

TELECOM REGULATORY AUTHORITY OF INDIA NOTIFICATION
NEW DELHI, the 25th JANUARY, 2001
No.310-1(5)/TRAI-2000

In exercise of the powers conferred upon it under sub-section (2) of Section 11 of the Telecom Regulatory Authority of India Act, 1997 to notify, by an Order in the Official Gazette, tariffs at which Telecommunication Services within India and outside India shall be provided, the Telecom Regulatory Authority of India hereby makes the following Order.

The Telecommunication Tariff (Eleventh Amendment) Order 2001
(1 of 2001) Section I
Title, Extent and Commencement

1. Short title, extent and commencement :

- i) This Order shall be called "Telecommunication Tariff (Eleventh Amendment) Order 2001".
- ii) The Order shall come into force from the date of its Notification in the Official Gazette.

Section II

In Schedule-I (Basic Services other than ISDN) of the Telecommunication Tariff Order, 1999 under notes for the item 12(a) i.e. for 'STD long distance calls' an additional item (5) shall be inserted as follows:

(5). "The pulse rate for a long distance PSTN call carried on the networks of two fixed operators will be the same as the pulse rate corresponding to the lowest tariff applicable for the same distance intra-network call. The pulse rate for the fixed leg of a call originating in the fixed network and terminating in mobile network shall be the same as pulse rate corresponding to the lowest tariff applied by the service provider, for intra-network calls for identical carriage from the originating SDCC to the SDCC in which the POI is located."

Section III

This Order contains at Annex A, an Explanatory Memorandum to provide clarity and transparency to the tariffs specified in this Order.

By Order HARSHA VARDHANA SINGH
 Advisor (Economic)

Annex A EXPLANATORY MEMORANDUM

1. In a letter dated 29.12.2000 BSNL reported tariffs to the Authority seeking to reduce the STD call charge from 26th January, 2001, by extending the duration of peak pulse rates for distance categories 50 to 200 kms compared to the TRAI standard tariff package for basic services. According to the letter, these revised pulse rates of BSNL, however, would apply only to "intra-circle calls originated by the telephone subscribers of BSNL, and terminating in the basic service network".

2. The Authority has received representations from COAI and ABTO that sought the Authority's intervention to enlarge the scope of BSNL's proposal in respect of inter-network calls also. They sought the Authority's intervention and requested that in the interest of level playing field:

- (a) the revised pulse rates (or tariffs) should apply also to calls from fixed network to cellular mobile;
- (b) the revised pulse rates should also apply for calculating the carriage charge to be paid by cellular mobile network to the fixed network;
- (c) the revised pulse rates should apply for the carriage charge paid by private basic service providers to BSNL on intra-circle fixed to fixed network calls.

3. The Authority has examined the above requests at length and has determined that to ensure 'non-discrimination' and a 'level playing field', and also in the interest of consumers BSNL's revised pulse rates should also apply to the inter-network calls in cases detailed at items 2 (a), 2 (b) and 2 (c) above. While the issues covered by 2(b) and 2(c) are addressed by a Direction under Section 13 of the TRAI Act 1997, this Order relates to inter network call scenario described at 2(a) above.

4. In order to ensure that the benefit of the lower tariff offered by BSNL actually passes on to the subscribers of the private basic service operators, the latter is being directed to modify his charging regime in respect of inter-network calls originating on his network to fully reflect the tariff changes proposed by BSNL. The underlying principle is that the same tariff should be levied for same network elements used. As such, the same tariff should be applied for the fixed leg of an inter network call that traverse the same distance on the fixed network, irrespective of its termination in a fixed or a mobile network.