Haryana Technical Association

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Ref. No- HR/JD/26/203 Dated- 18/06/2026

To,
Shri Vivek Khare
Advisor (Consumer Affairs)
Telecom Regulatory Authority of India (TRAI)
Tower-F, World Trade Centre
Nauroji Nagar
New Delhi – 110029

Subject: *Submission of Counter Comments by Haryana Technical Association on the **"Draft Telecom Consumers Complaint Redressal (Fourth Amendment) Regulations, 2026"***

Respected Sir**,**

With reference to the **"Draft Telecom Consumers Complaint Redressal (Fourth Amendment) Regulations, 2026 issued by the Telecom Regulatory Authority of India on 07.05.2026", Haryana Technical Association (HTA),** a **consumer advocacy organization** working towards the protection of consumer rights and promotion of fair telecommunications practices, respectfully submits its Counter Comments for kind consideration of the Authority.

HTA appreciates the efforts undertaken by TRAI to review and strengthen the existing grievance redressal framework in light of technological advancements, evolving consumer expectations, and the increasing dependence of citizens on telecommunications services. The proposed amendments introducing greater transparency, online consumer satisfaction surveys, periodic reporting obligations, enhanced monitoring mechanisms, and strengthened accountability of Telecom Service Providers are welcome initiatives aimed at improving consumer experience.

However, after examining the draft regulations and the comments submitted by stakeholders, including Telecom Service Providers, HTA is of the considered view that certain provisions require further strengthening to ensure that the interests of telecom consumers remain adequately protected. In particular, concerns relating to independent consumer representation, excessive dependence on AI-based grievance handling systems, delays in complaint resolution and refunds, absence of a consumer compensation framework, accessibility challenges faced by vulnerable consumers, and the need for greater regulatory oversight merit further consideration.

Accordingly, HTA has enclosed its detailed Counter Comments highlighting the concerns, suggestions, and recommendations from a consumer rights perspective for the Authority's consideration while finalizing the proposed amendments.

We shall be grateful if the submissions made herein are taken on record and duly considered in the larger interest of telecom consumers across the country.

Thanking you.
Yours sincerely,
For Haryana Technical Association
(Consumer Advocacy Group)

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INTRODUCTION AND PRELIMINARY SUBMISSIONS

At the outset, it is submitted that the telecom sector today forms an essential component of daily life and serves as the backbone of communication, banking, education, governance, healthcare, digital commerce, and emergency services. Consequently, any framework governing consumer grievance redressal in this sector must be designed with the primary objective of protecting consumer interests, ensuring accountability of service providers, and maintaining public confidence in the regulatory ecosystem.

While the consultation paper seeks to modernize and streamline the grievance redressal process, certain proposals contained therein raise serious concerns regarding the dilution of independent consumer participation and oversight. It is respectfully submitted that any reform aimed at improving efficiency should not compromise the principles of transparency, impartiality, accountability, and consumer empowerment that form the foundation of a fair grievance redressal system.

At present, the role of TRAI in the complaint redressal framework is largely confined to the formulation of regulations, issuance of directions, prescribing quality of service standards, and creating awareness among consumers regarding the available complaint resolution mechanisms. However, the practical realities experienced by consumers on the ground reveal a significant gap between the theoretical framework and its actual implementation. Filing a complaint itself remains a difficult and cumbersome exercise for many consumers. A substantial number of consumers are either unaware of the escalation process or encounter various obstacles while attempting to pursue their grievances. In numerous instances, complaints are prematurely closed, consumers are repeatedly redirected between different customer care channels, and technical jargon is used in a manner that discourages ordinary consumers from effectively asserting their rights.

GROUND REALITIES OF TELECOM CONSUMER GRIEVANCES

It is a matter of common experience that many Telecom Service Providers make every possible effort to ensure that complaints do not progress beyond the initial stages of the grievance mechanism. Consumers often report receiving automated responses that do not address the actual issue raised, repeated requests for information that has already been provided, and closure of complaints without obtaining meaningful confirmation from the complainant regarding satisfactory resolution. In many cases, consumers become exhausted by the complexity of the process and ultimately abandon their complaints. Consequently, the mere existence of a complaint redressal mechanism does not necessarily translate into effective access to justice for telecom consumers.

