Consumer Disputes Settlement under
Telecom Regulatory Authority of
India Act, 1997

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- Preamble

Establishment of TRAI and TDSAT:
- to regulate telecom services
- protect interest of consumers
- promote orderly growth of telecom sector

TDSAT:
- adjudicate disputes
- dispose of appeals
Consumer oriented Functions of TRAI

- Quality of service-prescribing standards, monitoring through returns and thro’ independent agency, public awareness.
- Facilitate competition & promote efficiency – Tariffs, interconnections, market practices regulation, protect consumers from exploitation.
Adjudicates upon dispute between a group of consumers and telecom service providers.

Does not adjudicate upon:

- individual consumer complaints
- unfair trade practices under MRTPA Act
- disputes under Sec. 7B of Indian Telegraph Act.
Consumer Protection Act, 1986

- To provide for better protection of the consumers and establishment of:
  - District Forum (less than Rs. 20 Lacs)
  - State Commissions (between Rs. 20 Lacs-1 Crore)
  - National Commission (more than Rs. 1 Crore)
- for settlement of consumer disputes
Who can file a complaint in a Consumer Forum?

Sec 2(b) :

- Consumers or group of consumers having similar interests
- Voluntary Consumer Associations
- Central or State Government
- Legal heir or representative of a deceased consumer
TDSAT & Consumer Courts

- TDSAT has been established to deal with disputes between a group of consumers and a service provider
- TDSAT is a Specialised Tribunal - Special Act
- Consumer Court is a General Fora - Earlier Act
TRAI’s Recommendation on Ombudsman

- New authority recommended to deal with individual consumer complaints.
- Needs enforceability. Powers and appeals?
- Doubts have been raised about effectiveness of this measure.
If my phone is dead, I don’t want compensation. I want the phone to start working immediately.

How would Ombudsman facilitate speedier resolution of consumer complaints? What is experience of banking sector?
Ministers also have been receiving complaints which reach operator after 10/15 days. How would Ombudsman be different?

Why not persuade operators to set-up Grievance Cells in each SDCA with thrice a week sittings in first one year after launch of service in any SDCA when the network may not be stable.