

**S K Gupta, Advisor (QoS),
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg, New Delhi-110 002.
Tel.: 011-23230404
Fax: 011-23213036
E-mail : advqos@traigov.in**

Subject: Response to the Consultation paper on “Review of measures to protect interest of consumers in the telecom Sector” dated 2nd August, 2010

Dear Sir,

We welcome the opportunity to respond to the Telecom Regulatory Authority of India’s (TRAI) Consultation Paper on “Review of Measures to protect interest of consumers in telecom sector”.

We thank TRAI for this consultation paper which will help address the consumer redressal concerns in India.

Please find our response to the consultation paper.

We would like to participate in any further opportunity to discuss these issues and looking forward to the counter-comments on the same.

Yours Sincerely,

**Amal Jeevan
MBA – Telecom Management (2nd Year)
Contact: amaljeevan.sitm@gmail.com
Mobile - +91-9689898632**

**Devika Atkare
MBA – Telecom Management (2nd Year)
Contact: devika.sitm@gmail.com
Mobile- +91-9970166806**

**Research Supervisor: Mr. Giri Hallur
Asst. Professor (Telecom)
SITM, Pune.**

**Symbiosis Institute of Telecom Management (SITM)
Symbiosis Knowledge Village,
Gram Lavale, Tahasil Mulshi
Near Lupin Research Park,
Pune, India – 411042**

--Disclaimer--

Please note that the views presented below are solely of the students and not of the Institute.

5.1. What should be the benchmark for the parameter –Provision of a landline Telephone after registration of demand?

The benchmark set by TRAI for the provisioning of a landline telephone within 7 days from the date of registration for a new connection should be reduced. As we know, many subscribers are moving from landline to mobile connections these days. Only few hours are required to activate the mobile connection which is very beneficial for the customer as compared to the landline phones which requires 7 days for provisioning.

If we reduce this benchmark to 3 days, it would help in increasing the satisfaction level of the customer as he would get the services faster and he wouldn't have to wait for too long.

5.2. Do you agree that parameter –Provision of a landline Telephone after registration of demand may be removed from the list of parameters requiring mandatory compliance to the Authority?

We agree that the parameter – Provision of a landline Telephone after registration of demand may be removed from the list of parameters requiring mandatory compliance to the Authority as it is the responsibility of the service provider to provide the subscriber with the landline connection as soon as possible to increase his wireline subscriber base. Less he may lose out on the subscriber if he delays the provisioning of the equipment.

The registration fee should be taken at the time of application and the entire amount should be paid only after acquiring the connection so that the power of negotiation remains with the customer. Only in areas where telephone is available 'on demand', the installation of telephone connection should be done immediately on receipt of payment.

5.3. Do you suggest any changes to the benchmark for the above parameter for landline fault repair, including rent rebate for delay in rectification of fault? If so, please provide details.

The current framework for rent rebate needs to be modified to some extent.

A fixed amount should be charged on the operator if the fault is not repaired within the prescribed benchmark along with some additional charges calculated on pro rata basis. The detailed framework is provided in the next answer.

5.4. What framework do you suggest to ensure payment/adjustment of rebate for prolonged landline phone fault as per QoS regulations?

Fixed amount should be charged on the operator depending upon the fault, if he fails to repair it within 3 days for the urban subscribers and within 5 days for the rural subscribers along with specific charges which would be calculated on pro rata basis if the delay is more than the benchmark.

For example: If the delay is of 4 days and he is an urban subscriber: The operator should be rebate a fixed amount for a delay of 3 days depending on the fault and additional amount for 1 day should also be rebated.

Similarly, if he is in rural area and the delay is for 18 days: The operator should rebate a fixed amount for delay of 15 days along with additional amount for the delay of 3 days.

This would be beneficial for the customer as well as operator, as the customer is getting the appropriate rebate fees and also the operator is not burdened by paying the charges for a particular lot of days, rather pay the subscriber on pro rata basis depending on the delay caused for repairing the fault.

5.5. How do you propose to ensure its effectiveness?

Heavy fines can be imposed on the service provider if he fails to repair the fault on time. This would account for the loss of revenue of the operator. Hence, he would take the actions immediately. Also, awareness should be spread among the customers regarding the fault repair failing charges so that the customer gets the appropriate rebate from the operator.

