Mathur, Subodh

From:	Vivek Khare <adv.ca@trai.gov.in>
Sent:	19 June 2026 23:40
To:	Shailesh Rajpoot
Cc:	Mathur, Subodh
Subject:	[EXT] Fwd: ASSOCHAM suggestions on TRAI's CP on Draft TCCR (Fourth Amendment) 2026
Follow Up Flag:	Follow up
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Advisor (CA)
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============ Forwarded message ============
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To: "adv.ca@trai.gov.in"<adv.ca@trai.gov.in>
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Date: Fri, 19 Jun 2026 10:35:04 +0530
Subject: ASSOCHAM suggestions on TRAI's CP on Draft TCCR (Fourth Amendment) 2026
============ Forwarded message ============

Shri Vivek Khare,
Advisor (CA),
TRAI

Dear Sir

This is with kind reference to the TRAI's CP on Draft TCCR (Fourth Amendment) 2026, please find attached copy of the ASSOCHAM suggestions.

ASSOCHAM Suggestions

We express our sincere gratitude to the Telecom Regulatory Authority of India (TRAI) for providing the opportunity to submit our comments on the Draft Telecom Consumers Complaint Redressal (Fourth Amendment) Regulation, 2026 (“Draft TCCR, 2026”). Our members remain unequivocally committed to consumer-centric grievance redressal. Over the years, TSPs have built robust, multi-channel complaint management frameworks, supported by digital interfaces, IVR systems, mobile applications, and AI-enabled tools, that effectively address consumer concerns.

However, certain proposed provisions merit reconsideration to ensure the regulatory framework remains balanced, proportionate, and operationally feasible. We respectfully submit that several mandates either duplicate existing practices or introduce prescriptive requirements without a commensurate consumer benefit. Our comments are guided by the principles of technological neutrality, outcome-based compliance, and the objective of ease of doing business.

As a preliminary request, we urge the Authority to:

- **Conduct a comprehensive cost-benefit analysis of the proposed provisions before finalisation, in keeping with the principles of proportionality and evidence-based policymaking envisaged under the Telecommunications Act, 2023.**
- **Conduct an industry consultation on the revised draft of the proposed amendment, incorporating feedback from all stakeholders, before finalizing the regulation, thereby providing an opportunity to our members to submit additional inputs on proposed operational recommendations.**

Evolution of the Telecommunications Ecosystem & Need for Regulatory Clarity

The telecom sector has undergone a fundamental transformation since the 2012 framework, from a 2G/3G, voice-centric environment to an integrated digital ecosystem driven by 4G/5G, smartphones, app-based platforms, and data-intensive services. Consumer experience today is shaped not only by network performance but also by handset capabilities, operating systems, and third-party application behaviour.

Accordingly, the revised framework must:

- Provide clearer attribution of complaints and delineation of responsibilities across the modern digital communications ecosystem.
- Recognize that a significant and growing proportion of consumer complaints arise from factors attributable to user equipment, mobile applications, or third-party digital platforms, not the telecom network alone.
- Extend the scope of these regulations to app-based communication service providers (e.g. OTT voice, video, and messaging platforms), which today function as similar services for traditional telecom services yet remain entirely outside the consumer grievance redressal framework. We strongly urge the Authority to include all such providers within the ambit of the TCCR, 2026, to ensure technological neutrality, consumer equity, and a level playing field.
- The proposed financial implications (₹1,000 per complaint and ₹5,000 per appeal) risks creating significant financial exposure if it is based on subsequent audit interpretation rather than objective proof of non-compliance.

Specific Comments on Key Provisions

Language Requirements in IVRS (Regulation 3)

The Draft TCCR, 2026 proposes that Complaint Centres provide support in all official languages of the state(s) in the licensed service area. While we appreciate the intent, we submit that:

- Trained IVR and customer support personnel for several lesser-spoken scheduled languages (e.g., Bodo, Manipuri, Sanskrit, Dogri, Santhali) remain in limited supply. Expanding into additional languages involves significant operational changes—specialized training, system integration, and validation—which require careful planning to ensure continuity and quality of service.
- AI-driven translation tools have not yet attained the reliability required for real-time customer service in these languages. Efforts to enhance inclusivity should not impact ease of access and user experience.
- An excessively multilingual IVR risks becoming operationally cumbersome and confusing to navigate, contrary to the consumer experience objective.
- Comparable regulators, including the Reserve Bank of India and the Department of Consumer Affairs, do not mandate support for all official languages in their IVR systems. Similar flexibility must be provided under this regulation also.

