

No.MTNL/CO/RA/CP on Review of measures to protect the  
Interest of consumers in telecom sector  
Dated: 01.09.2010

To,

The Advisor (QoS),  
TRAI,  
New Delhi.

Sub: TRAI consultation paper on Review of measures to protect the interest of  
consumers in telecom sector.

Kindly find enclosed herewith comments on Review of measures to protect the  
interest of consumers in telecom sector. This is with reference to the TRAI Press release  
no.35/2010 dated 2.8.2010.

( MUKTA GOEL )  
V.P.(RA)

**Encl: As above.**

## **SUMMARY OF ISSUES FOR CONSULTATION PAPER ON REVIEW OF MEASURES TO PROTECT THE INTEREST OF CONSUMERS IN TELECOM SECTOR.**

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

Ans: Within 7 days from the date of registration of demand and documentary proof, payment of security deposit, if any. (Subject to technical feasibility & readiness/preparedness of customer).

**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)**

Ans: TRAI has already removed this parameter from Reporting to TRAI. The same should continue.

**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)**

Ans: No Sir, except following cases be excluded for computation of performance against fault repair parameter: (i) Fault due to cable faults as permission for digging is required from local bodies, which is time consuming, (ii) Subscriber unavailability at the premises/ subscriber's own reasons like conduit faults. No. of faults due to a cable fault may be taken as one fault even if large no. of subscribers are affected due to that cable fault.

Regarding rent rebate, the existing schedule of rent rebate (given below) to continue:

- Faults pending for >3 days and ≤7 days: Rent rebate for 7 days.
- Faults pending for >7 days and ≤15 days: Rent rebate for 15 days.
- Faults pending for >15 days: rent rebate for one month.

**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)**

Ans: MTNL is already providing rent rebate as mentioned in 5.3 para.

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

Ans: In MTNL the fault record is maintained in computerised system which automatically gives rent rebate in such cases.

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

- Ans: a) Shifting in the same telephone exchange area - within 3 days subject to technical feasibility.  
b) Shifting in different exchange area - subject to subscriber producing a documentary evidence for this.

**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)**

Ans: Termination within stipulated time may be subject to (i) Clearance of dues after adjustment of security deposit, if any. (ii) Return / recovery of CPE, if any.

**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)**

Ans: Yes Sir. Written consent is preferable.

**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)**

Ans: Yes Sir.

**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)**

Ans: No Sir. Instead of one week it should be "next bill".

**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)**

Ans: Present 60 days is reasonable.

**5.12. What steps do you suggest for timely refund of deposits after closure/ termination of service? (Reference Para 2.32)**

Ans: We may continue with the prescribed time limit for refund of deposit.

**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)**

Ans: The provisioning may be subject to technical feasibility & readiness/ preparedness of customer.

**5.14. How the present provisions can be effectively implemented? (Reference Para 2.34)**

Ans: Telecom Service Provider (TSP) may be asked to effectively monitor the provisioning.

**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)**

Ans: The benchmark is reasonable except in cases where fault is due to subscriber reasons like subscriber own PC faulty etc. or fault in the underground cable which takes more time to repair due to delay in getting permission for digging.

**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)**

Ans: MTNL abides by all Rules & Regulations and maintains transparency in all its activities. We have full faith in capabilities of the Auditors selected by TRAI and in our view selection of tariff plans may be left to the Judgment of Auditors.

**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)**

Ans: A special common tone as an alert for premium service calls may be prescribed by TRAI which shall be implemented by all service providers.

**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)**

Ans: Following information is given to all prepaid subscribers immediately after every call.

- i). Duration of the call
- ii) Money deducted for call
- iii) Balance in the Account

**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)**

Ans: After recharging the customer may dial a predefined number to know the accrual amount credited in his account.

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

Ans: (i) Periodic press release should be issued by TRAI/TSP for spreading the awareness through all the mediums of print, TV & online.  
(ii) All the operators should print the unified Call centre, number on the front side of their telephone bills.

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

Ans: The present mechanism prescribed by TRAI is adequate. The effectiveness can be ensured by strict monitoring by TRAI/ audit by third party.

