



## VIL Comments to the TRAI's draft Notification on 'Telecom Consumer Protection (Thirteenth Amendment) Regulation, 2026'

At the outset, we are thankful to the Authority for giving this opportunity to provide our comments to the TRAI's draft Notification on 'Telecom Consumer Protection (Thirteenth Amendment) Regulation, 2026', dated 7<sup>th</sup> April 2026.

In this regard, we would like to submit our comments as follows, for Authority's kind consideration:

### 1. Digital Inclusion and Importance of Internet Access

- a. The Digital India Program was launched by Hon'ble Prime Minister of India on 1<sup>st</sup> July 2015, with the vision to transform India into a digitally empowered society and knowledge economy.
- b. Digital India has been improving the lives of all citizens through the digital delivery of services, expanding the digital economy and employment opportunities. The Digital India programme has demonstrated a consistent upward growth trajectory, achieving numerous milestones and flagship initiatives. These accomplishments span a wide array of sectors, including developing broadband highways, universal access to mobile connectivity, public internet access programmes and digital governance.
- c. According to the State of India's Digital Economy Report, 2024, unveiled by the Indian Council for Research on International Economic Relations (ICRIER) stated that India comes in third place in terms of the digitalisation of the economy. India's digital infrastructure has been a key driver of its third-place ranking<sup>1</sup>.
- d. One of the key focus of Digital India<sup>2</sup> is as follows:

#### ***Digital Inclusion and Accessibility***

*We are committed to ensuring that digital services are accessible to all, especially marginalized communities, differently-abled individuals, and those in rural and remote areas. Through targeted initiatives, DIGITAL INDIA aims to make technology an enabler of social and economic empowerment for every citizen.*

- e. Also, one of the key services under the pillar 'Digital Empowerment of Citizen' is:

#### ***Universal Digital Literacy***

*Fostering a culture of digital literacy that empowers every individual to navigate the digital landscape confidently and competently.*

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<sup>1</sup> <https://www.digitalindia.gov.in/about-us/>

<sup>2</sup> <https://www.digitalindia.gov.in/about-us/>



- f. The Government has launched many programs under Digital India initiative and is creating a huge impact on the society, some artifacts<sup>3</sup> on this are given as follows:

Sr. No.	Name	Scale
1	DigiLocker	832.90 Crores Documents issued
2	AADHAAR	138 Crores Aadhaar generated
3	APAAR	31.56 Crores APAAR ID registered
4	UMANG	10.97 Crores Registrations
5	Karamyogi Bharat	1.64 Crores Total Karamyogis Onboarded
6	DIKSHA	184.6 M Enrolments
7	eSanjeevani	27.95 Crores Total Patients served
8	GeM (Government eMarketplace)	11.3 K Total Product Categories
9	India handmade	24.43 K listed products
10	LokOS	93.33 Lakhs Self Help Groups
11	POSHAN TRACKER	13.36 Lakhs AWC workers
12	KISAN SARATHI	3.44 Lakhs Villages covered

- g. The Digital India initiative is formed on the bedrock of a key pillar i.e. digital connectivity. The broadband subscribers have grown from 10.49 crs at the end of May'2015 to 106.58 crs at the end of March'2026<sup>4</sup>, with average monthly wireless data consumption rising to 25.7 GB per user in quarter ending Dec'2026<sup>5</sup>. This demonstrates the centrality of internet access in everyday life.
- h. For continued success in uptake of the policies and schemes under Digital India Initiative, it is important to further encourage and incentivize consumers for becoming more Digital literate instead of nudging them to not use data. For rural consumers who may not be able to change the handset due to upfront costs, it should be recommended to the Government to come out with handset subsidies, through their TSPs, for the rural customers to migrate to smartphones. Digital literacy programs should continue to be carried out so that the policy objectives of the Digital India initiatives can be fully achieved.

## 2. Data Access is intrinsic to Digital Literacy:

<sup>3</sup> <https://www.digitalindia.gov.in/>

<sup>4</sup> <https://traai.gov.in/release-publication/reports/telecom-subscriptions-reports>

<sup>5</sup> [https://traai.gov.in/sites/default/files/2026-03/QPIR\\_03032026\\_0.pdf](https://traai.gov.in/sites/default/files/2026-03/QPIR_03032026_0.pdf)



- a. In light of the above, it is submitted that access to data services today is no longer a discretionary add-on, but a foundational enabler of India's broader digital ecosystem, closely aligned with the Government's flagship Digital India programme. Affordable and seamless access to data has been instrumental in driving digital inclusion, enhancing financial participation through platforms such as Unified Payments Interface, enabling access to e-governance services, and fostering digital literacy across urban and rural segments alike.
- b. In this context, the inclusion of a modest data component within tariff packs serves as an important nudge for consumers—particularly those transitioning from basic voice services—to experience and adopt digital services in a gradual and non-intrusive manner. Such bundling has demonstrably contributed to increased consumer awareness, improved service utility, and greater participation in the digital economy.
- c. Therefore, the provision of integrated voice, SMS, and data offerings should be viewed as pro-consumer and aligned with national policy objectives, rather than as an impediment, and any regulatory approach should preserve the flexibility for service providers to design such offerings in response to evolving consumer needs and policy priorities.

