No.10/7/2014-Restg.
Government of India
Ministry of Communications & IT
Department of Telecommunications
Sanchar Bhavan, 20 Ashoka Road
New Delhi110001

Dated: 05 March, 2015

ADVERTISEMENT

Subject: Appointment to the post of Chairperson, Telecom Regulatory Authority of India (TRAI).

**TRAI**: The Telecom Regulatory Authority of India (TRAI) was established and is governed by the Telecom Regulatory Authority of India Act, 1997, to regulate the telecommunications services and to protect the interests of service providers and consumers of the telecom sector, to promote and ensure orderly growth of the telecom sector and for matters connected therewith or incidental thereto. Its functions include making recommendations on (i) measures to facilitate competition and promote efficiency in the operation of telecommunication services (ii) technological improvements in the services provided by the service providers and (iii) measures for the development of telecommunication technology and related matters. It has also to ensure compliance of terms and conditions of license, technical compatibility and effective inter-connection between different service providers, regulate arrangement amongst service providers of sharing their revenue derived from providing telecommunication services, lay down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct periodical survey to protect interest of the consumers and ensure effective compliance of universal service obligations.

**Role of Chairperson, TRAI**: The Chairperson heads TRAI. He/She has powers of general superintendence and direction in the conduct of the affairs of the Authority and in addition to presiding over the meetings of the Authority, exercises and discharges such powers and functions of the Authority as may be prescribed.

**Terms of Appointment**: The post of Chairperson, TRAI will be falling vacant on 14.05.2015. The tenure of the post is for a term not exceeding three years or till the age of 65 years, whichever is earlier. At present, the Chairperson, TRAI, shall be entitled to a pay package of Rs. 4,50,000/- (Rupees Four lakh Fifty thousand) per month (without house & car). An employee of the Government on his/her selection as Chairperson, TRAI shall have to retire from service before joining as Chairperson, TRAI.
Qualifications: The qualifications for appointment to the post as derived from Section 4 of the TRAI Act, are as follows:

A person having special knowledge of, and professional experience in telecommunication, industry, finance, accountancy, law, management or consumer affairs.

Provided that such a person who is, or has been, in the service of Government shall not be appointed as a member (including Chairperson) unless such person has held the post of Secretary, or Additional Secretary, or the post of Additional Secretary and Secretary to the Government of India or any equivalent post in the Central Government or the State Government for a period of not less than three years.

Officers working in the Central or State Government, autonomous/statutory organizations, Public Sector Undertakings etc. shall send their applications through proper channel.

Application Procedure: Interested and eligible persons are requested to send their applications in the prescribed format, which can be downloaded from the websites i.e. http://www.dot.gov.in or http://www.persmin.nic.in or http://www.trai.gov.in, alongwith copies of relevant documents to the following address or scanned copy of the same may be sent at email: ek.dass@nic.in so as to reach this office latest by 5:30 PM on 09.04.2015:

Shri Ek Dass
Under Secretary (Restg.),
Room No. 512, Sanchar Bhawan,
20, Ashoka Road, New Delhi-110001.
Telephone No. 23372068 FAX No. 23372049

Any application received after due date will not be entertained.

(S.L. Barodia)
Deputy Secretary (Restg.)

To
All Secretaries of the Ministries/Departments of the Government of India
(As per standard list) for circulating amongst all the Government Officers
APPLICATION FORMAT FOR THE POST OF CHAIRPERSON, TELECOM REGULATORY AUTHORITY OF INDIA (TRAI), NEW DELHI

(If space is insufficient against any item, please attach extra papers/sheets).

