

**TO BE PUBLISHED IN THE GAZETTE OF INDIA  
EXTRAORDINARY PART III SECTION 4**

**TELECOM REGULATORY AUTHORITY OF INDIA**

THE TELECOMMUNICATION TARIFF (SIXTIETH AMENDMENT) ORDER, 2015

No. 3 of 2015

**NOTIFICATION**

**New Delhi, the 9<sup>th</sup> April, 2015**

No. 301-16/2014-F&EA — In exercise of the powers conferred upon it under sub-section (2) of section 11, read with sub-clause (i) of clause (b) of sub-section (1) of the said section, of the Telecom Regulatory Authority of India Act, 1997(24 of 1997), the Telecom Regulatory Authority of India hereby makes the following Order further to amend the Telecommunication Tariff Order, 1999, namely:-

**1.** (1) This Order may be called the Telecommunication Tariff (Sixtieth Amendment) Order, 2015 (3 of 2015).

(2) This Order shall come into force on the 1<sup>st</sup> May, 2015.

**2.** In clause 2 of the Telecommunication Tariff Order, 1999 (hereinafter referred to as the principal tariff order), after sub-clause (lb), the following sub-clause shall be inserted namely:-

“lc. “Special Roaming Tariff Plan” or “SRTP” means a tariff plan in which, on payment of fixed charge, if any, the incoming voice call while on national roaming is free.”;

**3.** In clause 6 of the principal tariff order, for sub-clause (x), the following sub-clause shall be substituted, namely:

“(x) Every service provider shall offer a Special Roaming Tariff Plan to its pre-paid and post-paid subscribers.”;

4. In the Schedule II to the principal tariff order, under item (14), for sub-items (14.a) and entries thereto, the following sub-items and entries relating thereto shall be substituted, namely:--

**Schedule-II**  
**Cellular Mobile Telecom Services (CMTS)**

<b>ITEM</b>	<b>TARIFF</b>
“(14.a) National roaming	
(14.a.i) Fixed charge for national roaming	Nil provided that Special Tariff Voucher and Combo Voucher shall be permitted and in case of SRTP, the fixed charge shall be under forbearance.
(14.a.ii) Charge for outgoing local voice call while on national roaming	Ceiling of Re. 0.80 per minute
(14.a.iii) Charge for outgoing long distance (inter-circle) voice call while on national roaming	Ceiling of Re. 1.15 per minute
(14.a.iv) Charge for incoming voice call while on national roaming	Ceiling of Re. 0.45 per minute
(14.a.v) Charge for outgoing local Short Message Services (SMS) while on national roaming	Ceiling of Re. 0.25 per SMS
(14.a.vi) Charge for outgoing long distance (inter-circle) Short Message Services (SMS) while on national roaming	Ceiling of Rs. 0.38 per SMS
(14.a.vii) Charge for incoming Short Message Services (SMS) while on national roaming	Nil
(14.a.viii) Surcharge while national roaming	Nil
(14.ab) International roaming	Forbearance
(14.ac) Any other item related to roaming but not falling under sub-item (14.a) and (14.ab) above	Forbearance.”.

(Maruthi P. Tangirala)  
Advisor (F&EA)-I

Note.1. – The Telecommunication Tariff Order, 1999 was published in the Gazette of India, Extraordinary, Part III, Section 4 under notification No.99/3 dated 09.03.1999, and subsequently amended as given below:-

