

Regulation Cell, Corporate Office
504, Bharat Sanchar Bhawan,
Harish Chandra Mathur Lane, Janpath
New Delhi – 110001
Tel.: 011 – 23734082
Fax: 011 – 23734081
E-mail: ashokrawat@bsnl.co.in



भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)
BSNL 3G))) **BSNL LIVE**
Faster than your thoughts 2010

No.:1-36/2010-Regln

Dated 15th September ' 2010

To,

The Secretary,
Telecom Regulatory Authority of India,
Mahanagar Door Sanchar Bhawan,
Jawahar Lal Nehru Marg (Old Minto Road),
Near Zakir Hussain College,
New Delhi-110002

{ Kind attention: Shri S K Gupta, Advisor (QoS) }

Subject: BSNL's comments on Consultation paper on "Review of measures to protect interest of consumers in the telecom sector".

Kindly refer to the consultation paper No. 10/2010 issued on 2nd August, 2010 regarding "Review of measures to protect interest of consumers in the telecom sector". In this regard, the comments of BSNL on various issues raised are enclosed in the annexure for kind consideration of the Authority.

Encl.: As above

(Ashok Kumar Rawat)
DGM (Regulation - II)-CA



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

Sr. No.	ISSUES FOR CONSULTATION	BSNL's Comments
5.1	What should be the benchmark for the parameter "Provision of a landline Telephone after registration of demand"? (Reference Para 2.11)	None of the service provider would like to leave the customer or would neglect an opportunity to acquire a customer in such fierce competition. Therefore, the present bench mark i.e. "100% in <= 7 days subject to technical feasibility" seems to be appropriate and may be kept unchanged.
5.2	Do you agree that parameter "Provision of a landline Telephone after registration of demand" may be removed from the list of parameters requiring mandatory compliance to the Authority? (Reference Para 2.11)	"Provision of a landline Telephone after registration of demand" is already not in the list of parameters requiring mandatory compliance to the Authority. It may be continued to be removed from the list of parameters requiring mandatory compliance to the authority.
5.3	Do you suggest any changes to the benchmark for the parameter for landline fault repair, including rent rebate for delay in rectification of fault? If so, please provide details. (Reference Para 2.16)	<p>Other BSO are having network mostly in urban areas whereas BSNL have its network in rural/hilly areas as well. BSNL wire-line network is based on legacy cables and therefore causing more faults as compared to other operators which have primarily focused on wireless technologies. Further, large scale road and flyover constructions activities are going on in full swing in almost every metro /major cities thereby causing large scale frequent damages to BSNL cables. In addition, the circles like J&K, NE-1, NE-II, Utrakhand, HP have difficult hilly terrain which is inaccessible and some of these are facing insurgency. In view of these factors, maintenance of wire-line network of BSNL suffers a lot and fault repair becomes more difficult and time consuming.</p> <p>Therefore, it is kindly submitted that bench mark for landline fault repair for rural and hilly areas should be relaxed to</p> <p><i>Fault repair by next working day -80%</i> <i>Fault repair within 3 days -90%</i> <i>Fault repair within 5 days -100%.</i></p> <p>Further, rent rebate should be granted exactly for no. of days for which fault has persisted in case the fault is pending for more than 3 days.</p>
5.4	What framework do you suggest to ensure payment/adjustment of rebate for prolonged landline phone	<p>Rent rebate should automatically be adjusted in the subsequent bill and the customer should get the information accordingly.</p> <p>An automated system linking billing and fault repair</p>



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	fault as per QoS regulations? (Reference Para 2.16)	system will take care of the effectiveness. Manual check may also be incorporated to ensure proper implementation for the left out case if any.
5.5	How do you propose to ensure its effectiveness? (Reference Para 2.16)	
5.6	Do you propose any changes to the existing provisions relating to shift of a landline telephone connection? (Reference Para 2.18)	Interexchange shift requires additional work to be carried out like closure of the telephone number at previous exchange. Other related works remain almost same as in the case of NTC. Therefore, the benchmark for the Interexchange shift should be kept same as of NTC i.e. "100% shifts in <= 7 days subject to technical feasibility". However, this parameter should remain unchanged i.e. <= 3 days (95% of requests to be attended within 3 days) subject to technical feasibility for same exchange shift (Local shift).
5.7	Do you suggest any change in existing provisions to ensure timely termination of service/closure? If so, please provide details. (Reference Para 2.22)	No, existing provisions are sufficient to meet the requirement.
5.8	Do you agree with the suggestions for seeking explicit consent of the customer, in writing or SMS or e-mail or FAX, to continue with the service, once a request has been made for termination of service? (Reference Para 2.22)	Yes, explicit consent of the customer is required in writing.
5.9	Do you agree with the time period of four weeks provided for resolution of billing/charging complaints? If not, please suggest alternatives. (Reference Para 2.25)	Yes, we do agree with the time period of four weeks provided for resolution of billing/charging complaints.
5.10	Do you agree with present provisions regarding period of one week for applying credit/waiver/adjustment to customer's account upon resolution of billing complaint?(Reference Para 2.28)	The period for applying credit/waiver/adjustment to customer's account upon resolution of billing complaint may be extended to two weeks.
5.11	What should be the time period and terms and	Time period of sixty days for refund of deposits after closure/termination of service, as provided presently



