

**(TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY, PART-III,
SECTION 4)**

**TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION**

New Delhi, the 10th July, 2013

No. 324-2/2013-CA---In exercise of the powers conferred 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 (SECOND AMENDMENT) REGULATIONS, 2013**

(8 of 2013)

1. (1) These regulations may be called the Telecommunication Consumers Education and Protection Fund (Second Amendment) Regulations, 2013.

(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) (herein after referred to as principal regulations), after clause (e), the following clause shall be inserted namely:-



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“(ea) “Scheduled bank” means a bank included in the Second Schedule of the Reserve Bank of India Act, 1934,”

3. In regulation 5 of the principal regulations, after sub-regulation (4), the following sub-regulation shall be inserted namely:-

“(4A) The Authority may, from time to time, review the rate of interest offered by the Corporation Bank and the amount credited in the accounts referred to in sub-regulation (4) and if upon such review, the Authority finds that a higher rate of interest is being offered by any other scheduled bank, the Authority may withdraw from the Corpus of the said accounts such amount, and deposit, in the said scheduled bank, for such duration, as it may deem fit:

Provided that the income, by way of interest, earned on such deposit shall be deposited in the separate accounts maintained for this purpose.”

4. In regulation 6 of the principal regulations, for sub-regulation (3), the following sub-regulation shall be substituted namely:-

“(3) Subject to the provision of sub-regulation (4A) of regulation 5, the accounts referred to in sub-regulation (4) of regulation 5 shall be operated jointly by the presiding member and the member referred to in clause (e) of regulation 8.”



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5. In regulation 8 of the principal regulations, _ _ _ _

(a) in clause (e) for the words “the Finance and Accounts Division”, the words “the Finance and Economic Analysis Division” shall be substituted,

(b) the clause (f) and (g) shall be omitted;

(c) for clause (h), the following clause shall be substituted namely:-

“(h) Principal Advisor, being in charge of the Consumer Affairs and Quality of Service Division in the Authority----- *ex officio* member;

(d) after clause (h), the following clause shall be inserted, namely:-

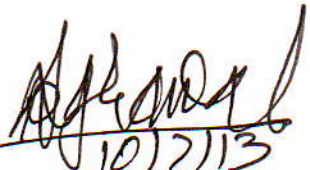
“(i) Advisor, Consumer Affairs and Quality of Service Division in the Authority----- *ex officio* convener member.”

6. In regulation 9 of the principal regulation, in sub-regulation (1) for the words, brackets and figures “clause (a), (e), (f), (g) and (h)”, the words brackets and figures “clauses (a), (e), (h) and (i)” shall be substituted.

7. In regulation 15 of the principal regulations, for the words “such auditors shall be eligible for re-appointment” the words “such auditors shall be


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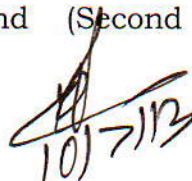
eligible for re-appointment for a further period not exceeding two years” shall be substituted.


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Note 1---- The principal regulations were published vide Notification No. 322/4/2006-QoS (CA) dated the 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 Explanatory Memorandum explains the objects and reasons of the Telecommunication Consumers Education and Protection Fund (Second Amendment) Regulations, 2013 (8 of 2013).


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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 organizations 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) and one representative from Internet & Broadband service providers of the Internet Service Providers Associations of India (ISPAAI).

3. Presently, the amount being received in the Telecommunication Education and Protection Fund account is maintained in Corporation Bank. Out of this fund a large portion of the amount is kept in Fixed Deposits in Corporation Bank only. However, in the present scenario it is being seen that different banks are offering different rates of interest and there are instances when other banks offered higher rate of interest in comparison to Corporation Bank. Therefore, the amendment will propose facilitation of fixed deposits in other scheduled banks.

4. Due to restructuring of divisions in TRAI, the members of the CUTCEF representing TRAI have been suitably amended. The current regulation does not stipulate any specific period for re-appointment of the auditor. Therefore the Authority decided to specify the period for re-appointment of the auditor. A maximum period for appointment of the auditor for auditing the TCEPF has been fixed as three years in the amendment.



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