



1939, 9th MAIN, 27th CROSS, BANASHANKARI 2nd Stage,
BENGALURU - 560070

Phone: 6364928222

E-Mail : ccsbng@gmail.com

Website: ccsbng.in

13TH September 2026

To,

Advisor
(QoS-I), TRAI
New Delhi.

Sir/Madam,

**Sub:- CONSULTATION PAPER ON DRAFT AMENDMENTS IN THE STANDARDS OF
QUALITY OF SERVICE OF ACCESS (WIRELINE AND WIRELESS) AND BROADBAND
(WIRELINE AND WIRELESS) SERVICE REGULATIONS, 2024**

We are a registered CAG of TRAI for the state of Karnataka.

We are attaching our **counter comments** on the consultation paper for your perusal and consideration.

Thanking you,

Yours Sincerely,

GOPAL RATNAM V
Secretary

A. Introduction: Approach to the Counter-Comments

The comments received from Telecom Service Providers (TSPs), Internet Service Providers and other stakeholders contain a substantial number of detailed observations on the proposed amendments to the Quality of Service framework.

These submissions raise a wide range of issues relating to measurement methodology, technical feasibility, attribution of responsibility, consumer impact, implementation, compensation, financial disincentives, Quality of Experience (QoE), network slicing and reporting mechanisms.

Although these comments are clause-specific, many of the objections are based on a relatively small number of recurring themes. The Consumer Organisation therefore considers it more useful to examine them thematically rather than responding separately to each clause or TSP.

A broad examination of the submissions reveals over 12 categories of comments. From these we have selected these six issues as of more importance to consumers, for submitting our detailed counter comments.

- 1. Significant Network Outage, Force Majeure and Compensation**
- 2. Network Parameters Versus Actual Consumer Experience**
- 3. Quality of Experience Score (QoES)**
- 4. Coverage Maps and Accuracy Requirements**
- 5. Measurement Difficulty, Technical Complexity and Attribution**
- 6. Financial Disincentives, False Reporting and Proportionality**

We have assessed the stakeholder submission primarily on the basis of whether the **acceptance of the proposed modification by the stakeholder improve the accuracy, fairness and enforceability of the QoS framework without weakening the consumer protection intended by TRAI. And if its does we do not support the removal or modification of the provisions.**

The purpose of these counter-comments is therefore not to oppose legitimate technical concerns raised by stakeholders. It is to ensure that **technical feasibility, regulatory proportionality and industry convenience are balanced against—and do not displace—the fundamental objective of protecting consumers from material and sustained deficiencies in telecommunications service quality.**

B. Theme Based Counter Comments

1. Significant Network Outage, Force Majeure and Compensation

1.1 The TSP submissions raise several concerns regarding the proposed SNO framework including difficulty identifying affected subscribers; difficulty attributing a 20% degradation; duplicate complaints; external infrastructure failures; etc

Consumer Care Society (CCS) strongly believes that difficulty in identifying every individual consumer does not justify eliminating the remedy. A better approach in our opinion is to separate Network Incident from Individual consumer impact.

The regulatory architecture could therefore be structured such that one Incident should be linked to many affected subscriber records/complaints. Thus each consumer record may contain details like subscriber identifier; location/cell/service area; time of impact; complaint ID; incident ID; restoration time and eligibility for compensation.

This solves the industry's legitimate concern about duplicate counting without depriving consumers of their individual complaint rights.

1.2 Another objection is regarding the nature of causes resulting in a SNO. TSPs seek exclusion for power failures, fibre cuts, disasters, civic works and other events beyond their control.

CCS recognises that Significant Network Outages (SNOs) may sometimes arise from extraordinary events beyond the reasonable control of a Telecom Service Provider (TSP). However, a mere occurrence of an external event should not automatically result in exclusion of the SNO from regulatory assessment. An assessment of the situation should be done and based on the assessment the event can be listed in one of the 2 categories.

1. Genuine Force Majeure. The event which is external and unforeseeable then it can be declared as Force Majeure event. Then the Regulatory financial consequences may be modified or excluded, subject to TRAI verification. However reporting and Consumer remedy should remain.
2. Uncontrollable External Event but reasonably mitigable. Event originates outside the TSP but its impact could reasonably have been prevented, reduced or restored through preparedness, redundancy or alternative arrangements. Event itself may receive consideration, but the avoidable portion and avoidable duration of the outage remain attributable to the TSP. **Partial/qualified relief should be provided to the consumer.**

2. Network Parameters Versus Actual Consumer Experience

2.1. A significant industry argument is that some proposed indicators are network-side engineering measures rather than direct measures of consumer experience. Further they argue that a network parameter should not automatically be equated with consumer harm.

While we do agree with the distinction our conclusion is quite different. **Network indicators and consumer outcomes should not be treated as substitutes. They should be complementary.**

Hence, as an example the PRB utilisation should remain an engineering/early-warning indicator while user-facing performance remains the outcome measure.

