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

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Telecom Regulatory Authority of
India Act, 1997
- 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.**

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**

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.**

Ombudsman

- **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 ?**

Ombudsman-contd.

- **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.**