



# 1939, 9<sup>th</sup> MAIN, 27<sup>th</sup> CROSS, BANASHANKARI 2<sup>nd</sup>  
Stage, BENGALURU - 560070  
Phone: 6364928222  
E-Mail : [ccsbng@gmail.com](mailto:ccsbng@gmail.com)  
Website: [ccsbng.org](http://ccsbng.org)

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10<sup>th</sup> May 2026

To,

**Advisor (Financial & Economic Analysis),  
TRAI  
New Delhi**

Sir,

**Subject:- Counter Comments to the referenced notification**

**Reference:- DRAFT NOTIFICATION TELECOM CONSUMERS PROTECTION (THIRTEENTH  
AMENDMENT) REGULATIONS, 2026**

We are TRAI authorised CAG for Karnataka State.

We have attached our counter comments to the responses/comments of other stakeholders to the above Draft Notification for your perusal and consideration.

Thanking you,

Yours sincerely

**Gopal Ratnam V  
Secretary  
Consumer Care Society**

**Counter Comments on**  
**DRAFT NOTIFICATION TELECOM CONSUMERS PROTECTION (THIRTEENTH AMENDMENT)**  
**REGULATIONS, 2026**

Based on our perusal of the comments/suggestions made by one or more of the Telecom Service Providers (TSPs) and Industry bodies to the draft notification Telecom Consumers Protection (13<sup>th</sup> Amendment) Regulations 2026, we offer our counter comments to them.

SN	Stakeholders Comments	Consumer Care Society's (CCS) Counter Comments
1	That data is now an essential utility, and telecom regulation should encourage digital participation. They argue that separating voice from data is economically and socially regressive. An actual comment is "Access to data services today is no longer a discretionary add-on, but a foundational enabler".	Such comments ignores an important regulatory principle that is to protect the rights of consumers. The consumers should have the right to purchase the services they need or not to purchase the services they do not need. <b>So the regulation is not anti-digital but pro-choice.</b>
2	They defend the long standing tariff forbearance framework that they claim has lead to many benefits and believe that the regulation is a reversal and a retrograde step.	This point is partially valid in that there are benefits but unfortunately the market has become insentive to consumers needs due to its structure. <b>The regulation is a light touch one and does not set the prices, allowing the TSPs to do so.</b> The regulation tries to restore the balance in the market by offering consumers more choice.
3	There is a strong contention that all users would need data for a few essential tasks like, UPI, Emergency Communication, App authentication etc. There is also a reason of "accidental data use" given that may trigger expensive pay-as-you-go charges.	<p>The regulation clearly states that there are users who cannot afford the plan charges and there still users using feature phones, so there users who obviously do not need data. While there is merit in the proposition that for almost every consumer <b>proper use of data could increase their welfare, still this choice that should be exercised ONLY by the consumer.</b> If the TSPs earnestly believe this claim, then <b>they can educate the consumers on the benefits of data plan and ensure that the users buy them rather than denying the consumers choice.</b></p> <p>There is some rationale in the TSPs comments that there are situations that data would be essential and also beneficial. <b>CCS believes</b></p>

		that nudging the users to move to a digital world as envisioned in the National goal of a Digital Bharat is necessary and hence had suggested in its comments to this regulation a Life Plan or a Basic Plan. CCS again strongly urges the regulator TRAI to implement this suggestion.
4	The addition of a Voice+SMS plan for each validity period would in their opinion lead to a proliferation of plans with attendant problems.	It has been well documented that more choices lead to poorer decision by the consumers. However such a situation is even currently existing with the TSPs offering a multitude of plans that are not differentiated at the basic services of Voice, Data and SMS but have been curated to offer other services. (See table 1 below). <b>A solution to this problem has been suggested in CCS comments to this regulation, that of Modular Plans, wherein the consumer combine packs to suit their needs.</b>
5	There are concern expressed that a Voice+SMS plan would be misused by Spammers and Unregistered Telemarketers (UTM)	This is a genuine concern with which CCS concurs. However there other means and approaches to reduces or eliminate UCC and Spams, which are already being implemented by TRAI. <b>Enforcement weakness of measures against UTM cannot be a reason to deny consumers of their right of choice.</b>
6	The cost structure in the telecom sector is such that network maintenance cost dominates tariff economics and data inclusion has only marginal incremental cost. Thus removing data from the bundled offer would not significantly reduce cost of the voice only plans.	<p>This is a specious claim. Data traffic is highly resource intensive and there are significant cost attached to data. In addition, with millions of consumers forced to consume data due to the bundling, the TSP are continuously compelled to increase network capacities.</p> <p>This reasoning seems to hint that the TSPs may not be or unable to decrease the cost of Voice only plans <b>proportionately</b> and hence TRAI needs to closely monitor the implementation. <b>CCS suggests that these plans be submitted to TRAI for approval before they are introduced in the market.</b></p>
7	“The regulator must also duly balance consumer interests with the financial health and business viability of telecom service providers.” is a comment from an	The customer who would opt for the such low priced Voice only plan would not be a major revenue source for the TSPs given their market size and plan price. Hence the

	Industry body. <b>However earlier in their response they were categorical that there was NO demand for Voice only plans.</b>	question of the TSPs business viability being jeopardised is exaggerated.
8	“No market failure” is an argument advanced to say there is no necessity for the regulator’s intervention through this regulation.	Regulator’s intervention is necessary in situations other than market failure, like fairness, transparency, inclusion, accessibility, etc. <b>In this case as mentioned earlier the consumer’s right of choice is structurally constrained and hence the regulator’s intervention is justified. Further, CCS has suggested other tariff interventions in its comments response and in this counter comment response to the current market situation for the regulator to consider.</b>

Table: 1

<b>Telecom Service Operator</b>	<b>Plan Validity (in days)</b>	<b>Number of Plans</b>
<b>TSP 1</b>	<b>28</b>	<b>7</b>
	<b>84</b>	<b>9</b>
<b>TSP 2</b>	<b>28</b>	<b>9</b>
	<b>84</b>	<b>9</b>

**Gopal Ratnam V**  
**Secretary**  
**Consumer Care Society**