

The Register of Interconnect Agreements Regulations, 1999

UNION OF INDIA

India

The Telecom Regulatory Authority Of India Act, 1997

The Register of Interconnect Agreements Regulations, 1999

Regulation

THE-REGISTER-OF-INTERCONNECT-AGREEMENTS-REGULATIONS of 1999

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1. Short title, extent and commencement. -

(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.(iii)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.

2. Definitions. -

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 including through electro-magnetic signals, their equipment, networks and services to enable their customers to have access to the customers, services and or 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.]

3. Contents of the Register. -

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.

4. Confidential Portion of the Register.

[Where any party to an Interconnect Agreement requests the Authority to keep the whole or any part of the agreement as confidential, the Authority shall take a decision thereon in accordance with the relevant provisions of the Telecom Regulatory Authority of India (Access to Information) Regulations, 2005.]

5. Registration of Interconnect Agreements. -

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. [***]

6. All service providers shall furnish to the Authority two copies each of the Interconnect Agreements along with 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.

7. 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.

8. Access to the Register. -

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.

9. Any person seeking inspection of the Register shall apply to the Under Secretary (Commercial), 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.

12. Levy of fees and other charges. -

(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.

13. General. -

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.

- 1. Subs. by Notification No. 11-11/2004/B&CS, dated 31st December 2004, for clause (iv). Earlier clause (iv) was substituted by Notification No. 11-11/2004/B&CS, dated 3rd February, 2004.**
- 2. Clauses (ix), (x), (xi), (xii), (xiii) and (xiv) omitted by Notification No. 11-11/2004/B&CS, dated 31st December, 2004. Earlier Clauses (ix), (x), (xi), (xii), (xiii) and (xiv) were inserted by Notification No. 11-11/2004/B&CS, dated 3rd February 2004.**
- 3. Clause (xv) renumbered as clause (ix) by Notification No. 11-11/2004/B&CS, dated 31st December, 2004. Earlier clause (ix) was renumbered as clause (xv) by Notification No. 11-11/2004/B&CS, dated 3rd February, 2004.**
- 4. Subs. by Notification No. 306-3/2005-Q05, dated 4th March, 2005, for certain words.**
- 5. Proviso omitted by Notification No. 11-11/2004/B&CS, dated 31st December, 2004. Earlier the proviso was inserted by Notification No. 11-11/2004/B&CS, dated 3rd February, 2004.**