



Telecom Regulatory Authority of India



Consultation Paper

on

**Review of extant provision for sending the printed bills to
consumers of landline and Post paid Mobile subscribers**

New Delhi, 15th November, 2018

Mahanagar Door Sanchar Bhawan, Jawahar Lal Nehru Marg,

New Delhi – 110002

Website: www.trai.gov.in

Stakeholders are requested to furnish their written comments by 10th December 2018 and counter-comments by 24th December 2018 to Shri Kaushal Kishore, Advisor (F&EA-I), TRAI. Comments and counter-comments would be posted on TRAI's website www.trai.gov.in. The comments and counter-comments may also be sent by e-mail to advfea1@traigov.in. For any clarification/information, Advisor (F&EA-I) may be contacted at Tel. /Fax No. : +91-11-23234367.

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Chapter 1

Introduction

Current consultation exercise is about the review of the prevailing provisions (introduced through 46th Amendment in 2008 to Telecommunication Tariff Order, 1999) for providing printed bill to subscribers of post paid wire line and post paid mobile services. In this context current chapter lists the extant regulatory provisions that have some bearing on this consultative exercise with a view to set the context and provide a ready-reckoner to the stakeholders to facilitate an informed discussion.

Provisions in the Telecom Regulatory Authority of India (TRAI) Act 1997

1.1 The preamble of the Telecom Regulatory Authority of India (TRAI) Act, 1997 reads as under:

*"An Act to provide for the establishment of the [Telecom Regulatory Authority of India and the Telecom Disputes Settlement and Appellate Tribunal to regulate the telecommunication services, adjudicate disputes, dispose of appeals and to protect the interests of service providers and consumers of the telecom sector, to promote and ensure orderly growth of the telecom sector] and for matters connected therewith or incidental thereto."*¹

1.2 The Telecom Regulatory Authority of India (TRAI) has, inter-alia, also the mandate to regulate tariff for telecommunication services in India. Section 11(2) of the Chapter III of the Telecom Regulatory Authority of India Act, 1997 lays down that:

"(2) Notwithstanding anything contained in the Indian Telegraph Act, 1885 (13 of 1885), the Authority may, from time to time, by order, notify in the Official Gazette the rates at which the telecommunication services within India and outside India shall be provided under this Act including the rates at which messages shall be transmitted to any country outside India:

*Provided that the Authority may notify different rates for different persons or class of persons for similar telecommunication services and where different rates are fixed as aforesaid the Authority shall record the reason thereof."*²

Provisions in Indian Telegraph Rules, 1951³:

1.3 The telephone bill issued by Telecom service provider to subscribers gives complete picture of the service actually provided by service provider which, inter-alia, includes details of the service, rates and related terms and conditions, actual usage of service during the period, amount payable by the subscriber and due date of

¹ https://www.trai.gov.in/sites/default/files/The_TRAI_Act_1997.pdf

² ibid

³ Indian Telegraph Rules, 1951

payment. Under the provisions of the Indian Telegraph Rules, 1951, the charges for calls message rate and measured rate system shall become payable on presentation of a bill. It also stipulates that, any notice, bill or demand from the Telegraph authority for any fee or charges due from a subscriber may be served by delivery to the subscriber, or by sending it by post to the address of the subscriber or by leaving it at the premises or upon which the apparatus is installed.

Rule 439 of the Indian Telegraph Rules, 1951 reads as under:-

"439. Charges when payable: Charges for calls in message rate or measured rate system shall become payable on presentation of a bill thereof. The periods for which bill shall be prepared and the dates by which they shall be payable shall be fixed by the Telegraph Authority."

Rule 442 of the Indian Telegraph Rules, 1951 reads as under:-

"442. Service of notice and bills: Any notice, bill or demand from the Telegraph Authority for any fee or charges due from a subscriber may be served by delivery to the subscriber, or by sending it by post to the address of the subscriber or by leaving it at the premises in or upon which the apparatus is installed."

Provision in Telecommunication Tariff Order (TTO), 1999⁴:

1.4 In exercise of the power assigned to it through TRAI Act, Telecommunication Tariff Order (TTO), 1999 was notified for the first time on 9th March, 1999. Amendments to the TTO, 1999 have been made from time to time to reflect the evolving telecommunication landscape. As a result, the TTO itself has since been amended sixty four times to factor in the changes and developments in the sector.

1.5 In the last 19 years since the TTO was first notified, the telecommunication sector in India has witnessed a number of changes in the telecom ecosystem in respect of technologies deployed, types of telecom services, market composition, competition, user profile and usage pattern. The main highlights of the TTO are:

- a) Limits on Tariff: Provision of ceiling and floor on certain telecommunication services.
- b) Reporting Requirement: TSPs have to report to TRAI any new tariff and the subsequent changes.
- c) Transparency and Consumer Protection: Tariff charged along with the terms and conditions attached to it by the TSPs should be published in a manner as prescribed by TRAI from time to time.

⁴ https://trai.gov.in/sites/default/files/Main_Regulations_09_Mar_1999.pdf

Provision in Telecom Consumer Protection Regulation (TCPR), 2012⁵:

1.6 In addition to the TTO, various regulations, directions and advisories have been issued by TRAI to meet the regulatory requirements. For example, the TCPR, 2012 defines the features of various mobile prepaid products and also addresses transparency issues.

Provisions in the License Agreement⁶:

1.7 Besides the above mentioned provisions in the TRAI Act, 1997, the TTO, 1999 and the TCPR, 2012, CMTS license agreement (Condition 7 in Part I of Schedule II) and the Unified Access Service license agreement (Clause 30.4) also, inter-alia, stipulate that it shall be the responsibility of the licensee to issue or cause to be issued bills to its subscribers for use of the service. As per these licensing conditions, the billing system of the licensee shall be able to generate the billing information, in adequate details, to ensure satisfaction to the customer about the genuineness of the bill. The license agreements for these services also mandates that the directions of TRAI, from time to time, in this regard shall apply.

Previous Consultative exercise on the subject:

1.8 In this backdrop, through a consultation process in 2008⁷ Authority invited comments of stakeholders on the proposal for amending the Telecommunication Tariff Order to incorporate an explicit provision for providing bill in hard copy free of cost to all post paid subscribers. Rationale for this was complaints of mobile service provider's insistence on providing bills through SMS or email only to a post-paid tariff plan and the hard copy of the bill being available to the subscribers only on payment of a fixed amount as determined by the service provider. Stakeholders including Service Providers, Consumer Organizations and Associations of Service Providers overwhelmingly welcomed this proposal and informed that they were already giving hard copy of the bill free of cost to their post-paid customers. Various suggestions were received which included clarity as regards the provision of printed copies of the itemized bills for local calls and Short Message Service (SMS) to consumers, provisions of itemized bills for local calls and SMS to be chargeable. It was also suggested at that time, considering the convenience of electronic bills to a large section of subscribers, hard copy of bills should not be mandated and choice of receiving bills, hard copy or soft copy, should be left to subscribers.

During the consultation, some suggestions against the proposal were also received such as the one that even after getting bills in electronic form, if a customer insists for a hard copy of the bill, then it should be at a cost, and that considering the convenience of electronic bills to a large section of subscribers, hard copy of bills should not be mandated and choice of receiving bills, hard copy or soft copy, should be left to the subscribers. Consumers and Consumer Organizations favored the

⁵ https://tra.gov.in/sites/default/files/Consumer_Protection_Regulations%202012.pdf

⁶ <http://www.dot.gov.in/sites/default/files/UAS%20license-agreement-19-12-2007.pdf?download=1>

⁷ <https://tra.gov.in/sites/default/files/caper31dec07.pdf>

proposal of the Authority by stating that such a move would go a long way in educating and informing laymen consumers to know the details of their bills. It was opined that the purpose of issuing or obtaining the telephone bills through hard copy, inter-alia, are to -

- a) understand and satisfy oneself about the genuineness of the bill;
- b) facilitate making of payment;
- c) verify the charges incurred by the consumer;
- d) monitor usage or expenditure by consumer.