1. Name (in block letters):

   Last Name:

   Middle Name:

   First Name

2. Father's Name:

3. Marital Status:

4. Date of Birth (Please attach a copy of High School Certificate):

5. Service which belongs to:

6. Nationality:

7. Address for correspondence (in block letters) indicating clearly the PIN Code:

8. Permanent Address (in block letters):

9. (a) Telephone and Fax Nos. (Off./Resi.):
   (b) Mobile:
   (c) e-mail ID:

10. Whether belonging to SC/ST/OBC:

11. Educational Qualifications (in reverse chronological order):

<table>
<thead>
<tr>
<th>Name of University/ Equivalent Institution</th>
<th>Degree</th>
<th>Year of passing</th>
<th>Division/ % of marks/ obtained</th>
<th>Academic Distinction</th>
<th>Subject Specialization</th>
</tr>
</thead>
</table>
12. Employment Record (in chronological order starting with present post, list in reverse):

<table>
<thead>
<tr>
<th>Name &amp; address of employer</th>
<th>Designation, scale of pay and whether regular/ deputation/adhoc</th>
<th>Period of service From</th>
<th>To</th>
<th>Nature of work/experience</th>
</tr>
</thead>
</table>

13. Information related to special knowledge of, and professional experience acquired in respect of matters relating to telecommunication, industry, finance, accountancy, law, management or consumer affairs, including length of experience:

14. Publications, if any, in journals of national/international repute, with citation and index.

15. Awards/honours, if any:

16. Any other relevant information:

17. Declaration:

I certify that the foregoing information is correct and complete to the best of my knowledge and belief and nothing has been concealed/distorted. If at any time, I am found to have concealed/distorted any material information; my appointment shall be liable to summary termination without notice.

Signature of the Candidate

Date:

Place:
TO BE FORWARDED BY THE HEAD OF ORGANISATION/INSTITUTION

(IN RESPECT OF CANDIDATES WORKING UNDER GOVERNMENT/ AUTONOMOUS / STATUTORY / PUBLIC SECTOR UNDERTAKINGS ETC.)

Ministry/Department/Office of

________________________

Particulars furnished by ________________ have been verified with reference to service records and their correctness certified.

It is certified that no vigilance case is either pending or contemplated against the above officer.

The Integrity Certificate in respect of the above officer is enclosed.

(Signature & Designation of the Forwarding Officer with Seal)

Address:

Dated:
विज्ञप्ति

बिषय: भारतीय दूरसंचार वित्तीयमान प्राधिकरण (द्राई) के अध्यक्ष पद पर नियुक्ति

भारतीय दूरसंचार वित्तीयमान प्राधिकरण (द्राई): भारतीय दूरसंचार वित्तीयमान प्राधिकरण (द्राई) के दूरसंचार सेवाओं को विनियमित करने तथा दूरसंचार क्षेत्र के सेवा प्रदाताओं और उपभोक्ताओं के हितों की रक्षा करने एवं दूरसंचार क्षेत्र को प्रोत्साहित करने व उसका व्यवस्थित किस्म सुनिश्चित करने तथा उससे संबंधित या प्रारंभिक मामलों को देखने के लिए भारतीय दूरसंचार वित्तीयमान प्राधिकरण (द्राई) अधिनियम, 1997 द्वारा स्थापित किया गया था और यह इसी अधिनियम से अनुरोधित है। इसके कार्यों में (i) प्रतिरूपों को सुकर बनाने और दूरसंचार सेवाओं के प्रभाव में दक्षता को बढ़ावा देने के उपाय करना (ii) सेवा प्रदाताओं द्वारा उपलब्ध कराई जाने वाली सेवाओं में प्रादूर्विकीय सूचना ताता और (iii) दूरसंचार प्रदूर्विकीय और संबंधित मामलों हेतु उपायों के संबंध में सिफारिशें करना शामिल है। इसके अतिरिक्त यह लाइसेंस के निवेदन और शर्तों का अनुपालन तथा विभिन्न सेवा प्रदाताओं के बीच तकनीकी अनुपात और दक्षतापूर्वक अंतर्जातियों, दूरसंचार सेवाएं प्रदान करने से प्राप्त हुए राजस्व की सेवा प्रदाताओं के बीच हिस्सेदारी की व्यवस्था को विनियमित करने, सेवा प्रदाताओं द्वारा प्रदान की जाने वाली सेवा के गुणवत्ता संबंधी मामलों को तय करने को भी सुनिश्चित करना है और सेवा गुणवत्ता सुनिश्चित करना है तथा उपभोक्ताओं के हितों की रक्षा करने के लिए समय-समय पर सर्वेक्षण कार्य करने एवं सार्वजनिक सेवा दायित्वों के कार्यालय अनुपालन को सुनिश्चित करना है।

