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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 1169/2024**

**CONSORTIUM OF SOUTH INDIA CONSUMER
ORGANISATIONS**

.....Appellant

Through: Mr. Sanjay Poddar, Sr. Adv. with Ms.
Ritu Bhardwaj, Mr. Aman Mudgal,
Mr. Govind Kumar, Ms. Anamika and
Mr. Apurv Kumar, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Mukul Singh, CGSC with Mr.
Aryan Dhaka, Advs. for R-1.
Mr. Arjun Natarajan and Mr. Adhish
Rajvanshi, Advs. for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

09.07.2025

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1. This Letters Patent Appeal assails the impugned judgment dated 08th October 2024, passed by the learned Single Judge of this Court in **W.P.(C) No.14178/2024**. By the said impugned order, the petition filed by the petitioner was dismissed.

2. Appellant, which is a *Consortium of South India Consumer Organizations*, filed the petition assailing order dated 14th June 2024, passed by the Telecom Regulatory Authority of India ('**TRAI**')/respondent no.2, rejecting appellant's application for registration as a Consumer Organization.



3. Appellant claims to be a registered network of voluntary Consumer Organizations with a stated mission to amplify consumer movement across six southern States, with the larger goal of empowering consumers in the context of telecom services.

4. TRAI is the regulatory agency with the mandate of regulating telecom services. As part of the regulatory role, TRAI registers Consumer Organizations pursuant to Registration of Consumer Organizations Regulations, 2013 (**'2013 Regulations'**).

5. Appellant had applied for registration under the 2013 Regulations. However, their application was rejected on 17th April 2023. Appellant approached this Court in **W.P.(C) 7353/2024**, and by an order dated 21st May 2024, the learned Single Judge directed TRAI to communicate specific reasons for rejection of appellant's application.

6. In compliance, TRAI issued an order dated 14th June 2024, detailing its reasons for rejecting the appellant's registration. This was challenged by the appellant in **W.P.(C) 14178/2024**, which was dismissed by the impugned order.

7. *Mr. Sanjay Poddar*, Senior Counsel appearing for the appellant, made his submissions in support of the appeal. The crux of his submission relates to the infirmity and illegality of TRAI's decision of 9th February 2016, limiting the registration of the Consumer Advisory Groups (**'CAGs'**) to 'two' from each district for the purposes of registration. This was apparently to ensure a geographically balanced representation and to prevent an over-concentration of Consumer Organizations in one region, and ensuring equitable representation across various districts of the Country.

8. *Mr. Sanjay Poddar*, Senior Counsel, submitted that this decision to



limit the CAGs' registration to only two per district was not in consonance with the 2013 Regulations, which instead, as per Regulation 4(2), had enabled TRAI to decide the number of Consumer Organizations which may be registered by the Authority from a State or Union Territory, in the following terms:

“The Authority may, from time to time, decide the number of consumer organisations which may be registered by the Authority from a State or Union Territory”.

9. Appellant's principal submission was, therefore, based on the decision of 09th February 2016, taken internally by TRAI, pursuant to the said Regulation, to not permit registration of more than two CAGs from one district. This limitation was the reason cited by TRAI in the rejection dated 14th June 2024.

10. On a query whether this decision of February 2016 was impugned by the appellant, as the petitioner in ***W.P.(C) 14178/2024***, learned Senior Counsel pointed out to *Prayer (c)* of the Writ Petition. It was acknowledged that the principal prayer in the Writ Petition was, however, for quashing of the rejection order dated 14th June 2024 and a mandamus directing TRAI to register appellant as a CAG member under the 2013 Regulations.

11. Though, *Prayer (c)* sought a direction for quashing of the discriminatory rules to make the process more transparent for deciding the application for registration under the 2013 Regulations, learned Senior Counsel acknowledged that no substantive prayer was made in that regard to challenge the 2016 decision which, as per the appellant, was not in consonance, or within the scope and purview, of the 2013 Regulations.

12. A perusal of the impugned order also bears out that the issue as



canvassed by the appellant before this Court, was not considered, except for some cursory observations in *paragraph 8* of the impugned order. For ease of reference, the said paragraph is extracted as under:

“8. The Petitioner's application was evaluated as part of a transparent process governed by the 2013 Regulations. The Petitioner's failure to secure registration is simply a result of the enforcement of these Regulations, which are not designed to single out or exclude specific organizations, but rather to ensure that the resources and consultation opportunities offered by TRAI are fairly distributed across the country. Therefore, the Petitioner's contention of the impugned decision being arbitrary or unreasonable is unfounded.”

13. Considering that the contention of the appellant, focussed and based upon the decision of 2016 not being in consonance with, or within the parameters enabled by the 2013 Regulations, was never substantively raised or determined in the Writ Petition, liberty is given to the appellant to file an amendment to the Writ Petition seeking that specific prayer before the learned Single Judge.

14. The Writ Petition ***W.P.(C) No.14178/2024*** therefore stands revived to this extent and limited to the amendment that may be sought by the appellant of assailing the 2016 decision of TRAI in context of the 2013 Regulations.

15. The learned Single Judge, upon such application being made, will consider it on its own merits and in accordance with law and return a finding in that regard. It is directed accordingly.

16. The said Letters Patent Appeal is disposed of in these terms.

17. Nothing in this order above is an expression of opinion on the merits of the appellant's plea which is sought to be agitated in a substantive manner before the learned Single Judge.



18. Order be uploaded on the website of this Court.

DEVENDRA KUMAR UPADHYAYA, CJ

ANISH DAYAL, J

JULY 9, 2025/mk/tk