1.9 In order to make the billing more transparent and consumer friendly TRAI has been undertaking studies on the presentation of the bills to the consumers and issuing Directions⁸ on-

- specifying various guidelines as to how the bill should be presented to the consumers.
- provision of usage details even to the pre-paid mobile users.
- Specifying a number of information, which are useful to the consumers, to be captured in the bill.

It was felt that all the crucial details cannot be easily, conveniently and comprehensively captured in short message service (SMS) and bill sent through SMS would not give sufficient clarity to subscribers. Most of the consumers, such as those from low income category may not have a compatible phone, access to computer and internet to obtain the telephone bill through e-mail. Access to e-mail is normally not available to the persons who are in the low-income category. It was therefore, felt that it would not be consumer friendly to permit service providers to levy extra charges for providing hard copy of the bill. It was also noted that the service providers of other sectors such as Electricity Corporations, Water Utilities services, and Financial Institutions, etc., are not charging any amount for providing the hard copy of the bill.

TTO 46th Amendment, 2008⁹:

1.10 The Authority after examining the issue in the light of the Indian Telegraph Rules, 1951, license agreements for Cellular Mobile Telecom Service (CMTS), Unified Access Service, National Long Distance (NLD) and International Long Distance (ILD) services relating to billing and customer service and view of stakeholders issued the TTO 46th Amendment 2008 mandating the service providers to provide hard copy of the bill to its post-paid subscribers of (i) Basic Service (other than ISDN) and (ii) Cellular Mobile Telecom Service free of cost. However, if any customer opts for receipt of the bill through e-mail, instead of hard copy, the service providers can supply the same after obtaining explicit consent from the consumers. In all other cases, the service provider must ensure that the bills are generated and delivered to the consumers in printed form free of cost. The TTO (46th Amendment) 2008, along

⁸ <https://traigov.in/sites/default/files/Direction-02-may2005.pdf>

⁹ https://traigov.in/sites/default/files/46Forty_Sixth_Amendment_24_Jan_2008.pdf

with its explanatory memorandum is enclosed as Annexure-A to this consultation paper for ready reference of the stakeholders.

1.11 Next chapter discusses the recent developments in light of which the current consultative exercise has been initiated.

Chapter-2

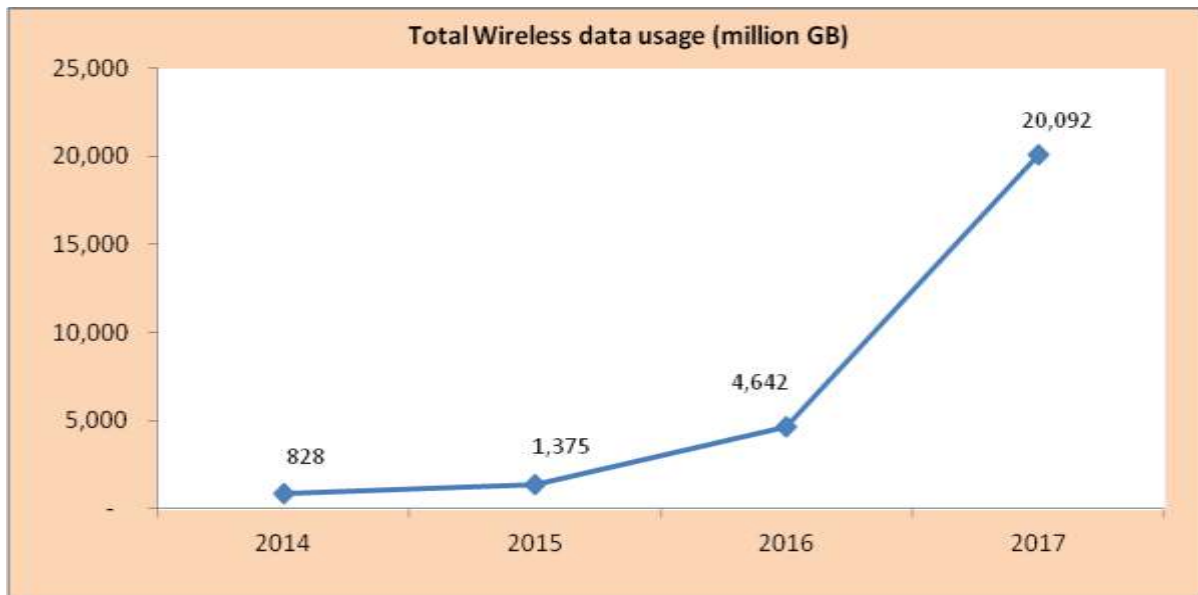
Background for Consultation

After listing the extant regulatory provisions that prevail today on the subject under discussion in brief, in chapter 1, this chapter gives the background including, inter-alia, the subscriber and service providers perspectives in which the instant consultative exercise has been initiated.

Representations from Telecom Industry and their Associations:

2.1 The Authority has been intermittently receiving representations, from Telecom service providers and their associations requesting a review of the provision of the TTO (46th Amendment, 2008) which mandates provision of hard copy of the bill or the printed copy of the bill to post paid subscribers and removal of the mandate of providing hard copy of the bill with Mobile Bill (M-Bill) or E-Bill as the default option. Environmental concerns relating to cutting of trees for papers used in printing of bills and changing mobile usage scenario in the context of massive surge in data usage on smart phone were put forth to bolster their demand. as the main rationale to this demand. The matter has been discussed with TSPs and their associations many times ever since the above mentioned representations were received. Various perspectives proposed by the TSPs and the associations as possible alternatives to the printed bills, size and contents of the electronic bill, profile of the customers (age, income group, disability, if any) as well as users having feature phones not compatible with electronic bill delivery have been examined by the Authority. However, the options that emerged from these deliberations, so far, did not provide any conclusive ground for amending the TTO (46th Amendment). Main arguments in addition to the environmental concerns, that have been put forth in support of default provision of electronic bills to post paid subscribers are as given below:

(I) Advancement in Technology: Initial discussions on M-bill or e-bill issue were focused on the way electronic bills would be sent and set of information to be contained in them, as many of the subscribers would not have access to Internet. With advent of 4G/4G VOLTE technology and other advanced technologies in the mobile telephony, usage of data has dramatically increased since last few years. Delivery of electronic bills critically depends on Internet, through which email, websites and other platforms can be accessed for receiving bills. The spread and easy access of Internet could provide access to full size bills to majority of subscribers. It is a fact that there has been a sharp increase in internet use and consumption of data in past few years.



Source: TRAI Data

(II) Cost of Data service and Smart Phones: Trends in price of data service as well as smart handsets during last two years show that more and more people have gained affordability to purchase a smart phone and consume more data on a high speed platform. This scenario indicates a gradual shift towards a paperless billing system to be adopted by telecom sector in tune with many other sectors of economy.

(III) The time gap since the issue of the 46th Amendment:

The 46th Amendment to TTO, 1999 was notified in 2008. TSPs have argued that mere fact of the passage of a decade since issue of the extant provisions merits a review of its relevance.

Representations from Hon'ble MPs/ MLAs/MLCs from Maharashtra:

2.2 Authority has recently received twenty four similar representations from Hon'ble MPs/MLAs/MLCs, some prominent citizens and TSPs, who have argued that doing away with mandatory provision of hard copy of bill, would be in tune with 'Digital India Mission', apart from addressing a serious environmental concern. Sample copy of such representations (more or less identical) is enclosed at Annexure-B. All these representations are from Maharashtra.