**3. Affordability continues to be the main pillar of present Tariffs in the market:**

- a. The Indian telecom sector continues to offer one of the most affordable tariff regimes globally, a fact that has been consistently underscored by the Government. The Hon'ble Minister for Communications has also highlighted recently<sup>6</sup> availability of affordable voice and data tariffs, which are among the lowest globally, and underscored India's success in building Digital Public Infrastructure (DPI).
- b. This affordability is reflected in persistently low ARPU levels in India—among the lowest globally—even as operators continue to invest heavily in network expansion and next-generation technologies. The success of India's telecom model is anchored in a "low-cost, high-volume" approach, which has enabled widespread access and rapid scale across the country.
- c. At the same time, India has emerged as one of the largest consumers of mobile data worldwide, with exponential growth in per capita data usage driven by affordable pricing and bundled offerings. This unique combination of ultra-low tariffs, low ARPU, and very high data consumption has been made possible primarily due to the flexibility available to telecom service providers (TSPs) to design innovative and consumer-centric tariff structures, including bundled voice, SMS, and data packs.
- d. Such market-driven tariff design has ensured both affordability and digital proliferation at scale, and remains critical to sustaining the sector's growth and supporting India's broader digital ambitions.

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<sup>6</sup>[https://www.pib.gov.in/PressReleaseDetailm.aspx?PRID=2229144&reg=3&lang=2#:~:text=Hon%20Minister%20Scindia%20emphasized,Digital%20Public%20Infrastructure%20\(DPI\).](https://www.pib.gov.in/PressReleaseDetailm.aspx?PRID=2229144&reg=3&lang=2#:~:text=Hon%20Minister%20Scindia%20emphasized,Digital%20Public%20Infrastructure%20(DPI).)



With above in background, we hereinafter submit our comments to the issues mentioned in the Explanatory Memorandum (E.M.) to the TRAI's above-said draft Notification.

**A. Concern raised in the E.M. to the TRAI's above-said draft Notification:** (i) The low-income group consumers are being deprived of affordable shorter duration choices. (ii) Whereas the STVs with Voice, SMS and data are offered with many validity options, Voice and SMS only packs are offered with limited choices.

4. It is respectfully submitted that the above-said concerns merit a more nuanced consideration in light of prevailing market realities and consumer usage patterns. In this regard, it is submitted as follows:
5. **No deprivation of low-income consumers; rather, provision of enhanced value:** Contrary to the assertion, low-income consumers are not being deprived of affordable options. Instead, they are being offered tariff packs that deliver **enhanced value**. The inclusion of a small data component within entry-level packs does not materially increase the price, but significantly enhances the utility of the service by enabling access to essential digital services, thereby improving overall consumer welfare.
6. **Tariff structure driven by cost of maintaining network connectivity, not data provisioning:** It is important to note that the primary cost driver for telecom service providers (TSPs) in offering entry-level plans is the cost associated with maintaining an active and connected subscriber on the network — covering spectrum usage, network infrastructure, signaling, and fixed operational overheads. The incremental cost of provisioning a small amount of data is relatively negligible in comparison. Therefore, the presence or absence of data in such packs does not materially alter the underlying tariff, and removing data would not translate into any meaningful reduction in prices for consumers.
7. **Bundled data ensures critical connectivity, including in emergency situations:** The inclusion of minimal data in entry-level packs plays a crucial role in ensuring that consumers remain digitally connected at all times. In emergency scenarios—such as medical exigencies, accidents, or personal safety situations — data-enabled services (e.g., live location sharing through applications like or navigation support can be vital and, in some cases, life-saving. A regulatory approach that defaults users to voice-only connectivity may inadvertently expose them to avoidable risks by limiting access to such critical functionalities and by nudging towards non-data packs.
8. **Existing tariff diversity already caters to varied consumer needs:** The current market-driven tariff framework offers a wide range of plans with varying price points, validity periods, and benefit structures, allowing consumers — including low-income segments—to select options best suited to their requirements. The flexibility available to TSPs has enabled continuous innovation in plan design, ensuring both affordability and relevance, without the need for prescriptive regulatory mandates.