Proposed Amendment: The proviso requiring support for all official state language(s) in addition to Hindi and English may kindly be deleted.

Proposal to change the flow of IVRS (Regulation 3)

The Draft TCCR, 2026 proposes to change the flow of IVRS. We submit that the current flow has been built based on extensive customer feedback and experience generated from customer interactions. This flow is extremely customer friendly and is built in a way to ensure that the customer complaint is identified, isolated and addressed at the earliest. This is why, immediately after language selection, the customer identifies the general type of grievance. Post this, in case the customer requires human assistance, he/she is directed to the most suitable and equipped agent for said type of grievance. Therefore, we submit that this flow should not be disturbed and first action at the customer end should remain identifying the type of complaint so that he/she could be appropriately routed in complaint management. We request Authority to continue with current simplified flow.

Complaint Centre Operating Hours (Regulation 3)

The Draft proposes extending Complaint Centre operating hours to round-the-clock (24x7). We respectfully submit that the existing window of 0800-0000 hrs adequately meets the practical needs of consumers. IVR-based complaint registration is already available 24x7. Time-sensitive issues such as SIM blocking and fraud reporting are addressed through the DoT Sanchar Saathi portal. Extending to full 24x7 staffing would entail significant additional costs, including night shift allowances, supervision and logistics, without any proportionate benefit.

Proposed Amendment: The existing provision (0800 hrs to 0000 hrs) should be retained.

Separate ‘Appeal’ Option in IVRS and Digital Portals (Regulation 3)

The Draft proposes a distinct ‘Appeal’ option at the initial registration stage of IVRS and digital portals. We submit that:

- The existing complaint mechanism already incorporates escalation and review processes; a separate appeal category at the initial stage is unnecessary.
- Introducing an ‘Appeal’ option at the outset risks creating consumer confusion, as appeals are only triggered after a complaint has been processed and a resolution provided.
- The current IVRS structure should be retained to avoid procedural overlap and unnecessary complexity.

Consumer Corner on Website (Regulation 5)

The proposal requires a prominently displayed ‘Consumer Corner’ on the homepage. Relevant details are already displayed by TSPs on their websites in compliance with TRAI’s Direction[1] dated 12 March 2026. A separate section would create duplication without additional consumer benefit. We request that this clause be deleted.

Newspaper Publication Requirements (Regulations 5, 6 & 10)

Multiple provisions mandate publication of information, including Consumer Care Numbers, the Complaint Monitoring System URL, and Appellate Authority details, in leading newspapers. We submit that:

- Consumer behaviour has decisively shifted to digital engagement; print media no longer serves as an effective or timely dissemination channel due to its nature of being static.
- Newspaper distribution in rural and remote areas is inconsistent; a consumer facing a network outage is unlikely to have access to a months-old newspaper edition.
- Digital platforms (SMS, email, websites, mobile applications) provide real-time, updated, and far more accessible information.

Proposed Amendment: All mandatory newspaper publication requirements under Regulations 5, 6 and 10 may be deleted. In its place, TSPs may be permitted to communicate information through display on the website and mobile application.

Online Consumer Survey Obligation (Regulation 14A)

Consumer feedback on complaint resolution is already an integral and well-established part of TSPs' existing mechanisms, including IVRS feedback systems. The proposed mandatory survey for every formal complaint or appeal, coupled with quarterly reporting to TRAI, would introduce significant procedural duplication. We respectfully request to kindly reconsider the need for a separate survey regulation, as the existing complaint mechanism already incorporates consumer feedback effectively.