Other major consumer issues we are raising from a consumer-rights perspective:

1. **No compensation for delayed refunds.**
2. **No independent consumer ombudsman outside TSP control.**
3. **No escalation mechanism directly to TRAI for systemic issues.**
4. **Survey manipulation risk** – dissatisfied consumers may not participate in online surveys.
5. **Rural consumers and senior citizens may struggle with app-based complaint systems.**
6. **No mandatory publication of top recurring complaints and corrective actions by TSPs.**
7. **No accountability for repeated complaints on the same issue by the same consumer.**
8. **No separate fast-track mechanism for business-critical telecom connections and emergency service disruptions.**

First, the draft completely deletes Regulation 11 and Regulation 13. According to the Explanatory Memorandum:

> *"The existing regulation provided a two-member Advisory Committee, comprising representatives from both the service provider and a consumer organization..." and "The amendment proposes to remove the Advisory Committee..."*

TRAI's justification is that the Advisory Committee was causing delays and that accountability should rest directly with the Appellate Authority.

Secondly, the Appellate Authority remains with the TSP

The draft further strengthens the Appellate Authority but requires that the Appellate Authority be:

> *"a regular employee in the senior management of the service provider with at least 5 years of experience."*

Therefore, the appeal is effectively decided by a senior employee of the same Telecom Service Provider against whom the complaint has been filed.

Thirdly, No Independent Consumer Representative, which means, after deletion of the Advisory Committee, there is no Consumer Advocacy Group representative, no independent consumer member, no external ombudsman and no consumer representative in the appeal decision-making process.

Therefore What TRAI is Actually Proposing is that

I. Appeals should remain within the TSP framework.
II. Accountability should be fixed on the Appellate Authority.
III. Quarterly reports should go to the CEO/Board.
IV. TRAI will conduct audits, surveys, regulatory reviews and impose financial disincentives for improper disposal of complaints and appeals.

Thus, TRAI is replacing consumer representation with regulatory oversight.

ADVERSE CONSEQUENCES OF REPLACING CONSUMER REPRESENTATION WITH REGULATORY OVERSIGHT

i. <u>Regulatory Oversight Cannot Replace Independent Consumer Participation</u>

The proposed amendments seek to remove the Advisory Committee mechanism and replace it with enhanced regulatory oversight through audits, surveys, quarterly reporting requirements, and financial disincentives. While strengthening regulatory oversight is a welcome measure, it cannot be viewed as a substitute for independent consumer participation at the stage of adjudication of appeals.

Regulatory oversight and consumer representation serve distinct functions within a grievance redressal framework. Oversight mechanisms evaluate compliance after a decision has been made, whereas consumer participation ensures fairness, transparency, and accountability at the stage when the decision itself is being taken.

The removal of consumer representation therefore creates a significant gap in the appellate process.

ii. Loss of Independent Consumer Voice in the Appellate Process

The most immediate consequence of the proposed framework is that consumers lose the only independent voice presently available within the appellate mechanism. Under the existing system, the Advisory Committee provides an opportunity for consumer perspectives to be considered before a final decision is taken on an appeal.

Once this mechanism is removed, the appeal would effectively be examined and decided by a senior employee of the same Telecom Service Provider against whom the complaint has been filed. Such a framework raises legitimate concerns regarding institutional neutrality and the perception of fairness.

iii. Erosion of Consumer Confidence in the Appellate Mechanism

A consumer approaching the appellate mechanism already believes that the original grievance has not been satisfactorily addressed by the Service Provider. If the appeal is thereafter adjudicated exclusively by another officer of the same organization, the consumer may reasonably perceive the process as an internal management review rather than an independent appellate remedy.

Such a perception is likely to undermine public confidence in the grievance redressal framework and may discourage consumers from pursuing legitimate complaints. The effectiveness of any dispute resolution mechanism depends not only on its actual fairness but also on the confidence that consumers place in its independence and impartiality.

iv. Risk of Organizational Bias and Conflict of Interest

Another concern arising from the proposed framework is the possibility of institutional or organizational bias. Even in the absence of actual bias, senior management employees are expected to protect the commercial, operational, financial, and reputational interests of the organization they serve.

Consumer disputes frequently involve issues such as billing disputes, wrongful deductions, service interruptions, compensation claims, delayed refunds, and network deficiencies. In such matters, there may be an inherent conflict between consumer interests and the business interests of the Service Provider. Independent consumer participation acts as an important safeguard against such conflicts and promotes balanced decision-making.

v. Reduction in Transparency and Consumer-Centric Decision Making

Consumer representatives and Consumer Advocacy Groups often identify recurring patterns of grievances, systemic deficiencies, unfair practices, and consumer hardships that may not be readily apparent through internal reporting systems.

