



## ***Coordinated Action of Consumer & Voluntary Organisations of Karnataka*** ®

### ***Telecom Consumer Complaint Redressal regulation fourth Amendment 2026***

This refers to the draft Telecom Consumer Complaint redressal mechanism amendment 2026 released on 7<sup>th</sup> May 2026.

We held series of discussions with our members and also several experts on the subject and here are our proposals.

At the outset, right from the time when Central Consumer Protection Act 1986 was enacted in Parliament, the emphasis or prime importance has been given to consultative processes, eliciting views, suggestions and implementation. This is the right method in a democratic setup where Citizens – feedback is much more important.

This is the reason that immediately after Chapter I which defines various terms, it begins with Chapter II that lays emphasis on Central and State Consumer Protection Councils with representation to voluntary Consumer Organisations. Further it was in 2000 that Sri Atal Behari Vajpayee Government further amended to include District Council also into the ambit. There was even suggestion to take it to the Taluk level.

Indian democracy also believes in the local bodies upto panchayats and elections to municipal corporations, Taluk and Village panchayats are held frequently so that the needs of the lowest category of citizens are taken into consideration for better governance.

Infact in the 23<sup>rd</sup> Central Consumer Protection Council meeting held in Delhi presided by the Union Minister serious deliberations on representation and redressal of grievances was discussed. The outcome of which was the suggestion to Government and Public Sector Undertakings (PSU) to give representations to Voluntary consumer Organisations in their setup in an advisory role and implement suggestions. Hence involvement of VCOs in policy making and also grievance redressal was sacrosanct and considered very important at the highest level.

Constitutional 74<sup>th</sup> Amendment clearly mentions the role of independent Civil society organisation in policy making and administrative reforms.

After the Regulatory system kicked in for various sectors, this has been discussed and adequate safeguards to protect Consumer interests are also provided in the Act itself by Parliament.

This has also been acceded in most of the regulatory bodies in one way or another especially key sectors like IRDA, ERCs; FDA, BIS, Etc.

In fact our Prime Minister Sri Narendra Modi attended the Conference of UNCTAD inviting VCOs on World Consumer Rights day in 2015, where in his concept of independent roles was also reiterated and broadly emphasized. We participated in this Conference.

***Therefore, any attempt to stifle or take away this provision by whatever means would be strongly opposed by voluntary Consumer Organisations.***

*As a sequel to his concept, in 2019, the CPA 1986 was repealed not amended and a new Act came into existence in 2019. It is to be noted that the provision to protect interest of Consumers was further strengthened by a new regulator “**Central Consumer Protection Authority** (CCPA) with wide powers and broader outreach.*

*Without digressing from the present proposal, it is very clear that the voice of **Consumers as stake holders is definitely fundamental and sacrosanct** without which the circle of involvement of all parties (stake holders) would be incomplete.*

*TRAI-BRAI has structured the involvement of Consumer Organisations in an advisory capacity by a selection process to constitute a Consumer Advisory Group (CAG) from 2012 fundamentally for the following reasons:*

- 1) **Right to Consumer Education:** is enshrined in the Consumer Protection Act 2019 and also the United Nations Charter. So, creating awareness and Right to Information are the basic pivot.*
- 2) **Right to Redressal:** This is also another important or vital Right of a Consumer and cannot be taken lightly. Strengthening this sector wise would make redressal commissions work more efficiently and within its time frame. Unfortunately, in the telecom-broadcasting segment; TRAI-BRAI isn't successful even though lot of attempts to do so sincerely was attempted.*
- 3) To actively involve and participate as a principal stake holder in the Consultative process and put across and protect Consumer interest. This is also a fundamental Right – which is the Right to Choice, Right to be heard, right to safety etc.*

*There is a general feeling that the regulator is getting more biased or pressurized to take a balanced view appearing to favour the service providers. There are several indications to infer that Business interests are more protected and given more preference. More so when most of the authorities are from Government services either appointed or on deputation?*

TRAI funds CAG to conduct Awareness Programmes but with lots of restrictions, bureaucratic impediments. Obviously, the spirit of reaching out to Consumers is totally limited. TRAI fails to appreciate the efforts and also difficulties in conducting a programme that too those who are not funded by any agency or Government as a policy and principle of maintaining their independence.