द्राई के अध्यक्ष की मुखिया: अध्यक्ष द्राई के मुखिया होंगे। उन्हें प्राधिकरण के कार्यक्रमों के सामान्य अध्यक्ष और निदेश की शक्तियां प्राप्त हैं और वे प्राधिकरण की बैठकों की अध्यक्षता करने के अतिरिक्त प्राधिकरण की ऐसी शक्तियां और कार्य का निर्धारण करते हैं, जो उनके लिए निर्धारित किए जाएं।

मितुकुल की अधिकृत - द्राई के अध्यक्ष का पद दिनांक 14 मार्च, 2015 को रिक्त हो जाएगा। इस पद की अधिकृत अधिकार मी से 65 वर्ष की आयु जो भी पहले हो, तक है। अध्यक्ष, द्राई प्रति मह, 4,50000/- (चार लाख पचास हज़ार रुपये) के वेतन पैकेज के हकदार होंगे, वे सरकारी आवास अथवा कार के हकदार नहीं होंगे।

सरकारी अधिकारी को अध्यक्ष द्राई के सूचन के रूप में उसके चयनित होने पर अध्यक्ष द्राई के पद पर कार्यभार या करने से पहले, सेवा से सेवानिवृत्त होना होगा।

अहितां: द्राई अधिनियम की धारा 4 के अनुसार इस पद पर नियुक्ति के लिए अहितां निम्नानुसार है :-

दूरसंचार उद्योग विभाग, लेखा, विधि, प्रबंधन या उपभोक्ता मामलों की विशेष जानकारी और उनमें व्यवसायिक अनुबंध रखने वाला व्यक्ति।

महत्त्व किसी भी ऐसे व्यक्ति को सदस्य (अध्यक्ष सहित) के पद पर नियुक्त नहीं किया जाएगा जब तक कि उसने कम से कम दो साल की अवधि तक भारत सरकार में संविधान या अपर सचिव के पद पर या किसी समकक्ष पर पर केंद्र सरकार अथवा राज्य सरकार में कार्य न किया हो।
केन्द्र या राज्य सरकार स्वायत्त/ सांविधिक संगठनों, सार्वजनिक क्षेत्र के उपक्रमों आदि में कार्यरत अधिकारी
अपने आवेदन उपयोग माध्यम से भेजेंगे।

आवेदन करने की प्रक्रिया: हइड्रुक और योग्य व्यक्तियों से अनुरोध है कि वे अपने आवेदन-पत्रों को निर्धारित
प्रस्तर में भेजें, जिन्हें दूरसंचार विभाग की वेबसाइट (http://www.dot.gov.in) या www.persmin.nic.in या
http://www.trai.gov.in से डाउनलोड किया जा सकता है और इस आवेदन को संबंधित दस्तावेजों के साथ
निम्नलिखित पते पर भिजवाए या इस आवेदन की सैकड़ की गई प्रति ई-मेल - ek.dass@nic.in पर
भिजवाए ताकि वह आवेदन इस कार्यालय को दिलाके 09.04.2015 को साथ 5.30 बजे तक अवश्य प्राप्त हो
जाए।

श्री एक दास, अबर सचिव (पुर्णरूप)
कमरा नं 512, संचार भवन, 20 अशोक रोड, नई दिल्ली-110001
तूरा: 23372068 फैक्स : 23372049

निर्धारित तारीख के बाद प्राप्त होने वाले आवेदन-पत्रों पर विचार नहीं किया जाएगा।

(संबंधित बाबू)

