

TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION

New Delhi, the 25th July, 2024

REGISTRATION OF CONSUMER ORGANISATIONS (AMENDMENT)
REGULATIONS, 2024
(5 of 2024)

No. RG-10/2/(1)/2023 [E-10742]---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 to amend the Registration of Consumer Organisations Regulations, 2013 (1 of 2013), namely:-

1. (1) These regulations may be called the Registration of Consumer Organisations (Amendment) Regulations, 2024.
(2) They shall come into force from the date of their publication in the Official Gazette.
2. In regulation 4 of the Registration of Consumer Organisations Regulations, 2013 (1 of 2013) (hereinafter referred to as the "principal regulations"),-
 - (a) for sub-regulation (1), the following sub-regulation shall be substituted, namely:-

“(1) A consumer organisation, fulfilling the eligibility criteria specified under regulation 5, shall be eligible for registration with the Authority.”;
 - (b) after sub-regulation (1), the following sub-regulation (2) shall be inserted,-

“(2) A consumer organization may be registered by the Authority for one or more States and Union Territories and a consumer organization desirous of registering in more than one State or Union Territory shall submit separate Registration Form for different State or Union Territory.”;
 - (c) the existing sub-regulation (2) shall be re-numbered as sub-regulation (3).
3. For regulation 5 of the principal regulations, the following regulation shall be substituted, namely:-

“5. Eligibility criteria for registration of consumer organisations.—



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(1) A consumer organization shall be eligible for registration with the Authority if it is –

- (a) involved in consumer education and protection of the interest of the consumers;
- (b) a non-profit and non-political organisation;
- (c) having, on the date of its application to the Authority, a minimum of three years of experience, after its registration as consumer organisation in –
 - (i) dealing with consumer complaints and redressal of consumer grievances regarding deficiency in services; and
 - (ii) advocating the cause of the consumers; and
- (d) capable of interacting with the Authority through electronic media.

(2) The preference shall be given to the consumer organisations which are involved in conducting research or study or surveys on consumer issues and on matters relating to protection of the interest of the consumers of the telecommunication and broadcasting services.”

4. In regulation 6 of the principal regulations, in clause (iii), after the words “Judicial Magistrate”, the words and figures “in the format annex at Annexure-II to these regulations” shall be inserted.
5. For the Registration Form annexed to the principal regulations, the following Annexure-I containing the Registration Form shall be substituted, namely:-

“Annexure-I

REGISTRATION FORM
(see regulation 4)

Application for Registration of Consumer Organisation

1. Name and address of the consumer organisation: _____

2. Fax and Telephone No.: _____
3. Email Id.: _____
4. Website: _____
5. Name of State/Union Territory for which application is being made;

6. Registration No. of consumer organisation.: _____
7. Date of Registration.: _____
8. Validity of registration.: _____


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9. State in which the consumer organisation is registered.: _____

10. Details/designation of the registering Authority.: _____

11. Name of Act under which registered.: _____

(Note: Attach a legible copy of the registration certificate as consumer organisation duly attested by a Gazetted Officer or Judicial Magistrate.)

12. Primary objective of establishment of the consumer organisation as per its constitution/ Memorandum of Association.: _____

(Note: Attach a legible copy of the Memorandum of Association and bye-laws duly attested by a Gazette Officer or Judicial Magistrate.)

13. Whether the consumer organisation is a non-profit and non-political organisation?

(Note: Attach an affidavit in the format given at Annexure-II, duly authenticated by a Notary Public or Oath Commissioner or Judicial Magistrate certifying that the organisation is non-profit making and non-political organisation.)

14. Date of last Annual General Meeting and last elections to the Executive Committee.:

(Note: Attach a list of office bearers appointed, as per the Memorandum of Association and bye-laws, along with their names, designation, address, profession, the date from which the post is held in the consumer organisation and the term of office.)

15. Please indicate the total income during the previous two financial years, separately for each year.: _____

(Note: Attach copies of annual report, annual audited statement of accounts and a statement showing sources of funds during the previous two financial years duly authenticated by your authorized representative.)

16. Whether the consumer organisation was earlier registered with the Authority? If yes, indicate registration number and date of registration.: _____

17. Whether the organisation is capable of interacting with the Authority through electronic media? (Please give details in this regard.): _____

18. Organisational activities undertaken during the previous three years. Please tick on the

items applicable to you:

- (a) Consumer education and protection of the interest of the consumers **Yes/ No**
- (b) Dealing with consumer complaints and redressal of consumer grievance regarding deficiency in services **Yes/ No**
- (c) Advocating cause of the consumers **Yes/ No**
- (d) research/surveys/study conducted on consumer issues **Yes/ No**
- (e) study and research conducted on matters relating to protection of interest of the consumers of telecommunication services **Yes/ No**
- (f) Handling of issues related to Telecom Consumers. **Yes/No**

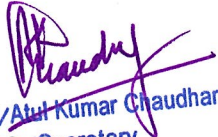
(Note: Furnish details of the activities undertaken by the organisation on separate sheets. Enclose documents in support of work done to protect the interest of consumers which can include newspaper reports, photographs and reports on research or survey done for each State or Union Territory, as the case may be, separately.)