<u>Amendment No.</u>	<b>Notification No. and Date</b>
1 <sup>st</sup>	301-4/99-TRAI (Econ) dated 30.3.1999
2 <sup>nd</sup>	301-4/99-TRAI(Econ) dated 31.5.1999
3 <sup>rd</sup>	301-4/99-TRAI(Econ) dated 31.5.1999
4 <sup>th</sup>	301-4/99-TRAI(Econ) dated 28.7.1999
5 <sup>th</sup>	301-4/99-TRAI(Econ) dated 17.9.1999
6 <sup>th</sup>	301-4/99-TRAI(Econ) dated 30.9.1999
7 <sup>th</sup>	301-8/2000-TRAI(Econ) dated 30.3.2000
8 <sup>th</sup>	301-8/2000-TRAI(Econ) dated 31.7.2000
9 <sup>th</sup>	301-8/2000-TRAI(Econ) dated 28.8.2000
10 <sup>th</sup>	306-1/99-TRAI(Econ) dated 9.11.2000
11 <sup>th</sup>	310-1(5)/TRAI-2000 dated 25.1.2001
12 <sup>th</sup>	301-9/2000-TRAI(Econ) dated 25.1.2001
13 <sup>th</sup>	303-4/TRAI-2001 dated 1.5.2001
14 <sup>th</sup>	306-2/TRAI-2001 dated 24.5.2001
15 <sup>th</sup>	310-1(5)/TRAI-2000 dated 20.7.2001
16 <sup>th</sup>	310-5(17)/2001-TRAI(Econ) dated 14.8.2001
17 <sup>th</sup>	301/2/2002-TRAI(Econ) dated 22.1.2002
18 <sup>th</sup>	303/3/2002-TRAI(Econ) dated 30.1.2002
19 <sup>th</sup>	303/3/2002-TRAI(Econ) dated 28.2.2002
20 <sup>th</sup>	312-7/2001-TRAI(Econ) 14.3.2002
21 <sup>st</sup>	301-6/2002-TRAI(Econ) dated 13.6.2002
22 <sup>nd</sup>	312-5/2002-TRAI(Eco) dated 4.7.2002
23 <sup>rd</sup>	303/8/2002-TRAI(Econ) dated 6.9.2002

24 <sup>th</sup>	306-2/2003-Econ dated 24.1.2003
25 <sup>th</sup>	306-2/2003-Econ dated 12.3.2003
26 <sup>th</sup>	306-2/2003-Econ dated 27.3.2003
27 <sup>th</sup>	303/6/2003-TRAI(Econ) dated 25.4.2003
28 <sup>th</sup>	301-51/2003-Econ dated 5.11.2003
29 <sup>th</sup>	301-56/2003-Econ dated 3.12.2003
30 <sup>th</sup>	301-4/2004(Econ) dated 16.1.2004
31 <sup>st</sup>	301-2/2004-Eco dated 7.7.2004
32 <sup>nd</sup>	301-37/2004-Eco dated 7.10.2004
33 <sup>rd</sup>	301-31/2004-Eco dated 8.12.2004
34 <sup>th</sup>	310-3(1)/2003-Eco dated 11.3.2005
35 <sup>th</sup>	310-3(1)/2003-Eco dated 31.3.2005
36 <sup>th</sup>	312-7/2003-Eco dated 21.4.2005
37 <sup>th</sup>	312-7/2003-Eco dated 2.5.2005
38 <sup>th</sup>	312-7/2003-Eco dated 2.6.2005
39 <sup>th</sup>	310-3(1)/2003-Eco dated 8.9.2005
40 <sup>th</sup>	310-3(1)/2003-Eco dated 16.9.2005
41 <sup>st</sup>	310-3(1)/2003-Eco dated 29.11.2005
42 <sup>nd</sup>	301-34/2005-Eco dated 7.3.2006
43 <sup>rd</sup>	301-2/2006-Eco dated 21.3.2006
44 <sup>th</sup>	301-34/2006-Eco dated 24.1.2007
45 <sup>th</sup>	301-18/2007-Eco dated 5.6.2007
46 <sup>th</sup>	301-36/2007-Eco dated 24.1.2008
47 <sup>th</sup>	301-14/2008-Eco dated 17.3.2008
48 <sup>th</sup>	301-31/2007-Eco dated 1.9.2008
49 <sup>th</sup>	301-25/2009-ER dated 20.11.2009
50 <sup>th</sup>	301-24/2012-ER dated 19.4.2012

