

**REGULATION ON GUIDELINES FOR REGISTRATION OF
CONSUMER ORGANISATION/NON-GOVERNMENT
ORGANIZATIONS (NGOS) AND THEIR INTERACTION WITH
TRAI, 2001**

CONTENTS

CHAPTER 1 :- SECTION 1

1. Short title, extent and commencement

CHAPTER 2 :- SECTION 2

2. Criteria for Registration of consumer organisation/NGOs
3. Rules Governing Registration
4. Interaction with TRAI
5. Mode of Data Sharing

CHAPTER 3 :- SECTION 3

6. Review

CHAPTER 4 :- SECTION 4

7. Explanatory Memorandum

CHAPTER 5 :- SECTION 5

8. Interpretation

**REGULATION ON GUIDELINES FOR REGISTRATION OF
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Telecom Regulatory Authority of India, Noti. No. F. No. 108-4/98-The Telecom Regulatory Authority of India Act, 1997 (Act No. 24 of 1997) as amended by Telecom Regulatory Authority of India". (Tech.), dated January 15, 2001, published in the Gazette of India, Extra., Part III, Section 4, dated 16th January, 2001, p. 14-23, No. 7 In exercise of the powers conferred upon it under sub-section (1) of Section 36, read along with sub-clause (v) of clause (b) of sub-section (1) of Section 11 of The Telecom Regulatory Authority of India Act, 1997 (Act No. 24 of 1997) as amended by Telecom

Regulatory Authority of India" (Amendment) Act, 2000 so as to protect the interest of consumers of telecommunication service, the Telecom Regulatory Authority of India hereby makes the following regulation.

CHAPTER 1

SECTION 1

1. Short title, extent and commencement :-

(i) This regulation shall be called Regulation on Guidelines for Registration of Consumer Organisations/Non-Government Organizations (NGOs) and their Interaction with TRAI, 2001.

(ii) This regulation prescribes the guidelines for the registration of the Consumer Organisations and NGOs and their interaction with TRAI.

(iii) This Regulation shall be applicable to-

(a) All Consumer Organisations concerned with cause of users of telecommunication services ¹ [in] the territory of India.

(b) All Non-Government Organisations (NGOs) concerned with telecommunication services in the Territory of India.

(iv) This regulation shall come into effect from the Fifteenth day of January, 2001.

1. In Regulation 1(iii)(a) The word "throughout" shall be substituted by the word "in" by "Regulation on Guidelines for Registration of Consumer Organizations/Non-Government Organizations (NGOs) and their Interaction with TRAI (First Amendment) 2001".Noti. No. F. No. 108-4/98-TRAI (Tech.) Advt./III/IV/ 142/2K/.dated. 20/3/2001, Gaz. of India. Exty., Pt. III, Sec. 4, No. 99, dated. 17/4/2001, page.3.

CHAPTER 2

SECTION 2

2. Criteria for Registration of consumer organisation/NGOs

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The criteria for the registration for consumer organisations/NGOs with TRAI are as follows :

(i) The consumer organisations and NGOs should be those registered either under ¹["Societies Registration Act, 1860 (Act XXI of 1860) or Sec. 25 of the Companies Act, 1956 (Act 1 of 1956) or any other law for the time being in force"]. The

organisations registered with ²["Bureau of Indian Standards or recognized as "registered consumers" associations" in terms of clause (n) of Sec. 2 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969)].] shall also be eligible for registration with TRAI.

(ii) The organisations should be non-profit and non-political.

(iii) The organisations should have a minimum three-years of experience in the areas of representing views of consumers. ³ ["For the purpose of reckoning the experience of minimum three years, the date of registration under Sec. 25 of the Companies Act, 1956 or under the Societies Registration Act, 1860 or any other law for the time being in force shall be taken into consideration".]

1. In Regulation 2(i) The words "Societies Act or Companies Act" be substituted by "Regulation on Guidelines for Registration of Consumer Organizations/Non-Government Organizations(NGOs) and their Interaction with TRAI (First Amendment) 2001".Noti. No. F. No. 108-4/98-TRAI (Tech.) Advt./III/IV/ 142/2K/. dated. 20/3/2001, Gaz. of India. Exty., Pt. III, Sec. 4, No. 99, dated. 17/4/2001, page.3.

2. In Regulation 2(i) The words ""MRTPC andBIS"" shall be substituted by "Regulation on Guidelines for Registration of Consumer Organizations/Non-Government Organizations (NGOs) and their Interaction with TRAI (First Amendment) 2001".Noti. No. F. No. 108-4/98-TRAI (Tech.) Advt./III/IV/ 142/2K/. dated. 20/3/2001, Gaz. of India. Exty., Pt. III, Sec. 4, No. 99, dated. 17/4/2001, page.3.