5.6. Do you propose any changes to the existing provisions relating to shift of a landline telephone connection?

No comments

5.7. Do you suggest any change in existing provisions to ensure timely termination of service/closure? If so, please provide details.

To ensure timely termination of service the customer should first request the service provider to terminate it via call or in writing. The service provider should then reconfirm whether the customer needs to terminate the service via email or SMS. When the customer confirms it then only the service should be terminated within 7 days of the confirmation.

5.8. Do you agree with the suggestions for seeking explicit consent of the customer, in writing or SMS or e-mail or FAX, to continue with the service, once a request has been made for termination of service?

As starting the service would be a revenue generator for the service provider, he will in any case start it as soon as possible. But to avoid any discrepancies, a written consent is necessary from the customer to continue with the service. The written consent should be in the form of an Email Id which is registered with the service provider or through SMS or FAX but not through writing as it becomes too cumbersome to get the confirmation for the same.

5.9. Do you agree with the time period of four weeks provided for resolution of billing/ charging complaints? If not, please suggest alternatives.

The time period for redressal of the billing/ charging complaints needs to be reduced. If the time period for resolution of the complaint is reduced to 2 weeks, it would be better for both the customer as well as the service provider. The customer would be satisfied as his complaint was redressed earlier and it would also be beneficial for the service provider as he can make the required corrections in the next billing cycle.

5.10. Do you agree with present provisions regarding period of one week for applying credit/waiver/adjustment to customer's account upon resolution of billing complaint?

The period of 7 days is apt for applying credit/waiver/adjustment to customer's account upon resolution of billing complaint as the service provider would have to put lot of internal processes in place to do the required waiver/ adjustment.

5.11. What should be the time period and terms and conditions for refund of deposits after closure/termination of service?

According to the Quality of Service Regulations, 2009, the time period for refund of deposits is 60 days. This period for refund of deposits should be reduced to 45 days after closure/termination of service as the customer would get the refund early and the proposed time period would be fair enough for the service provider to complete the required procedure for termination and refunding the deposits and also the interest charged for delay in refund should be increased.

5.12. What steps do you suggest for timely refund of deposits after closure/ termination of service?

The service provider should be charged with a penalty if he does not refund the deposit on time. The 10 % interest which is charged for delay in refund should be increased. This action taken would bind the service provider to provide timely refund of deposits after termination of the service.

5.13. Do you suggest any changes to the present benchmark of 15 days for the parameter –Service provisioning/ Activation Time?

Yes, there should be a change in the present benchmark of 15 days. With 3G coming into play, the service providers should provide the Broadband services within 7 working days from the time the payment is made. If the connection is not provided within 7 working days a credit at the rate of Rs.10/ per day, subject to a maximum of installation charge or equivalent usage allowance shall be given to the customer, at the time of issue of first bill.

5.14. How the present provisions can be effectively implemented?

Certain measures should be taken to implement the present provisions properly.

Firstly, the service provider should be penalised if he fails to follow the prescribed parameters for Provisioning/ Activation.

Secondly, he should either rebate the amount for the delay caused in activation of the service or provide the customer with equivalent usage allowance at the time of first bill.

5.15. Do you suggest any changes to present benchmark for the parameter –Fault Repair/ Restoration Time and provision for rebates?

Fixed amount should be charged on the operator depending upon the fault, if he fails to repair it within 3 days along with specific charges which would be calculated on pro rata basis if the delay is more than the benchmark.

This would be beneficial for the customer as well as operator, as the customer is getting the appropriate rebate fees and also the operator is not burdened by paying the charges for a particular lot of days, rather pay the subscriber on pro rata basis depending on the delay caused for repairing the fault.

5.16. Do you propose any change in the existing system of selection of tariff plans for the audit of metering and billing system of service providers to make whole exercise more effective?

The newly launched plans in the existing year and the plans which are having registered subscribers above 8% should be selected for the audit of metering and billing system of service providers to make the whole exercise more effective. This will ensure that more expenditure would not be incurred by the service provider at the same time it will facilitate effect audit process.

5.17. What methods of alert do you prefer for premium service calls (Call rates higher than normal local call charges rates) before such calls are put through?