Therefore TRAI should not abandon PRB utilisation. It should **correlate it with consumer-facing outcomes**. The same principle should apply to other network indicators.

CCS therefore supports a **triangulated measurement architecture**, rather than choosing between technical indicators and consumer outcomes. The architecture should include the following;

1. Objective Network Evidence. Sourced from TSP based on TRAI defined QoS measurements and audited TSP data.
2. Independent Measurement. Obtained TRAI or an independently administered field/device/application measurements.
3. Consumer Experience evidence. Collated from the Consumer Surveys, Complaints, Perception Studies.

2.2. There is a suggestion from TSPs on obtaining data from crowdsourcing. While CCS is favourable to this, it would like to caution on the various limitations and constraints. These include Self-selecting bias, Devices variability, Uneven participation, etc

So this would call for proper methodology, appropriate tools and consumer education. We also foresee that in the near future this data from this source could be strongly contested or discounted by the TSPs. TSP have argued that consumers using the same network under similar technical conditions may report different experiences and therefore perception should be treated as supplementary rather than equivalent to objective measurement. CCS rejects the implication that subjective perception is therefore of limited regulatory value. The consumer's experience is, by definition, experienced by the consumer. If thousands of consumers consistently report that a service is poor, while network-level indicators show compliance, TRAI should investigate the discrepancy. Consumer perception should be as an **early-warning indicator**.

2.3. On the Silence Call Rate there is strong resistance from the TSPs with VIL asking TRAI to drop the parameter, primarily because there is no standard OSS counter and because of measurement and comparability concerns.

The TSPs also state that this issue is technically distinct. Airtel says that a continuous RTP gap of four seconds does not necessarily establish that the consumer experienced silence, while RJIL argues that existing UL/DL packet-drop parameters already substantially address the same problem.

As already mentioned, CCS wishes to emphasise that because a measurement is not well defined or there is difficulty in measuring it, etc should not be a reason to exclude it from QoS.

Our survey among customers indicate that Silence Call are quite prevalent and the experience of consumers is bad with the need for repeat calling between parties. Hence urge the regulator to retain it with suitable methodology.

3. Quality of Experience Score (QoES)

The proposal to have a QoES represents an important conceptual development in India's telecom regulatory framework. CCS wholeheartedly welcomes this initiative and because of its impact would like to offer a more detailed counter to the objections by the stakeholders.

3.1. There are many objections from the stakeholders to QoES like absence of detailed methodology; weighting of different dimensions; reliability of consumer perception; rural/urban differences; legacy technology, etc

We present a slice of these comments from two TSPs.

BSNL, for example, requests that detailed methodology, data sources and relative weightage be separately consulted upon before QoES rankings are published and argues that rural/remote coverage and legacy-network footprint require appropriate treatment.

RJIL similarly questions whether a composite score can adequately represent actual customer experience and supports a more independently measured/crowdsourced framework.

We do acknowledge that there many methodological concerns that legitimate. However our approach is that we would recommend that **TRAI should develop an independent and scientifically robust QoE framework** rather than the abandonment of QoES.

A provider may meet individual technical KPIs while consumers nevertheless experience, repeated failures; poor indoor connectivity; poor complaint resolution; inconsistent speed; recurring congestion; etc. An example of this is that a consumer does not purchase "PRB utilisation", they purchases connectivity.

Therefore CCS recommends that QoES should not be reduced to a single unexplained number. It should consist of an **Overall QoES and Dimension-wise scores. These dimensions could be** Network performance, Reliability/availability, Speed/performance consistency, Complaint/service responsiveness, Outage/service recovery, Coverage/service usability

The public dashboard should show both the overall score and the underlying dimensions. This avoids the legitimate industry concern that a composite score could conceal deficiencies. .

DCIF's proposal that QoES should function as a consumer-choice index and our suggestion makes it transparent and more consumer friendly.

3.2. CCS appreciates and fully supportive of the issues raised by BSNL that of Government Sourcing requirements, Legacy Systems and Public obligations. However, we cannot accept a permanent QoS dilution as the it would patently unfair to Rural and

Remote Consumers that BSNL claims it services. These consumers suffer more because they have fewer alternatives. So permanent exemptions would institutionalise inferior service for precisely those consumers who may have fewer choices.

CCS accepts that comparisons should be statistically fair. However, “fair comparison” should not become “lower standard”.

The appropriate approach would be technology-specific benchmarking where necessary and appropriate geographical segmentation.

There should not be a lower consumer entitlement merely because the consumer lives in a rural area or is served by older technology.

4. Coverage Maps and Accuracy Requirements

This is one of the issues on which there are strong negative comments from the Industry.

Airtel argues that predictive coverage maps are inherently dependent on various parameters like modelling; sampling; environmental conditions; etc. Airtel further argues that international comparisons do not necessarily support the proposed 98% benchmark and requests that financial disincentives for coverage-map inaccuracies not be imposed.

RJIL similarly argues that coverage classification should be technology- and deployment-sensitive and empirically correlated with actual network performance.

