

THE REGISTER OF INTERCONNECT AGREEMENTS

REGULATIONS 1999

(2 of 1999)

Section-I

Title, Extent and Commencement

Short title, extent and commencement

1. i) These Regulations shall be called “The Register of Interconnect Agreements Regulations 1999”.

ii) These Regulations prescribe the modalities for the maintenance of the Register of

Interconnect Agreements between service providers and matters connected therewith.

These Regulations shall be applicable to:

i All service providers who are required to furnish information pertaining to

Interconnect

a Agreements to the Authority as per these Regulations or any other Rule/Regulation/

Order

issued under the TRAI Act, 1997.

b Interconnect Agreements between all service providers of telecommunication services

throughout the territory of India.

c All Interconnect Agreements between service providers whether entered into before or

after these Regulations come into effect.

iv) These Regulations shall come into effect from the First day of September 1999.

Section-II

Definitions

2 In these Regulations, unless the context otherwise requires:

i. "Act" means the Telecom Regulatory Authority of India Act, 1997.

ii. "Authority" means the Telecom Regulatory Authority of India.

iii. "Fee" means any charge(s) prescribed by the Authority from time to time for inspection of the

Register of Interconnect Agreements, or for copies thereof.

iv. "Interconnection" means the commercial and technical arrangements under which service

providers connect their equipment, networks and services to enable their customers to have

access to the customers, services, and networks of other service providers.

v. "Register" means the Register of Interconnect Agreements maintained by the Authority either

in the print form as a Register and/ or maintained as a data base in electronic medium or in any

other form as the Authority may prescribe from time to time.

vi. "Regulations" mean the Register of Interconnect Agreements Regulations 1999.

vii. "Consumer" means any individual, group, public/ private company, any other organisation or

body who is/ are subscriber of any telecom service(s) in the country.

viii. "Quality of Service" means the collective effect of service performance, which determines

the degree of satisfaction of a user of the telecom services. The quality of service being

characterised by the combined aspects of service support performance, service operability

performance, serviceability performance, service security performance and other factors specific

to each service.

ix. Words and expressions used in these Regulations and not defined here shall bear the same

meaning as assigned to them in the Act.

Section-III

Contents of the Register

2. The Register shall be maintained in three parts:

i. Part I containing a list of all Interconnect Agreements with the names of interconnecting

service providers, service areas of their operation, and the dates of the execution of such

Agreements;

ii. Part II containing portions of the Interconnect Agreements, which the Authority may direct to

be kept confidential;

iii. Part III containing the contents of Interconnect Agreements other than those directed by the

Authority to be kept confidential. This part shall be open for inspection by the public.

Confidential Portion of the Register:

4. i) The Authority may, on the request of any party to an Interconnect Agreement, direct that any

part of such Interconnect Agreement be kept confidential.

ii) Any request for keeping a part of the Interconnect Agreement confidential must be accompanied by

a non-confidential summary of the portion sought to be kept confidential.

iii) If the Authority is satisfied that there are good grounds for so doing, it may direct that any part of

such Interconnect Agreement be kept confidential. The non-confidential summary of such part shall,

however, be incorporated in Part III of the Register.

iv) If the Authority declines the request of any service provider to keep any portion of the

Interconnect Agreement confidential, it shall record its reason for doing so and furnish a copy of its

order to the service provider concerned. In that event the service provider shall have the right to

make a representation and/ or to be heard by the Authority against such order.

v) The Authority may at any time disseminate confidential information in Part II of the Register if in

its opinion the disclosure of the information would be in public interest. Before making such

disclosure, the Authority shall afford an opportunity of hearing to service provider at whose request

such information had been kept confidential.

vi) Where a service provider requests that any part of the Interconnect Agreement be kept

confidential, such portion of the Agreement shall remain confidential until the matter is determined by

the Authority.

Registration of Interconnect Agreements

5. All service providers shall register with the Authority any Interconnect Agreement to which

they are parties:

a. Where such Agreement had been entered into earlier than these Regulations, within 30

days of the coming into effect of these Regulations; and

b. In all other cases within 30 days of the execution or modification of such Agreements.

5. All service providers shall furnish to the Authority two copies each of the Interconnect

Agreements alongwith modification(s), if any, thereto in print form, duly authenticated, along

with a soft copy of it in a floppy/ diskette of 3.5" size in Microsoft Word software and also in

such other form as may be prescribed from time to time.

6. The Authority may from time to time prescribe the format(s) for seeking disaggregated

information of such parts of the Interconnect Agreements having bearing on inter alia

technical standards/ specifications relating to interconnection, quality of service, fault

resolving procedures, downtimes, access charges, port charges, revenue sharing arrangements,

area of operation and consumer related information such as range of services and the like also

to be included in the Register.

Access to the Register

7. The Register shall be open for inspection by any member of the public on payment of

prescribed fee and on his fulfilling such other conditions as may be provided for in these

Regulations or may be notified by the TRAI from time to time.

8. Any person seeking inspection of the Register shall apply to the Under Secretary (Commer

cial), TRAI or any other Officer, who may be designated for the purpose by the Authority,

detailing therein the information he/ she seeks.

10. The designated officer shall allow inspection of the Register and also make available extracts

of the relevant portions of the Register on payment of such fee as may be prescribed from

time to time.

11. The Authority may also allow access to the Register through the web-site maintained by the

Authority on the same conditions and on payment of such fee as may be prescribed from time

to time.

Levy of fees and other charges

12. (i) There shall be levied a fee of Rs. 50 per hour for inspection of the Register.

(ii) A fee of Rs. 20 per page shall be charged for copies of extracts from the Register

General

13. If any dispute arises with regard to the interpretation of any of the provisions of these

Regulations, the decision of the Authority shall be final and binding.

(Rakesh Kapur)

Joint Secretary (Commercial)