Their participation contributes to transparency and accountability while ensuring that consumer welfare remains a central consideration in the appellate process. In the absence of such representation, appeals may increasingly be viewed through operational, technical, or commercial considerations rather than from the perspective of consumer rights and welfare.

vi. Limitations of Post-Facto Regulatory Oversight

The proposed regulatory safeguards are largely post-facto in nature. Audits, inspections, surveys, and regulatory reviews generally occur after complaints and appeals have already been decided. Such mechanisms may identify deficiencies months later and may result in financial disincentives being imposed upon the Service Provider.

However, they do not provide immediate relief to the individual consumer whose appeal may have been wrongly rejected or improperly disposed of. Regulatory oversight and independent adjudication perform fundamentally different functions and therefore cannot be treated as interchangeable mechanisms.

vii. Reliability Concerns Regarding Consumer Surveys

The draft regulations place considerable reliance on consumer satisfaction surveys as a means of assessing grievance redressal performance. While surveys may provide useful data, they may not fully capture the extent of consumer dissatisfaction.

Many consumers, particularly senior citizens, rural subscribers, digitally challenged users, and consumers frustrated with prolonged complaint processes, may not participate in online surveys. Consequently, survey results may not accurately reflect the true consumer experience and should not be regarded as a substitute for independent consumer participation in the appellate process.

viii. Loss of Institutional Learning and Consumer Insights

Consumer Advocacy Groups often function as an important early-warning mechanism by identifying emerging trends, recurring complaints, and systemic deficiencies affecting large sections of consumers.

Their exclusion from the appellate process may deprive both Telecom Service Providers and the Authority of valuable consumer-centric insights. This could reduce opportunities for identifying root causes of grievances and implementing long-term corrective measures.

ix. Concerns from the Perspective of Natural Justice and Participatory Governance

From a broader legal and governance perspective, independent participation is an important component of transparency, accountability, procedural fairness, and participatory governance.

It is a settled principle that justice must not only be done but must also be seen to be done. Modern regulatory frameworks increasingly recognize that consumer confidence is strengthened when stakeholders have meaningful participation in dispute resolution processes. The complete removal of consumer representation from the appellate mechanism may therefore be viewed as a step backward from established principles of consumer-centric governance.

x. Concentration of Functions Within the Service Provider

A significant concern under the proposed framework is the concentration of multiple functions within the same entity. The Service Provider investigates the complaint, responds to the complaint, adjudicates the appeal, maintains records, conducts surveys, prepares performance reports, and submits such reports to its own management and Board.

While TRAI retains regulatory oversight, there remains no independent participant at the stage where the consumer's grievance is actually decided. Such concentration of functions may create a perception of imbalance and weaken public confidence in the credibility and fairness of the grievance redressal mechanism.

xi. Recommendations

Accordingly, it is respectfully submitted that while strengthening accountability of the Appellate Authority is a desirable objective, it should not come at the cost of eliminating independent consumer participation.

TRAI may consider retaining Consumer Advocacy Group representation in a modified form, introducing independent consumer experts, or creating an independent consumer ombudsman mechanism. Such measures would preserve consumer confidence, strengthen transparency, and ensure that the grievance redressal framework remains fair, balanced, and consumer-centric while simultaneously achieving the objective of timely disposal of appeals.

It is further submitted that consumer participation in regulatory processes is not a mere formality but an internationally recognized principle of good governance. Regulatory institutions across the world increasingly recognize the importance of stakeholder participation, particularly in sectors involving essential public services. Independent consumer representation ensures that the voices of ordinary users are not overshadowed by the commercial and operational priorities of large service providers. Therefore, any proposal that seeks to reduce consumer participation must be evaluated not merely from an administrative perspective but also from the broader standpoint of consumer rights, regulatory accountability, and democratic governance.

If TRAI nevertheless intends to move towards a framework in which Telecom Service Providers play a more central role in complaint handling, it becomes imperative that adequate safeguards are simultaneously introduced to preserve transparency and accountability. One such safeguard would be the establishment of an independent telecom consumer assistance and grievance facilitation system on the lines of the National Consumer Helpline (NCH). Such a platform should function independently of Telecom Service Providers and should assist consumers in understanding their rights, registering complaints, tracking grievance status, and pursuing appeals where necessary. An independent assistance mechanism would be particularly beneficial for senior citizens, rural consumers, economically weaker sections, and individuals who may not possess the technical knowledge required to navigate complex telecom procedures.