An alert mechanism should be devised to inform the customers about the premium calls. An IVR system can also solve the purpose.

The customer should be aware about the rates charged for the premium service calls and the call should be processed only after the permission from the customer. This would ensure that the customer does not fall prey to such kind of services.

5.18. What information in your view should be provided to prepaid subscribers immediately on completion of every call to facilitate him understand his usages and verify correctness of the deductions?

The prepaid customer should be provided with the basic information regarding the call charges, the duration of the call, the balance remained in the account of the

customer and this information should be displayed for a sufficient amount of time so that the customer can review it properly.

If he is using some premium services or internet facility the charges should be displayed along with the balance amount in the customer's account.

Also, a toll free number should be provided for the customer wherein he can SMS and check his balance amount anytime.

Whenever the customer recharges his prepaid account a notification should be given as to when the account was recharged and with what amount and also the talk time that would be provided to the customer.

5.19. What information do you feel is necessary after recharging a prepaid connection to ensure complete value for money immediately after recharging/top up?

After recharging a prepaid connection a notification in the form of SMS should be provided to the customer as to when the account was recharged, the date and time, with what amount the account was recharged and also the talk time that would be provided on the recharged amount.

5.20. In your opinion, what should be done to increase the awareness about the call centre?

In order to increase the awareness of the call centre, the customer should be informed about it by publishing the details of the call center in the manual provided at the time of provision of the connection. The details should be published in English, Hindi as well as the regional language of that area. The toll free number of the call centre can be printed on the telephone bill itself. Also, the number can be embedded in the SIM card of the respective service provider. According to the survey the awareness of call centre in Chennai, Assam, Tamil Nadu is less. Here, we can spread the awareness amongst the customers by sending an SMS to them regarding the availability of toll free numbers to contact the call centres.

5.21. How can we enhance accessibility of call centres for booking the complaints?

No comments

5.22. What are your suggestions about the location of the menu option for talking to a customer care agent/executive in the Interactive Voice Response (IVR) system of the Call Centre/ customer care number, for facilitating easy access to the call centre agent/executive? Should it be the first sub-menu at the third layer, the first layer being the choice of language and the second layer being service menu?

The location of the option for talking to the customer care executive in the Interactive Voice Response (IVR) should be in the third layer of the first sub menu.

Apart from this it should also be present at each sub level and should be distinctly mentioned to the customer through the IVR itself.

5.23. Should TRAI mandate all service providers to provide complaint booking number accessible from other telecom networks also for complaint booking in case of service disruption? Should such call centre numbers also be toll free?

No comments.

5.24. Do you agree that docket numbers should also be sent to subscribers' through SMS who is booking complaint?

Yes the docket ID should be sent to the subscribers via SMS. In case of a call to the call centre, it should be made mandatory that the SMS be sent immediately on termination of the call. If the customer has booked a complaint through Email, the docket ID should be sent both via Email and SMS.

5.25. Will sending of docket number of complaints to subscribers through SMS help them to pursue their complaints and increase effectiveness of consumer grievance redressal system?

Yes, sending of the docket number of complaints to subscribers through SMS will help them to pursue their complaints and increase effectiveness of the consumer grievance redressal system. The tracking of the complaint will also be made easier in case of future references where the details of the complaint have to be pulled up.

5.26. Do you feel that unique format for docket numbers across the service providers will increase monitoring and speedy redressal of subscriber complaints?

No, a unique format for docket numbers across service providers would not increase monitoring and speedy redressal of subscriber complaints. Each service provider would have a distinct way of processing the customer complaints. This process might be difficult to change and align with a unique format that is required. Instead of focussing on the unique format, the service providers should focus on prompt redressal of the customer complaints.

5.27. Do you agree that customers need to be informed about redressal of their complaints before closure of the docket? If so, will it be desirable to inform the subscriber about status of the complaints through SMS before closure of the docket number?

Yes, the customers will have to be informed about the redressal of their complaints before closure of the docket. This would also ensure that the docket is not closed without resolution of the complaint. It would be desirable to either inform the customer about the closure either through SMS or Email and if possible both.