Telecom-Broadcasting is highly technical for a common man to understand and with technological advancement it is more so complicated. This is evident from the fact of a Survey that we did as also from the feedback we have got from various programmes some of which was shared and also attached (Annexure)

As per TRAI guidelines the Service Providers are also mandated to conduct CEWs but there is no supervision or verification on the way it is done. Sad part is that CAGs are not mandated to attend; once again to favour TSPs? Hence the meeting is just a farce and hardly anybody attends even though they spend huge amount of money to host it in high end expensive hotels. If they are asked to submit a report revealing the subscriber base in the location vis-à-vis their attendance it will be an eye opener and shocking. If this worked well then Consumer grievance would have worked wonders but it has turned out to be cosmetic. It has just become cosmetic.

Regarding Capacity building – Less said the better but since it is not the topic here, we refrain in commenting about it.

Thus, we come to the main purpose of engagement with TRAI-BRAI Viz:

**2) Right to Redressal: This is also another important or vital Right of a Consumer and cannot be taken lightly. Strengthening this sector wise would make redressal commissions work more efficiently and within its time frame. Unfortunately, TRAI-BRAI may push Consumers to seek redressal *with the Commissions*.**

## **Synopsis**

***The draft makes very interesting reading on presentation of facts and also reveals that inspite of knowing the “disease” TRAI is unable to find a cure. What’s worse is that they have succumbed to it?!***

*TRAI-BRAI has completely absolved their role and state that they will not handle grievance directly. But in comparison with other regulators like the RBI; IRDA etc they have established a structured Ombudsman scheme. Further RBI inspite of strong pressure from the Indian Banks Association, has always been pro-consumer. Finding that the main Ombudsman is not meeting the desired levels of resolving Consumer grievances; they have asked every Bank to independently establish an Ombudsman! They spend huge amount of money on creating awareness including celebrities as Brand ambassadors. They are very responsive and a senior designated official responds to emails especially VCOs.*

*Whereas in KERC they have even evolved a very practical and good method of an Independent Chairman along with an official from the ESCOM’s and a Consumer Organisation. An independent Ombudsman at the head office of KERC. We have been part of the arrangement and have participated in their proceedings from the inception. It is working well, (Annexure 2)*

***In Telecom-Broadcasting:*** *Service Providers have often played spoilsport by blocking or strongly opposing any role for independent voluntary Consumer Organisations that too CAGs. Therefore, neither do they perform as per standards nor do they want TRAI to involve or CAGs to participate in their resolution mechanism. This is highly reprehensible and we strongly condemn their attitude, behaviors. This is the reason that efforts by TRAI to bring in an institutionalized mechanism is met with strong resistance.*

***In the history of TRAI, it is noticed that the issue hasn’t been addressed at all even though from 2007, later in 2011 and then post 2012 when the CAGs were formed to that of 2016, there are just attempts but utter failures.***

***At all times when TRAI brought in constructive proposals they have been opposed by the TSPs along with their Associations; Ultimately, they have not only succeeded but TRAI also clearly has presented it before taking the decision; which proves how vulnerable the authorities have been.***

*A classic example is in the “Call drops” case. When it was increasing and came to the notice of the present Government (last term) the then Union Minister Sri Ravishankar Prasad suggested to TRAI to review it. Even the Prime Minister Sri Narendra Modi was stated to have taken it seriously.*