Joint Committee Report:

2.3 Apart from the recent developments mentioned in preceding para 2.2 in the beginning of 2017, it may be mentioned that TRAI constituted a joint Committee on 27.03.2017 of senior officers of TRAI and service providers and their Associations to identify infructuous/redundant regulations relating to License, QOS and Tariffs which

could be purged. One of the proposals discussed by the Committee was provisions of TTD (46th Amendment). The joint Committee, in their final recommendations after due deliberation, recommended as under:

“Schedule II- Cellular Mobile Telecom Service (CMTS)- Item (7A)- Forty Sixth Amendment- Tariff for provision of hard copy of the bill or printed copy of the bill to the customer– Nil.”

To be re-worded, so as to introduce option “opt-in” by the subscriber for hard copy of the bill, if so required.

The above recommendation seeks to introduce a change in the present provision in a manner that the default option for receiving a bill would be the electronic bill and hard copy of the bill has to be provided to those subscribers who would opt-in for hard bill. This recommendation addresses the demand made by the industry and their associations as well as some other stakeholders as mentioned in above paragraphs. However, this committee didn't have any representation of consumers and to this extent the recommendations of the committee does not reflect the consumer views on the subject. Consumers form the most important segment of stakeholders on this issue. It has therefore, been decided by the Authority to hold a public consultation to have views of all the stakeholders, in the matter so that a holistic approach could be adopted to address this important issue affecting Telecom consumer's rights.

Important issues concerning subscribers

2.4 As per extant regulatory regime of telecom tariffs in India, the subscribers have the right to know and verify the charges levied by the service providers without any exception. During the Consultation process in 2008, the Authority stated that a classification of low end subscribers based on monetary value suggested by the Industry Association is likely to be termed as arbitrary as usage and bill values are relative in nature. It also said that 'low-end' customers are the ones who cannot generally afford to have access to computer / smart phone/ internet and, therefore, it is this category of customers who needs protection. An electronic bill served on a feature phone may not be capable of displaying all the vital information required to be given as per norms.

2.5 Apart from the observations referred in preceding paragraph, it would be prudent to examine the concerns of various stakeholders on the matter before the industry demand for change in the extant position is considered. Some major issues of consumer concern in this regard could be-

- a) The onus of downloading and printing of bill and as such bearing the cost of the same, which was hitherto a responsibility of the TSP would shift to the subscriber in e-bill/m-bill environment.
- b) Industry has been arguing about High cost of providing hard copy to a large number of postpaid subscribers. While removing of default paper bill option suits TSPs but at the same time, making e-bill/M-bill as a default option would amount to denial of information to this section of subscribers.

- c) Industry has also been proposing the new concept of M-billing introduced for those customers who are not opting for e-bill because they do not have an email account. In M-Bills, the basic details of the bill would be provided through the SMS with a link in the SMS to reach to the complete bill. It has been argued by TSPs that the customers of the feature phones can print the bill using the link free of cost from multiple channels. But such M-bills access and printing through designated sources would be *with cost impact and also the inconvenience*.
- d) The issue of inconvenience and costs related to feature phone holders, and the senior citizens, disadvantaged groups and rural population have not been covered in any of the representations of the industry. Alternative solutions such as compensatory incentive for the shift of burden of downloading/printing from TSPs to subscribers and waiver of Senior citizens from the default options of M-bill who would continue to receive hard copy of bill, are also missing in the representations received in TRAI.
- e) The requirement of provision of hard copy mandated through TTO is only in respect of the basic/summary bill and itemized bill in respect of long distance calls. The issue of itemized bill in respect of local calls, SMS and data usage is not mandatory and is under forbearance. Such basic/summary bill continues to be the right of consumers for reasons explained in the Explanatory Memorandum of the TTO (46th Amendment).
- f) The fact that despite the efforts of telecom service providers, a substantial portion of postpaid subscribers have not opted for e-billing shows that there is large number of subscribers who still insists on hard copy of the bill. The COAI's representations to the Authority do not elaborate on the kind of efforts taken by TSPs in this regard. There may be some obvious reasons why substantial segment of subscribers are not opting for e-bill, like limited access to email facility, familiarity with e-bill system, age profile and e-literacy of the subscribers of this segment. Considering the fact that bills only concern less than 5% of total mobile subscriber base (only postpaid subscribers) apart from majority of landline subscriber, a concerted inducement campaign and personal reach could be useful in making more people opt out from hard copy of bill, without an explicit regulatory mandate.
- g) The existing provisions already permit the telecom service providers to do away with hard copy of the bills if they obtain consent from subscribers for receiving bills through e-mails. This position is equally applicable to the M-bill option proposed in COAI representations. Consent of the subscribers for E-bill or M-bill can thus be obtained by creating awareness about the environmental concerns in a mission mode, like the campaign on forgoing cooking gas subsidy.

2.6 During the discussions on representations of industry and their associations a One page-bill was also proposed by the industry representatives/ Associations which would replace the present detailed bills as default option. The list was found to be restrained by a long list of mandatory items as prescribed by TRAI Direction dated 4th May, 2007 issued from QoS Division. These mandatory provisions were equally applicable to any type of bill provided to the subscribers of postpaid mobile services. It implied that even if M-bill/e-bill was allowed as default option, the format would

need to include all the mandatory items listed in the said Direction. The list of items as mandated to be included in bills appears too elaborate to be captured even in one single page of hard copy bill.

Additional inputs obtained by TRAI from the TSPs:

2.7 In order to gather more information regarding demand of e-bill by customers or initiatives taken by the service providers to induce customers to switch to e-bill, TRAI sought information from various telecom service providers through letter dated 09.07.2018. Responses received from TSPs were analyzed and it came out that currently not much of the total postpaid subscriber base have have migrated to e-bill and those who have opted for e-bill are mostly from urban areas than rural. The information collected also indicate that there also have been cases of over-charging of bill by many service providers. Table presented below gives brief of the responses by TSPs:

Statement of Responses Provided by Telecom Service Providers on various Queries raised by TRAI

Query raised by TRAI	Operator 1	Operator 2	Operator 3	Operator 4	Operator 5
Steps to provide the e-bill to post paid customers using feature phone.	Bill summary through SMS; 3000 stores where customers can walk in for bill details; customers can call on 121 for bill details; bills are provided on email if the customer with feature phone opts in for e-bill.	Go Green initiative has been taken for Post-paid Landline and Mobile connections.	Sending bill summary through SMS to feature phone but does not show detailed invoice.	Phone customers can view last 6 months bills by logging into app, which is available in 11 Indian languages. A detailed SMS stating the invoice charges is also sent to customers along with email.	Subscribers have to register email by sending an SMS code.
Incentives offered, if any, to subscribers opting for e-bill as default option	No specific incentives	Discount of Rs 10/- per bill is allowed for Go Green.	Offering freebies to subscribers opting for E-bill as default option.	Facility of viewing and download last 6 months statement of bill without incurring any charges.	No specific incentives
Incidence of bill-shocks/over-billing coming to TSP's knowledge through complaints	0.41 Million for the month of August, 2018	Four cases only	Have been receiving over-billing complaints.	Because of fair usage policy in all the plans, the monthly consumption has been capped and therefore any consumer complaint has not been received yet.	272 cases of over billing for QE June 2018

				Under Plans with Pay as you go, subscribers are charged at discounted rate and restricted upto credit limit.	
Whether any surveys have been conducted to know about customers' preference of receiving bills and if so, a copy thereof	Not conducted any survey so far	Customers being persuaded for opting Go Green.	Not conducted any survey so far	Consumer workshops are conducted to spread awareness, SMS/ IP-messaging campaigns help in protecting the environment by opting for e-bill which has in inducing people to opt for electronic bill.	Not conducted any survey so far
Any other relevant inputs/reports/study/best practices that TSP would like to share	60% of postpaid customers are engaged on App which is single points solution for billing and other self service solutions. It shows that customers are moving toward available digital platforms for self service modes.	Nil	No other relevant information.	Additional sources/channels have been developed for customers to help keep them updated about their call/SMS/Data usage from time to time.	Nil

Printed bill on demand of prepaid customers:

2.8 To protect the interests of pre-paid mobile phone subscribers who are able to view their balance after every usage, TRAI had directed that TSPs, on request from any pre-paid mobile connection consumer for any period falling in the preceding six months, shall supply such a consumer, at a reasonable cost not exceeding Rs. 50, the information relating to itemized usage charges showing actual service usage details in terms of all call data records including value added services, premium rate services, roaming charges and their monetary value within 30 days of consumers' request. This is despite the fact that unlike post paid subscribers, pre-paid subscribers are not supposed to get bill by virtue of the platform of service they are using. This provision enables prepaid customers in making any complaint regarding excess charging by submitting the hardcopy of the bill as a proof. One can argue that the need of receiving the bill is much necessitated in the case of post paid scenario where customers are being charged at the end of the month on the basis of usage.