**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)**

Ans: It be the first sub-menu at the second layer, the first layer being the choice of language and automatically connect to customer care agent/executive at the end of 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)**

Ans: It should be made toll free as the faulty number once repaired will generate revenue.

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

Ans: No Sir. We should communicate with the subscriber in the same medium through which subscriber book the complaint.

**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)**

Ans: Same as above.

**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)**

Ans: TRAI at the most may provide unique alpha-numeric code to all operators for prefixing them to their docket numbers and total fixed length of the docket number including prefixing code.

**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)**

Ans: We should communicate with the subscriber in the same medium through which subscriber booked the complaint.

**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)**

Ans: In QoS reporting, fault related parameters are already provided to the TRAI. Further, TRAI may undertake 3<sup>rd</sup> party audit, if feels so.

**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? (Reference Para 3.69)**

Ans: The present time frame by TRAI for fault rectification, billing. etc. is adequate.

**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? (Reference Para 3.74)**

Ans: TRAI has already started its TCGMS service which is on-line grievance redressal portal of TRAI.

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

Ans: The present mechanism prescribed by TRAI is adequate. The effectiveness can be ensured by strict monitoring by TRAI/ audit by third party.

**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)**

Ans: The present stipulated time of 3 days is adequate

**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)**

Ans: The Nodal Officer is given total time of 10 days for redressal of grievances, therefore it is not advisable to define a stipulated time frame for acknowledgement of receipt.

**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)**

Ans: Same as in para 5.33.

**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)**

Ans: Same as replied in para 5.28.

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

Ans: In MTNL, there is no such problem of accessibility of nodal officers.

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

Ans: TRAI may undertake 3<sup>rd</sup> party audit, if deemed fit & publish the results in leading newspapers as done in case of QoS.

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

Ans: Same as in para 5.37.

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

Ans: The present mechanism prescribed by TRAI is adequate. The effectiveness can be ensured by strict monitoring by TRAI/ audit by third party.

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

Ans: The present mechanism prescribed by TRAI is adequate. The effectiveness can be ensured by strict monitoring by TRAI/ audit by third party.

**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)**

Ans: Same as replied in 5.37.

**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)**

Ans: May be considered as deemed fit by TRAI.

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

Ans: TRAI has already prescribed for issue of advertisement in this regard, twice a year.

**5.44. What framework to 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)**

Ans: TRAI may prescribe one open day in a month so that on that day subscriber can meet to the Appellate Authority without any prior appointment in regard to their grievances given to him.

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

Ans: Instead of acknowledgement, TRAI may consider for time frame of redressed as appellate Authority is the highest grievance redressal authority for the complainant.

**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)**

Ans: No Sir. In some cases, Appellate Authority may not be in a position to adhere to the tentative time frame given due to some unavoidable circumstances, then it can hamper the confidence of subscriber.

**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 institutionalise feedback mechanism at appellate authority level of service provider to improve effectiveness of the processes? (Reference Para 3.105)**

Ans: In the disposal of Appeal the reasons for turn down of the request shall be given as far as possible, so that the subscriber can be satisfied up to some extent.

**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)**

Ans: The appointment of Appellate authority as an independent body may not be practicable.

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

Ans: TRAI's present time limit appears to be reasonable.

**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)**

Ans: After deposition of prescribed charges, the information can be supplied in time frame as will be prescribed by TRAI.

**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)**

Ans: The existing provisions as prescribed by TRAI should be strictly adhered to. In case of non-compliance, the service providers shall be advised accordingly.

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

Ans: In addition to issue regulation TRAI should conduct Consumer education workshops / open session in various telecom circles on rotation basis.

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

Ans: The web based Consumer grievance redressal mechanism can be made more effective if

- i) It should be user friendly.
- ii) Lower mechanism of grievances as provided by the service provider should be exhausted before admitting the complaint in this mechanism.
- iii) After a stipulated period, if the grievance is not resolved, it should automatically be transferred to higher level.
- iv) The grievance redressal authority should be well acquainted with this mechanism.
- v) The complainant should be in position to view the status of the grievance at any time.

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