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## FEDERATION OF CONSUMER AND SERVICE ORGANIZATIONS

Promoted exclusively to deal with the pressing issues..

(Regd. No.CAG/01/2016 as a Consumer advocacy group with TRAI)

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The Chairman,

Telecom Regulatory Authority of India,

New Delhi – 110 011.

27.04.2017

Kind attention: Shri Kaushal Kishore, Advisor (F&EA -11) TRAI

Dear Sir,

Sub: Forward Consultation paper on Regulatory Principals on Tariff Assessment:

We, the CAG member of the TRAI is forwarding our view on above consultation paper for your kind consideration:

Question 1: Do you think that the measures prescribed currently are adequate to ensure transparency in the tariff offers made by TSPs? If not, then, what additional measures should be prescribed by the TRAI in this regard? Kindly support your response with justification.

Answer: Not adequate; the most of the rural consumers are in position to follow the advices of retailers. The tariff offers may be displayed in local language enable to know the consumers at illiterate and spreading gross route level.

Question2: Whether current definition relating to “nondiscrimination” is adequate? If no, then please suggest additional measures/features to ensure “non-discrimination”.

Answer: No. Special tariff plans are provided to new subscribers very often; but the existing consumers are not availing such offers.

Question 3: Which tariff offers should qualify as promotional offers? What should be the features of a promotional offer? Is there a need to restrict the number of

promotional offers that can be launched by a TSP, in a calendar year one after another and/or concurrently?

Answer: Any extra benefits provided by TSPs to the consumers other than the regular plans, can be considered as Promotional Offers, there is a need to restrict the number of promotional offers.

Question 4: What should be the different relevant markets – relevant product market & relevant geographic market – in telecom services? Please support your answer with justification.

Answer: Relevant geographic market should be the relevant market in telecom services, which means a market comprising the area in which the conditions of competition for supply of goods or provision of services or demand of goods or services are distinctly homogenous and can be distinguished from the conditions prevailing in the neighboring areas.

Question 5: How to define dominance in these relevant markets? Please suggest the criteria for determination of dominance.

Answer: Dominance can be defined once goals and even playing field is provided for exploitation of spectrum, equally and towards a mandated roadmap. The Competition Act, 2002 may be considered in letter and spirit

Question 6: How to assess Significant Market Power (SMP) in each relevant market? What are the relevant factors which should be taken into consideration?

Answer: The TRAI may undertake independent study with the help of its CAGs.

Question 7: What methods/processes should be applied by the Regulator to assess predatory pricing by a service provider in the relevant market?

Answer: The intent is the most important, but in the recent case the intent was ignored. The attractive predatory pricing is avail in the market; but accessibility to section of consumers are in very remote. The jio is offering free calls and data to the

telecom consumers; those who are having 4 G handset. But, the remaining TSPs including BSNL is giving offer to full talk time only selected amount of recharge, otherwise it is allowing only 80%. But, the jio is allowing unlimited free calls to its consumers; this is seems as exploitation on poor telecom consumers by the telecom service providers.

Question 8: Any other issue relevant to the subject discussed in the Consultation Paper may be highlighted. Answer 8: The most relevant issue is bundled product. These should be separated as they are misleading, difficult to understand and often beneficial for telephone companies.

Answer: The TSPs are very often changes their plan; these are not reaching to the illiterate telecom consumers; the retailers are exploiting them by marketing higher profit product to them. Elderly citizen, illiterate, and under privileged groups finds it very difficult to choose recharges best suiting them and very often retailers (TSP's too with misleading offers) exploit their ignorance and trick them to pay much higher than what they ought to pay. So, the transference and fixed in the pricing may be helped to the illiterate, other than some promotion offer, the TSPs may not change its offer frequently even for regular recharge.

The Post-paid Consumers should be allowed to continue on their plans as long they feel comfortable instead of fixing limitation.

Thanks and regards.

M. Sekaran.

President.