*TRAI then appointed an external agency and also found out that the monthly reports given to them were doctored. Hence TRAI brought up a scheme to provide relief to Consumers. This was challenged in the High Court of Delhi and Chennai. HC also stood by TRAI however, it was further taken up to the Supreme Court, which turned down the proposal. In their petition to the high court, the operators had stated that TRAI’s mandate did not consider the infrastructure issues faced by the industry; which is the standard reason that they advocate every time. “**TRAI remained firm on its stance blaming the Telecom companies for the problem and accusing them of behaving like a cartel. Further they told the SC that despite huge revenues telecom firms were not upgrading infrastructure**”. Lot of averments in the petition speak volumes of helplessness. We do not know the compulsions.*

### **Key Aspects of the Judgment**

- **The Ruling:** A bench of Justices Kurian Joseph and R.F. Nariman declared TRAI’s Ninth Amendment to the Telecom Consumers Protection Regulations *ultra vires (beyond its legal power)* and violative of Articles 14 and 19(1)(g) of the Constitution.
- **The Core Reason:** The Supreme Court found the rule "manifestly arbitrary" because TRAI unilaterally assumed that *every* call drop is the sole fault of the service provider.
- **Lack of Fault Assessment:** The court highlighted TRAI's own technical papers, which showed that over one-third of call drops were due to faults at the consumer's end (e.g., handset issues, poor coverage locations). Penalizing a company without establishing their fault was deemed unreasonable.

### **Legal & Practical Impact**

- ❖ **Struck Down Compensation:** Mobile operators were relieved of the legal obligation to pay customers for call drops.
- ❖

- ❖ **Quashed Delhi High Court Order:** The ruling overturned an earlier Delhi High Court verdict that had upheld the TRAI compensation framework.
- ❖ **Focus Shift:** Rather than monetary penalties, the Quality of Service (QoS) frameworks are designed to enforce systemic improvements (such as mandating data speeds and infrastructure quality).

**Whereas the TRAI Act** is conferred by Section 36, read with subclauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the TRAI Act, 1997 empowered to make regulations for protection of the interest of consumers of Telecommunication Services and for ensuring compliance of the terms and conditions of the Licence.

The definitive "call drop" case in the Supreme Court is Cellular Operators Association of India (COAI) and others v. Telecom Regulatory Authority of India (TRAI) (2016). In this landmark judgment, the apex court struck down a TRAI regulation that mandated telecom companies to compensate subscribers Re 1 for every dropped call

### **Continuous Improvement & Analytics**

- **Root Cause Analysis (RCA):** Use grievance data to identify systemic network issues, billing errors, or confusing plan structures, preventing recurring problems.
- **Customer Feedback:** Implement post-resolution satisfaction surveys to ensure the issue was genuinely solved and not just closed prematurely.
- ***Quoting from the draft: Over time, differences have emerged in the manner in which individual Telecom Service Providers (TSPs) interpret and implement the provisions of TCCRR-2012. Variations in complaint registration processes, categorization, escalation workflows, and timelines have resulted in inconsistent consumer experiences across service providers. The absence of procedural Standardisation has limited the effectiveness and comparability of grievance redress outcomes across the sector.***
- ***The number of complaints received by TRAI from the telecom subscribers has shown an increasing trend over the years, although TRAI does not have mandate to handle the individual complaints.***

➤ *In the year 2023-24: 44,733 complaints, 2024-25: 55,978 complaints and in year 2025-26: 73,081 complaints were received.*

*“An analysis of these complaints from consumers received has revealed a dissatisfaction and anguish against the existing grievance redressal mechanism established by the service providers.”*

According to us and in our experience of being in the advisory committee of all the TSPs, this is a conservative reporting. They are contested with evidence.

BSNL doesn't follow any system at all though they have even put it up on their website. The guidelines are so beautiful but seldom adhered. They even suggest that you can write to the MD @Hqrs but in reality, they don't adhere. We haven't come across a single complaint till date from the TSP, neither do they care to respond if we send them the Consumer Grievance received directly by us.

Even their so-called internal Telephone Advisory committee (TACs) is a farce and are used for marketing and without representation to VCOs. **Less said about their obeying TRAI the better**. They have no respect for the authorities.