5.28. What parameters should be considered to determine the effectiveness of complaint redressal at call centre level? How could effectiveness of complaint redressal at call centre level be measured?

For every complaint that is lodged at the call centre, there should be a unique docket ID that is generated. If this complaint is not addressed by the call centre executives and is escalated to the Nodal Officer, the docket ID can be used to pull out the details of the complaint. There can be a mechanism where the ratio of the total number of complaints to the number of resolved complaints can be tracked. Another important parameter that can be used is the “First Call Resolution” mechanism where the operator tracks how many complaints are resolved on the first call itself, thereby avoiding the need for a repeat call by the customer. First call resolution, if pursued, can go a long way in increasing customer satisfaction and retention. A way to ensure effectiveness of complaint redressal at the call centre level is fining the operators for lack of compliance to time frames set in place. This would push the operators to refine their grievance / complaint redressal process, making it more customer centric.

5.29. In your views, will it be feasible to indicate tentative time frame for redressal of consumer grievance? Will it increase subscriber satisfaction level?

Yes, it would be feasible to indicate a tentative time frame for redressal of consumer grievance. This would boost the consumers’ satisfaction and it would act as an assurance about the complaint being registered.

5.30. What are your suggestions for using complaints received at call centre for improvement in QoS and processes adopted by a service provider? Do you perceive any need for TRAI to oversee such analysis and monitor corrective actions?

No comments.

5.31. In your opinion, what should be done to create awareness about the Nodal Officer?

For creating awareness about the Nodal Officer, service providers should send contact details of nodal officer through SMS or the same can be saved in the SIM card of existing users using Over the Air transfer. SIM can also be pre- configured giving the details of call centre, Nodal Officer and Appellate Authority. Another way of creating awareness about the Nodal Officer is by way of introducing a uniform number across all service providers, separately for basic telephone service, cellular mobile telephone service and Broadband service. These contact details should be also printed on the bills sent out to the customer of the respective service.

5.32. What should be the maximum permissible time in which nodal officer must acknowledge the receipt of the grievance and indicate a unique number for future reference?

The maximum time that the Nodal Officer should acknowledge the receipt of the grievance and indicate a unique number for future reference should be one working day. This is considering the fact that the time frame for resolving a disruption in service is 3 days. The present time frame of 3 days for only acknowledgement hence has to be modified.

5.33. Do you suggest that the nodal officer give an indicative time for redressal of grievance while communicating receipt of grievance? Will it boost the confidence of the subscriber?

Yes, the Nodal Officer should give an indicative time for redressal of grievance while communicating receipt of grievance. It would boost the confidence that the subscriber has in the system.

5.34. Will it be feasible to communicate the tentative time for redressal of the grievances and ensure redressal within prescribed timeframe?

Yes it would be feasible to communicate the tentative time for redressal of the grievances. This would be possible if a well defined process is put in place which segments the grievances into clear categories thereby facilitating the resolution process. Initially the time communicated to the customers would be the maximum time frame permitted but over a period of time the average time would be reduced and this would help in communicating a more accurate time frame to the customer.

5.35. What framework do you propose for timely disposal of consumer grievances and feedback on status of grievance redressal before disposal?

Refer below to question number 40.

5.36. In your opinion, what should be done to improve the accessibility of nodal officers?

The means for accessing the Nodal Officers that are defined in the TCPRG regulations would suffice. But as far as the appointment of the Nodal Officers is concerned, there is no regulation on the issue leaving it up to the service providers to appoint as many Nodal Officers as per their requirements subject to a minimum of one Nodal Officer per service area. The regulations could be defined in this respect which would in turn simplify the accessibility as if the regulator were to specify the number of Nodal Officers per service area, it would avoid the situation where service providers do not consider requirements before deciding the numbers. As present guidelines do not define geographical boundaries, the segregation can also be made according to the demographics of customers in that area or the density of subscribers.

5.37. How would effectiveness of Nodal Officer be monitored?

The effectiveness of the Nodal Officer can be monitored by calculating what percentage of the total cases reported have been resolved. For this we can use the number of cases that are further escalated to the Appellate Authority as a parameter. Also the number of cases that are resolved well within the time frames defined can be another method to judge the efficiency.

