

Fwd: Review of Telecom Consumers Protection Regulations (TCPR), 2012 Our Comments, Remarks

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 Sat, 17 Aug 2024 11:52:31 AM +0530
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To: "Amit Sharma" <advfea1@traf.gov.in>
Sent: Friday, August 16, 2024 8:49:53 PM
Subject: Review of Telecom Consumers Protection Regulations (TCPR), 2012 Our Comments, Remarks



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**Coordinated Action of Consumer & Voluntary
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CAOCVO/DC-TCPR-Tariff-1
 16th August 2024

Friday,

**Shri Amit Sharma,
 Advisor (Finance & Economic Analysis),
 Telecom Regulatory Authority of India
 Tower-F, World Trade Centre, Nauroji Nagar,
 New Delhi: 110029**

Sir;

Greetings from Coordinated Action of Consumer & Voluntary Organisations of Karnataka (CAOCVO)

This is in response to the Consultation Paper on Review of Telecom Consumers Protection Regulations (TCPR), 2012 released on 26th July 2024 seeking written comments of stakeholders.

We are a network of voluntary Consumer Organisations of Karnataka and also a CAG member.

At the outset, the Title itself is a misnomer in our opinion. As this is a section of the Consumer Protection Regulations (TCPDR), 2012; more specifically relating to Tariff.

Coming as it does immediately after the steep increase in Tariff of about 15-25% and outrage expressed by Consumers, it not difficult to link the strange coincidence.

Whereas we have seen in the media that *"The government does not intervene in the free market decisions as the functionality is under the domain of TRAI and tariffs are under forbearance"*. Quoting the same source, TRAI also has repeated the same and washed its hands. It states that Telcos must concentrate on QOS? According to a Senior official of TRAI.

Less said about QOS the better; Grievance redressal is pathetic. "Call drops", Poor network and lack of action on VAS like spam calls is testing the patience of every Consumer.

This being the case, the Consultation paper is redundant.

TRAI has been collecting data on a regular basis but still no action to verify or audit their statements as we seen in the case of "Call drop" when an independent agency was appointed and startling revelations were reported.

Vide 2.2.4, 2.2.5 there is reference to some countries that have a different structure to suit the proposal. This is completely misleading, taking some portion and quoting them is not justifiable as the conditions totally vary and hence it is not suitable in this context.

Also vide 2.3.2 A consumer survey to find out the consumer preferences on the various tariff offerings conducted by TRAI has highlighted that subscribers overwhelmingly favour vouchers with extended validity. The primary reason cited by subscribers is the desire to avoid the inconvenience of frequent recharges, which disrupts their service experience and creates unnecessary complexity in managing their mobile accounts. But the survey details are not shared. So it will not be possible to comment on the sample size, methodology and procedure followed to arrive at this conclusion.

While we do agree, that Consumers should have a *"Right to choose"* which is fundamental to the Consumer movement; it cannot be achieved without amending the present TRAI Act and enlarging its scope. We have repeated this on several forums.

We regret to state that TRAI's legal background is not sound and looks very weak as can be seen the way it contested and lost the case on **"Call drops"**. We have also seen several other issues where TRAI's drafts and position is very poor.

In view of the above, even if this is taken to its logical conclusion of segregating Calls and data, they will not go uncontested by the licensees. Hence superfluous. However, we stand with TRAI if it comes to that and are willing to intervene; implead in the petition.

The recent tariff increases which in our opinion is steep, that too to cover their ARPU / subscriber even though TSPs are profiteering shows scant respect or challenging the authority. TRAI should follow the system followed by the Electricity regulators where in there is an annual filing (ERC) which is scrutinised and put up to the public domain. Subsequently, if there is any proportionate increase as a consequence of their sustenance, they are allowed after stake holders consultation. Perhaps this practice should be introduced so that a comprehensive review is done rather than halfhearted attempt such as this.

Finally, we appeal to TRAI to have a OHD on the subject before it is decided.



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