

TELECOM REGULATORY AUTHORITY OF INDIA

A-2/14, SAFDARJUNG ENCLAVE, NEW DELHI – 110001

No.411-5/98-FN

Dated 20th November 2001.

All Basic Service Operators

Subject:- Issue of Directives under Section 13 and Section 11(1)(b)(v) of the TRAI Act so as to protect the interests of the consumers of Telecommunication Service by ensuring transparency and uniformity in the Registration Process for telephone connections by Basic Service Operators.

Dear Sir,

In continuation of TRAI's Directives issued vide letter of even number dated 8th January 2001 on the above subject, it has further been brought to the notice of Telecom Regulatory Authority of India that some of the Basic Service Operators are not giving telephone connections to the residential customers as per demand and are mainly catering to preferred customers. An examination of the Registration Process adopted by the Private BSOs was therefore undertaken by TRAI and it was found that their application for registration seeks information that is not necessarily relevant to the prospective subscriber's capacity to pay for the subscription, but to establish the level of prosperity to which the prospective customer belongs. The Authority has hence decided to issue the enclosed Directives to all the BSOs in discharge of its function under Section 13 and Section 11(1)(b)(v) of the TRAI Act 1997as amended by the Telecom Regulatory Authority of India (Amendment Act), 2000.

These Directives come into effect immediately.

Yours faithfully,

(R.K. Bhatnagar)

Advisor (Fixed Network)

Copy forwarded to:

1. Shri N. Parmeshwaran, DDG (LR), Department of Telecommunications, Sanchar Bhawan, New Delhi.
2. Shri S.C. Khanna, Secretary General, ABTO, B-601, Gauri Sadan, 5, Hailey Road, New Delhi-110001.
3. All Consumer Organizations.

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Directives To All Basic Service Operators

Whereas, it has been brought to the notice of Telecom Regulatory Authority of India that some of the Basic Service Operators are not giving telephone connections to the residential customers as per demand and are mainly catering to preferred customers.

AND WHEREAS, the Telecom Regulatory Authority of India has conducted an examination of the Registration Process of the Basic Service Operators (BSOs) and found that their application for registration seeks information that is not necessarily relevant to the prospective subscriber's capacity to pay for the subscription, but to establish the level of prosperity to which the prospective customer belongs e.g. some of the Registration forms seek information on Ownership of four wheeler, Computer, type of music preferred, frequent flying membership, Educational qualification, monthly income, Marital status, types of professions, monthly expenditure on telecom, details of family members etc, which are not relevant for registration on a waiting list without any discrimination, as per licence agreement.

AND WHEREAS seeking of such information may enable the Service Provider to only to identify a preferred group of customers and may inhibit the non-preferred customers to come forward and apply for a telephone.

AND WHEREAS the TRAI has observed that in the application form for registration of telephone connection of some of the BSOs, the terms & conditions printed on the reverse of the form are too difficult to be read.

AND WHEREAS the Telecom Regulatory Authority of India is satisfied, on the basis of the examination, that the registration / application forms does need some modification in order to make these independent of parameters that do not have relevance.

AND THEREFORE, in exercise of powers vested in the Telecom Regulatory Authority of India under Section 11(1)(b)(v) and 13 of THE TELECOM REGULATORY AUTHORITY OF INDIA ACT 1997 as amended by the Telecom Regulatory Authority of India (Amendment Act), 2000, the Authority hereby issues directions to the Basic Telephone Service Operators, in the following terms that they shall, hereinafter:

i) strictly adhere to the Clause 2.3(i) Schedule B Part-I and clause 3.3(iv) of Schedule B Part-II of the License Agreement, i.e. every BSO has to provide telephone connections to the prospective subscribers on first come first served basis without any discrimination, on the basis of their lucrativeness / economic criteria.

ii) with a view to ensuring that no section of prospective subscribers, faces any (perceived or real) handicap at the stage of applying for a telephone connection, the BSOs may split the application form into two parts as under -

Part (A) – This part should be brief and seek only that information which is considered essential for providing a telephone connection.

Part (B) – This part may seek such additional information, which the Operator desire but providing this information will be optional for the applicant. The latter would be free to give or not to give, the same.

iii) The terms & conditions printed on the reverse of the registration form should be easily readable.