उपसचिव (पुर्णरूप)

सेवा में,

सचिव, भारत सरकार के सभी मंत्रालय (मानक सूची के अनुसार)
सरकारी अधिकारियों को परिचालित किए जाने हेतु।
परिचिति

दूरसंचार विनियोजक प्राथिकरण (टाइप) नई दिल्ली के अध्यक्ष पद के लिए आवेदन पत्र का प्रतिवर्तित उपस्थिति

(किसी भी के समक्ष परीक्षण स्थान न हो तो अतिरिक्त कागज/शीट संलग्न करें)

1. नाम (मुख्य क्षेत्र और) : 
   नाम का अंतिम शब्द : 
   नाम का मध्य शब्द : 
   नाम का प्रथम शब्द : 

2. पिता का नाम : 

3. वैवाहिक स्थिति : 

4. जन्म तिथि (कृपया हाई स्कूल प्रमाण-पत्र की प्रति संलग्न करें) : 

5. सेवा, जिससे संबंधित हैं : 

6. राष्ट्रीयता : 

7. पत्र व्यवहार का पता (मुख्य क्षेत्र और), जिसमें पिन कोड (स्पष्ट रूप से लिखा हो) सहित : 

8. स्थाई पता (मुख्य क्षेत्र और) : 

9. (क) दूरभाष और फैक्स सं (कर्मचारी/आवास) : 
   (ख) मोबाइल : 
   (ग) ई-मेल आईडी : 

10. क्या आप आ00जा0/आ0ज0/आ0प0वर्ग से संबंधित हैं : 

11. शैक्षिक योग्यताएं (सबसे आधिक तत्काल के क्रमानुसार) :  

<table>
<thead>
<tr>
<th>विभिन्नविद्यालय/समकाली</th>
<th>दिवंगत</th>
<th>उत्तरोत्तर कर्म</th>
<th>श्रेणी/प्रभावीता का प्रतिष्ठान</th>
<th>विवेचन दृशिक</th>
<th>विषय/विषयवस्तु</th>
</tr>
</thead>
</table>

| नाम का प्रथम शब्द | नाम का मध्य शब्द | नाम का अंतिम शब्द | आवेदक दृखारा विधिवत् उपस्थिति हस्ताक्षर पत्रों के लिए स्थान |
12. रोजगार का पिकड (वर्तमान पद से आरंभ करते हुए पीछे की ओर कालक्रमानुसार सूचीबद्ध करें):

<table>
<thead>
<tr>
<th>नियोक्ता का नाम और पता</th>
<th>पद, वेतनशील, नियमित/प्रतिनियुक्त/तदर्फ</th>
<th>रोजगार की अवधि</th>
<th>कार्य की प्रकृति/अनुभव</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>से</td>
<td>तक</td>
<td></td>
</tr>
</tbody>
</table>

13. दूरसंचार उद्योग वित्त, लेखा शास्त्र, विधि, प्रबंधन या उपभोक्ता मामलों से संबंधित मामलों के बारे में विशेष ज्ञान और इसमें अधिक व्यावसायिक अनुभव की अवधि सहित सूचना:

14. सामूहिक/अंतरराष्ट्रीय स्थान की पत्र-पत्रिकाओं में प्रकाशन यदि कोई हो प्रशस्ति और विषय-सूची के साथ:

15. पुरस्कार/सम्मान यदि कोई हो:

16. कोई अन्य संबंधित सूचना:

17. प्रोफेशन:

मैं प्रगतिशील करता हूँ कि उपयुक्त सूचना मेरी जानकारी और विश्वास के अनुसार सत्य और पूर्ण है तथा इसमें कुछ भी विपरित/भूल वर्गीकृत नहीं हैं। दया किसी समय पर यह पता जाता है कि मैं कोई नहीं सूचना निम्नलिखित मामला किसी नोटिस के पुरत्त 10 की जा सकती है।

