

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

**THE TELECOMMUNICATION INTERCONNECTION USAGE CHARGES  
(TENTH AMENDMENT) REGULATIONS, 2009  
(2 of 2009)**

**TELECOM REGULATORY AUTHORITY OF INDIA  
NOTIFICATION**

**New Delhi, the 9<sup>th</sup> March, 2009**

**File No. 409-12/2008-FN.**----- In exercise of the powers conferred upon it under section 36, read with sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations further to amend the Telecommunication Interconnection Usage Charges Regulation, 2003(4 of 2003), namely:-

1. (1) These regulations may be called the Telecommunication Interconnection Usage Charges (Tenth Amendment) Regulations, 2009.

(2) They shall come into force with effect from the 1<sup>st</sup> day of April, 2009.

2. In the Telecommunication Interconnection Usage Charges Regulation, 2003 (4 of 2003), (hereinafter referred to as the principal regulations), -----

(a) in regulation 4, after the entry "Schedule III - Access Deficit Charge (ADC)", the following entry shall be inserted, namely:-

**"Schedule IV - Interconnect Usage Charge (IUC) for Short Message Service (SMS)";**

(b) in regulation 5, after sub-regulation (iv), the following sub-regulations shall be inserted, namely:-

**"(v) Reporting Requirement for carriage charges for long distance calls within India specified under paragraph (a) of Schedule II.** Every National Long Distance Operator shall, on quarterly basis, report to the Authority the per minute rate of carriage charge and the total amount of such carriage charge for long distance calls within India received by it from every BSO/CMSP/UASL/ILDO, separately, and every BSO/CMSP/UASL/ILDO shall, on quarterly basis, report to the Authority, the per minute carriage charges for long distance calls within India and the total amount of such carriage charge for long distance calls within India paid by them to every National Long Distance Operator, separately, and such quarterly report shall be submitted to the Authority within thirty days of the end of the previous quarter.

(vi) **Reporting Requirement of Interconnection Usage Charge for Short Message Service (SMS) specified under paragraph (1) of Schedule IV.** Every BSO/CMSP/UASL/NLDO/ILDO shall, on quarterly basis, report to the Authority, the rate of Interconnect Usage Charge for SMS and the total amount of such Interconnect Usage Charge for SMS received by it from other BSO/CMSP/UASL/NLDO/ILDO and paid by it to other BSO/CMSP/UASL/NLDO/ILDO, separately, and such quarterly report shall be submitted to the Authority within thirty days of the end of the previous quarter.”.

**3.** In Schedule I to the principal regulations, for paragraph 1, the following paragraph shall be substituted, namely:-

“1. Termination Charges

Termination charge for Local and National Long Distance voice calls to Fixed Wireline, Wireless in Local Loop (Fixed), Wireless in Local Loop(Mobile), Cellular Mobile Telephone Service (both 2G and 3G) shall be uniform at the rate of Re. 0.20( twenty paise only) per minute and the termination charge for incoming International Long Distance voice calls to such Fixed Wireline, Wireless in Local Loop (Fixed), Wireless in Local Loop(Mobile), Cellular Mobile Telephone Service (both 2G and 3G) shall be uniform at the rate of Re. 0. 40 (forty paise only) per minute.”.

**4.** In Schedule II to the principal regulations,-----

**(a)** in paragraph (b), for the words and figures “should be lower than Rs. 0.20 per minute”, the words and figures “shall be less than Re. 0.15(Fifteen paise only) per minute” shall be substituted;

**(b)** after paragraph (c), and before Notes to the Schedule II, the following paragraphs shall be inserted, namely:-

“(d) **Trunk Automatic Exchange (TAX) transit charges.** Trunk Automatic Exchange transit charge in all cases, other than transit charge for accessing the Cellular Mobile Telephone Service of Bharat Sanchar Nigam Limited by Cellular Operators which is governed by the Telecom Regulatory Authority of India (Transit Charges for Bharat Sanchar Nigam Limited’s CellOne Terminating Traffic) Regulation, 2005 (10 of 2005), shall be less than Re.0.15 (Fifteen paise only) per minute and, subject to the said limit, may be decided by the concerned service providers through mutual commercial arrangement.

**(e) Transit Carriage Charge from Level II Trunk Automatic Exchange (TAX) to SDCA.** Transit carriage charge for carriage of intra-circle traffic handed over from Cellular Mobile networks to Fixed network, from Level II Trunk Automatic Exchange (TAX) of LDCA in which the call is to be terminated, to SDCA, shall be Re. 0.15 (Fifteen paise only) per minute, irrespective of distance.”.

5. After Schedule III to the principal regulations, the following Schedule shall be inserted, namely:-

**“Schedule IV**

INTERCONNECT USAGE CHARGE (IUC) FOR SHORT MESSAGE SERVICE  
(SMS)

Interconnect Usage Charge (IUC) for Short Message Service (SMS).-  
Interconnect Usage Charge (IUC) for Short Message Service (SMS) shall be under forbearance:

*Provided* that such charges shall be transparent, reciprocal and non-discriminatory.”.

**(Lav Gupta)**  
**Principal Advisor**  
**(Interconnection & Fixed Network Division)**

Note1. The principal regulations were published vide F.No. 409-5/2003-FN dated 29<sup>th</sup> October 2003 (4 of 2003) and subsequently amended vide notifications Nos --

- (i) 409-5/2003-FN dated 25<sup>th</sup> November 2003 (5 of 2003) (First Amendment);
- (ii) 409-5/2003-FN dated 12<sup>th</sup> December 2003 (6 of 2003) (Second Amendment);
- (iii) 409-5/2003-FN dated 31<sup>st</sup> December 2003 (7 of 2003) (Third Amendment);
- (iv) 409-8/2004-FN dated 6<sup>th</sup> January 2005 (1 of 2005) (Fourth Amendment);
- (v) 409-8/2004-FN dated 11<sup>th</sup> April 2005 (7 of 2005) (Fifth Amendment), which has been set aside by Hon'ble TDSAT vide its Order dated the 21<sup>st</sup> September, 2005 in appeal No. 7 of 2005;
- (vi) 409-5/2005-FN dated 23<sup>rd</sup> February 2006 (1 of 2006) (Sixth Amendment);
- (vii) 409-5-2005-FN dated 10<sup>th</sup> March 2006 (2 of 2006) (Seventh Amendment);
- (viii) 409-2-2007-FN dated 21<sup>st</sup> March 2007 (2 of 2007) (Eighth Amendment);
- (ix) 409-22/2007-FN dated 27<sup>th</sup> March 2008 (2 of 2008) (Ninth Amendment).

Note 2. The Explanatory Memorandum explains the objects and reasons of these regulations.