CONSUMER RIGHTS
UNDER TRAI ACT, 1997

TDSAT SEMINAR, BOMBAY
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Consumer Rights under
Telecom Regulatory Authority of India Act, 1997
&
Consumer Protection Act, 1986
- a Background Analysis
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
Functions of TRAI

Special emphasis on Consumers:

- Recommendations for development of telecom technology
- Lay down standards of quality of service by service providers
- Conduct periodical surveys of services provided to consumers
- Facilitate competition & promote efficiency in the operation of Telecom services
TDSAT

- Adjudicates upon dispute between a group of consumers and telecom service providers.

- Does not adjudicate upon:
  - individual consumer complaints
  - unfair trade practices under MRTPAct
  - 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.
To deal with individual consumer complaints

Facilitate an intra-sector arrangement for efficient response to consumer complaints

Appointment by a licensor under a license agreement

Recommendation silent on Finality, Enforceability and Appeals from Ombudsman
All those who have had complaints against your Service Provider RAISE YOUR HANDS !!

Q & A
FOLLOWS
THANK YOU

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