the customer has shifted his premises without intimating us. Therefore, we believe that we should not be penalized for such cases/complaints.

- 5.11. **What should be the time period and terms and conditions for refund of deposits after closure/termination of service? (Reference Para 2.32)**  
and
- 5.12. **What steps do you suggest for timely refund of deposits after closure/ termination of service? (Reference Para 2.32)**

This parameter is already well defined by the Authority and the aspect of implementation / compliance of the same require more attention.

- 5.13. Do you suggest any changes to the present benchmark of 15 days for the parameter “Service provisioning/Activation Time”? (Reference Para 2.34) and**
- 5.14. How the present provisions can be effectively implemented? (Reference Para 2.34)**

The parameters are unambiguous and well defined by the Authority. Since this is an aspect for both the operator and the individual customer, any penal clause should be applicable to both the customer as well as the operator. In the event of the delay occurring on account of the operator, then he is liable to pay and in case the delay is on the customer's non readiness, then the customer should be held liable for the penalty amount. We do not have control over the readiness of the customer premises, this can be a condition conveyed to the customer in advance for his obligation to making the place of installation ready in the time specified under this parameter.

- 5.15. Do you suggest any changes to present benchmark for the parameter “Fault Repair / Restoration Time” and provision for rebates? (Reference Para 2.36)**

The parameters are unambiguous and well defined by the TRAI and the operators are following the same. The specified procedure for implementation of rent rebates must be followed by the respective operator more diligently.

- 5.16. Do you propose any change in the existing system of selection of tariff plans for the audit of metering and billing system of service providers to make whole exercise more effective? (Reference Para 2.40)**

No, the current system is working well.

- 5.17. What method of alert do you prefer for premium service calls (Call rates higher than normal local call charges rates) before such calls are put through? (Reference Para 2.42)**

Announcement and post call alerts through advertisements and informative SMS/USSD are already being intimated as information to the customers about the call charges.

- 5.18. What information in your view should be provided to prepaid subscribers immediately on completion of every call to facilitate him understand his usages and verify correctness of the deductions? (Reference Para 2.44)**

Post usage notification is given via USSD/SMS flash message regarding usage and balance. These details are also conveniently available through the customer care centre.

- 5.19. What information do you feel is necessary after recharging a prepaid connection to ensure complete value for money immediately after recharging/top up? (Reference Para 2.46)**

We recommend that the following information about the recharge be conveyed to the customer:-

- a) MRP
- b) Processing Fee
- c) Taxes
- d) Calling /usage value as per the recharge/top up
- e) Any other benefit specific to that recharge/top up

**5.20. In your opinion, what should be done to increase the awareness about the call centre? (Reference Para 3.46)**

All efforts are made to furnish the contact details of Customer Care Centre to the customers via different media and create awareness about the same. We send contact details via SMS / starter packs, hoardings, regular advertisement, bills & invoices, promotional material and the details are also available at the website and various customer touch points. Since this is a common aspect for all customers, the TRAI should bring out advertisements for all operator customer care centers in each circle in the local language periodically. This approach is being followed by some other Regulators such as Insurance regulator, etc. Suitable funding from the TRAI (using the CUTCEF Fund), USOF, other government consumer ministries/departments should also be utilized for this purpose.

**5.21. How can we enhance accessibility of call centres for booking the complaints? (Reference Para 3.53)**

Customer Care Number (CCN) for Customer Care complaint(s) / deficiency(cies) in provisioning of services, metering and billing, allocation of proper package/tariff plan, service termination, refund of security and/or other deposits and matters relating thereto; service requests pertaining to present service(s) being enjoyed by the customers or provision of any additional service or modifications in any existing service is provided through CCN 198 Toll Free. Complaint registration no 198 is common for all circles. We also regularly monitor the congestion levels.

**5.22. What are your suggestions about the location of the menu option for talking to a customer care agent/executive in the Interactive Voice Response (IVR) system of the Call Centre/ customer care number, for facilitating easy access to the call centre agent/executive? Should it be the first sub-menu at the third layer, the first layer being the choice of language and the second layer being service menu? (Reference Para 3.53)**

This is a good proposal by the TRAI, for implementation at the Customer Care Number (CCN) 198. We agree for the sub menu being present at the third layer, the first layer being the choice of language and the second layer being service menu.

