

To

All CMSPs

Subject: Directive on Auto Roaming services to all pre-paid subscribers.

Ref: TRAI's letter no. 101-3/2003-MN (Pt. II) dated September 15, 2003.

Vide our above referred letter all CMSPs were advised to discontinue charging for the auto roaming facility without subscriber's consent with immediate effect and provide this service only to those pre-paid customers who opt to avail this facility while on roaming and provide compliance with a copy of letter thereof to the Authority within 5 days of the issue of this letter.

2. Subsequently, compliance were received from most of the CMSPs and additional clarifications were asked from other CMSPs. Most of the CMSPs informed the Authority that all new Pre-paid subscribers are being given an option to subscribe for Auto-roaming feature by mentioning the same in their application forms and all existing subscribers have an option to un-subscribe / deactivate the Auto-roaming feature by calling at the Customer care centre and the Service Provider takes immediate action in this regard. The CMSPs also informed the Authority that the subscriber is being charged for this auto roaming facility only when the subscriber chooses to make or receive call while roaming.

3 The Authority has received representations from some consumers that they are being charged for auto-roaming services even though they do not want to avail the roaming service. Instances have also come to the notice of the Authority wherein the subscribers are not aware that they would be charged for roaming facility only when they (the subscriber) chooses to make or receive call while roaming.

4. Keeping in view the above, in the consumer's interest, the Authority in exercise of its power conferred upon it under Section 13 read with Section 11(1)(b) (i) and (v) of the Telecom Regulatory Authority of India Act, 1997 as amended by TRAI (Amendment) Act, 2000 hereby directs all the cellular mobile service providers to inform the subscriber through SMS whenever they roam into another license area that they will be charged for the roaming facility only if they choose to either make or receive a call while roaming. Furthermore, any fixed charges for roaming such as roaming rental should not be charged unless roaming is activated i.e., a call is either made or received by a customer while roaming. The SMS to inform the customer of the above conditions shall not be charged.

5. It has come to the notice of TRAI that there is ambiguity in the mind of subscribers for the SMS charges while roaming. The Authority has noted that as on date, most of the CMSPs are not charging the subscriber for receiving SMS while roaming. All the CMSPs are directed to inform the subscribers about this fact. In case any service provider is charging the subscribers for receiving SMS while roaming CMSPs are further directed to ensure that subscriber is informed through SMS whenever they roam into another license area that they will be charged for the roaming facility only when they choose to either send/receive SMS or make/receive call while roaming.

This issues with the approval of the Authority.

(Rajendra Singh)

Advisor (MN)