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	conditions for refund of deposits after closure/termination of service? (Reference Para 2.32)	seems to be sufficient. For delayed refund beyond 60 days, 10% interest allowed on the amount of refund also seems to be in order, which will ensure timely refund of deposits after closure/termination of service.
5.12	What steps do you suggest for timely refund of deposits after closure/ termination of service? (Reference Para 2.32)	
5.13	Do you suggest any changes to the present benchmark of 15 days for the parameter "Service provisioning/ Activation Time"? (Reference Para 2.34)	The present benchmark of 15 days for the parameter "Service provisioning/ Activation Time" should be continued. These provisions can be made more effective through proper monitoring by the service providers/TRAI.
5.14	How the present provisions can be effectively implemented? (Reference Para 2.34)	
5.15	Do you suggest any changes to present benchmark for the parameter "Fault Repair/ Restoration Time" and provision for rebates? (Reference Para 2.36)	The present bench marks and provisions for rebates do not require any change. However, delay in fault repair /restoration time due to customer's PC faulty should be treated separately.
5.16	Do you propose any change in the existing system of selection of tariff plans for the audit of metering and billing system of service providers to make whole exercise more effective? (Reference Para 2.40)	No change in the present provisions of Audit on random sample basis is suggested.
5.17	What method of alert do you prefer for premium service calls (Call rates higher than normal local call charges rates) before such calls are put through? (Reference Para 2.42)	It is technically very difficult and financially non viable to implement to announce charges at the very start of every call. The other methods like publish in all communications/advertisements relating to premium rate services, the pulse rate /tariff for the service can be made more effective.
5.18	What information in your view should be provided to prepaid subscribers immediately on completion of every call to facilitate him understand his usages and verify correctness of the deductions? (Reference	The customer must be told about duration and charges of last call and balance available in his account at the end of last call. In addition subscriber should be able to check his balance and service expiry date by sending toll free SMS.



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	Para 2.44)	
5.19	What information do you feel is necessary after recharging a prepaid connection to ensure complete value for money immediately after recharging/top up? (Reference Para 2.46)	The customer should be intimated about the amount credited his account and increase in his validity.
5.20	In your opinion, what should be done to increase the awareness about the call centre? (Reference Para 3.46)	Wide publicity can be given about call centre access numbers to create awareness amongst the subscribers. The numbers can be notified in the newspaper, printed on the telephone bills and banners/posters can be displayed at prominent places.
5.21	How can we enhance accessibility of call centres for booking the complaints? (Reference Para 3.53)	Existing system of monitoring the performance of accessibility of Call Centre may be continued.
5.22	What are your suggestions about the location of the menu option for talking to a customer care agent/executive in the Interactive Voice Response (IVR) system of the Call Centre/ customer care number, for facilitating easy access to the call centre agent/executive? Should it be the first sub-menu at the third layer, the first layer being the choice of language and the second layer being service menu? (Reference Para 3.53)	The location of the menu option for talking to a customer care agent/executive in the Interactive Voice Response (IVRS) system of the Call Centre/Customer Care number shall be at the last sub-menu at the third layer because various sub-menus available at third layer may help subscriber to get their query/problem resolved. This will also ensure efficient usage of the IVRS/Call centre agents.
5.23	Should TRAI mandate all service providers to provide complaint booking number accessible from other telecom networks also for complaint booking in case of service disruption? Should such call centre numbers also be toll free? (Reference Para 3.53)	Yes please, TRAI should mandate all service providers to provide complaint booking number accessible from other telecom networks also. However, this facility shall be on chargeable basis since this will be an additional facility for booking of complaints
5.24	Do you agree that docket numbers should also be sent to subscribers' through SMS	Yes, docket number should also be sent to subscriber via SMS Yes please. However, this will be possible only when the said connection is active. Yes, it will