9. **Regulatory prescription may undermine consumer interest and market efficiency:** Mandating the provision of Voice and SMS-only packs across all validity options could constrain tariff flexibility, reduce the ability of TSPs to optimise offerings, and potentially lead to unintended consequences such as reduced value for consumers. The existing forbearance regime has demonstrably delivered affordable tariffs, high data consumption, and widespread digital inclusion, and should therefore be preserved in the interest of both consumers and sectoral sustainability.
10. **In view of the above, it is submitted that the current tariff structures are not exclusionary but are, in fact, designed to maximize consumer benefit, and any prescriptive intervention in this regard may be counterproductive.**

**B. Concern raised in the E.M. to the TRAI's above-said draft Notification:** The low-income group consumers, esp. those living in rural areas or using feature phones, require shorter validity packs so that they can recharge as per their requirements.

11. The proposition that low-income and rural consumers require shorter validity packs for affordability and flexibility needs to be assessed in the context of cost structures, usage evolution, and consumer convenience. In this regard, the following points are submitted:
12. **Standardized validity cycles (e.g., 28 days) support better financial planning for consumers:** The prevalent 28-day validity cycle has evolved as a practical and consumer-friendly construct, enabling users—particularly in rural and low-income segments—to align telecom expenses with their income cycles. This standardization provides **predictability and ease of budgeting**, reducing the cognitive and financial burden associated with frequent recharges and helping consumers manage their overall household expenditure more effectively.
13. **Increasing reliance on data-lite digital services, even among feature phone users:** Consumer behavior has evolved significantly, with even rural and feature phone users increasingly relying on **data-enabled, low-bandwidth services** for essential needs. Platforms such as UPI-lite are seeing enhanced penetration across rural India, enabling everyday financial transactions. Consequently, the inclusion of even small data bundles in tariff packs is becoming essential to support such use cases and ensure continued participation in the digital ecosystem.
14. **Ultra-short validity packs may reduce consumer value rather than enhance it:** While shorter validity options may appear flexible, they often provide **lower overall value** due to higher effective per-day pricing and repeated transaction costs. In contrast, longer validity packs benefit from economies of scale and allow TSPs to offer more competitive pricing and bundled benefits, thereby enhancing consumer surplus. Also, very **short-duration packs lead to disproportionately higher operational and transaction costs**. Frequent recharges for ultra-short validity periods (such as 1–15 days) result in significantly higher cumulative **operational, distribution, and transaction**



costs including retailer commissions, digital payment processing charges, customer support overheads, and system processing loads.

15. **Market-driven offerings already provide adequate flexibility without regulatory prescription:** The existing forbearance regime has enabled telecom service providers to design a diverse portfolio of tariff offerings catering to different consumer segments and usage patterns. Where genuine demand exists, short-duration packs are already offered. However, mandating such offerings across the board may lead to inefficiencies and unintended cost escalations, without delivering commensurate consumer benefit.
16. **In view of the above, it is submitted that the current tariff structures strike an appropriate balance between affordability, flexibility, and operational efficiency, and that prescriptive regulatory intervention in mandating shorter validity packs may not be warranted.**

**C. Concern raised in the E.M. to the TRAI's above-said draft Notification: Consumers who do not use data have limited choices available and are placed at a disadvantageous position.**

17. It is respectfully submitted that the concern regarding “disadvantage” to consumers who do not actively use data may not fully reflect the practical consumer experience in today’s telecom environment. In this regard, the following points are submitted:
18. **Bundled plans do not disadvantage consumers; rather, they act as a safety net:** The inclusion of a minimal data component in tariff packs should not be viewed as discriminatory or disadvantageous to voice-centric users. On the contrary, such bundling acts as a **built-in safety net**, ensuring that all consumers—irrespective of their primary usage preference—retain a baseline level of digital connectivity, which is increasingly essential in today’s ecosystem.
19. **Protection against unintended data usage and high pay-as-you-go charges:** In practical scenarios, even consumers who do not actively use data may inadvertently trigger data consumption due to automatic system updates, background application activity, or device-level processes. In the absence of an in-built data allowance, such usage would be billed on a **pay-as-you-go basis**, often at significantly higher rates, thereby exposing consumers to avoidable financial burden.
20. **Inclusion of small data buffers prevents bill shocks and enhances consumer protection:** By incorporating a modest data allocation within tariff packs, telecom service providers effectively shield consumers from **unexpected bill shocks** arising from unintended data usage. This approach is directly aligned with the core objective of consumer protection—i.e., ensuring predictability and transparency in billing, and safeguarding users from unforeseen charges.
21. **Evolving nature of telecom usage necessitates baseline data access:** The distinction between “data users” and “non-data users” is increasingly narrowing, as even basic functionalities—such



as app verification, service messages, or digital interactions—require minimal data connectivity. Providing a small data buffer ensures that consumers are not excluded from essential or incidental digital interactions, even if they are not regular data users.