51 <sup>st</sup>	301-26/2011-ER dated 19.4.2012
52 <sup>nd</sup>	301-41/2012-F&EA dated 19.09.2012
53 <sup>rd</sup>	301-39/2012-F&EA dated 1.10.2012
54 <sup>th</sup>	301-59/2012-F&EA dated 05.11.2012
55 <sup>th</sup>	301-10/2012-F&EA dated 17.06.2013
56 <sup>th</sup>	301-26/2012-ER dated 26.11.2013
57 <sup>th</sup>	312-2/2013-F&EA dated 14.07.2014
58 <sup>th</sup>	312-2/2013-F&EA dated 01.08.2014
59 <sup>th</sup>	310-5(2)/2013-F&EA dated 21.11.2014

Note.2. – The Explanatory Memorandum explains the objects and reasons for the Telecommunication Tariff (Sixtieth Amendment) Order, 2015.

## **Explanatory Memorandum**

1. Section 11(2) of the Telecom Regulatory Authority of India Act, 1997 empowers the Telecom Regulatory Authority of India (hereinafter referred to as the Authority) to notify rates for various telecommunication services. In exercise of these powers, the Authority has been notifying tariffs for telecommunication services including national roaming services.
2. The tariffs for national roaming services have been regulated in the form of ceiling tariffs prescribed by the Authority under item 14(a) of Schedule II of the Telecommunication Tariff Order 1999 (hereinafter referred to as the TTO, 1999) as amended from time to time. The most recent amendment in the tariff regime for national roaming services was carried out through the Telecommunication Tariff (Fifty Fifth Amendment) Order, 2013 dated 17.06.2013 (hereinafter referred to as the TTO (55<sup>th</sup> Amendment), 2013).
3. While formulating the revised tariff regime for national roaming services through the TTO (55<sup>th</sup> Amendment), 2013, the Authority had indicated that the new tariff regime will be subject to review by the Authority after a year. Further, one of the objectives of National Telecom Policy (NTP) 2012 is to work towards One Nation - Free Roaming. In this backdrop, the Authority issued a Draft Telecommunication Tariff (60<sup>th</sup> Amendment) Order, 2015 on 27.02.2015 (hereinafter referred to as the Draft TTO (60<sup>th</sup> Amendment), 2015), through which the following ceiling tariffs for voice calls and SMS while on national roaming were proposed for comments of the stakeholders.

**Table-1: Ceiling tariffs for national roaming services proposed through the  
Draft TTO (60<sup>th</sup> Amendment), 2015**

<b>Item</b>	<b>Proposed Tariff</b>
Charges for outgoing local voice call while on national roaming	Ceiling of Re. 0.65 per minute
Charges for outgoing long distance (inter-circle) voice call while on national roaming	Ceiling of Re. 1.00 per minute
Charges for incoming voice call while on national roaming	Ceiling of Re. 0.45 per minute
Charges for outgoing local Short Message Services (SMS) while on national roaming	Ceiling of Re. 0.20 per SMS
Charges for outgoing long distance (inter-circle) Short Message Services (SMS) while on national roaming	Ceiling of Re. 0.25 per SMS

4. The stakeholders had to furnish their comments on the Draft TTO (60<sup>th</sup> Amendment), 2015 by 13.03.2015. In response, one industry association, seven telecom service providers (TSPs), one organization and two individuals furnished their comments. Many stakeholders submitted that in case the ceiling tariffs as proposed in the Draft TTO (60<sup>th</sup> amendment), 2015 are implemented, the home tariffs would become higher than the roaming tariffs, which would result in market distortions. A few stakeholders contended that origination charges have been under forbearance and a transition to the prescribed origination charges regime would deprive the industry of the flexibility with respect to a major source of revenue that has hitherto led to increased innovation and affordability in the Indian telecom market. Some stakeholders argued that since wholesale national roaming charges are not being regulated in the country, reduction of retail national roaming tariffs would adversely impact the small and regional access providers in the country to the extent of jeopardizing the level playing field.
  
