

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS
LOK SABHA
UNSTARRED QUESTION NO. 523
TO BE ANSWERED ON 5TH FEBRUARY, 2020**

COMPENSATION FOR CALL DROPS

**523. SHRI SHANMUGA SUNDARAM K.:
SHRI VELUSAMY P.:**

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether Telecom Regulatory Authority of India (TRAI) has directed the mobile service providers to compensate the clients for call drops at Re.1 per each call drop subject to a maximum of Rs.3 per day and if so, the details thereof;
- (b) whether the apex court has nullified the said TRAI direction and if so, the details thereof;
- (c) the steps taken by the Government to protect the customers/clients' interest in terms of compensation for call drops;
- (d) whether the Government has any proposal to amend the law to make it mandatory for the mobile service providers to compensate for call drop; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE FOR COMMUNICATIONS,
HUMAN RESOURCE DEVELOPMENT AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI SANJAY DHOTRE)**

(a) & (b) Telecom Regulatory Authority of India (TRAI), vide Telecom Consumers Protection (Ninth Amendment), 2015 dated 16.10.2015, has mandated that every originating service provider providing Cellular Mobile Telephone Service shall, for each call drop within its network-

- (i) credit the account of the calling consumer by one rupee:
Provided that such credit in the account of the calling consumer shall be limited to three dropped calls in a day (00:00:00 hours to 23:59:59 hours);
- (ii) provide the calling consumer, through SMS/USSD message, within four hours of the occurrence of call drop, the details of amount credited in his account; and
- (iii) in case of post-paid consumers, provide the details of the credit in the next bill.

The service providers and their association filed a writ petition on 09.12.2015 in the Hon'ble High Court of Delhi against the afore-mentioned regulations. The Hon'ble High Court of Delhi in judgement dated 29.02.2016 upheld the validity of the regulations. Subsequently, the service providers and their associations through special leave petitions had appealed before the Hon'ble Supreme Court against the judgment of the Hon'ble High Court of Delhi. The Hon'ble Supreme Court has set aside the regulation vide Order dated 11th May 2016.

(c) to (e) A proposal received from TRAI regarding protection of the interest of consumer of telecommunication services has been included in the proposed amendment to TRAI Act, 1997.
