



भारतीय दूरसंचार विनियामक प्राधिकरण
Telecom Regulatory Authority of India



Draft

**THE TELECOMMUNICATION CONSUMERS EDUCATION AND
PROTECTION FUND (SIXTH AMENDMENT) REGULATIONS, 2023
(___ of 2023)**

___ July 2023

**Mahanagar Doorsanchar Bhavan,
Jawahar Lal Nehru Marg (Old Minto
Road), New Delhi – 110 002**

Written comments on the draft Telecommunication Consumer Education and Protection Fund (Sixth Amendment) Regulations, 2023 are invited from the stakeholders by 14th August, 2023. Comments will be posted on TRAI's website www.trai.gov.in. The comments may be sent, preferably in electronic form, to Shri A.K. Singh, Advisor (CA & IT), Telecom Regulatory Authority of India, on the e-mail:- advisorit@traigov.in and ja-cadiv@traigov.in. For any clarification/ information, Sh. A.K. Singh, Advisor (CA&IT) may be contacted at Tel. No.: +91-11-23210990.

**TELECOM REGULATORY AUTHORITY OF
INDIA NOTIFICATION**

New Delhi, the _____, 2023

No. RG-10/4/(3)/2021-CA[E-3910]---In exercise of the powers conferred upon it under section 36 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations further to amend the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007), namely:-

**TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION
FUND (SIXTH AMENDMENT) REGULATIONS, 2023**
(___ of 2023)

1. (1) These regulations may be called the Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023.

(2) They shall come into force from the date of their publication in the Official Gazette.
2. In regulation 2 of the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007) (hereinafter referred to as the “principal regulations”), –
 - (a) after clause (b), the following clause shall be inserted, namely:-

“(ba) “Bank” means the Union Bank of India or any other Scheduled bank as may be designated by the Authority;”;
 - (b) clause (e) shall be deleted.
3. In regulation 3 of the principal regulations, in sub-regulation (2), in the proviso –
 - (a) in clause (i), for the words “a claim has been filed, under the Consumer Protection Act, 1986 (68 of 1986)”, the words “a claim has been filed before a Consumer Forum” shall be substituted;
 - (b) in clause (ii), for the words “under the Consumer Protection Act, 1986 or an order has been made”, the words “by a Consumer Forum or” shall be substituted.
4. In regulation 4 of the principal regulations, –
 - (a) in sub-regulation (1), for the words “into the branches of the Corporation Bank designated for the purpose by the said bank” the words “into the designated branches of the Bank”, shall be substituted;
 - (b) in sub-regulation (2), the word “Corporation”, wherever it appears, shall be deleted.
5. In regulation 5 of the principal regulations, –

- (a) in sub-regulation (4), the word “Corporation” appearing after the words “separate accounts in the” shall be deleted;
 - (b) in sub-regulation (4A), the word “Corporation” appearing after the words “rate of interest offered by the” shall be deleted.
6. In regulation 6 of the principal regulations, in sub-regulation (2), after clause (c), the following clauses shall be inserted, namely:-
- “(d) to pay fee for the preparation, maintenance and audit of accounts of the Telecommunication Consumer Education and Protection Fund;
 - (e) to pay such expenses as may be incurred under regulation 13(a):”.
7. In regulation 13 of the principal regulations,-
- (a) the words “borne by” appearing after the words “the meeting of the committee shall be” shall be deleted;
 - (b) for clause (a), the following clause shall be substituted, namely:-
 - “(a) met out of the incomes referred to in clause (b) of sub-regulation (2) of regulation 5 with the approval of the Authority in respect of the five representatives nominate by the Chairperson of the Authority under clause (b) of regulation 8 from amongst such voluntary consumer organisations registered with the Authority;”;
 - (c) in clause (b) before the words “the Cellular Operators Association”, the words “borne by” shall be inserted.
8. In regulation 16 of the principal regulations, in sub-regulation (1), the words “under the Consumer Protection Act, 1986 (68 of 1986)” appearing after the words “an order made by a Consumer Forum” shall be deleted.

(V. Raghunandan)
Secretary,
TRAI

Note 1---- The principal regulations were published vide Notification No. 322/4/2006-QoS (CA) and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 15th June, 2007.

Note 2----The principal regulations were amended vide notification No. 322-8/2010-CA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 7th March, 2011.

Note 3----The principal regulations were amended vide notification No. 324-2/2013-CA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 10th July, 2013.

Note 4----The principal regulations were amended vide notification No. 324-2/2013-CA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 26th June, 2014.

Note 5----The principal regulations were amended vide notification No. 324-5/2018-CA and

published in the Gazette of India, Extraordinary, Part III, Section 4 dated 18th July, 2018.

Note 6----The principal regulations were amended vide notification No. 324-5/2018-CA and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 16th January, 2020.

Note 7----The Explanatory Memorandum explains the objects and reasons of the Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023 (____ of 2023).

EXPLANATORY MEMORANDUM

The Telecom Regulatory Authority of India had notified the Telecommunication Consumers Education and Protection Fund Regulations, 2007 [(6 of 2007) [hereinafter referred to as the principal regulations] on 15th June 2007. In terms of these regulations, a fund called “Telecommunication Consumers Education and Protection Fund” (TCEPF) has been created. The income from the fund is utilized to undertake programmes and activities relating to consumer education and protection.

2. The Authority noticed that there are some expenses to be incurred from the fund for preparation, maintenance, audit of accounts, and for the participation of representatives of consumer groups attending the meetings of the Committee for Utilisation of Telecommunication Consumers Education and Protection Fund (hereinafter referred to as “CUTCEF”) for which explicit provisions are required in the regulations. Accordingly, amendments have been proposed in the regulation 6 and 13 of the principal regulations.

3. During the year 2020, Corporation Bank in which the Fund is maintained has been merged with the Union Bank of India. Further, the Consumer Protection Act, 1986 (68 of 1986) has been repealed by the Consumer Protection Act, 2019 (35 of 2019). Therefore, amendments have been made to change the relevant provisions in the principal regulations.