Further, a permanent monitoring and oversight mechanism comprising representatives from TRAI, Consumer Advocacy Groups, consumer rights organizations, and independent experts should be constituted to periodically review the performance of complaint redressal systems across all Telecom Service Providers. Such a body should examine complaint statistics, resolution timelines, consumer satisfaction levels, recurring issues, and compliance with regulatory obligations. Its findings should be periodically published in the public domain to ensure transparency and facilitate informed public scrutiny.

TRAI should also institutionalize regular Open House Discussions dedicated specifically to consumer grievance issues. Such forums would provide consumers, consumer organizations, industry representatives, and regulators with an opportunity to engage in meaningful dialogue regarding recurring complaints and systemic deficiencies. Public discussion of complaint trends, service quality concerns, and corrective measures would significantly strengthen accountability and encourage Telecom Service Providers to improve their consumer-facing processes.

Another important concern relates to the increasing tendency of complaint systems to place a disproportionate burden upon consumers. In many cases, consumers are expected to perform technical troubleshooting, gather detailed diagnostic information, or repeatedly interact with automated systems before their complaints are formally acknowledged. Such expectations are unreasonable, particularly considering that telecom services are utilized by individuals from diverse educational, social, and economic backgrounds. A consumer purchasing a telecom service cannot be expected to possess technical expertise regarding network architecture, signal optimization, spectrum allocation, handset configuration, or digital service integration. The responsibility for resolving technical deficiencies should rest primarily with the service provider and not with the consumer.

In this regard, it may also be considered whether Telecom Service Providers should be required to provide basic guidance and consumer education at the time of activation of services. If consumers are expected to undertake preliminary troubleshooting measures before lodging complaints, they must first be equipped with the knowledge and resources necessary to do so effectively. Consumer awareness should not be treated merely as a regulatory obligation but as an integral part of service delivery.

The growing dependence on digital complaint platforms further necessitates special attention towards inclusivity and accessibility. While digitalization undoubtedly improves efficiency, it should not result in the exclusion of vulnerable sections of society. Complaint systems should be multilingual, user-friendly, and accessible to persons with disabilities. They should accommodate consumers who may have limited digital literacy and should continue to offer alternative modes of complaint registration through telephone, SMS, physical submissions, and assisted service centres. Accessibility must remain a core principle of consumer protection in a diverse country such as India.

It is also necessary to ensure complete transparency in complaint handling processes. Consumers should have access to real-time updates regarding the status of their complaints, the actions taken by service providers, and the reasons underlying any decision to close or reject a complaint. Every complaint should be assigned a unique tracking number, and consumers should be informed of their escalation rights at every stage of the process. Transparency in grievance handling not only strengthens consumer confidence but also serves as a deterrent against arbitrary or mechanical disposal of complaints.

A matter of particular concern is the apparent trend towards progressively reducing the role of Consumer Advocacy Groups within the telecom regulatory framework. The proposals under consideration create an apprehension that Consumer Advocacy Groups may eventually be confined solely to awareness activities, with limited or no participation in grievance oversight and policy implementation. Such a development would be contrary to the broader objectives of consumer protection. Consumer organizations have historically played a vital role in identifying systemic issues, assisting vulnerable consumers, facilitating regulatory engagement, and ensuring that consumer perspectives remain central to policy discussions. Rather than reducing their role, TRAI should explore mechanisms for strengthening their institutional participation and utilizing their expertise more effectively.

The telecom sector has witnessed rapid technological transformation over the past decade, with increasing integration of digital services into every aspect of daily life. As telecom services become more essential, the need for robust consumer protection mechanisms becomes even greater. Regulatory efficiency and consumer protection must not be viewed as competing objectives; rather, they must operate in harmony. A grievance redressal framework that is efficient but lacks independent oversight may improve administrative convenience while simultaneously weakening consumer confidence. Conversely, a framework that combines technological efficiency with meaningful consumer participation can deliver both effective service delivery and enhanced public trust.

CONCERNS REGARDING AI-BASED GRIEVANCE HANDLING SYSTEMS

While TRAI has consistently made efforts through regulations, directions, quality of service standards, and consumer awareness initiatives to improve grievance redressal in the telecom sector, the practical implementation of these measures by Telecom Service Providers (TSPs) has often fallen short of consumer expectations. One of the growing concerns in recent years is the increasing reliance on Artificial Intelligence (AI)-based chatbots and automated complaint handling systems as the primary interface between consumers and service providers. While technology can undoubtedly assist in handling routine queries, it cannot replace meaningful human interaction in resolving consumer grievances.

