



हिमाचल उपभोक्ता संरक्षण परिषद् (रजि.) शिमला

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रणजीत सिंह धीमान
सभासभा (प०)

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Comments on the Draft Telecom Consumers Complaint Redressal (Fourth Amendment) Regulations, 2026.

Himachal Uppbhogkta Sarakshan Parishad, Shimla as a designated member of the Consumer Advocacy Group (CAG) of the Telecom Regulatory Authority of India (TRAI), appreciate the opportunity to provide formal comments on the proposed Draft Telecom Consumers Complaint Redressal (Fourth Amendment) Regulations, 2026 released on May 7, 2026.

While the draft introduces highly commendable, progressive updates—such as mandating round-the-clock (24x7) complaint centers, integrating modern digital interfaces (Apps, Web Portals, AI Chat bots), incorporating language accessibility, establishing dedicated desks for Persons with Disabilities (PwDs), and introducing strict financial disincentives—there is one fundamental provision that raises deep concern regarding consumer representation.

We strongly disagree with and object to the proposal to abolish the Advisory Committees currently constituted to assist the Appellate Authority in disposing of consumer appeals as per our Associations detailed observations, justifications, and counter-proposals on this specific issue, followed by brief feedback on other sections of the draft.

The draft regulation proposes to eliminate the Advisory Committee—which structurally comprises one representative from a registered Consumer Organization and one from the Telecom Service Provider (TSP)—citing "procedural delays," an "inefficient appeal process," and a "diffusion of accountability."

As a consumer representative, we strongly urge TRAI to reconsider this step based on the following structural and democratic grounds:

The Advisory Committee is the only mechanism within the current framework that ensures an independent consumer voice directly participates in reviewing escalated grievances. Removing this committee strips away structural checks and balances, transforming the Appellate Authority into a purely internal body of the service provider.

TRAI proposes that strengthening the eligibility criteria of the Appellate Authority (requiring senior management with at least 5 years of experience) will ensure unbiased, high-quality disposal. However, an internal employee of a TSP, regardless of seniority, faces an inherent conflict of interest when deciding financial or systemic disputes between a consumer and their own employer. The Advisory Committee provides the necessary external, neutral counterweight to ensure natural justice.

The delays observed in the disposal of appeals often stem from a lack of strict operational timelines, inadequate administrative support from TSPs, or low awareness among consumers, rather than the existence of the committee itself. Scrapping the committee to achieve speed sacrifices equity and transparency for operational convenience.

Registered consumer organizations bring vital ground-level perspectives regarding deceptive practices, billing anomalies, and network failures that a corporate executive might overlook. Their presence ensures that systemic issues are flagged during the appeal process.

We submits for Reforming (Not Abolishing) the Advisory Committee as under:-

Instead of complete dismantling, the framework should be strengthened to address TRAI's concerns about efficiency and accountability:

1. Mandate that Advisory Committee reviews be conducted via digital/virtual hearings within a strict 7 to 10-day window. If a member fails to participate within the window without valid cause, the Appellate Authority may proceed, preventing procedural bottlenecks.
2. Define explicit Standard Operating Procedures (SOPs) for the committee. Tie the Performance Monitoring reports directly to the timely scheduling of these consultations by the service provider.
3. If TRAI proceeds with centralized decisions, it must mandate an independent quarterly audit of a random sample of dismissed appeals by a panel of TRAI-registered CAG members to ensure TSPs are not unfairly rejecting consumer claims.

While objecting to the removal of consumer representation, we fully support and welcome the following modernization aspects of the draft, subject to specific refinements:

Round-the-Clock (24x7) Operations & Tech Integration

Observation: Upgrading Complaint Centre's to operate round-the-clock aligns with the current reality of a digital-first economy.

Recommendation: Chatbots, AI Agents, and Web Portals must ensure that a consumer can seamlessly escalate from an automated script to a human representative at any hour if the query remains unresolved. The interface must not become a digital barrier to filing formal complaints.

Accessibility for Persons with Disabilities (PwDs) & Vernacular Support

Observation: Establishing a dedicated special desk for PwDs using assistive technologies, along with regional language options, is a landmark steps toward digital inclusivity.

Recommendation: TSPs should be required to clearly publicize the availability of these specific helplines on their main landing pages, monthly bills, and app home screens so vulnerable segments can locate them without hassle.

Financial Disincentives

Observation: The introduction of a financial disincentive of 1,000 per improper disposal of a complaint and ₹5,000 per improper disposal of an appeal is an excellent deterrent against arbitrary closures.

Recommendation: The absolute cap of 50 lakh per quarter per Licensed Service Area (LSA) might be easily absorbed as a cost of business by major TSPs. The disincentive should scale dynamically based on the subscriber market share of the TSP in that specific service area to maintain a meaningful deterrent effect.

Clause 5 Removal of Advisory Committee:

We strongly oppose the total abolition of the Advisory Committee. Removing the consumer organization representative from the appellate stage completely strips away independent, tripartite oversight and leaves the grievance process entirely at the mercy of the Telecom Service Provider.

Alternative Proposal: The observed delays of over 40 days are a failure of enforcement, not a failure of the committee's concept. Rather than dissolving this vital pro-consumer layer, TRAI should mandate a Fixed Calendar Framework.

Mandatory Scheduling: It should be made legally binding for the Advisory Committee to meet on the 4th, 12th, 20th and 28th of every month. This fixed 8-days cycle completely removes the service providers' excuses regarding "member unavailability" ensures appeals never wait more than a week to be heard and easily satisfies TRAI's target of a 15-day total resolution timeline. Non-compliance with these specific dates should attract the proposed financial disincentives.

At the end we submit that consumer trust is the cornerstone of a healthy telecom sector. Efficiency must not come at the cost of equity. While modernizing the technology behind grievance redressal is absolutely vital, removing the independent consumer voice by abolishing the Advisory Committee weakens consumer protection. We strongly urge TRAI to retain the Advisory Committee structure while reforming its operational guidelines through digital workflows and strict timelines.

Thank you for dedication to balancing industry growth with robust consumer safety.



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