### **Proposed Amendment to Regulations:**

#### **Regulation-2**

*“Additionally, certain definitions, including Service Provider, Grievance Redressal Mechanism (earlier referred to as “System”), and Licence, have been refined to enhance clarity. The advisory committee definition has been deleted as the provisions related to it have been deleted. It has been observed that the elaborate process of routing appeals to Advisory committee was rendering the appellate process inefficient and ineffective in the redressal of the appeals preferred by the telecom consumers and needed to be simplified with clear accountability of the service provider.”*

*Whereas it is already admitted that the present system of Appellate where in the control rests with the Company has failed in its present form. Removing the Advisory role instead of strengthening it at the Appellate level is highly inappropriate.*

Instead of stating that the Advisory Committee was inefficient and ineffective; should this not be demonstrated with practical examples? TRAI should have also shared the repeated complaints by the CAG in all the meetings that there has been gross misrepresentation or under reporting of grievances by the TSP.

***There are no grievances at all reported to the advisory committee for more than 6-8 months.*** Also, no meeting or discussion takes place on a case-to-case basis. TSPs send a statement that too expecting the member to append their signature without even allowing them to make any changes or discuss the issue?! What's more if there are adverse remarks they are over ruled by an opaque system. The decision of the Appellate authority or feedback after they are conveyed doesn't even exist. Therefore, without proper transparency and highhandedness of the TSP which has not bothered to redress with a close mindset and attitudinal problem has to be corrected. So why blame CAGs who have no role for the deficiency of the Company?

We strongly protest against the accusations after doing a sincere work and with all responsibility of the assignments. This is exactly what we have observed when authorities continue to support a tardy callous approach. When brought to the attention of TRAI; it is even ignored or there is no intervention. Hence coming to conclusion that too publicly is reprehensible to say the least.

## **Regulation-8**

***Considering the prevalence of Unsolicited Commercial Communication (UCC) and consumer complaints, the proposed amendment mandates the service provider to comply with the timelines as mentioned in TCCCPR, 2018 regulation for redressal of UCC complaints. This is aimed at ensuring timely and consistent handling of such complaints, in view of their prevalence and consumer impact. SECTION III, IV, V & VI of the Standards of Quality of Service of Access (Wireline and Wireless) and Broadband (Wireline and Wireless) Service Regulations, 2024, under the quality of service parameters related to customer service has defined the time lines for handling the billing/charging complaints, other complaints and service requests for service provider providing access service (wireline) or access service (wireless) or broadband (wireline) service, as applicable. The same has been referred in the amendment to maintain uniformity in the TRAI regulations.***

*TRAI has been making sincere efforts and has held several consultations on the subject. Hence, we welcome this and fully support any such action.*

### **Regulation-9**

*“Hence the proposed amendment introduces to change the time allowed for filing of appeal to Appellate Authority from 30 days to 15 days within which the appeal can be lodged by the consumer after the unsatisfactory redressal of the complaint or unaddressed complaint or no intimation on the complaint status after the expiry of time limit for redressal of complaints as specified in regulation 8. This is aimed at expediting the appeal redressal process, ensuring quicker escalation, and promoting timely resolution of consumer issues”*

**It is a welcome move and Consumer shouldn't be burdened with filing appeal which should automatically get escalated in case the timeline is not met. We agree to the timeline and this is appropriate.**

*In our experience, the intricacies of filing appeal are not understood by the Consumer and they feel that when they have made their complaint a decision should be arrived and intimated. Which according to us also is practical and reasonable.*

### **Regulation-10**

**It was observed that there were no uniform practices for appointing/designating the appellate authority by the Service providers under existing regulation. In order to ensure greater efficiency, effectiveness and accountability of service provider and hence faster redressal of grievances and the responsibility of the service provider in taking appropriate action on receipt of the grievance and appeal thereto, this amendment mandates the Appellate Authority to be a regular employee in the senior management of the service provider with at least 5 years of experience.**