5. It is worth pointing out that the wholesale roaming charges are not being regulated in the country. As per the Unified License, licensees may enter into mutual commercial agreements for national roaming facilities.

6. In view of the comments of the stakeholders and the competitive position of the small and regional players in particular, the Authority has decided to allow a mark-up on the ceiling tariffs for outgoing voice calls and SMS which were proposed through the Draft TTO (60<sup>th</sup> amendment), 2015. The Authority is of the opinion that the wholesale national roaming charges would thereby undergo adjustments such that these remain lower than the ceiling tariffs for national roaming. The following table depicts the ceiling tariffs for national roaming service prescribed through this amendment to the TTO, 1999.

**Table-2: Revised ceiling tariffs for national roaming services through this amendment to the TTO, 1999**

<b>Item</b>	<b>Tariff</b>
Charges for outgoing local voice call while on national roaming	Ceiling of Re. 0.80 per minute
Charges for outgoing long distance (inter-circle) voice call while on national roaming	Ceiling of Rs. 1.15 per minute
Charges for incoming voice call while on national roaming	Ceiling of Re. 0.45 per minute
Charges for outgoing local Short Message Services (SMS) while on national roaming	Ceiling of Re. 0.25 per SMS
Charges for outgoing long distance (inter-circle) Short Message Services (SMS) while on national roaming	Ceiling of Re. 0.38 per SMS

7. In the case of outgoing voice calls, a mark-up of 15 paisa per minute (over the ceiling tariff proposed in the Draft TTO (60<sup>th</sup> Amendment), 2015) has been provided. The mark-up in the case of ceiling tariffs for outgoing SMS has been arrived at by decrementing the existing ceiling tariffs (prescribed in the TTO (55<sup>th</sup> Amendment), 2013) in each case by 75% (and rounding off to the next higher paisa in the case of long distance (inter-circle) SMS).
8. The Authority also examined the appropriateness of the Roaming Tariff Plan (RTP) and Roaming Tariff Plan-FR (RTP-FR) which were mandated through the TTO (55<sup>th</sup> Amendment), 2013. In RTP, charges for outgoing voice calls and outgoing SMS, both local as well as long distance (inter-circle), do not change with the location of the



subscriber within the country. RTP-FR is a special type of RTP, in which there is no charge for incoming voice calls while on national roaming, on payment of fixed charge, if any, as may be determined by the service provider. These tariff plans were mandated through the TTO (55<sup>th</sup> Amendment), 2013 keeping in view the expectation of frequent roamers for reasonable roaming tariffs.

9. The Authority is of the opinion that since the ceiling tariffs for outgoing voice calls and SMS while on national roaming have been reduced to reasonable levels through this amendment to the TTO, 1999, the need for mandating separate tariff plans, in which roam tariffs are equal to home tariffs, no longer exists. Accordingly, the Authority has decided to remove the existing mandate to the TSPs for providing RTP and RTP-FR to their pre-paid and post-paid subscribers in each licensed service area (LSA). However, the TSPs would have to ensure the tariff protection to the existing subscribers enrolled in such tariff plans as per the provisions of the Telecommunication Tariff (43<sup>rd</sup> Amendment) Order, 2006.
10. Further, the Authority is of the view that a tariff plan in which there is no charge for incoming voice calls while on national roaming would still be required. Accordingly, the Authority has decided to mandate the TSPs to offer a Special Roaming Tariff Plan (SRTP), to their pre-paid and post-paid subscribers in each LSA. In SRTP, the incoming voice calls while on national roaming would be free of charge, on payment of fixed charge, if any, as determined by the TSP. Needless to say, the national roaming tariffs for outgoing voice calls and SMS in SRTP also would be within the ceiling tariffs prescribed through this amendment to the TTO, 1999.
11. The revised tariff regime for national roaming service shall come into force on the 1<sup>st</sup> May, 2015. The Authority will closely monitor the implementation of the regime and, in particular, its impact on competition and consumer interests.