The Indian telecom consumer base is extremely diverse in terms of language, education, digital literacy, age, regional dialects, and technical understanding. AI-based systems often fail to adequately comprehend regional accents, vernacular languages, mixed-language conversations, and the unique factual circumstances of individual complaints. Many consumer grievances involve complex billing disputes, network quality issues, wrongful service activation, unauthorized deductions, fraud-related concerns, service interruptions, or exceptional circumstances that cannot be accurately categorized through pre-programmed options available in automated systems.

Consumers frequently find themselves trapped in endless loops of automated menus, predetermined responses, and chatbot interactions that do not address the actual issue raised. Rather than resolving grievances, such systems often increase frustration and create additional barriers to accessing effective redressal. A consumer who is paying substantial charges for telecom services should not be compelled to struggle with an automated system merely to obtain assistance when a problem arises. Access to a competent human representative should be treated as a fundamental component of customer service and not as a privilege available only after exhausting multiple layers of automated interaction.

Furthermore, grievance redressal is not merely a technical process but also a human process that requires empathy, understanding, discretion, and accountability. An AI chatbot cannot appreciate the urgency of a consumer whose business operations have been disrupted due to network failure, a senior citizen facing difficulties in accessing banking services because of telecom issues, or a consumer suffering financial loss due to unauthorized transactions linked to telecom services. Such situations require human judgment and intervention, which automated systems are inherently incapable of providing.

The increasing substitution of human customer support with AI-driven systems also raises concerns regarding consumer rights and fair treatment. Consumers purchase telecom services with a legitimate expectation that they will have access to timely and effective assistance whenever service-related issues arise. If service providers continue to reduce human interaction and rely predominantly upon automated complaint handling mechanisms, it may result in denial of meaningful access to grievance redressal. Such an approach undermines consumer confidence and is inconsistent with the principles of consumer-centric service delivery.

Therefore, TRAI should ensure that while technological innovations may supplement customer service operations, they should not replace human grievance handling mechanisms. Every consumer should have a clear, simple, and time-bound option to connect with a trained human representative without being compelled to navigate multiple layers of AI-based systems. Technology should function as a tool to assist consumers, not as a barrier that prevents them from obtaining effective remedies for their grievances.

DELAYED COMPLAINT RESOLUTION AND ITS IMPACT ON DIGITAL INDIA

Another significant issue faced by telecom consumers is the excessive delay in processing refunds, compensation claims, billing corrections, security deposit refunds, and wrongful deductions. While Telecom Service Providers often prescribe timelines for resolving complaints, the actual turnaround time for providing financial relief to consumers remains unreasonably long in many cases. Consumers are frequently required to make repeated follow-ups for amounts that have been incorrectly charged or deducted. In several instances, even after a complaint has been acknowledged or decided in favour of the consumer, the refund process itself takes weeks or months to be completed. Such delays defeat the very purpose of grievance redressal and impose an unnecessary financial burden on consumers. TRAI may therefore consider prescribing strict timelines for processing refunds along with automatic compensation or interest for delays beyond the prescribed period.

Further, it must be recognized that telecommunications are no longer a luxury service but an essential infrastructure for modern life. Today, mobile connectivity forms the backbone of commerce, education, healthcare, governance, digital payments, transportation, emergency services, and day-to-day communication. For millions of citizens, a mobile phone is the primary means of accessing economic opportunities and public services. When consumers experience network failures, billing disputes, service interruptions, SIM-related issues, or account access problems, delays in complaint resolution directly affect their ability to conduct business and participate in the digital economy.

In the present fast-paced environment, where businesses operate in real time and financial transactions occur instantly, consumers cannot afford to wait for days or weeks merely to receive a response from their Telecom Service Provider. Delayed grievance resolution not only causes inconvenience but may also result in loss of income, missed business opportunities, disruption of essential services, and erosion of consumer confidence. Therefore, complaint resolution timelines must be aligned with the realities of a digitally connected society rather than traditional service delivery models.

India has set an ambitious vision of becoming a "Viksit Bharat" and a global leader in the digital economy. However, the success of this vision depends not merely on expanding digital infrastructure but also on ensuring that the infrastructure functions effectively and remains accountable to consumers. If consumers continue to struggle with basic issues such as network connectivity, ineffective customer support, delayed complaint resolution, and prolonged refund processes, the broader objective of digital empowerment cannot be fully achieved. A developed digital nation requires not only advanced technology but also robust consumer protection mechanisms that inspire trust and confidence among citizens.