अम्बारी के हस्ताक्षर

दिनांक:

स्थान:
संगठन/संस्थान के प्रमुख दूतारा अप्रौंचित किए जाने के लिए

सरकारी/स्वायत्त/वैधानिक/सार्वजनिक क्षेत्र के उपक्रमों इत्यादि में कार्यरत अभ्यर्थी के संबंध में
संचालन/विभाग/कार्यालय

दूतारा उल्लिखित विवरण सेवा अभिलेखों से सल्लापित कर दिया गया है और इसकी सत्यता को प्रमाणित कर दिया गया है।

यह प्रमाणित किया जाता है कि उपर्युक्त अधिकारी के विरुद्ध सत्कर्ता संबंधी कोई भी मामला लंबित या विचाराधीन नहीं है।

उपर्युक्त अधिकारी से संबंधित सत्यसिद्ध प्रमाण-पत्र संलग्न है।

(भेजने वाले अधिकारी के हस्ताक्षर और पदनाम मोहर सहित)

पता:

दिल्ली
THE TELECOM
REGULATORY AUTHORITY
OF INDIA ACT, 1997

[24 of 1997 dt. 28-3-1997]
As amended by TRAI (Amendment) Act, 2000
CONTENTS

TELECOM REGULATORY AUTHORITY
OF INDIA ACT, 1997

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement
2. Definition

CHAPTER II
TELECOM REGULATORY AUTHORITY OF INDIA

3. Establishment and incorporation of Authority
4. Qualifications for appointment of Chairperson and other members
5. Term of office, conditions of service, etc., of Chairperson and other members
6. Powers of Chairperson and Vice-Chairperson
7. Removal and suspension of member from office in certain circumstances
8. Meetings
9. Vacancies, etc., not to invalidate proceedings of Authority
10. Officers and other employees of Authority

CHAPTER III
POWERS AND FUNCTIONS OF THE AUTHORITY

11. Functions of Authority
12. Powers of Authority to call for information, conduct investigations, etc.
13. Power of Authority to issue directions

CHAPTER IV
APPELLATE TRIBUNAL

14. Establishment of Appellate Tribunal
14A. Application for settlement of disputes and appeals to Appellate Tribunal
14B. Composition of Appellate Tribunal
14C. Qualifications for appointment of Chairperson and Members
14D. Term of office
14E. Terms and conditions of service
14F. Vacancies
14G. Removal and resignation
14H. Staff of Appellate Tribunal
14I. Distribution of business amongst Benches
14J. Power of Chairperson to transfer cases
14K. Decision to be by majority
14L. Members, etc., to be public servants
14M. Transfer of pending cases
14N. Transfer of appeals.
15. Civil court not to have jurisdiction
16. Procedure and powers of Appellate Tribunal
17. Right to legal representation
18. Appeal to Supreme Court
19. Orders passed by Appellate Tribunal to be executable as a decree
20. Penalty for wilful failure to comply with orders of Appellate Tribunal

CHAPTER V
FINANCE, ACCOUNTS AND AUDIT

21. Grants by Central Government
22. Fund
23. Accounts and audit
24. Furnishing of returns, etc., to Central Government

CHAPTER VI
MISCELLANEOUS

25. Power of Central Government to issue directions
26. Members, officers and employees of Authority to be public servants
27. Bar of jurisdiction
28. Protection of action taken in good faith
29. Penalty for contravention of directions of Authority
30. Offences by companies
31. Offences by Government Department
32. Exemption from tax on wealth and income
33. Delegation
34. Cognizance of offences
35. Power to make rules
36. Power to make regulations
37. Rules and regulations to be laid before Parliament
38. Application of certain laws
39. Power to remove difficulties
40. Repeal and saving
41. Annexure-I
42. Annexure-II
THE TELECOM
REGULATORY AUTHORITY
OF INDIA ACT, 1997