Some may however also argue that if requirement of hard copy of the bill exists in prepaid scenario for dispute resolution process then the necessity of the same in postpaid cases scenario may also exist.

2.9 The next chapter deals with additional facts that may need to be factored in for taking a holistic view on the subject.

Chapter 3:

Demographic profile in terms of education, e-literacy, Age and affordability of Smart Phone

In addition to the extant regulatory Provisions as mentioned in chapter 1 and the chapter 2 detailing industry and consumer side arguments there are few other relevant factors: Other important factors relevant in the context of electronic invoice are e-literacy, elderly population and affordable access of Smart Phone. This chapter provides inputs to the stakeholders on these aspects.

3.1 Education: It has been recognized that education is also a dividing factor on internet use, with significant gaps between these with more and less education in all countries surveyed by Pew Research Center including India¹⁰.

<i>Adults who use the internet at least occasionally or report owning a smartphone</i>							
	TOTAL	Age			Less education	Education More education	Diff
		18-36	37+	Diff			
U.S.	89	98	84	+14	84	98	+12
Canada	91	99	87	+12	84	97	+13
France	87	100	81	+19	81	99	+18
Germany	87	100	82	+18	84	95	+11
Greece	66	99	52	+47	54	95	+41
Hungary	74	96	63	+33	68	93	+25
Italy	71	98	62	+36	67	97	+30
Netherlands	93	100	90	+10	90	99	+9
Poland	75	98	64	+34	68	95	+27
Spain	87	100	82	+18	82	100	+18
Sweden	92	100	89	+11	89	98	+9
UK	88	98	84	+14	86	97	+11
Russia	78	98	67	+31	65	85	+20
Australia	93	100	91	+9	91	99	+8
China	71	96	55	+41	55	92	+37
India	25	35	13	+22	11	53	+42
Indonesia	30	48	12	+36	14	62	+48
Japan	78	100	69	+31	69	90	+21
Philippines	56	83	28	+55	27	75	+48
South Korea	96	100	95	+5	93	99	+6
Vietnam	64	88	38	+50	47	90	+43
Israel	88	97	83	+14	84	93	+9
Jordan	80	83	76	+7	73	89	+16
Lebanon	83	95	73	+22	66	98	+30
Tunisia	44	72	21	+51	42	87	+45
Turkey	76	95	60	+35	59	97	+36
Ghana	39	50	25	+25	29	73	+44
Kenya	39	50	21	+29	25	74	+49
Nigeria	42	49	29	+20	11	58	+47
Senegal	48	57	30	+27	37	89	+52
South Africa	59	73	44	+29	41	85	+44
Tanzania	25	30	17	+13	16	66	+50
Argentina	78	97	65	+32	64	95	+31
Brazil	70	90	57	+33	48	95	+47
Chile	78	97	67	+30	47	92	+45
Colombia	75	90	62	+28	49	92	+43
Mexico	67	86	48	+38	50	93	+43
Peru	64	79	50	+29	29	81	+52
Venezuela	72	87	57	+30	51	90	+39

Notes: Percentages based on total sample. All differences shown are statistically significant.
Source: Spring 2017 Global Attitudes Survey, Q83 & Q85. U.S. data from a Pew Research Center survey conducted Jan. 3-30, 2018. China data from Spring 2018 Global Attitudes Survey.

PEW RESEARCH CENTER

¹⁰ Pew Research Center, June, 2018, "Social Media Use Continues To Rise in Developing Countries, but Plateaus Across Developed Ones"

3.2 E-literacy: As per UNESCO, e-literacy refers to awareness, skills, understandings, and reflective approaches necessary for an individual to operate comfortably in information-rich and IT-enabled environments. In a more generic form, it can be defined as a skill set required to make use of the information, tools or materials that are available online¹¹. E-literacy is integral to capacity-building for citizens to participate in modernizing governance and an effective way to advance digital democracy¹². It is observed that e-literacy is essential for the consumers for being able to decipher the proposed e-bill.

3.3 Percentage of e-literate Population:

Developed and developing digital divide: Percentage of internet users has increased more in developing countries than developed in recent years reducing the digital divide. In 2005, the internet users accounted only 6% of the world's population and out of that 85% of them were in developed countries¹³. In contrast to this, in 2016, internet users in developing countries were 40% and in developed countries it was 81%¹⁴. Among this, India contributes to 13% of the total internet users of the world¹⁵.

Note: Internet User = individual who can access the Internet at home, via any device type and connection.

3.4 Elderly Population in India (60 years and above):

The size of the elderly population i.e. those who are aged 60 years or above was 10.4 crore constituting 8.6% of the total as per the census 2011. Out of 10.4 crore, 7.3 crore of elderly population constituting share of 70.19% were in rural areas.

The share shows consistently rising trend over the years¹⁶. Further it has been recognised that globally, young people use the internet more than the older generation¹⁷. In other words, India has a sizable population which is not very e-savvy.

¹¹ <https://www.igi-global.com/dictionary/social-networking-sites-critical-language/37799>

¹² Prasad, A. (2015). E-Governance Policy For Modernizing Government Through Digital Democracy In India. Vol. 2 (2012), pp. 183-203

¹³ Rao, A. (2005). Bridging Digital Divide: Efforts in India. Telematics and Informative 22 (2005) 361-375

¹⁴ International Telecommunication Union (ITU)

¹⁵ <http://www.internetlivestats.com/internet-users/india/>

¹⁶ Report on Elderly in India by Ministry of Statistics and Programme Implementation, Central Statistics Office

¹⁷ Pew Research Center, June, 2018, "Social Media Use Continues To Rise in Developing Countries, but Plateaus Across Developed Ones"

Internet use much more common among the young and those with more education

Adults who use the Internet at least occasionally or report owning a smartphone.

	TOTAL	Age		Diff	Less education	More education	Diff
		18-36	37+				
U.S.	89	98	84	+14	84	96	+12
Canada	91	99	87	+12	84	97	+13
France	87	100	81	+19	81	90	+18
Germany	87	100	82	+18	84	95	+11
Greece	86	99	52	+47	54	95	+41
Hungary	74	98	63	+33	68	93	+25
Italy	71	98	62	+36	67	97	+30
Netherlands	93	100	90	+10	90	99	+9
Poland	75	98	64	+34	68	95	+27
Spain	87	100	82	+18	82	100	+18
Sweden	92	100	89	+11	89	98	+9
UK	88	98	84	+14	86	97	+11
Russia	78	98	67	+31	65	85	+20
Australia	93	100	91	+9	91	99	+8
China	71	96	55	+41	55	92	+37
India	25	35	13	+22	11	53	+42
Indonesia	30	48	12	+36	14	62	+48
Japan	76	100	69	+31	69	90	+21
Philippines	56	83	28	+55	27	75	+48
South Korea	96	100	95	+5	93	99	+6
Vietnam	64	88	38	+50	47	90	+43
Israel	86	97	83	+14	84	93	+9
Jordan	80	83	76	+7	73	89	+16
Lebanon	83	95	73	+22	68	98	+30
Tunisia	44	72	21	+51	42	87	+45
Turkey	76	95	60	+35	59	97	+38
Ghana	39	50	25	+25	29	73	+44
Kenya	39	50	21	+29	25	74	+49
Nigeria	42	49	29	+20	11	58	+47
Senegal	46	57	30	+27	37	69	+32
South Africa	59	73	44	+29	41	85	+44
Tanzania	25	30	17	+13	16	68	+50
Argentina	78	97	65	+32	64	95	+31
Brazil	70	90	57	+33	48	95	+47
Chile	78	97	67	+30	47	92	+45
Colombia	75	90	62	+28	49	92	+43
Mexico	67	88	48	+38	50	93	+43
Peru	64	79	50	+29	29	81	+52
Venezuela	72	87	57	+30	51	90	+39

Notes: Percentages based on total sample. All differences shown are statistically significant.