19. Whether documents against items at S. No. 11, 12, 13, 14, 15 and 18 are enclosed?

(Note: In case the original copy of the documents mentioned at S. No. 11, 12, 13, 14, 15 and 18 are not in English or Hindi, translated copies of such documents in English shall be submitted with an affidavit affirming that the translated version is true copy of the original document and such affidavit shall be duly authenticated by a Notary Public or Oath Commissioner or Judicial Magistrate.)

I declare that the information furnished above is true and correct to the best of my knowledge. I understand that if at any stage the information furnished above is found to be incorrect or false or that I do not satisfy the eligibility criteria as laid down by the Telecom Regulatory Authority of India, my application will be rejected, or the registration, if granted, shall stand cancelled. I will abide by the decision of the Authority on my application/registration. I have read and understood the provisions of the Registration of Consumer Organisations Regulations, 2013 (1 of 2013) and other guidelines, instructions, etc. issued by the Authority.

Signature and office seal of
the Authorized Office Bearer of
the consumer organisation.


अतुल कुमार चौधरी/Atul Kumar Chaudhary, ITS
सचिव/Secretary
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Date: _____

Name.: _____

Place: _____

Designation.: _____”

6. After Annexure-I to the principal regulations, the following Annexure-II shall be inserted, namely:-

“Annexure-II


Affidavit of non-profit and non-political organisation

I, _____ Son/Daughter of _____, presently working as _____ (designation) in the _____ (name of the consumer organisation having its office at _____ (address of organisation), do hereby solemnly affirm and state as under:

1. That I am the Authorized Signatory/ head of the consumer organisation.
2. That the applicant consumer organisation _____ (Name of consumer organisation) is a non-profit and non-political organisation. The applicant organisations or its members do not have any political affiliation.
3. That the members or office bearers of the consumer organisation shall not campaign, utter any slogans, display flags of any political party while carrying out any consumer activities in the discharge of its obligations under the Registration of Consumer Organisations Regulations, 2013 (1 of 2013) (hereinafter referred to as the “regulations”), made by the Telecom Regulatory Authority of India (hereinafter referred to as “the Authority”) or while carrying out any other activities entrusted to the applicant organisation by the Authority under the regulations.
4. That I understand and aware of the fact that any failure by me to abide by the undertaking given hereunder will result in cancellation of registration as consumer organisation with the Authority.

Deponent

Verification


अतुल कुमार चौधरी/Atul Kumar Chaudhary, ITS
सचिव/Secretary
भारतीय दूरसंचार विनियामक प्राधिकरण
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Verified at _____ (Place) on this ___ day of _____, 202_ that the contents of the above affidavit are true and correct to my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

अतुल कुमार चौधरी/Atul Kumar Chaudhary, ITS
सचिव/Secretary
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Deponent".


(Atul Kumar Chaudhary)
Secretary, TRAI

Note 1---- The principal regulations were published vide Notification No. 321-49/2012-CA&QoS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 21st February, 2013.

Note 2----The Explanatory Memorandum explains the objects and reasons of the Registration of Consumer Organisations (Amendment) Regulations, 2024 (5 of 2024).

EXPLANATORY MEMORANDUM

The Telecom Regulatory Authority of India had notified the Registration of Consumer Organisations Regulations, 2013 (1 of 2013) [hereinafter referred to as the "principal regulations"] on 21st February 2013.

2. Presently, the Authority, under the principal regulations, are registering consumer organisations state-wise who can assist the Authority by performing the roles mentioned in the regulations.
3. Consumer organisations can play a supporting role in raising awareness about consumer protection measures to various sections of society including people in rural areas.
4. In order to best utilize the exposure and varied understanding of the different segments of the consumer organizations having presence in multiple states/UTs, the Authority felt a need to widen the scope of principal regulations by introducing registration at National Level. Draft amendment regulations were released on 14th September, 2023 for comments of the stakeholders. The comments received from the stakeholders have been examined.
5. Some stakeholders opposed the draft amendments apprehending that the amendments would result in a single benefit for few organizations and that the local consumer organizations were more effective. Some consumer organizations commented that defining jurisdictional criteria for consumer organizations is inappropriate and may lead to confusion and conflicts in various situations. In view of these comments, the Authority decided to replace the words "National Level" with "Multiple states/UTs" so that the existing registered organizations shall continue to work without feeling diminutive.

6. Some organisations suggested that the process of registration should be simple. Accordingly, the format for registration is simplified as Annexure-I. TRAI is also in the process of developing an online portal for ease of consumer organisations. One stakeholder felt that establishing predefined criteria for non-political organisation will mitigate conflicts. In this regard, Authority observed that presently the consumer organisations are submitting affidavits without any standard format. A predefined format will enable all consumer organisation who are applying for registration with the Authority, to provide a uniform affidavit to the Authority. Accordingly, format for affidavit on declaration as non-political/non-profit organisation has also been introduced.

7. One stakeholder suggested that the present eligibility conditions may be reviewed to avoid rigidity of complying all the conditions equally. In this regard it is observed that all conditions may not be crucial for compliance by all the applicant consumer organisations and some conditions may be kept as desirable conditions. Accordingly, the eligibility conditions have been modified.

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