

Telecom Regulatory Authority of India

Notification

New Delhi, the 25th April 2003.

No.303/ 6 /2003-TRAI (Econ.)

In exercise of the powers conferred upon it under sub-section (2) of the section 11 of the Telecom Regulatory Authority of India Act, 1997 as amended by TRAI (Amendment) Act, 2000, the Telecom Regulatory Authority of India (TRAI) hereby makes the following order by an amendment to the Telecommunication Tariff Order, 1999 by notification in the Official Gazette, in respect of tariffs at which Telecommunication services within India and outside India shall be provided:

THE TELECOMMUNICATION TARIFF (TWENTY SEVENTH AMENDMENT) ORDER, 2003 (4 of 2003)

Section I

1. Short title, extent and commencement:
 - (i) This Order shall be called “ The Telecommunication Tariff (Twenty Seventh Amendment) Order, 2003”.
 - (ii) This Order shall come into force from the date of its publication in the Official Gazette.

Section II

2. (i) Under Clause 4 of Section III (Forbearance) of the Telecommunication Tariff Order, 1999, the proviso to the said clause (which was inserted vide 21st Amendment to TTO) shall be deleted and substituted to read as under;

“Provided that the service provider shall comply with the reporting requirements as specified in the Telecommunication Tariff Order, 1999 and the Telecommunication Tariff (Seventeenth Amendment) Order, 2002 (1 of 2002) dated 22.1.2002 in respect of such tariff.”
3. (ii) Clause 2.2 of Section II of the Telecommunication Tariff (Twenty Third Amendment) Order, 2002 (7 of 2002) dated 6.9.2002 shall be deleted.

Section III

This Order contains at Annex A as an Explanatory Memorandum which explains the reasons for this amendment to the Telecommunication Tariff Order, 1999.

By Order,

(Dr. Roopa R. Joshi)
Advisor (Economic)

EXPLANATORY MEMORANDUM

1. The Telecommunication Tariff Order (17th Amendment), dated 22.01.2002 vide Section II stipulates the provisions in respect of Reporting Requirement for tariff for all telecom services including those under forbearance.
2. Vide TTO (21st Amendment) dated 13.06.2002, the Authority decided that service providers shall file their tariff plans in respect of tariffs which are under forbearance for information and record of the Authority within seven days from the date of implementation. Further, the Authority vide TTO (23rd Amendment) dated 6th September 2002 stipulated that any cellular mobile service provider who provides any other facility based service such as Basic Service, National Long Distance Service or International Long Distance Service in the same service area in which it is providing cellular mobile services, shall report to the Authority for its approval in respect of any new tariff and/or any changes therein at least 5 working days before implementation. Meanwhile with the issue of the 24th Amendment Order dated 24th January 2003 and the IUC Regulation dated 24th January 2003, the Authority observed that ensuring compliance of tariffs with IUC regulation, 2003 is of cardinal importance. In addition, the compliance to regulatory principles of non-discrimination and predatory pricing is also of utmost importance. The Authority, therefore, decided that the provisions of the reporting requirement need to be amended from the existing system and changed so as to be equally applicable to all

service providers. In other words, with the notification of this amendment, all service providers shall have to report all tariffs including those under Forbearance as per the provisions of reporting requirements specified in the TTO (17THAmendment) dated 22.01.2002.