Source: Spring 2017 Global Attitudes Survey, Q63 & Q65. U.S. data from a Pew Research Center survey conducted Jan. 3-10, 2018. China data from Spring 2016 Global Attitudes Survey.

PW RESEARCH CENTER

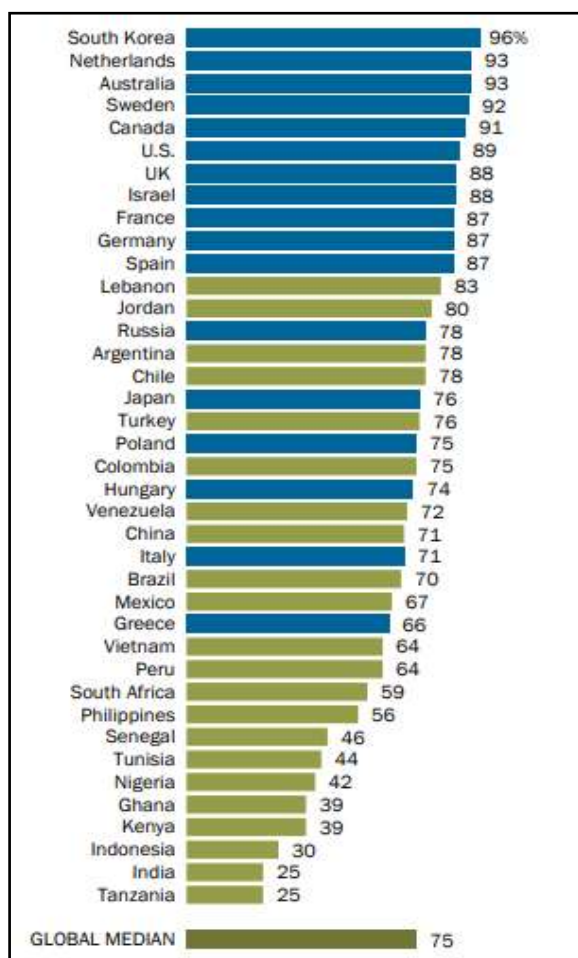
3.5 Relevance of e-literacy in m-bill: Though developing countries like India have made moderate progress in developing online services, the cost of establishing computer and Internet networks and telecommunications infrastructure to serve the huge population is still considerable (Prasad, 2015). It is important to analyze how many people would switch to m-bill/e-bill services without any complication. Because of the digital divide in India, anybody without internet access and smart phone would not be able to use the m-bill/e-bill services and any development in this field would be of no use to them. Internet access is a must before implementing any e-bill/m-bill/e-governance provision and looking at the statistics in India, as of 2016, only 34.8% of the whole population has internet access¹⁸. As majority of the population is internet-less, it is important to upgrade the total number of internet users in the country to prepare for the desired increase the digital transaction.

3.6 Smartphone Users in India: It is equally important to look at the total percentage of smart phone users in India before changing any rule for default option as m-bill or e-bill as most of the digital payments are made using the smart phones. As per the report by IAMAI on Indian Mobile Phone Market, more than 75% of the Indian population in 2015 still did not carry any smart phone. Also, as per Counterpoint Research, currently only 46% of the total mobile users are smart

¹⁸ www.indiainternetusers.com

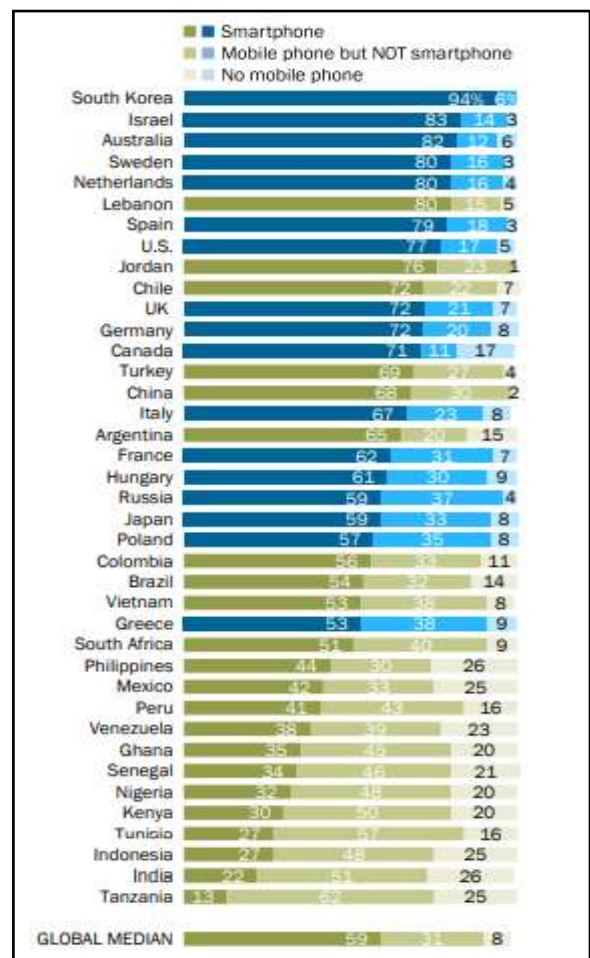
phone users which means that more than 50% of the demand is still for feature phones in India¹⁹. As per the media reports, more than 55% of Indian population live in rural areas where mobile phone is only used to make and take calls thereby preferring a mobile phone which is cheap and consume less battery.

As per the survey conducted by Pew Research Center²⁰ in 37 countries from February 16 to May 8, 2017, Sub-Saharan Africa and India still lag in internet usage. As per the survey results only one-in-four Indians reported using the internet or owning a smart phone. It has also been analysed that ownership of smart phone still lags in India, Indonesia and Africa despite of increasing levels of smart phone use. It is prominent from the survey results that only 22%-25% of the adults in India use internet. Graph 1 below shows use of internet by adults across 39 countries surveyed:



Graph 1

Source: Spring 2017 Global Attitudes Survey. Q63 & Q65. U.S. data from a Pew Research Center survey conducted Jan. 3-10, 2018. China data from Spring 2016 Global Attitudes Survey. PEW RESEARCH CENTER



Graph 2

Source: Spring 2017 Global Attitudes Survey. Q64 & Q65. U.S. data from a Pew Research Center survey conducted Jan. 3-10, 2018. China data from Spring 2016 Global Attitudes Survey. PEW RESEARCH CENTER

¹⁹ mobilityindia.com

²⁰ Pew Research Center, June, 2018, "Social Media Use Continues To Rise in Developing Countries, but Plateaus Across Developed Ones"

Graph 2 highlights that though smart phone ownership is increasing in emerging economies, then also it is the lowest in India. In India and Tanzania less than one quarter reported owning smart phones which is the lowest among 12 out of 22 emerging countries surveyed for smart phone penetration.

3.7 Next chapter deals with the status of e-bills in the utilities services in India.

Chapter 4:

E-billing in Utility Billing System:

The current chapter mentions in brief the trends in adoption of e-billing in other utilities in India:

4.1: Credit Card Companies: While most of the credit card companies encourage bill through e-mode, hard copy of the bill is also provided to customers as default option. Credit card companies actively provide incentive to customers for switching to e-bill.

