

F.No.302-15/2011-QoS
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhavan,
Jawaharlal Nehru Marg, Next to Zakir Hussain College,
New Delhi – 110 002.

Dated the 12th June, 2012

DIRECTION

Subject: Direction under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and clause 11 of the Telecom Tariff Order, 1999, on issues arising out of the audit of the metering and billing system of service providers.

F. No.302-15/2011-QOS---- Whereas the Telecom Regulatory Authority of India (hereinafter referred as the Authority), established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act) has been entrusted with discharge of certain functions, *inter alia*, to regulate the telecommunication services, ensure technical compatibility and effective inter-connection between different service providers, lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect the interest of the consumers of telecommunications service;

2. And whereas the Authority had, in exercise of powers conferred by section 36, read with sub-clauses (i) and (v) of clause (b) and clause (d) of sub-section (1) of section 11 of TRAI Act, made the Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulation, 2006 (5 of 2006) dated the 21st March, 2006 (hereinafter referred to as the regulation), which, *inter alia*, provides that the service providers shall-

- (a) comply with the Code of Practice for metering and billing accuracy as laid down in Annexure –I of the regulation;

- (b) audit their metering and billing system through any one of the auditors as may be notified by the Authority and furnish an audit certificate thereof to the Authority not later than the 30th June of every year; and
- (c) take corrective action on the inadequacies, if any, pointed out by the audit agency in the Certificate and file with TRAI an action taken report not later than the 30th September of every financial year;

3. And whereas the service providers, in compliance of the provisions of the regulation, arranged the audit of their metering and billing system beginning from the calendar year 2006-2007 onwards through the auditor appointed from the panel of auditors notified by the Authority and submitted audit reports alongwith their action taken reports thereon;

4. And whereas the audit report submitted by the service providers with respect to different service areas, referred to in the preceding para, revealed several instances of overcharging of the customers on account of wrong configuration of new number series, wrong configuration of tariff plans and incorrect dialing of numbers;

5. And whereas the Authority had issued direction No:101-1/2005-MN dated 6th January, 2006 on opening of allotted codes directing the service providers to open the code allotted by the Department of Telecommunications immediately and not later than ten days from the date of allotment of the said code;

6. And whereas the Authority, from the audit report, referred to in para 3 above, noted that---

(a) in several cases the service provider, while opening the new number series in their network, failed to simultaneously configure the same in their billing system or the number series was not properly configured, leading to default charging of the consumer;

(b) in many cases it was found that new tariff plans were launched by the service providers without properly checking the configuration of the new tariff plan in their billing system leading to overcharging of the consumer which were later on rectified after receipt of complaint from the consumer;

(c) in many cases the records pertaining to commencement of wrong charging of the consumers or the date of rectification of the problem of wrong charging were not properly maintained and, accordingly, the auditors failed to verify the extent of wrong charging by the service providers; and

(d) there were several instances of overcharging of consumers specially of SMSs due to incorrect dialing of numbers such as pre-fixing of '00' or '+' while making call or sending SMS to local or national numbers ;

7. And whereas the Authority, in a meeting held with the service providers on 22nd of July, 2011, discussed the issue of overcharging of customers on account of wrong configuration of new number series and wrong configuration of tariff plans and wherein the service providers agreed to maintain proper records of the configuration of new number series and tariff plans, date of rectification of the problem etc. through Master Tables and to provide such Master Tables to the auditors appointed to conduct the audit of metering and billing system of the service provider;

8 And whereas during the meeting referred to in the preceding para, the service providers agreed to the need to educate the consumers regarding proper dialing procedure, which in view of the Authority can be addressed by educating the consumers through SMS and maintenance of Master Tables for the purpose of establishing an audit trail by the metering and billing auditors;

9. Now, therefore, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and for the reasons mentioned in paragraphs 3 to 8 above, and to ensure compliance of terms and conditions of licence and to protect the interest of consumers, hereby

directs all Access Service Providers (including M/s Bharat Sanchar Nigam Ltd. and M/s Mahanagar Telephone Nigam Ltd.) to ensure that---

(a) within thirty days of issue of this Direction, a Master Table is maintained, service area-wise, to record the steps taken to configure the new number series and such Master Table shall contain---

- (i) the date of receipt of intimation about the new number series;
- (ii) the date of configuration of the new number series in the switch;
- (iii) the date of configuration of the new number series in the billing system;
- (iv) the date of detection of mistakes or problems in the configuration;
- (v) the date of rectification of the problem;
- (vi) the number of customers affected;
- (vii) the number of customers who were refunded excess amount collected after rectification of problem;
- (viii) the amount refunded;
- (ix) the number of customers who were not refunded; and
- (x) the amount that could not be refunded;

(b) within thirty days of issue of this Direction, a Master Table is maintained, service area-wise, to record the steps taken to configure the new tariff plans and such Master Table shall contain --

- (i) the name of the tariff plan or Special Tariff Voucher (STV);
- (ii) the date of launch of the tariff plan or STV;
- (iii) the date of configuration of the tariff plan or STV in the billing system;
- (iv) the date of detection of mistakes or problems in the configuration;
- (v) the date of rectification of the problem;
- (vi) the number of customers affected;
- (vii) the number of customers who were refunded excess amount collected;
- (viii) the amount refunded;
- (ix) the number of customers who were not refunded; and
- (x) the amount that could not be refunded;

(c) each entry in the Master Table referred to in sub-paras (a) and (b) above is authenticated by the official of the service provider who shall after verification sign with date and the said Master Table shall be provided to the auditors appointed for auditing the metering and billing system of the service providers for auditing purposes.

(A.Robert J. Ravi)
Advisor (QOS)

To
All Access Service Providers