



All India Chamber of Consumers (AICOC)

National Body for Consumers Protection

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Comments on the draft regulations to
amend the Standards of
Quality.....Regulations,
2009(7 of 2009), namely,

**THE STANDARDS OF QUALITY OFTELEPHONE SERVICE
(SECOND AMENDMENT) REGULATIONS 2012 (.....OF 2012)**

- (i) Insertion of 3A is a welcome provision as the poor quality of Basic telephone services consumers have long been enduring. Financial disincentive is the best remedy of this malady, albeit after complaints and defense are properly heard and matter is judiciously disposed of.



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False compliance merits no doubt heavier penalty if Basic telephone service provider is proved guilty on this count at the end of a transparent proceeding.

- (ii) Insertion of 5A which is meant to penalize the case of deliberate failure of cellular mobile providers to meet the quality service benchmarks is equally welcome from consumers' point of view and also from ethical angle.
- (iii) So is the insertion of 9A to penalize the offence of deliberate false reporting of compliance in respect of providing benchmark cellular services.

Most Important suggestions:

(A) Apart from our concurrence with the above proposed amendments, we suggest creation of a very strong and transparent mechanism to deal with cases of cognizable failures and deliberate false compliance report of the service providers of basic and cellular telephones. There should not be any scope for a long-drawn procedure in that mechanism otherwise desired result or intended relief to the consumers could be elusive.



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(B)Quality of standard basic telephone and benchmark services of cellular phone also need to be cleared of ambiguity if any for all concerned. This will definitely eliminate the possibility of wrongdoer resorting to camouflage. Benchmark services must incorporate a clause forbidding a deduction without any rhyme or reason from the balance of pre-paid consumers. This is the area where most consumers, particularly ignorant and poor ones, are shortchanged and those having hectic life style are hoodwinked and equally cheated. If the survey is properly conducted, the proposed financial disincentive (e.g. penalty) would appear peanuts compared to staggering wrongful gain service providers have been making every minute. If they are caught in some cases by some individual consumers or a CAG, they refund the deducted amount by giving it the brand name, “a goodwill gesture”. This is done in those complained cases only but thousand and thousand cases are unattended where the consumers are clueless and unable to complain about it.

Comments by:

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