

## **ISSUES FOR CONSULTATION**

**Q1: Is the complaint redressal mechanism, as presently existing, adequate or is there a need to strengthen it?**

The existing redressal mechanism is not adequate to redress the complaints.

Since the customer base has touched 1.04 billion, we need a unique and robust effective but at the same time helpful for the customers and the TSPs. As such need is there to strengthen the same.

**Q2: Are there any specific changes that can be made to the existing system to improve it?**

It is better to design and implement a new system as the customer base is very huge.

**3: Should a separate - independent and appropriately empowered - structure to resolve telecom sector complaints and grievances be established?**

Yes. At present there is no way to resolve the telecom grievances. The channels that are available takes a long time and for a meager amount many customers are opting out. This in turn affects the quality of the telecom services which affects the overall growth of the other areas like banking, entertainment, travel etc.

So a separate independent and appropriately empowered structure is required to resolve the telecom sector complaints and grievances. This is ensure a fast and speedy resolution to the customers.

**Q4: If yes, please comment with regard to the organization; its structure; kinds of complaints to be handled and its powers?**

A separate organization should be formed for handling the telecom complaints.

The kind of complaints should be restricted to the customer and the operator. The issues can be of any sought like billing issues, technical issues like degradation in quality of service, change

in tariff without informing, non-acceptance of the application and delay in providing the connection etc. Details furnished in the Q6.

**Q5: Is establishing an Office of Telecom Ombudsman an option that should be revisited, especially given the experience of the past few years of increasing numbers of complaints?**

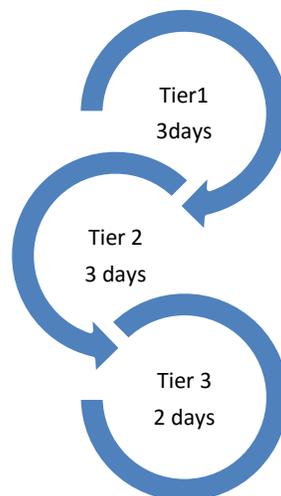
Yes establishing an office of telecom ombudsman should be revisited as such an appropriate and transparent service will be rendered to the common man.

**Q6: If yes, how should it be created – the legal framework? What should be its structure? How should it be funded? What types of complaints should it handle? What should be its powers, functions, duties and responsibilities?**

The telecom ombudsman is a desirable and need of the hour for effective redressal of the telecom complaints. The ombudsman should resolve the complaints that pertains to customer and the TSPs only. The ombudsman should have the powers to resolve the customer related complaints and pass orders/judgement which is a final one. This will make the telecom sector more transparent and reliable.

The flow of the complaint and the structure of the ombudsman is explained as below.

First the customer for any grievance has to approach the TSP for settling his/her grievance. The customer is desired to follow 3 tier grievance with the TSPs as shown below.



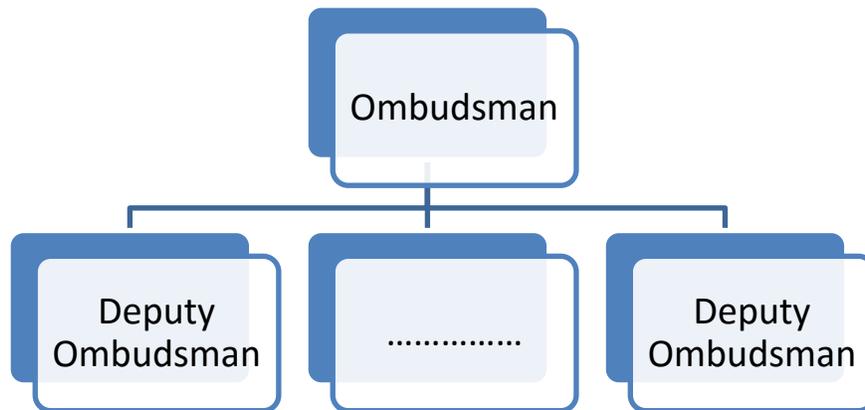
Tier 1: The customer has to book his complaint/grievance to the TSP via any method like walk in/SMS/Web/Call center/Postal. TSP has to resolve the grievance in a span of 3 working days.

Tier 2: The customer if not satisfied has to approach the tier 2 level of the TSPs for further redressal. The same has to be redressed in a span of 3 working days.

Tier 3: Further the customer if not satisfied has to approach the tier 3 level, who can be the appellate authority of the TSP for final redressal. The same has to be redressed in a span of 2 working days.

So in short the TSP has to resolve a customer complaint within a span of 8 working days.

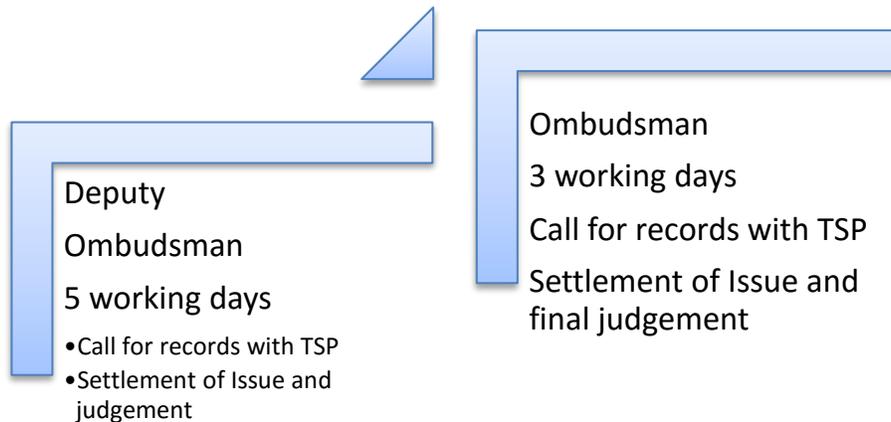
There should be an ombudsman in every licensed area with independent charges. After completing the above procedure if the customer is not satisfied then he can approach the ombudsman for further redressal.



Under an Ombudsman there should be a deputy ombudsman. The requirement of number of deputy ombudsman office can be decided based on the tele density, population and the no of complaints received in a particular licensed area.

The complaint can be booked to an ombudsman office via any method like. Web Portal/Postal/All India Call center/Walk in/Postal. Through any method a customer can register his grievance with the ombudsman. Once a grievance has been registered a docket will be issued. There is no necessary that there should be a docket registered with TSP as many TSPs

sometime cannot be reached and refused to give a docket number. However the customer should be in a position to show that they tried to contact the TSP and they refused to allot the docket number. There can be instances that the TSP's refused to accept application for connections and no docket can be able to book in that case.



Once a docket has been raised the deputy ombudsman will pass the settlement and issues the decision in 5 working days after hearing both the parties. If any of the party is not still satisfied they can approach the ombudsman for further redressal. His decision will be final.

The ombudsman's judgement is final and if the customer accepts it is legally binding. No further appeal is entertained. If at all any appeal is to be made then it should be done after fulfilling the judgement fully. Noncompliance of ombudsman order attracts penalty or imprisonment of the official.

The funding of the ombudsman can be taken from the portion of the percentage of license fees. Another alternative is that for any customer approaches the ombudsman a fees can be charged to the respective TSPs. The advantage is that those TSPs that are performing well and who takes care of their customer will not be punished. Or combined process can be adopted.

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