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	who is booking complaint? (Reference Para 3.56)	enhance effectiveness of consumer grievance redressal system.
5.25	Will sending of docket number of complaints to subscribers through SMS help them to pursue their complaints and increase effectiveness of consumer grievance redressal system? (Reference Para 3.56)	
5.26	Do you feel that unique format for docket numbers across the service providers will increase monitoring and speedy redressal of subscriber complaints? (Reference Para 3.56)	Yes, unique format for docket Nos. across the service providers will increase the monitoring and speedy redressal of the subscriber's complaints as unique format will avoid duplicity of grievance registration and also ensure adherence to three tier system of grievance redressal mechanism and centralised monitoring.
5.27	Do you agree that customers need to be informed about redressal of their complaints before closure of the docket? If so, will it be desirable to inform the subscriber about status of the complaints through SMS before closure of the docket number? (Reference Para 3.61)	Yes, it is desirable to inform the subscribers about the status of complaints through SMS before closure of the docket number.
5.28	What parameters should be considered to determine the effectiveness of complaint redressal at call centre level? How could effectiveness of complaint redressal at call centre level be measured? (Reference Para 3.66)	Effectiveness of call centres/complaint Redressal can be assessed/measured by taking feedback from customers via IVRS at call centres.
5.29	In your views, will it be feasible to indicate tentative time frame for redressal of consumer grievance? Will it increase subscriber satisfaction level? (Reference Para 3.69)	Indicating tentative time frame for redressal of the consumer grievance as prescribed in Quality of Service Regulations will help in increasing subscriber satisfaction level, instil confidence in the minds of the subscriber and reduce multiplicity of booking of complaints. However, giving a time frame for redressal of consumer grievance of landline customer will will be difficult due to various practical limitations.
5.30	What are your suggestions for using complaints received at call centre for improvement in	TRAI is already having various parameters in QoS reports in this regard. Moreover, service providers are already making best efforts to improve grievance



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	QoS and processes adopted by a service provider? Do you perceive any need for TRAI to oversee such analysis and monitor corrective actions? (Reference Para 3.74)	redressal mechanism due to competition and roll out of MNP in near future. Therefore, there is no need at this stage for any further changes in the existing procedure of TRAI.
5.31	In your opinion, what should be done to create awareness about the Nodal Officer? (Reference Para 3.77)	Details of the Nodal Officer giving his address, telephone Nos. and e-mail ID should be published in leading newspapers/local newspapers once a year and it should also be prominently displayed on Company's website and Customer Care Centre and should be maintained uniformly.
5.32	What should be the maximum permissible time in which nodal officer must acknowledge the receipt of the grievance and indicate a unique number for future reference? (Reference Para 3.80)	Nodal officer should acknowledge receipt of the grievance to the complainant within three days of the receipt of the complaint and unique docket number should be maintained for future reference. This docket number should also be standardised across the service providers along with docket number for call centres, if decided.
5.33	Do you suggest that the nodal officer give an indicative time for redressal of grievance while communicating receipt of grievance? Will it boost the confidence of the subscriber? (Reference Para 3.80)	Depending upon the nature of the grievance, nodal officer should indicate maximum time-frame to redress the grievance as per norms prescribed by TRAI to boost the confidence of the subscriber. However, in those cases where external agencies are involved for the redressal of the grievance like in wire-line services, it may not be feasible to adhere to the tentative time frame for the redressal of the grievance and ensure redressal within prescribed time-frame.
5.34	Will it be feasible to communicate the tentative time for redressal of the grievances and ensure redressal within prescribed timeframe? (Reference Para 3.80)	
5.35	What framework do you propose for timely disposal of consumer grievances and feedback on status of grievance redressal before disposal? (Reference Para 3.82)	
5.36	In your opinion, what should be done to improve the accessibility of nodal officers? (Reference Para 3.87)	Nodal officers of BSNL are accessible through his postal communication, telephones and e-mails and there is no problem as such within BSNL.



