



NATIONAL CENTRE FOR HUMAN SETTLEMENTS AND ENVIRONMENT

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Comments of National Centre for Human Settlements and Environment (CAG) Bhopal on Consultation paper on Review of the Quality of Service Regulations, 2006 are given below:-

Q.1 What changes are suggested in the sampling methodology in order to make it more representative of the post-paid and prepaid user segments of tariff plans be subject to audit \ What considerations are required to be address the issues or concerns related to the incidences of wrong charging specially in case of data packs, STVs, multiple tariff packs at a time, etc.\ Please give your views with detailed justification

Ans: The audit is being done on of quarterly basis, service area voice and to maintain Master Table by each TSPs need no change but there is need to change the methodology to select the sample for audit purpose. The following procedure is suggested:-

1. It is ok that different methodology is being followed for post paid and pre paid users. The size of the sample should not be the same as being practiced presently. Since there is wide difference in the number of post paid and prepaid users, therefore for post paid users the sample size should be 10% of the total, whereas for prepaid it can be 5% as presently followed.
2. It has been expressed doubt in the consultation paper that if new tariff plan was launched in the mid of quarter and did not become popular at the end of quarter than this plan may not be covered for audit. In this respect can TRAI issue an instructions to TSPs that if new plan is to be launched it should be in the beginning of quarter or new plan at least be minimum of 70 days+ so that this plan can be considered for audit in the next quarter.
3. Corporate plans must be included in the selection of audit purpose as it is being used now a days in most of the companies and institutions. During COVID-19 the tendency towards corporate plans has been significantly increased.
4. Doubt has been expressed in STV plan as they have more chances of errors or wrong charging and users generally do not bother about the deductions made by the TSPs as the tariff rates are lower as compared to other prepaid plans. To overcome this lacuna, it is suggested that sample size of STV can be increased from 5% to 10% of the total.
5. In respect of Data packs, TRAI has already issued amendment in 2015 where in specific instructions were issued to TSPs. These instructions are being followed or not can be checked through vigorous checking and limit of imposition of financial disincentives can be increased. It is to be kept in mind that usages of data packs is going to be increased many fold in near future when compared to voice packs. therefore, the sample size of data pack for audit purposes can be increased from 5% to 10% as a special case .
6. In net shell, it is suggested that selection of samples should be flexible and the size of samples can be changed looking to the condition/ situation that time. The selection of samples should not be done through simple sample

selection system. The stratified sampling can be done in case where number of vouchers are being used at a particular time to select the sample from each voucher plan.

Q.2 How IT tools and new technologies can be used to adopt preventive and proactive ways to avoid occurrences of error in charging or wrong configurations leading to charging\ Whether the IT capabilities of other system available with the service provider may be made available to the auditor for audit purposes\ Please give your views with detailed justification.

Ans: If we adopt the IT capabilities of other systems available with the service provider for audit purposes, we think that this system may not be much helpful for audit to find out the fault of overcharging etc. as the system is developed by TSP for their own purposes. It is suggested that TRAI should try to develop own system with the help of IT professionals, for audit purpose. Once such system is developed it may not require frequent changes and audit will be total satisfaction.

Q.3: With the evolution of new technologies and mediums to provide information related to terms and conditions, tariff details to the customers at the time of subscriptions or making it available as and when required by the customers, what changes are required to assess delivery of information in timely and appropriate manner? Please give your views with detailed justification.

Ans: There is specific instructions from TRAI to TSPs that before a customer is enrolled he/she shall be provided the detailed information relating to the tariff applicable and also be informed in writing. Most of the TSPs do not follow these instructions. In case of VAS, TSP must provide the information regarding charges for the service before the customer commits to use the service. This also not followed and same is the case with different type of vouchers.

In case of post paid customer such information is available through 'Welcome Letters' but in case of prepaid customers TSPs provide such information through SUK and sometimes through SMS. To minimize the number of complaints and ensure transparency TRAI has issued sufficient instructions to TSPs but these are not effective.

The following system can be developed to ensure delivery of information in time and in appropriate manner.