**5.23. Should TRAI mandate all service providers to provide complaint booking number accessible from other telecom networks also for complaint booking in case of service disruption? Should such call centre numbers also be toll free? (Reference Para 3.53)**

The operators already provide a 10 digit number for customer complaints apart from 198. However, we do not recommend that this be a Toll Free service from other telecom networks since it has ramifications on Interconnection charges (termination charge, carriage charges), which are contracted between operators. Segregation of these charges only for one 10 digit number is not feasible.

**5.24. Do you agree that docket numbers should also be sent to subscribers' through SMS who is booking complaint? (Reference Para 3.56)**

and

**5.25. Will sending of docket number of complaints to subscribers through SMS help them to pursue their complaints and increase effectiveness of consumer grievance redressal system? (Reference Para 3.56)**

Yes, we agree. We send the complaint docket number to the customer through SMS. We request the Authority that they should mandate the implementation of the same by all operators.

**5.26. Do you feel that unique format for docket numbers across the service providers will increase monitoring and speedy redressal of subscriber complaints? (Reference Para 3.56)**

Yes, we agree to the proposal of having a number which indicates the service provider, service area, type of service (i.e. pre-paid, post-paid, data, broadband-3G/BWA, etc) and the date of complaint booking, etc. This will also ensure uniformity.

**5.27. Do you agree that customers need to be informed about redressal of their complaints before closure of the docket? If so, will it be desirable to inform the subscriber about status of the complaints through SMS before closure of the docket number? (Reference Para 3.61)**

There is a very high degree of competition in the market, which is already ensuring that the operators provide customer care services in a diligent manner. This should be left for individual operators to address rather than have the TRAI mandate it.

**5.28. What parameters should be considered to determine the effectiveness of complaint redressal at call centre level? How could effectiveness of complaint redressal at call centre level be measured? (Reference Para 3.66)**

The time frame for addressing and resolving the complaint are well defined, the SLA's are also adequately well defined to measure the first time resolution given on complaints. Ever increasing competition in the market is continuously enhancing the levels of effectiveness of this aspect. Operators are already providing the innovative solutions to address their customer grievances.

**5.29. In your views, will it be feasible to indicate tentative time frame for redressal of consumer grievance? Will it increase subscriber satisfaction level?**

Yes, it is feasible to indicate a tentative timeline (as part of SLAs) for redressal of different types of complaints. In our opinion this will enable in suitably conveying the probable time period for resolution and will provide a realistic expectation to the customer. This will help enhance customer satisfaction.

**5.30. What are your suggestions for using complaints received at call centre for improvement in QoS and processes adopted by a service provider? Do you perceive any need for TRAI to oversee such analysis and monitor corrective actions?**

The operators are well seized of this aspect and they regularly undertake a Root Cause Analysis on the complaints and ensure corrective action. This ensures an internal feedback mechanism and there is a ongoing improvement in the processes being done.

We do not feel the need for any intervention of the TRAI in this regard.

**5.31. In your opinion, what should be done to create awareness about the Nodal Officer? (Reference Para 3.77)**

Apart from the existing modes of communication (SUK, Bills, MOP & Website etc), we suggest the following additional channels:

- a) At the time of sale, customer should be mandatorily communicated about the Nodal details through welcome call/ welcome letter (Postpaid) and abridged copy of MOP (Prepaid)
- b) This being a common requirement for all customers in addition to the existing efforts sin this regard, we recommend that the TRAI bring out advertisements in each circle every quarter.
- c) Nodal details can be made available by sending an SMS periodically and can be made available through WAP/GPRS application (TATA Zone in our case)
- d) TRAI should conduct consumer camps/forums regularly and nodal details can be shared.

- e) MOP copies to be made available to all Registered Consumer Advocacy Groups to spread awareness on Nodal Officer.
- f) TRAI website should be made more consumers friendly. The website should be revamped to provide more interactive facilities which are widely prevalent and in common use such as Social Networking Sites. **Also, the TRAI website currently should have a “mobile interface”. We recommend that this should be implemented at the earliest.**

**5.32. What should be the maximum permissible time in which nodal officer must acknowledge the receipt of the grievance and indicate a unique number for future reference? (Reference Para 3.80)**

As per the current scenario, an auto response is sent to the customer on the receipt of his complaint and the same is addressed between Monday to Friday 9:30 am to 5:30 pm. An announcement is also made on the call regarding the working hours of the nodal officer. The acknowledgement providing the unique standardized complaint number should be immediately provided by the nodal officer to the customer.