4.2: Central Electricity Regulatory Commission (CERC): CERC is the key regulator of power sector in India. CERC has not imposed any regulatory guidelines for billing, so the general industry practice is to send the bill through hard copy to the customers unless the customer opt for an e-bill.

4.3: Indraprastha Gas Limited (IGL): IGL is one of the leading gas distribution companies. The practice followed by IGL for Billing is based on the meter readings taken by the authorised IGL staff once in two months for the domestic consumers. The bills are delivered at the customer's residence. The payment of the bills can be made by using any of the payments modes specified under 'Payment Modes' in PNG section.

4.4: Mutual Funds: Mutual funds are required to dispatch certificates or statements of accounts within five working days from the date of closure of the initial subscription of the scheme. In case of open-ended schemes, a statement of account is issued by the mutual fund within five working days from the date of closure of initial public offer of the scheme and/or from the date of receipt of the request from the unit holders. However, E-statements are encouraged.

Chapter 5:

International Practices:

World has become a global village. Therefore, it has been considered important to take a look at the provisions for paper bills in other telecom jurisdictions. A few sample cases are given below:

5.1: The Office of Communications (OFCOM), UK: Most suppliers provide at least a basic level of billing free by post. However, most of them made a specific charge for itemized billing by post. However, the suppliers who provide broadband service (irrespective of whether they provide voice telephony service) make charge for sending any level of bill by post presumably because consumer has access to online bills and is net-savvy²¹.

5.2: Federal Communications Commission (FCC), USA: Subscribers have an option of either receiving the hard copy of the bill or get the details of the bill via email. Service providers are directed to provide a toll-free number or numbers by which subscribers may inquire or dispute any charges on the bill in case of hard copy of the bill. Where the subscriber does not receive a hard copy of his or her telephone bill, but instead accesses that bill only by e-mail or internet, the service provider complies with this requirement by providing on the bill an e-mail or web site address²².

5.3: Australian Communications and Media Authority (ACMA), Australia: There is no default option of either receiving the bill in e-bill format or hardcopy form. It depends on the customers how they want to receive the bill and make payments thereafter as the information about the billing procedures and options are made available to the customers before they sign up or purchase. The service provider has to provide at least one free accessible format such as a bill via post (hardcopy), email or through an online client account and advise whether additional charges will be applicable to use other payment methods²³ (e.g. credit card merchant fees).

5.4: Commission for Communications Regulation (COMREG), Ireland: The service providers can either send the hard copy of the bill or send the bill online or via email. If the subscriber does not have the broadband or internet connection the service provider must send the hard copy of the bill²⁴.

²¹ <https://www.ofcom.org.uk/advice-for-businesses/knowning-your-rights/gen-conditions>

²² <https://www.law.cornell.edu/cfr/text/47/64.2401>

²³ <https://www.acma.gov.au/Home/theACMA/your-mobile-bill>

²⁴ <https://www.comreg.ie/consumer-information/home-phone/billing-and-disputed-charges/>

5.5: The Canadian Radio-television and Telecommunications Commission (CRTC), Canada: Wireless Service Providers are required to provide the permanent copy of the postpaid contract to the customers that is the hard copy of the contract free of charge. It is up to the customer to switch to electronic copy of the contract²⁵.

5.6: New Zealand: Most of the SIM providers in New Zealand send the bills to the post paid customers via electronic mail. Bills are available for each billing cycle free of charge by electronic mail only. If the subscriber wishes to receive the hard copy of the bill then \$2.50 is charged by Spark NZ every time the bill is sent by post²⁶. 2degreesmobile charges an amount from the customers if they wish to receive the bill in other forms such as hard copy. However, the exact amount charged is not mentioned by the service provider. It is also mentioned in the terms and conditions of 2degreesmobile that it receives payments only by credit card, debit card, direct debit or online banking and do not accept payment by cash, cheque or any other method²⁷.

5.7: Singapore: Telecom service providers in Singapore send the hard copy of the bill, unless otherwise specified by the subscribers. For example, if a Singtel subscriber requests to start receiving e-bill then Singtel after accepting the request will make the bill available through its e-bill website and cease the dispatch of the bill²⁸. Similarly, another service provider, Start Hub stops sending the monthly copy of the bill once the subscriber opts for e-bill service. This implies that post-paid subscribers in Singapore, just like in India, receive hard copy of the bill unless opted out by the subscribers themselves²⁹.

5.8: Malaysia: Many big telecom service providers such as Telekom Malaysia and Maxis³⁰ send the bill via email and no hardcopy of the bill is sent to any post paid subscriber. If the subscribers want the hard copy of the bill, Telekom Malaysia has provided with the weblink wherein the subscribers can submit their personal details and take the print out of the bill³¹.

5.9: Japan: To check whether the physical copy of the bill is received by the subscribers in Japan or not, terms and conditions of billing, of three major telecom service providers i.e. NTT Docomo, Softbank Group³² and KDDI³³ were observed. It is found that none of the above service provider issues the hard copy of the bill. All the

²⁵ <https://crtc.gc.ca/eng/archive/2013/2013-271.htm>

²⁶ <https://www.spark.co.nz/help/other/terms/personalterms/sparkpostpaidagreement/#ouragreement>

²⁷ <https://www.2degreesmobile.co.nz/termsfuse/mobile/pay-monthly/pay-monthly-terms-and-conditions/>

²⁸ <https://www.singtel.com/terms-billing>

²⁹ <http://www.starhub.com/content/dam/starhub/legal-notice-and-terms/consumer/consumer-general.pdf>

³⁰ <https://www.maxis.com.my/en/personal/support/billing-and-payment/getting-your-bill/billing-choices/e-bill/e-billing-question-2.html>

³¹ <https://unifi.com.my/mobile/postpaid/assets/doc/faq.pdf>

³² <https://cdn.softbank.jp/en/mobile/set/data/legal/spguide/pdf/notices.pdf>

³³ <https://www.au.com/english/mobile/information/other/>

post-paid subscribers have to check the bill issued on online billing information forum of the service providers. However, NTT Docomo issues the physical invoice of the bill on the request of the subscriber but charges an issuance fees³⁴.

5.10 The preference for printed copies of other information and communication sources such as news, magazines, books etc. has also been considered an important factor even in developed countries to analyse the shift from printed copies to digital copies of the bill. The debate to shift to digital versions of everything is still ongoing in developed countries of the world. Key findings of the survey conducted by 'Two Sides' (carried out by leading research company Taluna) on '*Print and Paper in a Digital World*' are listed below³⁵:

- 90% of the consumers believe that the right to choose how they receive communications should be provided by service providers and financial organizations and approximately 83% believe that they should not be charged extra for opting printed bills or statements;
- Even in a developed country like USA, 73% of the consumers agreed that they are being induced to switch to 'paperless'. Even if they receive the electronic document from banks, service providers etc. consumers have to get a printed copy at home if they need the hard copy as 68% of the consumers find it easier to track their finances and expenses on printed bill. This implies that in real it is not completely 'paperless';
- 72% of the consumers agreed that companies are inducing them to switch to paperless documents not for better environment conditions but because the sender wants to save money;
- 71% of the consumers find it more comfortable to read news in a printed newspaper as it provides a better understanding of the issue or story than reading it online;
- Similarly, 73% of the consumers enjoy reading magazines and books in the printed form than reading them on an electronic device.

5.10 After briefly mentioning the various aspects in Chapter 1 to 5 for ready reference of the stakeholders, next chapter lists out the issues for consultation.