There are in our opinion two aspects to this issue

1. Whether the coverage maps should be accurate and to what degree?
2. How should the accuracy be measured?

One the first there cannot be any dispute by any stakeholders that what information is provided to the customer should be accurate to the extent possibly technically. The simple fact is that consumer needs a coverage map which is accurate as it is an important purchasing criteria. The consumer right to information is violated when this information is not provided. Further if the map is merely published without a consideration of its accuracy then it creates a serious information asymmetry against the consumer.

So our counter to the industry’s objections that **TRAI should prescribe a clear, common and reproducible methodology for testing coverage-map accuracy.**

TRAI should prescribe among other common sampling methodology; measurement equipment; route selection; confidence intervals/tolerance;

We strongly endorse the consumer-centric approach proposed by DCIF, which recommends integrating predicted coverage with validated field measurements, crowdsourcing and network analytics.

5. Measurement Difficulty, Technical Complexity and Attribution

A recurring argument across the TSP submissions is that several proposed parameters are difficult to measure or attribute accurately.

The submissions refer to factors concerning Network, Customers or Third Parties like Routing, Network Architecture, Interconnection, Customer-side dependencies, Handset Characteristics, Power failures, Municipal works, Roaming Partners, etc.

The general proposition is that **because the TSP cannot always establish that the TSP network itself caused the consumer's problem, regulatory responsibility should be reduced or the proposed obligation should be withdrawn.**

CCS accepts the underlying technical proposition but rejects the regulatory conclusion.

Telecommunication service quality is inherently a complex, end-to-end phenomenon. That complexity is precisely why consumers cannot reasonably be expected to identify the source of a service failure themselves.

The consumer normally knows only that **the service purchased did not perform as expected.**

The consumer cannot determine whether the cause was the radio interface, congestion, backhaul, routing, CPE, network configuration or another technical component.

The TSP, by contrast, designs, operates, monitors and maintains the access network and possesses substantially greater information concerning its performance.

Therefore, the inability to attribute every individual degradation with absolute certainty should **not become an excuse for transferring the uncertainty to the consumer.**

The appropriate response is a layered attribution framework:

Situation	Appropriate regulatory response
TSP clearly responsible	Full regulatory responsibility
External event but TSP could reasonably mitigate	TSP responsibility for mitigation/restoration
Genuine force majeure	Appropriate exclusion, subject to verification

Customer equipment demonstrably responsible	Appropriate exclusion
Attribution uncertain	Independent investigation/verification
Widespread consumer impact	Network-level investigation even if individual attribution is difficult

Consequently, **External causation should not automatically equal regulatory exemption.**

CCS therefore supports objective exclusions for genuinely consumer-independent circumstances but opposes a blanket principle that technical complexity or third-party involvement automatically removes TSP responsibility.

6. Financial Disincentives, False Reporting and Proportionality

This is another category that the TSPs have numerous arguments like Penalties may be cumulative; Minor errors may attract significant consequences; A 1% mismatch should not automatically constitute false reporting; inadvertent data-processing errors should not be treated as deliberate falsification; smaller providers may be disproportionately affected; financial disincentives should be proportionate; there should be notice and opportunity to cure; etc

6.1. We appreciate the concerns of the TSPs on some of these issues and agree the principle that **Regulatory enforcement must distinguish between deliberate/material misconduct and inadvertent/minor error. However, this should not lead to weak enforcement.**

We suggest a graded approach depending on the nature of error. A framework that we offer would distinguish between the characteristics of the error and accordingly have a different regulatory approach.

Level	Nature	Regulatory response
1	Minor procedural error	Notice/correction
2	Repeated negligence/non-compliance	Escalating financial consequence
3	Material non-compliance causing consumer harm	Significant financial disincentive + corrective action
4	Deliberate/material false reporting	Strong financial disincentive + other regulatory action

While we concur that a simple numerical mismatch should not automatically establish **intentional falsification, neither can the Regulator be entrusted with responsibility of ascertaining the intentionality of the provider.**

So only a robust framework can enable the regulator to determine the nature of error. We strongly suggest that such a framework be established to examine the various aspects like; magnitude; materiality; frequency; whether consumer-facing performance was affected; whether the provider knew or should reasonably have known; whether corrective action was taken; prior compliance history. etc

6.2. On the issues of Cumulative liability, CCS does accept the principle that there cannot be **double punishment for exactly the same contravention and hence TRAI should avoid.**

However, different regulatory failures should not automatically be treated as one offence merely because they arise from the same underlying event.

The answer should therefore be **anti-duplication safeguards**, not a blanket aggregate cap that could make serious repeated violations economically insignificant.

C. Conclusion

Consumer Care Society (CCS) approach has been to give due consideration to technical, operational or financial issues raised by other stakeholders. CCS proposes to the regulator that it ensures that those realities are accommodated through better methodology, proportionality and implementation arrangements rather than through a transfer of the consequences of network complexity and failures from the service provider to the consumer, resulting in poor service and harms to consumers.

GOPAL RATNAM V
Secretary, Consumer Care Society