

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**LOK SABHA
STARRED QUESTION NO. 216
TO BE ANSWERED ON 1ST AUGUST, 2018**

OMBUDSMAN FOR TELECOM SECTOR

*216. SHRI PRATHAP SIMHA:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether there has been considerable delay in setting up of an Ombudsman to deal with consumer grievances in the telecom sector despite the recommendation of Telecom Regulatory Authority of India (TRAI), if so, the details thereof and the reaction of the Government thereto;
- (b) the steps taken/being taken by the Government to amend the Consumer Protection Act to include telecom consumer complaints and related financial claims under its ambit;
- (c) whether the existing grievance redressal mechanism for telecom sector is grossly inadequate, if so, the details thereof and the reasons therefor along with the steps taken by the Government in this regard;
- (d) whether the Telecom Regulatory Authority of India Act, 1997 does not entail handling of individual consumer complaints by TRAI and all complaints received by it are forwarded to the concerned Telecom Service Providers for suitable action, if so, the details thereof and the reasons therefor; and
- (e) the initiatives taken/being taken by the Government to protect the interest of telecom consumers?

ANSWER

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF COMMUNICATIONS &
MINISTER OF STATE IN THE MINISTRY OF RAILWAYS
(SHRI MANOJ SINHA)**

- (a) to (e) A statement is laid on the table of the House.

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STATEMENT TO BE LAID ON THE TABLE OF LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. *216 FOR 1ST AUGUST, 2018 ON “OMBUDSMAN FOR TELECOM SECTOR”.

(a) No madam. Telecom Regulatory Authority of India (TRAI), based on inputs / feedback received from all stake holders, has submitted its recommendations on **“Complaints / Grievances Redressal in the Telecom Sector”** dated 10th Mar-2017 to Department of Telecom (DoT) for improving of Grievance / Complaints Redressal Mechanism with respect to Telecom consumers, wherein the TRAI recommended for setting up of three tier structure/ mechanism for redressal of consumer grievances related to telecom sector including setting up an office of Ombudsman at apex level.

The Telecom Commission has approved the establishment of institution of Ombudsman for redressal of complaints/ grievances in telecom sector under the aegis of TRAI.

(b) The Consumer Protection Bill, 2018 has been introduced in Parliament to replace the 32 year old Consumer Protection Act, 1986. The bill seeks to include ‘Telecom’ under definition of services to cover telecom consumer complaints under the Consumer Protection Act. In light of Hon’ble Supreme Court decision dated 01.09.2009, consumer courts do not entertain telecom related grievances at present.

(c) No madam, it is respectfully submitted that it may not be apt to infer that the existing grievance handling mechanism in telecom sector is grossly inadequate.

TRAI has laid down the framework for redressal of complaints of telecom consumers through “Telecom Consumers Complaints Redressal Regulations, 2012” & “Telecom Consumers Protection Regulations, 2012” as amended from time to time. The current Regulation provides for a two tier Complaint redressal mechanism of Complaint Centre and Appellate Authority, to be run by all the Telecom Service Providers (TSPs). However, in order to further strengthen the telecom grievance handling mechanism and to make it more efficient and effective, TRAI has given its recommendations dated 10.03.2017, for establishing Ombudsman in Telecom Sector. The Telecom Commission has approved the establishment of institution of Ombudsman for redressal of complaints/ grievances in telecom sector under the aegis of TRAI.

Telecom consumers, who are not satisfied with the grievance redressal mechanism of TSPs, can lodge their grievance to DoT for redressal of grievances, either online through Public Grievances portal of Government of India or offline through phone, fax, by post.

(d) The Telecom Regulatory Authority of India Act, 1997 does not mandate TRAI to handle individual consumer complaints. However, to facilitate consumers, all complaints received in TRAI are forwarded to the concerned Telecom Service Providers for suitable action.

(e) TRAI, through TRAI Act, has been entrusted to protect the interests of telecom consumers. TRAI has been continuously endeavoring to protect the interests of telecom consumers and has been making necessary interventions in the form of appropriate regulations, directions, and orders with regard to different aspects of telecom services as and when required.

However, in case a grievance is not redressed even after exhausting the two tier procedure as prescribed by TRAI, the complainant may approach Public Grievance wing of Department of Telecommunications (DoT), along with all documentary evidence(s) for non-redressal of grievance at concerned Service Provider level. Complainant may submit grievance in either of the following ways:

(i) By hand (ii) By post (iii) Through FAX (iv) Through phone OR (v) By Web Portal (CPGRAMS) URL: <http://www.pgportal.gov.in>

The complaints so registered in DoT are forwarded to the concerned service provider / subordinate organization(s) with an advice to take appropriate action in the matter and to inform the complainant regarding the action taken towards the redressal of grievance. All the Complaints received in DoT are monitored in a transparent, user friendly and structured manner by DoT staff and officers. DoT also provides an option to the complainants to raise his/ her grievance through social media like twitter.

Apart from above DoT also took initiative to bring telecom consumers under the ambit of Consumer Protection Act, 2018.

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