

Telecom Regulatory Authority of India Notification

New Delhi, the 28th February 2002

No.303/3/2002-TRAI (Econ.)

In exercise of the powers conferred upon it under sub-section (2) of the section 11 of the Telecom Regulatory Authority of India Act, 1997 as amended by TRAI (Amendment) Act, 2000, the Telecom Regulatory Authority of India (TRAI) hereby makes the following order by an amendment to the Telecommunication Tariff Order, 1999 by notification in the Official Gazette, in respect of tariffs at which Telecommunication services within India and outside India shall be provided:

THE TELECOMMUNICATION TARIFF (NINETEENTH AMENDMENT) ORDER, 2002 (3 of 2002)

Section I

1. Short title, extent and commencement:

- (i) This Order shall be called " The Telecommunication Tariff (Nineteenth Amendment) Order, 2002".
- (ii) This Order shall come into force with effect from the date of notification in the Official Gazette.

Section II

Under Schedule II Cellular Mobile Telecom Service (CMTS), for the existing clause "14.a Regional and National Roaming" for the item the following shall be substituted, namely.-

"14.a Regional and National Roaming:-

Item	Tariff
Refundable Security Deposit	Forbearance
Entry Fee (One time charge)	Nil
Monthly Access Charge for Regional and/or National Roaming	Rs.100.00 as ceiling
Airtime charge	Rs.3.00 per minute as ceiling
PSTN charge	As applicable from time to time to the fixed network
Surcharge	i) 8 % as ceiling on both airtime and PSTN charges till 31.12.2002. ii) 15% as ceiling on airtime component only w.e.f.1.1.2003.

The tariffs under this Section shall be effective from 1st March 2002, except for items for which a different date is specified.

Section III

This Order contains at Annex A an Explanatory Memorandum to provide clarity and transparency to the tariffs specified in this Order.

By Order,

(Dr. Harsha Vardhana Singh)
Secretary-cum-Principal Advisor

Annex - A

EXPLANATORY MEMORANDUM

- 1) The Telecommunication Tariff (18th Amendment) Order notified on 30/1/2002 specified tariffs applicable for Regional and National Roaming. The tariffs were to be effective from 1/3/2002. The 18th Amendment inter alia provided that surcharge of 15% (ceiling) can be levied on airtime component only. This was contrary to the existing practice of levying surcharge on both airtime and PSTN charges.
- 2) Following notification of the 18th Amendment to the Telecommunication Tariff Order, the Authority received representations from cellular operators and their Association with reference to the implementation of the 18th Amendment. While the COAI expressed their commitment to implement the tariffs specified by the Authority as per the time schedule, more time was sought to implement the provisions relating to one item, namely the surcharge on airtime as it would take considerable time to implement this properly.
- 3) The Authority reviewed the matter and has permitted some more time till 31st December, 2002 so that all cellular operators can install systems capable to implement the surcharge on airtime as notified in the 18th Amendment to the Telecommunication Tariff Order. Until then but, in any case, not beyond 31/12/2002, the surcharge shall be applicable to both components of the call i.e. airtime and PSTN charges, but magnitude of surcharge shall be reduced to 8% so that an equivalent amount is paid by subscribers. From 1st January, 2003 the surcharge shall be 15% as ceiling on airtime component only. All other items of tariff specified in the 18th Amendment shall be effective from 1st March 2002 without any change.
- 4) Tariffs for roaming as specified in this Order shall be applicable for both post paid and prepaid cellular service.
- 5) All reporting of tariff plans for roaming effective from 1st March, 2002 would be allowed a lag of one week i.e. till 8th March, 2002. Subsequently all tariff reports for roaming must meet the provisions of reporting

requirement envisaged in the Telecommunication Tariff Order, 1999 as amended from time to time.

(Dr. Harsha Vardhana Singh)
Secretary-cum-Principal Advisor