

Email**Sushil Kumar**

Fwd: COMMENTS_DRAFT_THE TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION FUND (SIXTH AMENDMENT) REGULATIONS, 2023

From : S.M.K. Chandra <ja-cadiv@traf.gov.in> Mon, Aug 14, 2023 10:13 AM
Subject : Fwd: COMMENTS_DRAFT_THE TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION FUND (SIXTH AMENDMENT) REGULATIONS, 2023 📎 1 attachment
To : Man Mohan Vyas <deputy-advisor.ca@traf.gov.in>
Cc : Sushil Kumar <to-cadiv2@traf.gov.in>

From: consumerguild@rediffmail.com
To: "A.K Singh" <advisorit@traf.gov.in>
Cc: "S.M.K. Chandra" <ja-cadiv@traf.gov.in>
Sent: Friday, August 11, 2023 7:05:33 PM
Subject: COMMENTS_DRAFT_THE TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION FUND (SIXTH AMENDMENT) REGULATIONS, 2023

To,
Shri A.K Singh
Advisor (CA & IT),
Telecom Regulatory Authority of India,
Government of India.

Respected Sir !

Please find enclosed **Consumer Guild** (CAG Member) response to Draft **THE TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION FUND (SIXTH AMENDMENT) REGULATIONS, 2023**

With Regards,
Abhishek Srivastava
Chairman
Consumer Guild
(Consumer Advocacy Group Member of TRAI.)
Member - U.P State level Committee on Standardization SLCS
Member - DRUCC Northern Eastern Railway, Gorakhpur
Member- District Level Advisory Committee - FSDA U.P
Consumer Group Registered with Bureau of Indian Standards (BIS)
E-5/140,Rajaji Puram,Lucknow-226017 Uttar Pradesh.
9936232288 (mobile), E-mail-consumerguild@rediffmail.com, abhisheksriva@gmail.com

Draft_The_Telecommunication_Consumers_Education_and_Protection_Fund
__Sixth_Amendment__Regulations__2023.pdf
497 KB



Consumer Guild - (TRAI/CAG/10/2015-CA.)
COMMENTS

Draft The Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023.

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.

- **Consumer Guild fully supports proposed amendments.**

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.

- The Consumer Protection Act, 1986 (68 of 1986) has been repealed by the Consumer Protection Act, 2019 (35 of 2019). The Consumer Protection Act, 2019 promulgates a three-tier quasi-judicial mechanism for redressal of consumer disputes namely District commissions , State commissions and National commission”. "District Commission" means a District Consumer Disputes Redressal Commission , State Commission means a State Consumer Dispute Redressal Commission , National Commission means National consumer Disputes Redressal Commission . (CHAPTER IV) of Consumer Protection Act 2019 describes **CONSUMER DISPUTES REDRESSAL COMMISSION**".

- The words “ a claim has been filed before a Consumer Disputes Redressal Commission is more legally relevant for substitution.**
- The words “by a Consumer Disputes Redressal Commission or” is more legally relevant for substitution.**

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



Consumer Guild - (TRAI/CAG/10/2015-CA.)

the designated branches of the Bank”, shall be substituted; (b) in sub-regulation (2), the word “Corporation”, wherever it appears, shall be deleted.

- **Consumer Guild fully supports proposed amendments.**

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.

- **Consumer Guild fully supports proposed amendments.**

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):”.

- **Consumer Guild fully supports proposed amendments.**

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.

- **Consumer Guild fully supports proposed amendments.**

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.

- **The words “ an order made by a Consumer Disputes Redressal Commission is more legally relevant.**
-