

AUSPI/ 53/ 2004/ 034

20th February 2004

Shri Pradip Baijal,
Chairperson,
Telecom Regulatory Authority of India,
A2/14, Safdarjung Enclave,
Opp. Bhikaji Cama Place,
New Delhi – 110 029.

Sub: AUSPI response to TRAI Consultation Paper No. 1/2004 on Establishment of the Office of Ombudsman in the Telecommunication Sector

Dear Sir,

This is with reference to the Consultation Paper No. 1/2004 on Establishment of the Office of Ombudsman in the Telecommunication Sector issued by TRAI on January 7, 2004.

2. We feel more details of international practices and the exact mechanism, structure, duties, responsibilities powers, functions of any Ombudsman in the telecom sector need to be collected and studied.
3. Customer care / redressal of customer grievance is one of the primarily duties and objectives of service provider. The telecommunication market place today in our country is very competitive. In this competitive environment, the service providers will necessarily take due care of the customers and their grievances in order that their business is viable.
4. Further, in the Indian telecom sector, there already exists a dispute resolution mechanism – through TDSAT for the industry and also separately for consumer grievances by way of Consumer Courts/Forums and also under M.R.T.P.Act 1969. It is not clear how the proposed Ombudsman is envisaged to fit into the current structure and whether it would have statutory recognition and how it would help the subscribers and the operators.
5. We believe that any dispute / consumer grievance settlement mechanism should not just multiply the number of fora available to consumers as this could lead to more confusion not to mention further delays and expenditure, thus defeating the very purpose of the exercise. Further, the process should also be affordable to the consumer and it should not result in imposition of an unnecessary additional financial burden on the industry.

6. Finally the proposed structure of the office of Ombudsman should be defined by the TRAI upfront for the industry to form a clear view on the issue and provide detailed comments.

We regret the delay in response.

Thanking you,

Yours faithfully,

(S.C.KHANNA)
SECRETARY GENERAL

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