*We strongly oppose this proposal. In any Corporate whether they are designated as such or not; there is a hierarchy of reporting and all decisions are taken in consultation and proper approval only. So, this is farcical. A more meaningful and powerful authority that vests powers to an external*

*independent authority be established with due participation of the Voluntary Consumer Organisations; CAGs.*

*“There was no mechanism to monitor the performance of the Appellate Authority with the organisation of the service providers leading to lack of accountability and responsibility. This was evident by the content of the complaints received by TRAI which pointed to a dissatisfaction against the Service providers either not redressing the complaint upto his satisfaction or non-communication of the status to him despite multiple complaints to the service providers”.*

**Absolutely true: So, TRAI should take responsibility and pull up the respective TSP. Can TRAI bring out any statement that they have done their job diligently? If not, what is the use of sending report if they cannot act on it but keep it for archives?**

*In order to ensure greater responsibility of the Service Provider it is felt that the Appellate authority shall place a quarterly report of the redressal of complaints, appeals and results of online consumer survey before their Boards of Directors and Chief Executive Officer (CEO) to enhance oversight, accountability, and effectiveness in grievance redressal.*

*This is a bit of an over reach and will definitely not be followed by any Company. Contrary to that what can TRAI do if they are not followed? Can they take action? Further will they also ask Company's to disclose the agenda placed before the board? Absolving responsibility and asking TSPs who are under then to obey guidelines mandated by law is rather ironical. Hence, they must be removed before it causes embarrassment.*

### **Regulation-11**

*“The existing regulation provided a two-member Advisory Committee, comprising representatives from both the service provider and a consumer organization to examine and render advice to the Appellate Authority. This mechanism of advisory committee assisting the Appellate Authority was not found to be functioning effectively leading to loss of trust in the appellate process and consequent dissatisfaction among customers as reflected in their complaints to TRAI”.*

- a. TRAI doesn't handle grievances directly which is the stated position. So after deliberations and detailed discussions, it was suggested that CAGs should be in the Appellate authority; however, TSPs & their associations opposed and as a compromise the Advisory Committee was considered. So, from the initial stage itself (Ab initio?) there was opposition hence CAG's should not be blamed when it is not working properly. Can TRAI bring up any report / paper of why it hasn't worked? Therefore TRAI has just made a remark without substantial analysis or taken steps to improve. Whereas they have repeatedly on different platforms stated that they don't take up individual complaints and directed them to the CAGs to handle, under their authority. So CAGs are not to be blamed. That too inspite of keeping the authorities informed about the malfunctioning and repeated requests to take corrective actions even in meetings.
- b. In the earlier 2016, Open House consultations also were held. TRAI even suggested that the Appellate authority should include CAGs but admitted that the TSPs and their Associations had strongly opposed it for no reason. TRAI instead of insisting it; just succumbed to their pressure and formed the mediatory role of an Advisory Committee compromising the interest of Consumers. **Now this proposal to do away is definitely a proof that there is some tremendous pressure on TRAI to do away with the CAG itself.** This has been expressed by many that too openly which has either not been contradicted or denied.
- c. Several experienced Consumer Organisations on board as CAG have openly contested against this proposal. Hence TRAI should appoint a committee to go into the mechanism and come up with strengthening the Appellate system to work more efficiently and in the interest of Consumers (An independent Survey conducted which was also circulated also indicates it. Annexure I attached again)

More clarity and with proper illustrations and case study should be done. Kindly note that CAGs on Advisory Committees are just mute participants to decisions of the Appellate authority and are just informed about it. They have absolutely no role to resolve the issue.