In this regard, the proposals relating to greater transparency, open dialogue, periodic consumer satisfaction surveys, and annual reporting by Telecom Service Providers are welcome and deserve strong support. Regular interaction between consumers, regulators, Consumer Advocacy Groups, and Telecom Service Providers can help identify emerging issues and promote collaborative solutions. Periodic consumer satisfaction surveys conducted by independent agencies would provide valuable insights into the actual experiences of consumers and help regulators assess whether grievance redressal mechanisms are functioning effectively in practice. Similarly, annual reports published by Telecom Service Providers regarding complaint volumes, categories of grievances, average resolution timelines, refund performance, consumer satisfaction levels, and corrective measures undertaken would significantly enhance transparency and accountability. Such measures would encourage continuous improvement and strengthen consumer trust in the telecom ecosystem.

ABSENCE OF CONSUMER COMPENSATION MECHANISM – A SERIOUS DEFICIENCY IN THE PROPOSED REGULATORY FRAMEWORK

While the proposed amendments seek to strengthen the procedural aspects of complaint registration, monitoring, appeal disposal, consumer surveys, and regulatory oversight, it is respectfully submitted that the draft regulations suffer from a significant omission, namely, the absence of any statutory mechanism for compensating consumers who suffer loss, inconvenience, deprivation of service, or financial prejudice on account of deficiencies attributable to Telecom Service Providers (TSPs).

The proposed framework envisages imposition of financial disincentives upon Service Providers for improper disposal of complaints, delayed compliance, or regulatory violations. However, such financial disincentives are payable to the Authority and not to the consumer who has actually suffered the consequences of the deficiency in service. Consequently, while the regulator may enforce compliance through penalties, the aggrieved consumer remains without any effective remedy or restitution. This creates a regulatory imbalance whereby the wrong is acknowledged, yet the victim remains uncompensated.

It is a settled principle of consumer jurisprudence that *"where there is a legal wrong, there must exist an effective remedy"* (**ubi jus ibi remedium**). A grievance redressal mechanism that merely records, processes, and closes complaints without providing adequate relief to the affected consumer falls short of the fundamental objectives of consumer protection. The Consumer Protection Act, 2019 recognizes compensation as an essential component of consumer justice. Similarly, principles of natural justice, fairness, accountability, and reasonableness require that a consumer who has suffered due to negligence, deficiency in service, unfair trade practice, or failure of contractual obligations should receive appropriate compensation.

DELAYS IN REFUNDS, BILLING CORRECTIONS AND FINANCIAL RELIEF

In the contemporary digital ecosystem, telecommunications services have transcended the status of ordinary commercial services and have become indispensable for the exercise of several fundamental and statutory rights. Mobile and broadband connectivity are now essential for access to banking services, Unified Payments Interface (UPI) transactions, e-governance services, healthcare facilities, educational platforms, employment opportunities, emergency services, and commercial activities. The Hon'ble Supreme Court has repeatedly emphasized the significance of digital access and communication services in ensuring meaningful exercise of constitutional rights and participation in modern society.

Therefore, when a consumer suffers prolonged network outages, disruption of broadband services, wrongful disconnection, unauthorized activation of value-added services, incorrect billing, delayed refunds, failure of number portability, interruption of business communications, or non-resolution of complaints within prescribed timelines, the consequences extend beyond mere inconvenience. Such failures may result in direct financial losses, loss of livelihood opportunities, disruption of commercial activities, mental agony, harassment, and denial of access to essential services.

Particularly concerning is the issue of delayed refunds. Consumers frequently encounter situations where excess amounts are deducted, incorrect charges are levied, security deposits are retained, or billing errors are subsequently admitted by the Service Provider. Even where the grievance is ultimately accepted by the Service Provider, the refund process often remains prolonged and cumbersome. The consumer is compelled to repeatedly follow up for recovery of money that rightfully belongs to him. Such conduct effectively results in unjust enrichment by the Service Provider at the expense of consumers and undermines confidence in the grievance redressal framework.