5.38. What should be the parameters and framework to judge the effectiveness of the nodal officers?

The effectiveness of the Nodal Officers can be judged by monitoring whether the time frames for the respective grievances have been met. There can also be a parameter that calculates the number of grievances resolved in the stipulated time to the total number of cases that have been escalated to the Nodal Officer. Performance reviews (not audits) should be done on a quarterly basis with the help of which we can fine tune areas that need improvement in terms of operational efficiency.

5.39. In your opinion, what should be the time frame for redressal of grievances by the Nodal Officer?

The present time frame for the redressal in case of disruption of services (which is 3 days) can be left unaltered but the time frame for the other grievances needs to be reduced from the present duration of ten days. The duration can be set to about five days. Although these time frames may be in place, there should be prime focus on resolving the issues as promptly as possible which would ensure that the customer's interest is preserved.

5.40. What should be done to ensure redressal of consumer grievances within prescribed timeframe?

In order to ensure redressal of consumer grievances within a prescribed timeframe, the setting up of an Ombudsman seems to be a feasible solution. In certain other countries, the Ombudsman settles a large chunk of the grievances thereby reducing the workload on the Nodal Officer and Appellate Authority. Coupled with this, the number of Nodal Officers should be increased.

5.41. What framework do you perceive for regular analysis of consumer grievances at Nodal officer level to identify systemic failures and to initiate necessary actions? Do you perceive the need to mandate such provisions?

No Comments.

5.42. What are your views regarding charging of nodal officer Number especially in view of the fact that nodal officer is part of consumer grievance redressal mechanism? Elaborate your response.

Calls to the Nodal Officer should not be toll free even though the Nodal Officer is a part of the consumer grievance mechanism. Although this might seem conflicting with the purpose of protecting the interest of the customers, it is essential. Firstly once the calls are charged, customers who are escalating their issues without a valid reason are filtered out. Also, when a particular number is toll free, there is a tendency to misuse the service and there might be instances where customers call the Nodal Officer for miniscule issues. Another issue is that if the calls are toll free, there is no differentiating factor between the call centre of the respective operator and the Nodal Officer. The customers would be tempted to call up the Nodal Officer directly as it resides a level higher in the hierarchy and has greater authority. There would be no robust way to cease this unnecessary escalation of calls and the Nodal Officer would be rendered as a pseudo call centre which would thereby cause dilution of the authority.

5.43. What should be done to enhance awareness about Appellate Authority to ensure effective redressal of consumer grievances?

Awareness of the Appellate Authority can be enhanced by making it mandatory to furnish the contact details of the same through the bills of the respective operators. Also every time a customer contacts the Call Centre for registering a complaint, the details of the Appellate Authority should be sent via SMS to the customer along with the docket ID and a generic acknowledgment.

5.44. What framework to you suggest for filing of the appeal to Appellate Authority for redressal of consumer grievances by subscribers? How can it be made easy and user friendly?

No Comments.

5.45. In your view, what should be the time frame for acknowledgement of the appeal by Appellate Authority?

The time frame for an acknowledgement of the appeal by the Appellate Authority should not be more than 2 working days. The fact that the customer has approached the Appellate Authority after previously having brought up the issue with the Nodal Officer and the operator should not be overlooked.

5.46. Would it be feasible and desirable to convey the tentative time for disposal of the appeal by Appellate Authority to improve subscriber confidence?

Yes it would be feasible and desirable to convey the tentative time for disposal of the appeal by the Appellate Authority. This could be facilitated by the establishment of separate units to handle specific customer grievances. The methodical categorization of customer grievances can be done which would ensure

prioritization of issues. Issues that involve monetary implications to the customers like rebates and deductions should be given priority. This would basically streamline the process and would make it easier to predict a tentative time frame for disposal of appeals.

5.47. How feedback at the time of disposal of appeal can be made more transparent, self speaking and impartial? Is there a need to institutionalise feedback mechanism at appellate authority level of service provider to improve effectiveness of the processes?

Yes there is a need to institutionalize the feedback mechanism at the Appellate Authority level to improve the effectiveness of the processes. This would be done with a view to improve the transparency and ambiguity that might arise out of a decision that is taken only by the Appellate Authority.

