



VIL/PB/RCA/2023/022

August 14, 2023

**Advisor (CA & IT)**

**Telecom Regulatory Authority of India,**  
Mahanagar Doorsanchar Bhawan,  
Jawaharlal Nehru Marg (Old Minto Road),  
New Delhi – 110002

**Kind Attn: Shri A. K. Singh**

**Subject:** Comments on the TRAI's draft regulation on The Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023 issued on July 24, 2023

**Dear Sir,**

This is with reference to the above mentioned draft regulation from TRAI on "The Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023 issued on July 24, 2023.

In this regard, kindly find enclosed herewith comments from Vodafone Idea Limited to the said draft regulation.

We hope our comments will merit your kind consideration please.

Thanking you,

Yours sincerely,

For **Vodafone Idea Limited**

**P. Balaji**  
**Chief Regulatory & Corporate Affairs Officer**

**Enclosed:** As stated above



**VIL Comments on Draft Regulation on  
“The Telecommunication Consumers Education and Protection Fund (Sixth  
Amendment) Regulations, 2023”**

At the outset, we are thankful to TRAI for giving us this opportunity to provide our comments to the draft Regulation on “The Telecommunication Consumers Education and Protection Fund (Sixth Amendment) Regulations, 2023”.

**In this regard, our detailed comments are as follows:**

**1. Chapter II - Clause 4.2. Procedure for depositing the excess amount collected by service providers from the subscribers in the Consumers Education and Protection Fund:**

a. As per the existing TCEPF Regulation, Clause 4.2 state as below:

*(2)The amount, referred to in sub--regulation (1), shall be tendered by the service providers in the designated branches of the [Corporation] Bank along with challan in triplicate mentioning therein the head as "Telecommunication Consumer Education and Protection Fund", and the [Corporation] Bank shall return two copies duly stamped to the service providers as token of having received the amount referred to in sub-regulation (1).*

b. As of now, TSPs are required to prepare challan and receive the acknowledgement receipt stamped by the bank which is an old settling method.

c. In this regard, we would like to submit that **the procedure to submit this excess amount should be facilitated through online payment method i.e. NEFT/RTGS. The same should also immediately result in generation of payment acknowledgment through an online receipt.**

**2. Chapter II - Clause 6.2. Utilisation of the Telecommunication Consumers Education and Protection Fund:**

a. As per the existing TCEPF Regulation, Clause 6.2 (a), (b) and (c) state as below:

*(2) The amount available by way of income referred to in clause (b) of sub-regulation (2) of regulation 5, shall be utilised on the recommendation of the committee after obtaining the approval of the Authority, on the expenditure for the following purposes only, namely:-*

- (a) *to undertake programs to educate the consumers of the Telecommunication services about various measures taken by the Central Government or the Authority for protecting the interests of consumers of telecommunication services;*
  - (b) *to conduct studies and market research projects, either directly or through specialized agencies or institutions on matters relating to protection of the interests of consumers of telecommunication services;*
  - (c) **to organize seminars, symposia and workshops on the subject of consumer welfare and consumer education in the field or telecommunication;**
- b. The above clauses clearly bring out the objective of TCEPF Regulation, more specifically, organizing workshops on the subject of consumer welfare and consumer education.
- c. In the same context, TRAI has issued multiple letter on the subject of 'Holding of Workshops by Telecom Service Providers'. Through these letters, TRAI have been directing the TSPs to organize workshops for customers across the country within a specified timeline through various mediums. The objective given vide said letters/guidelines is stated as below:
- Publicity and Content:*
- h. The workshops **must educate the consumers** about the system/mechanism in place to address their grievances and complaints. Emphasis, at the workshops must be on the initiatives taken by service providers for effective redressal of consumer complaints.*
- d. As is evident from above that the above-said objective of the guidelines issued by TRAI is part of the overall objective as given under the TCEPF Regulation.
- e. **Thus, it would be prudent to consider conduct of said workshops to be part of consumer education efforts being undertaken under the umbrella of TCEPF regulation.**
- f. **Considering the above, it is submitted that cost for such physical workshops carried out by TSP(s) under the above-said letter/guidelines of TRAI (if it continues to be mandatory as per TRAI's regulatory norms), should be borne out of TCEPF fund.**
- g. **In the start of financial year, the CUTCEF committee should fix an amount per workshop to be reimbursed to TSP(s) for conducting such physical workshops. This amount reimbursed to the TSPs should be excluded from the AGR, for the purposes of LF/SUC calculations.**



### **3. Chapter II - Clause 6.2. Utilisation of the Telecommunication Consumers Education and Protection Fund**

- a. Further, we would also like to submit that **the objective of the existing TCEPF Regulation, Clause 6.2 (a), (b) and (c) should also consider building a digital platform and mobile app to be made accessible amongst all the stakeholders like subscribers, TSPs, etc.**
- b. This can be used to give information to the consumers about new papers, order, regulations and upcoming workshops in their region, advisory on spam, fraud etc. It will help inform citizens about telecom services, difference of commercial communication from RTM and UTM and consent mechanism, communication on telecom network vs other OTT mediums and fraud prevention. It will facilitate participation of the customers and everyone can benefit from it.

### **4. Chapter III: Clause 8 (c). Composition of Committee**

- a. As per the existing regulation, only two representatives from member TSPs from COAI are allowed to be nominated/represented at the Committee for Utilisation of Telecommunication Consumers Education and Protection Fund (CUTCEF).
- b. In this regard, we would like to highlight that all the 3 member TSPs of COAI i.e. Bharti Airtel Ltd, Reliance Jio Infocomm Limited and Vodafone Idea Limited are major TSPs in the country, with services across PAN India and over multiple technologies.
- c. Further, all three players have been contributing to this TCEPF and catering to the large number of customers across the country. As per TRAI's Report on The Indian Telecom Services Performance Indicators for Oct – Dec, 2022, total number of access subscribers (wireless + wireline) are 1170.38 million whereas number of ISP subscribers are only 14.89 million. Besides, under Metering and Billing audit also, TRAI has only included access providers as part of audit.
- d. Thus, inputs and expertise from our 3 member TSPs will cover majority of the telecom consumers in the country and representation from all three TSPs would add significant value to the effectiveness of the Committee.
- e. Earlier also, COAI has submitted and requested that all the three core member TSPs of COAI should be allowed to nominate one representative each to the CUTCEF committee in place of existing 2 members.



- f. As TRAI has taken up consultation to amend the Regulation, it is prudent that the above is also considered alongside other amendments.
  
- g. Considering all above, we recommend that **1 representative each from all the three member TSPs of COAI (i.e. VIL, RJIL and BAL) should be allowed to be part of the CUTCEF committee and the Regulation should be suitably amended.**

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