Reporting & KPI Framework (Regulation 15)

The proposed comprehensive KPI reporting framework covering granular complaint and appeal statistics, along with survey data, would require extensive operational and system-level changes. Most parameters are already internally monitored. Publication and reporting of highly granular complaint, appeal, and survey-related statistics may not provide meaningful regulatory insights and may instead lead to misinterpretation of data without adequate operational context. A light-touch, outcomes-oriented regulatory approach would better advance consumer interest by allowing service providers to focus resources on actual complaint resolution and service improvement The existing reporting framework should be continued, and Regulation 15 may not be expanded as proposed.

Person with Disability (PwD) Provisions (Regulation 3)

TSPs already have appropriate accessibility measures and processes in place for PwDs, in line with applicable DoT guidelines dated July 31, 2025. The proposed provisions may lead to duplication of existing systems and processes without providing any significant additional consumer benefit. We respectfully submit that this may kindly be reviewed to avoid duplication of compliances.

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Record Retention Period (Regulations 7 & 18)

The proposed increase in complaint record retention to six months is acceptable, though we submit that three months is operationally adequate. For complaint/appeal records under the timelines under Regulation 18, it should also be aligned with regulation 7 and data post-disposal should be retained for a retention period of three months post-disposal will be proportionate; the proposed one-year requirement is excessive and does not have any clear consumer benefit.

Financial Disincentives (Regulations 18A, 18B & 18C)

Our members have concerns regarding the proposed per-incident financial disincentives, delayed reporting penalties, and interest provisions. Specifically:

- When consumer-centric parameters are already covered under the Financial Disincentive (FD) framework in QoS Regulations, introducing additional FDs in the complaint handling framework would amount to double penalties for TSPs.
- TSPs are already subject to regulatory levies substantially higher than global benchmarks; additional punitive financial disincentives would be disproportionate. The biggest financial disincentive for a TSP is already the risk of losing customers and suffering reputational harm
- Delays in QPR filing may, in several cases, arise from operational, technical, or data reconciliation challenges, not a deficiency in consumer redressal.
- Interest at 2% above MCLR (Regulation 18C) for non-payment of FDs is disproportionate.

We request the deletion of Regulations 18A(4), 18B, 18C, and 18D.

CEO/Board Quarterly Review Requirement (Regulation 10)

The requirement to place detailed quarterly grievance reports before the CEO or Board is prescriptive and unnecessary. Senior management already actively monitors grievance redressal through internal governance mechanisms. TSPs should be granted flexibility in determining appropriate internal oversight mechanisms.

Appellate Authority Composition (Regulation 10)

Prescribing mandatory qualifications (senior management with 5 years' experience) for the Appellate Authority is unduly restrictive. The composition and eligibility criteria should be left to the operational discretion of TSPs based on their internal governance structures.

Comment on Proposed Definition of 'Survey' (Regulation 2)

The proposed definition of 'Survey' as an Online Consumer Survey administered post-complaint/appeal resolution should be removed.

Commencement Clause (Regulation 1)

We note that the Draft TCCR, 2026 proposes that the regulations come into force 30 days after publication in the Official Gazette. Considering the substantial changes that may be required in the customer service platforms, network interfaces, IT systems, reporting architecture and cross-functional operating procedures, we recommend that the enforcement date be set after 6-9 months from the date of their publication in the Official Gazette.

Conclusion

We reiterate our members wholehearted commitment to consumer protection and grievance redressal. We respectfully urge the Authority to:

- **Conduct a cost-benefit analysis before finalising the amendments.**
- **Delete provisions that duplicate existing well-functioning mechanisms (separate appeal options, Consumer Corner, mandatory surveys, newspaper publications, PwD-specific clauses).**
- **Retain the existing IVR language flexibility (Hindi, English, and one local language per service area), operating hours (0800-2400 hrs), and reporting framework.**
- **Withdraw the proposed financial disincentive regime.**
- **Extend the scope of the TCCR, 2026 to include app-based OTT communication service providers.**
- **Share a revised draft for industry consultation before finalisation.**

We hope that our above submission will merit your kind consideration as we look forward to the Authority's continued collaborative engagement with the industry.

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[1] https://trai.gov.in/sites/default/files/2026-03/Direction_12032026.pdf

Thanks and regards

Varun

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