The proposed regulations prescribe timelines for complaint handling and appeals but do not specify any consequences in favour of consumers when such timelines are breached. **In the absence of a compensation mechanism, there is little incentive for Service Providers to prioritize timely and satisfactory resolution of grievances. A regulatory framework that imposes obligations without corresponding consumer remedies risks becoming procedural rather than substantive in nature.**

It is therefore submitted that TRAI may consider incorporating provisions for "**automatic consumer compensation**" in clearly defined situations, including but not limited to:

a. failure to resolve complaints within the prescribed timelines;
b. delays in processing refunds beyond the stipulated period;
c. prolonged network outages and service disruptions exceeding prescribed thresholds;
d. wrongful billing or unauthorized deductions subsequently found to be erroneous;
e. wrongful disconnection or suspension of services;
f. failure to comply with directions issued by the Appellate Authority; and
g. repeated occurrence of the same grievance despite prior complaint resolution.

Such compensation should be credited automatically to the consumer's account without requiring initiation of separate proceedings or filing of fresh claims. The burden of seeking compensation should not be placed upon consumers who have already undergone the inconvenience of pursuing a grievance.

Further, it may be considered that where the Authority, during audit, inspection, regulatory review, or examination of consumer feedback, finds that complaints have been improperly dismissed or inadequately addressed, a portion of the financial disincentive imposed upon the Service Provider should be directed towards compensating the affected consumers. This would ensure that regulatory enforcement translates into tangible consumer relief rather than remaining a purely administrative exercise.

The vision of a "Digital India" and "Viksit Bharat" cannot be realized merely through expansion of telecommunications infrastructure. Equally important is the creation of a robust consumer protection ecosystem that inspires trust, accountability, and confidence among users of telecom services. A consumer-centric grievance redressal mechanism must not only facilitate complaint registration and monitoring but must also provide meaningful remedies when rights are violated.

Accordingly, it is respectfully submitted that the proposed regulations should be suitably amended to incorporate a statutory framework for consumer compensation, restitution, and remedial relief. Such an amendment would significantly strengthen consumer confidence, enhance accountability of Service Providers, and align the regulatory framework with the constitutional principles of fairness, reasonableness, and effective access to justice.

ABSENCE OF INDEPENDENT VERIFICATION OF COMPLAINT RESOLUTION AND DISPARITY BETWEEN GROUND REALITY AND REPORTED COMPLAINT DATA

A significant concern that merits consideration is the apparent disconnect between the volume of consumer grievances experienced in reality and the number of complaints reflected in the formal grievance redressal system, particularly at the appellate stage. India has one of the largest telecom subscriber bases in the world, and consumers routinely face issues relating to network outages, call drops, poor data speeds, billing disputes, unauthorized deductions, activation of unwanted services, delayed refunds, spam communications, and service disruptions. Despite the widespread nature of these issues, the number of appeals reflected in the formal grievance redressal framework often remains in single or double digits. Such a disparity raises legitimate questions regarding whether complaint statistics accurately reflect the actual consumer experience. It is difficult to believe that in a country with more than a billion telecom connections, only a negligible number of consumers remain dissatisfied after the first level of complaint handling. The more plausible explanation is that a substantial number of complaints are being closed before consumers are able to effectively pursue escalation mechanisms.

i. <u>Premature Closure of Complaints Without Actual Resolution</u>

A recurring grievance reported by consumers is that complaints are frequently marked as "resolved" or "closed" within 24 to 48 hours despite the underlying issue continuing to persist. Consumers often receive automated messages informing them that their complaint has been resolved, whereas in reality the network problem, billing dispute, service deficiency, or refund issue remains unresolved. In many cases, complaint closure appears to be based solely on the internal assessment of the Service Provider rather than any express confirmation from the consumer. Administrative closure of complaints should not be equated with genuine grievance resolution. If complaints continue to be closed without independently verifying consumer satisfaction, the resulting statistics may create a misleading impression of efficiency while masking unresolved grievances on a large scale.

ii. Lack of Independent Verification and Transparency

The proposed framework does not provide any mechanism for independently verifying whether complaints reported as resolved have actually been resolved to the satisfaction of consumers. At present, the Telecom Service Provider is responsible for registering complaints, processing complaints, classifying complaints, recording the action taken, determining closure status, and reporting performance metrics. Consequently, the entire grievance lifecycle remains under the control of the same entity against whom the complaint has been raised. In the absence of independent verification, regulators and stakeholders are compelled to rely almost entirely upon information generated by the Service Provider itself. Such an arrangement may not adequately satisfy the principles of transparency, accountability, and consumer protection.