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

5.37	How would effectiveness of Nodal Officer be monitored? (Reference Para 3.87)	Effectiveness of the nodal officers can be monitored through quarterly reports seeking information. No. of grievances received and settled.
5.38	What should be the parameters and framework to judge the effectiveness of the nodal officers? (Reference Para 3.87)	
5.39	In your opinion, what should be the time frame for redressal of grievances by the Nodal Officer? (Reference Para 3.89)	The present mechanism prescribed by TRAI is adequate and Nodal officer should adhere to the time frame prescribed by TRAI for redressal of grievances. There should not be any further reduction in prescribed time frame.
5.40	What should be done to ensure redressal of consumer grievances within prescribed timeframe?(Reference Para 3.89)	
5.41	What framework do you perceive for regular analysis of consumer grievances at Nodal officer level to identify systemic failures and to initiate necessary actions? Do you perceive the need to mandate such provisions?(Reference Para 3.91)	Nodal officer should analyze the consumer grievances on monthly basis to identify systematic failures and communicate the same to the concerned field units for corrective actions.
5.42	What are your views regarding charging of nodal officer Number especially in view of the fact that nodal officer is part of consumer grievance redressal mechanism? Elaborate your response. (Reference Para 3.94)	It will not be practically possible to provide a toll free contact numbers to each and every nodal officers of BSNL. Further, there are other means available to customer to lodge his/her grievance with the nodal officer. It will not be out of context to mention here that most of the calls to the officers/executive of the BSNL by the customer can be treated as calls for redressal of consumer grievance.
5.43	What should be done to enhance awareness about Appellate Authority to ensure effective redressal of consumer grievances? (Reference Para 3.97)	Details of the Appellate Authority giving his address, telephone Nos. and e-mail ID should be published in leading newspapers/local newspapers once a year and it should also be prominently displayed on Company's website and Customer Care Centre and should be maintained uniformly.
5.44	What framework to you suggest for filing of the appeal	Procedure is well defined in three tier system, no further change is proposed.



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	to Appellate Authority for redressal of consumer grievances by subscribers? How can it be made easy and user friendly? (Reference Para 3.99)	
5.45	In your view, what should be the time frame for acknowledgement of the appeal by Appellate Authority? (Reference Para 3.103)	
5.46	Would it be feasible and desirable to convey the tentative time for disposal of the appeal by Appellate Authority to improve subscriber confidence? (Reference Para 3.103)	Depending upon the nature of the grievance, appellate authority should indicate maximum time-frame to redress the grievance to boost the confidence of the subscriber.
5.47	How feedback at the time of disposal of appeal can be made more transparent, self speaking and impartial? Is there a need to institutionalise feedback mechanism at appellate authority level of service provider to improve effectiveness of the processes? (Reference Para 3.105)	Appeal Authority should dispose of the appeal citing the reasons for turn down of the request or for any decision as far as possible. This will enhance the transparency and boost the confidence of the customer in the system.
5.48	What should be the framework to improve the effectiveness and acceptability of the Appellate authority as an independent and impartial body? Provide details of the proposed framework. (Reference Para 3.107)	Furnishing a speaking order by the Appellate Authority will ensure his independence in functioning.
5.49	In your opinion, what should be the maximum time period for deciding an appeal by the Appellate Authority? (Reference Para 3.109)	Present time frame defined in the regulation is sufficient and therefore, Appellate Authority should decide the cases within three months from the date of receipt of the appeal.
5.50	What should be the time limit within which the information about itemized usage charges should be provided on request	It should be in line with the post-paid billing cycle.



BSNL's Comments on Consultation Paper on "Review of measures to protect interest of consumers in the telecom sector"

	from a pre-paid customer? (Reference Para 3.112)	
5.51	Can you suggest further measures to effectively control provision of value added services without explicit consent of the subscriber? Kindly provide details of proposed framework. (Reference Para 4.7)	The present measures are sufficient. Proper implementation of these measure will further improve the situation and will effectively control provision of value added services without explicit consent of the subscriber.
5.52	In your opinion, what more should be done to increase effectiveness of consumer education? (Reference Para 4.9)	More and more consumer education workshops at different location by TRAI/Service providers, wide publicity of such workshops etc. will further increase the effectiveness of consumer education.
5.53	How effectiveness of web based Consumer grievance redressal mechanism can be increased? (Reference Para 4.12)	The web based Consumer grievance redressal mechanism can be made more effective if it should be easily accessible, centralised and user friendly. Further, this is also linked with proliferation of Broadband/Internet service and computer literacy and therefore, will increase in proportion to penetration of Broadband/Internet services.