3. In Regulation 2(iii), After the word "Consumers" the following be added by "Regulation on Guidelines for Registration of Consumer Organizations/Non-Government Organizations(NGOs) and their Interaction with TRAI (First Amendment) 2001".Noti. No.F. No. 108-4/98-TRAI (Tech.) Advt./III/IV/ 142/2K/. dated. 20/3/2001, Gaz. of India. Exty., Pt. III, Sec. 4, No. 99, dated. 17/4/2001, page.3.

3. Rules Governing Registration :-

(i) All the organisations interested in getting themselves registered with TRAI, should submit their application along with Registration Form, which is enclosed at Annexure 'A'.

(ii) TRAI will complete the registration process within 45 days of receipt of a complete Registration Form along with all the enclosures indicated in the Registration Form.

(iii) The organisations, which are found suitable for registration with

TRAI, will be sent a written communication bearing Registration Number allocated uniquely to them.

(iv) The Registration Number will have to be quoted by the registered organisation in every correspondence with TRAI.

(v) The registered organisation will provide audited annual report to TRAI on yearly basis.

(vi) The registration will be valid initially for a period of two years.

(vii) The renewal of registration, beyond a period of two years, could be considered by TRAI on a specific request made by the already registered organisation, wherein the Organisation will have to provide additional information, if required by TRAI.

(viii) The Organisations, which are at present registered with TRAI will have to apply afresh for registration as per the procedure stipulated above.

(ix) In the event of the TRAI observing any conduct on the part of consumer organisation, unbecoming of such an organisation, the TRAI will have the right to cancel the registration after advising the reason, and that the TRAI's decision in this regard will be final.

4. Interaction with TRAI :-

(i) All consumer organisations/NGOs may interact with TRAI. Specific facilities mentioned below will, however, be available only to consumer organisations/ NGOs registered with TRAI.

(ii) The registered organisations shall be informed to attend open house discussions held by TRAI on various issues.

(iii) An open regular two way communication channel will be maintained with the consumer organisations and NGOs registered with the Authority, with the objective of sharing additional data/information and discussions over and above what is shared through other channels.

(iv) In addition to the open house discussions held in various parts of the country, TRAI shall hold half yearly meetings with registered consumer organisations to increase interaction for better understanding of the problems of consumers across the country. These meetings may be organised in different parts of country for better participation.

(v) TRAI, in the form of consultation paper, shall also highlight the international practices of various consumer related issues for the benefit of consumers through these consumer organisations/NGOs.

(vi) All the Consumer Organisations/NGOs will interact with a Nodal Officer in TRAI for the purpose of registration and consumer related issues. Senior Research Officer (Administration and Legal) ¹ [***], is appointed as Nodal Officer who shall interact with Consumer Organisations/NGOs on sustained basis.

1. In Regulation 4(vi) The last sentence ["Shri Mathew Palamattam, present incumbent"] shall be deleted by "Regulation on Guidelines for Registration of Consumer Organizations/Non-Government Organizations (NGOs) and their Interaction with TRAI (First Amendment) 2001". Noti. No. F. No. 108-4/98-TRAI (Tech.) Advt./III/IV/ 142/2K/. dated. 20/3/2001, Gaz. of India. Exty., Pt. III, Sec. 4, No. 99, dated. 17/4/2001, page.3.

5. Mode of Data Sharing :-

(i) TRAI shall continue to share information through various consultation papers, through website, e-mail and letters.

(ii) The Consumer Organisations/NGOs shall also submit the data available with them regarding the customer perception about the telecom services being provided by various service providers and information on other issues, which may be used for the benefit of the consumers.

(iii) The information about any survey, opinion poll conducted by any Consumer Organisations/NGOs shall be shared with TRAI either free of cost or through a reasonably priced document.

CHAPTER 3

SECTION 3

6. Review :-

(i) The Authority may, from time to time, review and modify guidelines for Registration of Consumer Organisations/NGOs and their Interaction with TRAI, 2001.

(ii) The Authority, on reference from any affected party, and for good and sufficient reasons, may review and modify this regulation.

CHAPTER 4

SECTION 4

7. Explanatory Memorandum :-

This regulation contains at Annexure 'B', an Explanatory Memorandum detailing the need for this regulation and the process adopted by the Authority.

CHAPTER 5

SECTION 5

8. Interpretation :-

In case of disputes regarding interpretation of any of the provisions of this Regulation, the decision of the Authority shall be final and binding.