**The amendment proposes to remove the Advisory Committee considering the need to make the appeal redressal process simpler, faster and effective, by eliminating an additional layer that was leading to procedural delays and diffusion of accountability.**

**We again strongly protest if this decision has already been taken over ruling the sentiments of Consumers.**

### **Regulation-14**

***The proposed amendments/changes in regulation 9, 10, 11,13 and 14, are done with the primary goal of strengthening the Appellate Authority, streamlining & reducing the overall appeal resolution process and retention of the consumer 's trust in the two-tier grievance redressal process adopted by the Service Providers.***

*TRAI is well aware that there is a strong demand to establish an Ombudsman and they have even repeatedly put out Drafts as also held OHD in various places.*

*In our view if TRAI still persists to absolve their responsibility and delegate the entire responsibility on the TSPs; then consumer Organisations would be forced to go to the District Redressal Commissions to seek appropriate remedy.*

*We have no problems with it, Infact it is our domain. It will only that it would increase the burden and delay of other cases. Regretfully; it would comeback to TRAI for reconsideration sooner than later.*

*TSPs also need to be more cautious and oppose it as this will only add to their financial outflow and additional paperwork, follow up etc.*

### **Regulation-18. A.**

**The proposed amendments introduce a regulatory review mechanism enabling the Authority to undertake audits, periodic reviews and/or inspections, as well as reviews based on quarterly performance reports and consumer feedback via multiple **channels**.**

In cases of non-compliance or deficiencies, either in disposal of complaints or appeals, appropriate Financial Disincentives are proposed to be imposed, based on the outcomes of such reviews. This will act as deterrent to ensure proper and satisfactory redressal of consumer grievances.

*Even though this is a very good move and as VCOs we welcome it. However, this is only a noble thinking and cannot be practiced within the setup or ambiguity that exists. We repeat the experience in the Call drop issue where TSPs will definitely go to Court and contest.*

*TRAI knows that TSPs are not improving infrastructure but more bothered about increasing their ARPU's. This has been experienced whenever any stricture or guideline that affects their payments are enforced. They don't feel that they are doing any wrong by deficiency of service and infact justify with their own interpretation; So any attempt to make them pay will be challenged and unless TRAI Act is amended there is no use.*

*We would also like to share here that the Consumer Protection Act 1986 (Old Act) operated smoothly for more than 36 yrs when a decree passed by the lower forum was to be enforced. The High court stuck down the Order since the President didn't have powers.*

*The Consumer Protection Act (CPA), 1986, was amended in 2002 When a decree for payment of fine wasn't followed he was to be imprisoned. He challenged the powers of the President and only then it was noticed that the penal powers of a Judicial Magistrate of the First Class (JMFC) to enforce compliance and penalize defaulters. After the amendment and incorporation in the Act passed in parliament it was restored.*

### **Regulation-18. B.**

Under the existing regulation, there was no provision of financial disincentive on violation of time allowed for submission of quarterly performance report. The amendment proposes for imposition of financial disincentive in case of violation of time allowed for submission of compliance reports by service provider. This will act as deterrent to ensure timely submission of quarterly performance report, which is essential for regulatory oversight.

Where are the powers for TRAI to impose such disincentives in the TRAI Act?

TSPs are more bothered about their earnings and ARPUs. Hence have contested or opposed any move that gives them additional burden. This is the reason that inspite of TRAI bringing in newer Tariff on Voice calls-SMS they seldom agree or follow. At best they adopt clever methods to hoodwink or adopt it for their own convenience by going for longer periods etc which Consumers can't afford. So, this will be challenged and contested.

There are several technical aspects that they will use to get away. Bringing in such measures but giving up what is within their own authority of strengthening is ill conceived.

If TRAI act is amended then it is possible.

This can also be overcome if the Legal Team is able to use the evidence of survey as the benchmark to impose conditions. Better still is to bring it under the ambit of deficiency of service and structure a proper Appellate authority that can decide the quantum.

**In Conclusion;** this Amendment is really essential and the review most needed. But the result shouldn't be worse but should be better.

It is our considered view that during such times, TRAI should constitute a SRT -Special Research Team: That should also include select CAGs in it and must go through in detail all the necessary papers before proposals.

They should consider historical perspectives; Statistics and also various processes followed by other agencies in its true spirit of accommodation. Then discuss this in their groups and come up with best suggestions.

For

*Sd...*  
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