5.48. What should be the framework to improve the effectiveness and acceptability of the Appellate authority as an independent and impartial body? Provide details of the proposed framework.

No Comments.

5.49. In your opinion, what should be the maximum time period for deciding an appeal by the Appellate Authority?

The present time frame of three months needs to be reduced significantly. It should be noted that the customer has approached the Appellate Authority after his grievance has been escalated twice i.e. the operator and the Nodal Officer has not been able to address the grievance. Making the customer wait for another three months is not justified in this scenario. It would be appropriate if the grievance was resolved within a maximum of 4 weeks. This would provide time for the Appellate Authority to look into the matter as well as reduce the present duration to a third.

5.50. What should be the time limit within which the information about itemized usage charges should be provided on request from a pre-paid customer?

The time period for furnishing an itemized bill for a pre paid customer on request should not exceed 5 working days. This would ensure ample time for the operator to retrieve the usage details and provide it to the customer. It must be noted that the information must be made available before it loses relevance. This would put an end to the present scenario where the customer is not provided the details promptly which may defeat the whole purpose of requesting for the bill.

5.51. Can you suggest further measures to effectively control provision of value added services without explicit consent of the subscriber? Kindly provide details of proposed framework.

The current framework that is in place is well structured and need not be altered. But as we see in spite of the framework there are several breaches that occur with respect to the activation of Value Added Services, especially in the Delhi, Karnataka and Madhya Pradesh circles. This is because the operators tend to cash in the lack of awareness on the customers side and activate certain services without explicit consent. The most effective way to curb these malpractices would be to impose heavy fines in these situations at each violation. This would require heavy monitoring of customer complaints arising out of activation of VAS without prior customer consent. One way to implement this would be to set up a separate unit at the Nodal Officer or Appellate Authority level that would address customer grievances related to this issue. This would ensure speedy resolution of these cases and also rebate of the deducted amount if necessary. In cases where the customer has gone ahead and used the services and also lodged a complaint, the services should be deactivated from the next billing cycle onwards and the deduction of charges should be preferably done on a pro rata basis. This would also ensure that the operator would not lose out on the revenue for services which the customer has used.

5.52. In your opinion, what more should be done to increase effectiveness of consumer education?

As of now most of the information is communicated to the customer through the executives at the Call Centres of the respective operators. This has caused a steady increase in the number of unbound calls to the Call Centres. Calls to the Call Centres fall into three basic categories: Enquiry, Transactional, Complaint/Grievance. Because of the high number of calls that are received for the first category mentioned, the Complaints get sidetracked at times. The operators can be instructed to make it a norm to inform the customer of various "Self Care" facilities that are available (eg. Online checking of bills, online payments, activation/deactivation of services through SMSs etc). This would reduce the hits on the Call Centre and the focus would shift towards resolving customer grievances. Also the bill of the customer could be used to communicate other info like escalation of unresolved grievances, URL for the web portal for the online grievance redressal mechanism etc. Also a detailed bill should be made available for all post paid customers by default. This would ensure transparency in the billing process as well.

5.53. How effectiveness of web based Consumer grievance redressal mechanism can be increased?

As of now the grievance redressal adopted by all operators in India is a three tier model with call centres, nodal officers and appellate authorities forming the hierarchy at the three tiers. Even with this model in place many of the consumer grievances were reported to be unresolved and this has elevated the importance of the web based system.

A major factor that goes against the web based mechanism is the fact that in India the number of customers who have access to an internet connection is very low. This would automatically mean that only a fraction of the customers will be able to exercise this option. Making the consumers aware of the web based mechanism would also be a huge challenge.

A viable option would be to make it mandatory for all the operators to print the Unique Resource Locator (URL) for the web portal onto the customer's bill. Also every grievance that is registered generates a unique docket ID, which should be sent to the customer by the respective operator via SMS. Along with this docket ID, the URL for the web portal should also be sent to the customer to generate awareness.

Taking a different view point, the web based system should be accessible to customers only if the initial grievance has not been addressed by the operator within a specified time limit. This would prevent the customer from leapfrogging the operator and using the web portal, which is not chargeable. This should be avoided as the operator would not have knowledge of the grievance and the onus would shift to the regulator unnecessarily to take up the grievance with the operator.