³⁴ https://www.nttdocomo.co.jp/english/charge/bill_schedule/

³⁵ Print and paper in a digital world, Two Sides North America, Inc. Retrieved from <https://www.twosides.info/survey2017/> (UK Key findings)

Chapter-6

Issues for Consultation

- (i) As per the extant provision of TTO (46th Amendment), provision of hard copy of the bill or printed copy of the bill to postpaid subscribers is mandated as a default option. Is there a need to change the extant default option, i.e., provision of paper bill without any charge to postpaid subscribers of Wire line and (ii) Mobile services? Kindly support your answer with rationale.
- (ii) As against the existing practice of issue of printed bill to postpaid subscribers of (i) Wireline and (ii) Mobile service, unless a subscriber opts for electronic-bill (e-bill), should e-bill now be made the default option? And if so, why?
- (iii) If e-bill is made default option then how the bills would be made available to Postpaid subscribers of (i) Wireline and (ii) Mobile services with (a). Subscribers of Feature phones and (b). Subscribers who do not have e-mail facility.
- (iv) If a subscriber opts for e-bill and requests for change the option to printed bills, will there be a charge for providing the printed bill? Kindly provide reasons for your answer.
- (v) What could be the safeguards for subscribers who do not wish electronic bills and prefer to get printed bills?
- (vi) TRAI has mandated specified set of information to be printed on bills to postpaid subscribers. If the printed bill is not issued, then how the specified set of information will be conveyed to subscribers? Should the same be mandated for e-bills also? Kindly support your comments with justification.
- (vii) Any other issue relevant to the subject discussed in the consultation paper may be highlighted.

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 24th January, 2008

**THE TELECOMMUNICATION TARIFF (FORTY-SIXTH
AMENDMENT) ORDER, 2008**

(No. 1 of 2008).

No. 301-36/2007-Eco. --- In exercise of the powers conferred upon the Telecom Regulatory Authority of India 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 (TRAI) hereby makes the following order further to amend the Telecommunication Tariff Order, 1999, namely:-

1. (1) This Order shall be called the Telecommunication Tariff (Forty-sixth Amendment) Order, 2008.

(2) This Order shall come into force from the date of its publication in the Official Gazette.

2. In Schedule I to the Telecommunication Tariff Order, 1999 (hereinafter referred to as the principal Tariff Order), for items 10 and 11 and entries relating thereto, the following items and entries relating thereto shall be substituted, namely :-

Schedule – I

Basic Services (Other than ISDN)

ITEM	TARIFF
“10. Tariff for itemized bills in respect of long distance calls	NIL
10A. Tariff for provision of hard copy of the bill or printed copy of the bill to the customer	NIL
11. Other matters relevant to tariff including billing cycle	Forbearance

3. In Schedule II to the principal Tariff Order, after item 7 and entries relating thereto, the following item and entry relating thereto shall be inserted, namely:-

Schedule II

Cellular Mobile Telecom Service (CMTS)

ITEM	TARIFF
“7A Tariff for provision of hard copy of the bill or printed copy of the bill to the customer	NIL

[M. Kannan]
Advisor (Economic)
Telecom Regulatory Authority of India

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 the 9th March, 1999, and subsequently amended by the following notifications, namely:-

Amendment No.	Notification No. and Date
1 st	301-4/99-TRAI (Econ) dated 30.3.1999
2 nd	301-4/99-TRAI(Econ) dated 31.5.1999
3 rd	301-4/99-TRAI(Econ) dated 31.5.1999
4 th	301-4/99-TRAI(Econ) dated 28.7.1999
5 th	301-4/99-TRAI(Econ) dated 17.9.1999
6 th	301-4/99-TRAI(Econ) dated 30.9.1999
7 th	301-8/2000-TRAI(Econ) dated 30.3.2000
8 th	301-8/2000-TRAI(Econ) dated 31.7.2000
9 th	301-8/2000-TRAI(Econ) dated 28.8.2000
10 th	306-1/99-TRAI(Econ) dated 9.11.2000
11 th	310-1(5)/TRAI-2000 dated 25.1.2001
12 th	301-9/2000-TRAI(Econ) dated 25.1.2001
13 th	303-4/TRAI-2001 dated 1.5.2001
14 th	306-2/TRAI-2001 dated 24.5.2001
15 th	310-1(5)/TRAI-2000 dated 20.7.2001
16 th	310-5(17)/2001-TRAI(Eco.) dated 14.8.2001
17 th	301/2/2002-TRAI(Econ) dated 22.1.2002
18 th	303/3/2002-TRAI(Econ) dated 30.1.2002
19 th	303/3/2002-TRAI(Econ) dated 28.2.2002
20 th	312-7/2001-TRAI(Econ) 14.3.2002
21 st	301-6/2002-TRAI(Econ) dated 13.6.2002
22 nd	312-5/2002-TRAI(Eco) dated 4.7.2002
23 rd	303/8/2002-TRAI(Econ) dated 6.9.2002
24 th	306-2/2003-Econ dated 24.1.2003
25 th	306-2/2003-Econ dated 12.3.2003
26 th	306-2/2003-Econ dated 27.3.2003
27 th	303/6/2003-TRAI(Econ) dated 25.4.2003
28 th	301-51/2003-Econ dated 5.11.2003
29 th	301-56/2003-Econ dated 3.12.2003
30 th	301-4/2004(Econ) dated 16.1.2004
31 st	301-2/2004-Eco dated 7.7.2004

32nd	301-37/2004-Eco dated 7.10.2004
33rd	301-31/2004-Eco dated 8.12.2004
34th	310-3(1)/2003-Eco dated 11.3.2005
35th	310-3(1)/2003-Eco dated 31.3.2005
36th	312-7/2003-Eco dated 21.4.2005
37th	312-7/2003-Eco dated 2.5.2005
38th	312-7/2003-Eco dated 2.6.2005
39th	310-3(1)/2003-Eco dated 8.9.2005
40th	310-3(1)/2003-Eco dated 16.9.2005
41st	310-3(1)/2003-Eco dated 29.11.2005
42nd	301-34/2005-Eco dated 7.3.2006
43rd	301-2/2006-Eco dated 21.3.2006
44 th	301-34/2006-Eco dated 24.1.2007
45 th	301-18/2007-Eco dated 5 th June, 2007.

Note 2. – The Explanatory Memorandum explains the objects and reasons for the Telecommunication Tariff (Forty – sixth Amendment) Order, 2008.

Explanatory Memorandum

It has come to the notice of the Telecom Regulatory Authority of India (TRAI) that a mobile service provider has offered a post-paid tariff plan in which the subscribers are being given bills through SMS or email. The hard copy of the bill is available to the subscribers only on payment of a fixed amount as determined by the operator.

2. The Authority has examined the issue keeping in view the provisions in the Indian Telegraph Rules, 1951, licence agreements for Cellular Mobile Telecom Service (CMTS), Unified Access Service, National Long Distance (NLD) and International Long Distance (ILD) services relating to billing and customer service.

3. Under the provisions of the Indian Telegraph Rules, 1951, the charges for calls in message rate and measured rate system shall become payable on presentation of a bill. It also stipulates that, any notice, bill or demand from the Telegraph authority for any fee or charges due from a subscriber may be served by delivery to the subscriber, or by sending it by post to the address of the subscriber or by leaving it at the premises or upon which the apparatus is installed. Rule 439 of the Indian Telegraph Rules, 1951 reads as under:-

“439. Charges when payable

Charges for calls in message rate or measured rate system shall become payable on presentation of a bill therefor. The periods for which bill shall be prepared and the dates by which they shall be payable shall be fixed by the Telegraph Authority.”

Rule 442 of the Indian Telegraph Rules, 1951 reads as under:-

“442. Service of notice and bills

Any notice, bill or demand from the Telegraph Authority for any fee or charges due from a subscriber may be served by delivery to the subscriber, or by sending it by post to the address of the subscriber or by leaving it at the premises in or upon which the apparatus is installed.”

Besides, CMTS licence agreement (Condition 7 in Part I of Schedule II) and the Unified Access Service license agreement (Clause 30.4) also, *inter-alia*, stipulate that it shall be the responsibility of the licensee to issue or cause to be issued bills to its subscribers for use of the service. As per these licensing conditions, the billing system of the licensee shall be able to generate the billing information, in adequate details, to ensure satisfaction to the customer about the genuineness of the bill. The licence agreements for these services also mandate that the directions of TRAI, from time to time, in this regard shall apply.

