

**TELECOM REGULATORY AUTHORITY OF INDIA**

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Tel. No.: 011-23230404

Fax No.: 011-23213036

**Sub:- TRAI issues Direction to M/s Idea Cellular Ltd. on refund of the charges for value added service provided through tele-calling where the customers have denied or disputed having given their consent.**

New Delhi, 30<sup>th</sup> October, 2007: The Telecom Regulatory Authority of India (TRAI) today directed M/s Idea Cellular Ltd. to refund to all consumers, within fifteen days, the charges levied for value added services marketed through tele-calling, where the consumers denied or disputed having given their consent for activation of value added services.

The Authority had received a number of complaints from the subscribers of M/s Idea Cellular Ltd. regarding provision of value added services without consent. TRAI had been in correspondence with the service provider in these matters for quite a long time and the service provider failed to submit any evidence as to what was the offer to the complainant based on which the complainants had consented to the service and also any evidence to show that the subscribers had given their explicit consent as most of the offers were reportedly made through tele-calling. The Authority is of the view that in the absence of satisfactory evidence of the offer made to the consumer through tele-calling and the consent obtained from the consumer, it cannot be concluded that the value added service was provided with the explicit consent of the consumers, particularly when the consumers have denied having given any such explicit consent.

The report of Audit of the Metering and Billing system of M/s Idea Cellular Ltd. for the Andhra Pradesh service area for the year 2006-07 submitted to TRAI, in accordance with the Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulation 2006, also contained observations by the auditor that many instances of complaints (35.86% of the total complaints) wherein subscribers have been charged for dialer tones and other value added services activated without the explicit consent of the consumers and that waivers or adjustments have been given in only those cases where customers have complained and that no action has been taken by M/s Idea Cellular Ltd. to address all affected customers who have not complained. M/s Idea Cellular Ltd. in the audit report neither furnished any comments on these observations by the auditor nor indicated any time frame for compliance of these observations. The Audit Report for Gujarat service area also contains observations of the auditor that there are many instances of complaints wherein subscribers have been charged

for value added services (like Cricket Pack, Dialer Tones) activated without the express consent of the consumers.

The Authority continues to receive complaints from consumers alleging that M/s Idea Cellular Ltd., had charged for value added services activated without their explicit consent.

In the above circumstances, to protect the interests of consumers, the Authority directed M/s Idea Cellular Ltd. to refund to all consumers, within fifteen days, the charges levied for value added services marketed through tele-calling, where the subscribers denied or disputed having given their consent for activation of value added services.

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**Contact Address in case of any clarification:**

M.C.Chaube  
Advisor (QoS)  
Telecom Regulatory Authority of India  
Mahanagar Door Sanchar Bhawan  
Jawahar Lal Nehru Marg (Old Minto Road)  
New Delhi-110002  
Telephone: 011-23230404  
Fax No. 011-23213096  
Email:chaubemc@traf.gov.in

Authorised for Issue

Advisor (QoS)