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CG-counter comments/ TCPR (THIRTEENTH AMENDMENT) REGULATIONS, 2026

Counter Comments by Consumer Guild, Lucknow on the Draft Telecommunication Consumers Protection (Thirteenth Amendment) Regulations, 2026 Submitted in response to Industry Associations, Telecom Service Providers/ Telecom Operators submissions.

Reference: TRAI Consultation on Draft TCPR (13th Amendment), 2026

Consumer Guild, Lucknow, a registered Consumer Advocacy Group with TRAI, strongly supports the Draft Telecommunication Consumers Protection (Thirteenth Amendment) Regulations, 2026.

We appreciate TRAI's proactive step to mandate Voice + SMS-only Special Tariff Vouchers (STVs) with largely proportional price reductions corresponding to every bundled plan validity. This addresses real consumer pain points, especially for low-income, rural, elderly, and low-usage users who are forced into expensive data-bundled plans they do not need or use.

We submit these counter-comments specifically to refute industry arguments that seek to dilute, delay, or withdraw this consumer-centric reform.

1. Rebuttal to Claims of "No Market Failure" and "Sufficient Existing Options" Industry argues there is no market failure, low-data packs already exist as de facto voice+SMS options, and the 12th Amendment (one Special TARRIF VOUCHER) suffices.

Counter: This ignores widespread consumer complaints about high effective costs for non-data users and limited short-validity voice/SMS options. Bundled plans force consumers to pay for unused data, inflating costs for price-sensitive segments. Low-data "entry" packs (often 1-2 GB) still bundle unwanted data at non-proportional pricing, offering poor value. TRAI's own observations and consumer representations highlight inadequate choice and affordability—particularly for shorter validities needed by daily-wage earners. Market-driven offerings have failed to provide truly affordable standalone voice/SMS alternatives across validities, necessitating regulatory intervention. Competition under forbearance has delivered data proliferation but at the expense of vulnerable non-data users.

2. Rebuttal to "Proportional Pricing is Price Control / Unviable" Operators claim networks are integrated, costs are not separable, and proportional reductions amount to micro-management that harms investment, Annual Revenue Per User, and 5G/6G rollout.

Counter: This is exaggerated self-interest. "Largely proportional" allows flexibility (not rigid arithmetic) while preventing predatory bundling that extracts surplus from non-data users. Telecom costs (spectrum, towers) are largely fixed; marginal data costs are low in modern networks. Operators already design bundles with massive cross-subsidies and discounts—proportionality merely ensures fairness and prevents overcharging voice/SMS users. Tariff forbearance- freedom to set their own market driven rates has worked for innovation, but it has also enabled non transparent pricing. TRAI retains the right to intervene for consumer protection.

3. Rebuttal to "Data is Essential – Discourages Digital Inclusion" A common industry line is that data is foundational for UPI, Digi Locker, education, etc., and voice-only plans risk a digital divide or reduced DPI usage.



Counter: This is anti-consumer. The **Right to Selection** (or Right to Choose) is one of the six fundamental consumer rights guaranteed under the **Consumer Protection Act**. Not all users need or can afford regular data; many (elderly, low-income rural users) primarily require voice/SMS for basic communication and occasional essential services. Mandating affordable voice/SMS options increases overall access and inclusion by lowering entry barriers—users can add data top-ups as needed. Forcing data bundles excludes or burdens those who cannot afford them. Government DPI initiatives should complement, not justify, overcharging. Consumers are capable of choosing; regulation empowers choice rather than locking them into unwanted bundles. Low-usage plans with minimal data already exist—the amendment ensures genuine affordability for pure voice/SMS needs.

4. Rebuttal to UCC/Spam and Operational Complexity Concerns Industry warns of increased spam from cheap voice packs and added complexity/complaints.

Counter: The Telecom Regulatory Authority of India (TRAI) has significantly bolstered its anti-spam framework by integrating the TCCCPR 2018 regulations, DND, and AI-powered detection to create a more proactive, technology-driven defense against unsolicited commercial communications (UCC).

Stronger enforcement (not restricting consumer choice) is the solution. Operational complexity is overstated—operators manage thousands of plans; adding proportional variants is feasible with IT systems. Any short-term issues are outweighed by long-term consumer benefits and reduced mis-selling complaints.

5. Rebuttal to "Longer Validity Packs are More Affordable/Convenient" Claims that longer-validity bundles benefit consumers and short-validity mandates raise per-unit costs.

Counter: This ignores cash-flow realities for daily-wage and low-income consumers who prefer shorter recharges to match income cycles. Longer packs tie up capital and risk unused validity. Proportional short-validity options enhance affordability and flexibility without harming those who prefer longer plans. Overall Position and Recommendations Industry submissions prioritize corporate flexibility and margins over consumer welfare, repeating standard resistance to any pro-consumer reform. History shows that targeted TRAI interventions (e.g., transparency, QoS) have improved outcomes without destroying the sector. This amendment corrects a clear imbalance where data-heavy bundling disadvantages millions. Consumer Guild, Lucknow, urges TRAI to:

- Retain and strengthen the mandate for Voice + SMS-only STVs for every bundled validity period.
- Enforce "largely proportional" pricing with clear guidelines (e.g., minimum % reduction benchmarks) and monitoring.
- Include transparency requirements on plan comparisons and auto-renewals.
- Proceed with implementation timelines that prioritize consumers.

We stand ready for further stakeholder discussions. True digital inclusion requires choice and affordability, not forced bundling. The move protects the interest of rural populations, elderly users, and feature-phone users who do not require data services, ensuring they are not forced to pay for data.