4. Taking note of the above position, the Authority initiated a consultation process on the 1st January, 2008 by circulating a draft Tariff Amendment Order, alongwith a background note and a press release, inviting comments of stakeholders on the proposal for amending the Telecommunication Tariff Order to incorporate an explicit provision for providing bill in hard copy free of cost to all post paid subscribers.

5. Various stakeholders including Service Providers, Consumer Organizations and Associations of Service Providers had responded to this consultation process with written comments. Stakeholders have in general overwhelmingly welcomed the proposal of the Authority for mandating provision of hard copy / printed copy of the summary bill to the post paid consumers free of cost. All Service Providers who have responded to the consultation process, have stated that they were already giving hard copy of the bill free of cost to their post-paid customers. Some of the Service Providers and the Associations of Service Providers have suggested that the amendment should also provide clarity as regards the provision of printed copies of the itemized bills for local calls and Short Message Service (SMS) to consumers. They have suggested that the tariff amendment order may clarify that itemized bills for local calls and SMS are to be provided to the consumers at some cost and that the charges for such itemized bills for local calls and SMS should be kept under forbearance. Some of them have also suggested that even after getting bills in electronic form, if a customer insists for a hard copy of the bill, then it should be at a cost. It has also been suggested that, considering the convenience of electronic bills to a large section of subscribers, hard copy of bills should not be mandated and choice of receiving bills, hard copy or soft copy, should be left to the subscribers.

6. Consumers and Consumer Organisations have generally commented in favour of the proposal of the Authority by stating that such a move would go a long way in educating and informing laymen – consumers to know the details of their bills. One Industry Association has submitted that, as regards the low end post-paid customers (having bill amount of say Rs.100/-), SMS

and e-mail should be considered as valid way for informing the customers of the dues payable by them.

Analysis:-

7. The bill represents the true extent of the service actually provided by the service provider and also the details about the service and conditions, which are available to the subscribers.

8. Some of the purposes of issuing or obtaining the telephone bills through hard copy, *inter-alia*, are to ----

- a) understand and satisfy oneself about the genuineness of the bill;
- b) facilitate making of payment;
- c) verify the charges incurred by the consumer;
- d) monitor usage or expenditure by consumer.

9. Recently, TRAI has undertaken a detailed study on the presentation of the bills to the consumers and after a limited consultation, issued a Direction vide No. 303-4/2007-QoS, dated the 4th May, 2007 specifying various guidelines as to how the bill should be presented to the consumers. It was mandated that bill must contain certain useful information to the consumers in addition to the amount of the bill. The Authority had also issued the Telecom Consumers Protection and Redressal of Grievances Regulations, 2007 dated 4th May 2007 in which the Authority has envisaged provision of usage details even to the pre-paid mobile users.

10. The Authority in its Direction vide F.No. 303-4/2007-QoS dated the 4th May, 2007 has specified a number of information, which are useful to the consumers, to be captured in the bill. Such information cannot be easily, conveniently and comprehensively captured in short message service (SMS) and bill sent through SMS would not give sufficient clarity. Most of the consumers who own a phone may not be having access to computer and internet to obtain the bill through e-mail. Access to e-mail is normally not available to the persons who are in the low-income category. It is, therefore, in the interest of the consumers that the service providers give the bills in an understandable form to their consumers. It would, therefore, not be consumer friendly to permit service providers to levy extra charges for providing hard copy of the bill.

11. The Authority has noted that the service providers of other sectors such as Electricity Corporations, Water Utilities services, and Financial Institutions, etc., are not charging any amount for providing the hard copy of the bill.

12. For any services, the subscribers have the right to know and verify the charges levied by the service providers without any exception. Thus, provision of a fixed sum for providing hard copy of the bill is anti-customer. In the views of the Authority, a classification of low end subscribers based on monetary value suggested by the Industry Association is likely to be termed as arbitrary as usage and bill values are relative in nature. Further, 'low-end' customers are the ones who cannot generally afford to have access to computer / internet and, therefore, it is this category of customers who needs protection.

13. The Authority after careful consideration of the provisions relating to billing in the Indian Telegraph Rules, 1951, license agreements for Cellular, Unified Access, NLD and ILD licenses and also the views expressed by stakeholders is of the view that it is necessary to mandate the service providers to provide hard copy of the bill to its post-paid subscribers free of cost. However, if any customer opts for receipt of the bill through e-mail, instead of hard copy, the service providers can supply the same after obtaining explicit consent from the consumers. In all other cases, the service provider must ensure that the bills are generated and delivered to the consumers in printed form free of cost.

14. It is clarified that it has already been mandated to provide itemized bill in respect of long distance calls free of cost on request. As regards the suggestion of the service providers that the Tariff Amendment Order may clarify that itemized bills for local calls and SMS are to be provided to the consumers at some cost and that the charges for such itemized bills for local calls and SMS should be kept under forbearance, it is clarified that the existing provisions of telecommunication tariff order are clear that itemized bills in respect of long distance calls are to be provided to the subscribers free of cost. However, the issue of providing itemized bills in respect of local calls and SMS remains already under forbearance. The requirement now being mandated is only in respect of the basic / summary bill and the itemized bill in respect of long distance calls are to be provided to subscriber free of cost. This being the position the Authority does not deem it necessary to provide for any specific provision in the tariff order for itemized bill for local calls / SMS.

15. This amendment to the principal Tariff Order by the Telecommunication Tariff (Forty-sixth Amendment) Order, 2008 incorporates the decision of the Authority that the telecom customers must get the bill in a printed paper form without any extra charge from them.

Date: 21.05.2018

To,
Mr. R. S. Sharmaji,
Chairperson TRAI,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
(Next to Zaki r Hussain College)
Jawaharlal Nehru Marg (Old Minto Road)
New Delhi: 110 002

Sub: - Amendment of TRAI (Telecom Regulatory Authority of India) ruling of
Sending printed bills to its consumers. - Regarding.

Respected Sir,

This is to bring to your kind notice that **Four Billion Trees are cut down worldwide** each year for paper, representing about 35% of all harvested Trees. One Tree makes around 8000 sheets of paper. On an Average it is seen/studied/observed that around **Eighty Thousand Trees are cut per year just to generate printed bills for BSNL customers alone.** And if you add to that various other departments such as

Telephone and Mobile Bills by various Telecom Operators such as MTNL, Vodafone, Jio, Airtel etc

The number of Trees being cut is mind boggling.

With the overwhelming positive response for our Hon'ble PM's Digital India Mission and adaptation of the same by the people of India, we can further save paper by sending these monthly bills vide email, SMS or any other official digital mode available for promoting paperless working.

It has come to my notice that there is a regulation of TRAI (Telecom Regulatory Authority of India) vide para 13 of Telecommunication Tariff (Forty Sixth Amendment) Order, 2008 dated 24th January, 2008, (Copy attached for ready reference please.) that requires printing of bills as mandatory. Based on these guidelines. MTNL & BSNL landline and Mobile bills are issued in hard copies to its

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consumers/customers. You will appreciate that this ruling was made in 2008 and India has progressed in leaps and bounds in the last four years under the able hand of our esteemed PM Shri Narendra Modi Ji and his Digital India Mission. Today most Indians carry a mobile.

I earnestly request you to change this regulation(framed in 2008), such that it States **each Telecom Provider has to send bills by email/SMS/Digital media only and that it should be mandatory. Any customer desiring for printed would have to request for the same in writing.** To discourage printed bills, such customers should pay a nominal fee.

This will at least be a start and the above will help **in saving the environment along with expenditure cost to the Government of India in following ways.**

- 1) **Help in reducing generation of paper waste and e-waste.**
- 2) **Conservation of nature and perseverance of its natural resources.**

The Customer can very easily get an SMS with a link to facilitate payments/or he can go to the nearest service center to make the payments. Details can be worked out by concerned departments.

Thanking you.