**5.33. Do you suggest that the nodal officer give an indicative time for redressal of grievance while communicating receipt of grievance? Will it boost the confidence of the subscriber? (Reference Para 3.80)**

Yes. Providing tentative / indicative timelines will not only boost the customer's confidence, but also reduce unnecessary expectations, if any.

**5.34. Will it be feasible to communicate the tentative time for redressal of the grievances and ensure redressal within prescribed timeframe? (Reference Para 3.80)**

Yes. In almost 95% of the cases except exceptional cases where the Nodal Officer can keep the customer updated on the progress of the grievance.

**5.35. What framework do you propose for timely disposal of consumer grievances and feedback on status of grievance redressal before disposal? (Reference Para 3.82)**

- a) Nodal Officer shall understand the case from the customer. Also, go through the case history, if any.
- b) Nodal Officer shall assure customer that the resolution shall be provided within SLA.
- c) Once all the required information is received by the Nodal Officer, the Nodal officer shall raise an SR using the Nodal responsibility.
- d) If required Nodal Officer to follow up with the concerned people, and resolve the issue, within the timelines.
- e) Nodal Officer to close the complaint in after updating the notes.
- f) Nodal officer out calls the customer to inform the resolution and closure of the complaint.

- g) If customer had sent written / e-mail complaint, reply to be given in written / e-mail mode, else Nodal Officer shall outcall the customer for close-looping.
- h) If customer is satisfied with the resolution provided, Nodal Officer shall detail out the resolution provided in the CRM for future reference
- i) If customer is not satisfied with the resolution provided & Nodal officer is not empowered wrt customer expectation, , Nodal Officer shall escalate the case CIG/CSD head (appellate authority) & shall take necessary approvals to get the case resolved to customer satisfaction
- j) If customer is satisfied, circle Nodal Officer shall follow up with backend team to ensure problem resolution and updates CRM notes with details and collates the entire information/resolution at his/her end. Nodal Officer will then call back the customer providing the complete resolution.

**5.36. In your opinion, what should be done to improve the accessibility of nodal officers? (Reference Para 3.87)**

Different modes of communication are used to create awareness about the nodal officers to improve accessibility. As of now, nodal officers are available on a dedicated E-mail id and helpline. Also, effective monitoring is being done by the TSPs to improve customer satisfaction on a regular basis.

**5.37. How would effectiveness of Nodal Officer be monitored? (Reference Para 3.87)**

The effectiveness of Nodal Officer can be monitored by:

- a) Internal checks on SLA management
- b) Root Cause Analysis done to prevent repeat complaints.
- c) Through third party health check calls on quality of closure.
- d) By monitoring genuine escalations approaching the Appellate Authority.

**5.38. What should be the parameters and framework to judge the effectiveness of the nodal officers? (Reference Para 3.87)**

- a) Timely closure - SLA
- b) % of complaints reaching to appellate.
- c) Quality Scores on Health Check
- d) Customer feedback.

**5.39. In your opinion, what should be the time frame for redressal of grievances by the Nodal Officer? (Reference Para 3.89)**

- a) The SLA for resolving the complaints received at the NODAL desk as per TRAI is 10 days, this is adequate and the same is being followed.
- b) The SLA for resolving the complaints received at the NODAL desk which are regarding the disruption of services, as per TRAI is 3 days, this is suitable and the same is being followed.

**5.40. What should be done to ensure redressal of consumer grievances within prescribed timeframe? (Reference Para 3.89)**

To ensure redressal of consumer grievances within prescribed timeframe, we suggest that the SLAs should be strictly adhered by the Service Provider. Also, robust internal escalation mechanisms should be in place to ensure timelines are implemented/ followed.

**5.41. What framework do you perceive for regular analysis of consumer grievances at Nodal officer level to identify systemic failures and to initiate necessary actions? Do you perceive the need to mandate such provisions? (Reference Para 3.91)**

Regular analysis of the complaints at the Nodal officer level is an important requirement to help enhance satisfaction and reduce systemic failures. We suggest that the following measure be adopted:-

- a) Root Cause Analysis and taking corrective and preventive action
- b) Analysis of consumer grievances at Nodal Officer level to be done on a regular basis to constantly improve the process further.
- c) We do not perceive the need to mandate such provisions by TRAI.