iii. Limited Role of Consumer Advocacy Groups

Another concern is that Consumer Advocacy Groups presently have no meaningful access to complaint-level information. They are unable to verify whether complaints reported as resolved were genuinely resolved, whether consumers were satisfied with the outcome, or whether complaints were merely closed as part of an administrative process. They also lack access to information that would enable them to identify recurring patterns of consumer grievances, systemic deficiencies, or repeated instances of complaint closure without adequate resolution. As a result, Consumer Advocacy Groups are deprived of the opportunity to perform an effective oversight function and provide meaningful feedback on the actual effectiveness of the grievance redressal mechanism.

iv. Impact on Consumer Confidence

A grievance redressal mechanism derives its legitimacy from consumer trust. When consumers repeatedly experience situations where complaints are marked as resolved despite the underlying issue continuing to exist, confidence in the system is inevitably eroded. This often results in consumers abandoning formal grievance mechanisms altogether and instead resorting to social media campaigns, public forums, consumer courts, legal proceedings, or direct representations to TRAI. Such behaviour reflects a lack of confidence in the effectiveness of the existing complaint handling framework and demonstrates the need for greater transparency and independent verification.

RECOMMENDATION FOR CREATION OF A COMMON CONSUMER GRIEVANCE RESOLUTION PLATFORM

<u>i. Need for a Collaborative and Transparent Framework</u>

In order to address the above concerns, TRAI may consider establishing a common digital grievance resolution platform jointly accessible to Telecom Service Providers, Consumer Advocacy Groups, and the Authority. The objective of such a platform should be to ensure that complaint resolution is measured not merely by closure statistics but by actual consumer satisfaction. Such a framework would enhance transparency, facilitate independent verification, and strengthen public confidence in the grievance redressal process.

<u>ii. Real-Time Monitoring and Consumer Participation</u>

The proposed platform should enable consumers to register complaints, track complaint status in real time, upload supporting documents, receive updates regarding actions taken, and provide feedback on the quality of resolution. Telecom Service Providers should be required to update complaint status and action taken reports on the platform on a real-time basis. Most importantly, no complaint should be treated as finally resolved merely because the Service Provider has completed its internal process. The consumer should be provided an opportunity to expressly confirm whether the grievance has been satisfactorily resolved. In the absence of such confirmation, the complaint should not be classified as successfully closed.

<u>iii. Role of Consumer Advocacy Groups</u>

Accredited Consumer Advocacy Groups should be granted controlled and privacy-compliant access to the platform for the limited purpose of monitoring complaint trends, identifying systemic deficiencies, assisting consumers in pursuing grievances, and independently verifying whether complaint closures are genuinely reflective of consumer satisfaction. Such participation would not only improve accountability but would also enable Consumer Advocacy Groups to act as an effective bridge between consumers, Telecom Service Providers, and the regulator.

a. Benefits of the Proposed Framework

The creation of a common grievance resolution platform would significantly improve transparency, reduce the possibility of premature complaint closure, strengthen accountability of Service Providers, and provide TRAI with reliable real-time data regarding consumer grievances. It would facilitate independent verification of complaint resolution, enable data-driven regulatory interventions, and ensure that performance assessments are based upon actual consumer outcomes rather than administrative closure rates. Most importantly, it would restore consumer confidence by ensuring that the voice of the consumer remains central to the grievance redressal process.

b. Suggestion

It is therefore respectfully submitted that TRAI should consider creating a centralized consumer grievance resolution platform jointly accessible to Telecom Service Providers, Consumer Advocacy Groups, and the Authority. Such a mechanism would transform the existing grievance redressal framework from a closed and service provider-driven system into a transparent, collaborative, and consumer-centric ecosystem. The success of a grievance redressal framework should not be measured by the number of complaints closed, but by the number of consumers whose grievances have been genuinely and satisfactorily resolved.

In conclusion, it is respectfully submitted that consumer participation, independent oversight, and transparency are indispensable components of any credible grievance redressal mechanism. The existing role of Consumer Advocacy Groups serves as an important safeguard that promotes accountability and consumer confidence. Any proposal that diminishes such participation must be approached with caution and supported by strong institutional safeguards. It is therefore requested that TRAI reconsider the proposed changes and ensure that the final framework preserves independent consumer representation, strengthens transparency, enhances accessibility, and reinforces the principles of fairness and accountability that lie at the heart of consumer protection.

The interests of millions of telecom consumers across the country must remain the foremost consideration while undertaking any reform of the grievance redressal framework. A strong and participatory redressal mechanism will not only protect consumers but will also contribute to the long-term credibility, sustainability, and growth of the Indian telecom sector.