- A. For post paid users it is easy to find out the tariff details of the plans through account statement, physical bill etc, and that too after getting the account statement etc. but the question remains how users can get such type of information at the time of selecting the TSP at the beginning. Can 'Welcome Letter' is sufficient for this? From CAG point of view it is not sufficient. There must be check from TRAI to know such essential information is being given to users in the beginning and for this a monthly statement from TSPs to TRAI is required in which the numbers of post paid users added with their numbers and a confirmation that all have been provided first hand information in the beginning. From this information TRAI can check the truth randomly.
- B. For prepaid users this system cannot be developed because of large number with multiple vouchers. Therefore, it is proposed that TSPs should be asked to

ensure themselves that they have given/supplied first hand all relevant information to user at the time of activate the account and if found not followed the practice a disincentive/ fine can be think over. TRAI can also think over this issue to instruct TSPs. To supply necessary information about the 25% of the users enrolled during a month. It should be tariff plans & vouchers wise and on this basis a sample check can be done.

Q.4: What IT-enabled measures need to be considered to ensure consistency of the tariff information across the different channels or mediums? Please give your views with detailed justification.

Ans: There are sufficient provisions made to maintain the up-to-date data/information in Master Table yet these provision should be strictly implemented by the TSPs and TRAI may issue fresh guidelines in this connection. So far the tariff information to different news channels and media is concern, it is propose that it should be published on monthly basis. While giving information regarding different traffic etc. the following information should be there :

1. Date of launching of new tariff/and its. If there are more than one tariff, than the information should be tariff wise, SMS, etc.
2. If the old tariff has been suspended its date of suspended, tariff wise.

For publishing these information through media the date of publishing the information should be fixed, it should be 5th of every month, or 7th and so on and a copy of publishing such information should be sent to TRAI for observation and record. Two news papers should be selected on Hindi/English and another local language paper for publishing such information.

The information regarding such a system is developed all TSPs must communicate this to their customers through SMS or through other media so that they should also be aware about the changes and additions in the tariff plans.

Q.5: What changes are suggested in handling of billing complaints? Whether defining what constitutes billing complaint may help in bringing uniformity? Whether higher frequency of audit of complaint handling would help in improving effectiveness of complaint redressal mechanism? Please give your views with detailed justification.

Ans: There are few setups to be taken to being uniformity in billing complaints:-

Setup One: Fresh guidelines are necessary. It should be more deterrent to TSPs, if they fail to comply with.

Setup Two: Each billing complaint should be categorized to which item it relates.

Setup Three: Telecom Consumer Complaint Redressal Regulations, 2012 should be revised looking to the changes made since 2012 in Telecom sector as a whole.

Setup Fourth: Audit should be more strict and vigilant in billing complaints and in its report it should made observation how this mechanism of billing of complaints can be redress more effectively.



Q.6: To conduct special or peer audit, where old records might be required to carry out the audit, what may be prescribed to ensure that the relevant details are maintained for sufficiently long period and made available to the auditor in a timely manner for conducting the audit? Please give your views with detailed justification.

Ans: Normally 5 years records are to be kept in offices, In case of Telecom Sector where on line work is mostly done it is suggested that at least 2 years records should be maintained by the TSPs and should be made available as and when required for special or peer audit without any difficulty.

Q.7: Should the Regulation 6C, Regulation 6D and Regulation 6E of the regulations dealing with consequence for failure of the service providers to submit audit report and action taken report, consequence for failure of the service providers to refund overcharged amounts to customers and consequence for failure to provide comments on audit observations in the Action taken report respectively be retained as it is or they need to be altered/strengthened. PI support your views with rationale.

Ans: Regulation 6C, Regulation 6D and Regulation 6E of the Quality of Service (Code of Practice for Metering and billing Accuracy) Regulation, 2006 need to be suitable strengthened, so that occurrence of failure of the service providers to submit audit report, ATR etc. can be minimized in future time. If this is possible, the ultimate benefit of this will go to consumers.

Q.8: Any other issues which are relevant to this subject.

Ans: No