**5.42. What are your views regarding charging of nodal officer Number especially in view of the fact that nodal officer is part of consumer grievance redressal mechanism? Elaborate your response. (Reference Para 3.94)**

We are of the opinion that as the complaint escalation mechanism is made known to the customer via different media and there is no need to make the Nodal Officer number toll free as it would mean setting up a parallel call centre with increased cost. Moreover, it would defeat the very purpose of having a higher level of grievance redressal at nodal desk. The complaints are being well managed at the Nodal desk, so as to ensure speedy redressal if the customer was not given appropriate resolution for his complaint. The SLA's are monitored and feedback is taken from the nodal desk to further improve the system and take corrective actions.

**5.43. What should be done to enhance awareness about Appellate Authority to ensure effective redressal of consumer grievances? (Reference Para 3.97)**

The details are made available via Start up packs and through the website.

Awareness via newspapers by publishing it twice a year is being followed. Sending the contact details via SMS/ email at the time of closure of complaint from the Nodal desk can be evaluated.

**5.44. What framework do you suggest for filing of the appeal to Appellate Authority for redressal of consumer grievances by subscribers? How can it be made easy and user friendly? (Reference Para 3.99)**

Those consumers who do not have access to the specific formats to file appeal should have the freedom to send the same in a simple application form giving complete details on the complaint and issue. Those who have access to internet should be provided with a simple format including mandatory details by the service provider to work on the specific complaints.

**5.45. In your view, what should be the time frame for acknowledgement of the appeal by Appellate Authority? (Reference Para 3.103)**

Currently it is 3 days, which is well defined and it is also working well.

**5.46. Would it be feasible and desirable to convey the tentative time for disposal of the appeal by Appellate Authority to improve subscriber confidence? (Reference Para 3.103)**

Since the disposal of appeal may require customer visit or approvals from different departments a tentative time line of 45-60 days depending on the type of complaint is suggested.

**5.47. How feedback at the time of disposal of appeal can be made more transparent, self speaking and impartial? Is there a need to institutionalize feedback mechanism at appellate authority level of service provider to improve effectiveness of the processes? (Reference Para 3.105)**

- a) Mandatorily closure of Appeal in written format detailing the resolution, closure and reasons of turning down the request if any.
- b) System should be developed so that customer can check the status of appeal on the service provider's website.
- c) Clear instruction should be provided to all service providers on the definition of appeal. Without this the number of appeals might vary from operator to operator.

**5.48. What should be the framework to improve the effectiveness and acceptability of the Appellate authority as an independent and impartial body? Provide details of the proposed framework. (Reference Para 3.107)**

- a) Mandatorily closure of Appeal in written format detailing the resolution, closure and reasons of turning down the request if any.
- b) Option of physical contact with Appellate authority to be given to customer as a process.
- c) System should be developed so that customer can check the status of appeal on the service provider's website.

**5.49. In your opinion, what should be the maximum time period for deciding an appeal by the Appellate Authority? (Reference Para 3.109)**

It should be 45-60 days depending upon the type of complaint.

**5.50. What should be the time limit within which the information about itemized usage charges should be provided on request from a pre-paid customer? (Reference Para 3.112)**

It is recommended as follows:-

- a) Last 5 transactions – Immediately.
- b) Current month details – Within 24 hours.
- c) Current month and previous month – 3 working days.
- d) More than two months old - Within 5 working days

**5.51. Can you suggest further measures to effectively control provision of value added services without explicit consent of the subscriber? Kindly provide details of proposed framework. (Reference Para 4.7)**

The customer should have the facility to subscribe or unsubscribe any of VAS services; mode could be OBD, SMS, OSSD or mail. Also, if the same is unsubscribed within 48 hrs (time line under discussion) the customer should be given the refund.

**5.52. In your opinion, what more should be done to increase effectiveness of consumer education? (Reference Para 4.9)**

We are of the suggestion that the Consumer Advocacy Group should have active participation in increasing consumer education and consumer awareness. All operators should help them in providing a printed copy of Manual of Practice in local/regional language to create awareness. It is also suggested that the Authority should use the CUTCEF fund for this purpose also.

**5.53. How effectiveness of web based Consumer grievance redressal mechanism can be increased? (Reference Para 4.12)**

- a) Tata Teleservices agree with TRAI on using a web-based online Grievance Monitoring System, which could be interfaced with service providers grievance redressal network.
- b) We think this should not remain as a 2nd step and alternate system of grievance redressal. It should actually become the primary source of customer care & grievance handling system at various levels.
- c) Lastly, Tata Teleservices is already making efforts towards giving high priority for online redressal of consumer grievances.