22. **Market-driven bundling enhances overall consumer welfare without discrimination:** The current tariff design, enabled by a forbearance regime, allows TSPs to offer **integrated service bundles** that maximize consumer value while maintaining affordability. Such bundling does not restrict choice but rather enhances utility and protection for all categories of users. Mandating strict segregation of services may inadvertently reduce these benefits and expose certain users to higher risks and costs.
23. **In view of the above, it is submitted that bundled offerings do not place any category of consumers at a disadvantage; instead, they provide a protective and value-enhancing framework that aligns with the broader objectives of fairness, affordability, and consumer protection.**

**D. Concern raised in the E.M. to the TRAI's above-said draft Notification: Lack of parity goes against the objective of ensuring fair, equal and non-discriminatory choices for all consumers, regardless of their service requirements.**

24. **Equality in telecom should be anchored in Universal Access, not mere product parity:** The principle of “fair, equal and non-discriminatory” choice must be interpreted in terms of **universal and meaningful access** to all forms of connectivity. True equality lies in ensuring that every consumer—irrespective of income, geography, or digital literacy—has access to a baseline level of voice, SMS, and data services, rather than limiting equality to identical standalone product options.
25. **Risk of creating a digital divide through mandated standalone packs:** Mandating separate voice and SMS-only packs across all validity options may inadvertently segment the market, nudging and pushing low-income or less digitally aware consumers toward voice-only offerings. This risk reinforces a **digital divide**, where data is perceived as an optional or premium service, thereby discouraging adoption among segments that would benefit most from digital inclusion.
26. **Bundled plans ensure inclusive participation in the digital ecosystem:** The integration of a modest data component within tariff packs ensures that **no consumer is excluded by default** from accessing essential digital services. Even for users who are not regular data consumers, the availability of data enables access to critical services such as digital payments, e-governance, health information, and emergency functionalities when required.
27. **Non-discrimination should promote comprehensive connectivity, not forced unbundling:** Non-discriminatory access should be understood as providing a baseline level of **comprehensive**



connectivity to all users, rather than mandating strict separation of services. The current market-driven bundling approach enhances consumer welfare, supports gradual digital adoption, and aligns with national objectives of inclusive digital growth.

28. Therefore, the present tariff structure promotes fair, equal and non-discriminatory choices for all the segments of the society.

**E. Unintended outcomes of the proposed Voice+SMS only packs at lower denominations / validity:**

**Voice + SMS only packs in lower validities may incentivize unregistered spammers**

29. It is respectfully submitted that the proposed mandate to introduce voice and SMS-only packs with proportionate price reductions may give rise to unintended adverse consequences from a consumer protection and regulatory enforcement perspective. Specifically, such lower-priced, voice + SMS centric packs could become particularly attractive to unregistered telemarketers (UTMs) and other entities engaged in unsolicited commercial communications (UCC), as their operational requirements are largely limited to bulk voice calling and messaging.
30. By enabling access to voice-heavy plans without any data component in lower validities, the proposal may inadvertently incentivize misuse of telecom resources for spam and fraudulent activities. This could undermine the effectiveness of the regulatory framework established under the TCCCP Regulation 2018, which seeks to curb UCC and protect consumer interests.
31. In effect, a well-intentioned measure aimed at enhancing consumer choice may inadvertently lead to an increase in nuisance communications, consumer harassment, and network misuse, thereby diluting the broader objectives of consumer protection and trust in the telecom ecosystem.

**Voice + SMS only packs across each such validity as is for Voice+SMS+Data may increase number of tariff packs causing confusions and would not be consumer-friendly**

32. Further, mandating the introduction of separate voice and SMS-only packs across each validity tier where bundled voice, SMS, and data packs already exist would lead to a **proliferation of tariff options**, thereby increasing complexity and potentially causing consumer confusion.
33. Such an approach runs counter to the objective of simplification, as it would result in a crowded tariff landscape with multiple near-identical offerings differentiated only by the presence or absence of minimal data. For consumers—particularly those in low-income or rural segments—this may lead to **decision fatigue, lack of clarity, and sub-optimal plan selection**, ultimately undermining informed choice rather than enhancing it.



34. The current market-driven approach, which allows telecom service providers to curate a balanced and streamlined set of offerings, ensures ease of understanding and better consumer experience. Therefore, a prescriptive requirement to mirror every bundled pack with a standalone variant risk making the tariff ecosystem more **cumbersome and fragmented**, instead of simple and consumer-friendly.

Considering all above, we request the Authority **NOT to Mandate** the provision as mentioned in the draft Notification on the Telecom Consumer Protection (Thirteenth Amendment) Regulation 2026 dated 7<sup>th</sup> April 2026.

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