

TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION

New Delhi, the 7th March, 2011

No. 322-8/2010-CA---In exercise of the powers conferred by 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 Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007) namely :-

**TELECOMMUNICATION CONSUMERS EDUCATION AND PROTECTION
FUND (AMENDMENT) REGULATIONS, 2011**

(2 of 2011)

1. (1) These regulations may be called Telecommunication Consumers Education and Protection Fund (Amendment) Regulations, 2011.

(2) They shall come into force from the date of their publication in the Official Gazette.
2. In regulation 8 of the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007), ----
 - (a) in sub-clause (b), for the words “two representatives”, the words “five representatives” shall be substituted;
 - (b) after sub-clause (d) the following sub- clause shall be inserted, namely:-

“(da) one representative of Internet & Broadband service providers to be nominated by Internet Service Providers Associations of India (ISPAI), being a registered society registered under the Societies Registration Act, 1860 (21 of 1860) or one representative to be nominated by such other association of Internet and Broadband service providers, providing Internet and Broadband services, as may be approved for the purposes of these regulations by the Authority-----member;”
 - (c) in sub-clause (f), for the words “being in-charge of the Economic Division”, the words “being in-charge of the Economic Regulation Division” shall be substituted;
 - (d) in sub-clause (g), for the words “being in-charge of the Regulatory Enforcement Division”, the words “being in-charge of regulatory enforcement” shall be substituted;

(e) in sub-clause (h), for the words “being in-charge of the Quality of Service Division”, the words “being in-charge of consumer affairs” shall be substituted.

(R.K.Arnold)
Secretary, TRAI

Note 1---- The principal regulations were published vide Notification No. 322/4/2006-QoS (CA) dated the 15th June, 2007.

Note 2 ---- The Explanatory Memorandum explains the objects and reasons of the Telecommunication Consumers Education and Protection Fund (First Amendment) Regulations, 2011.

EXPLANATORY MEMORANDUM

Background:

The Telecom Regulatory Authority of India had notified the Telecommunication Consumers Education and Protection Fund Regulations, 2007 (6 of 2007) on 15th June 2007. In terms of the Regulations, a fund called 'Telecommunication Consumers Education and Protection Fund' has been created. The income from the Fund is utilised to undertake programmes to educate consumers of the telecommunication services on the recommendation of a committee.

2. The Committee for Utilisation of Telecommunication Education and Protection Fund (CUTCEF) consists of officers from TRAI, two representatives nominated by the Chairperson of TRAI from amongst voluntary consumers organisations registered with TRAI, two representatives of Cellular Operators Association of India (COAI) and two representatives of the Association of Unified Telecom Service providers of India (AUSPI).

3. Since the income from the Fund is utilised on various consumer centric activities such as consumer education programmes about various measures taken by the Telecom Regulatory Authority of India for protecting the interest of consumers of telecommunication services, to organize seminars, workshops etc., on the subject of consumer welfare and consumer education in the field of telecommunication, it is considered expedient to give equal representation to the CAGs in the Committee by nominating one representative each from the 5 regions of North, South, West, East and North East. The amendment will facilitate re-constitution of CUTCEF with five representatives from voluntary consumer organizations registered with TRAI.

4. Penetration of Broadband is likely to be increased and broadband would play a much wider role in the upcoming telecom scenario. It would, therefore, be necessary to give adequate representation in the CUTCEF to the service providers providing Internet and broadband services. Accordingly, it has been decided to include one representative of Internet Service Providers Association of India (ISPAI) or any other association providing Internet and Broadband services in the country in the Committee.

5. Earlier the work relating to consumer affairs was looked after by Advisor in charge of Quality of Service. Now, a separate division has been created for handling consumer affairs. The names of some other divisions have also undergone changes. The other amendments are necessitated on account of restructuring of the secretariat of the Authority.