[24 of 1997, dt. 28-3-1997]
As amended by TRAI (Amendment) Act, 2000

THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997

An Act to provide for the establishment of the Telecom Regulatory Authority of India and the Telecom Disputes Settlement and Appellate Tribunal to regulate the telecommunications services, adjudicate disputes, dispose of appeals and to protect the interests of service providers and consumers of the telecom sector, to promote and ensure orderly growth of the telecom sector and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:

CHAPTER I
PRELIMINARY

1 Short title, extent and commencement
(1) This Act may be called the Telecom Regulatory Authority of India Act, 1997.
(2) It extends to the whole of India.
(3) It shall be deemed to have come into force on the 25th day of January, 1997.

2 Definitions
(1) In this Act, unless the context otherwise requires:-
(a) "appointed day" means the date with effect from which the Authority is established under sub-section (1) of section 3;

1 Substituted for words "Telecom Regulatory Authority of India to regulate the telecommunication services" by Amendment Act of 2000, w.e.f. 24-1-2000.
2 Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
"licensor" means the Central Government or the telegraph authority who grants a licence under section 4 of the Indian Telegraph Act, 1885 (13 of 1885);

"member" means a member of the Authority appointed under sub-section (3) of section 3 and includes the Chairperson and the Vice-Chairperson;

"notification" means a notification published in the Official Gazette;

"prescribed-" means prescribed by rules made under this Act;

"regulations" means regulations made by the Authority under this Act;

"service provider" means the "[Government as a service provider] and includes a licensee;

"telecommunication service" means service of any description (including electronic mail, voice mail, data services, audio tax services, video tax services, radio paging and cellular mobile telephone services) which is made available to users by means of any transmission or reception of signs, signals, writing, images and sounds or intelligence of any nature, by wire, radio, visual or other electromagnetic means but shall not include broadcasting services:

[PROVIDED that the Central Government may notify other service to be telecommunication service including broadcasting services;]

(2) Words and expressions used and not defined in this Act but defined in the Indian Telegraph Act, 1885 (13 of 1885) or the Indian Wireless Telegraphy Act, 1933 (17 of 1933), shall have the meanings respectively assigned to them in those Acts.

(3) Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall in relation to that State be construed as a reference to the corresponding law, if any, in that State.

1. Substituted for word "Government" by Amendment Act, of 2000, w.e.f. 24-1-2000
2. Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
CHAPTER II

TELECOM REGULATORY AUTHORITY OF INDIA

3. Establishment and incorporation of Authority

(1) With effect from such date as the Central Government may, by notification appoint, there shall be established, for the purposes of this Act, an Authority to be called the Telecom Regulatory Authority of India.

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both moveable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The Authority shall consist of a Chairperson, and not more than two whole-time members and not more than two part-time members, to be appointed by the Central Government.

(4) The head office of the Authority shall be at New Delhi.

4. Qualifications for appointment of Chairperson and other members

The Chairperson and other members of the Authority shall be appointed by the Central Government from amongst persons who have special knowledge of, and professional experience in, telecommunication, industry, finance, accountancy, law, management or consumer affairs:

PROVIDED that a person who is, or has been, in the service of Government shall not be appointed as a member unless such person has held the post of Secretary or Additional Secretary, or the post of Additional Secretary and Secretary to the Government of India or any equivalent post in the Central Government or the State Government for a period of not less than three years.

5. Term of office, conditions of service, etc., of Chairperson and other members

(1) Before appointing any person as the Chairperson or member, the Central Government shall satisfy itself that the person does not have any such financial or other interest as is likely to affect prejudicially his functions as such member.

(2) The Chairperson and other members shall hold office for a term not exceeding

1 Substituted by Amendment Act of 2000, w.e.f. 24-1-2000.
2 Substituted by Amendment Act of 2000, w.e.f. 24-1-2000.
3 Sub-sas. (2) and (5) substituted by Amendment Act of 2000, w.e.f. 24-1-2000.
three years, as the Central Government may notify in this behalf, from the date on which they enter upon their offices or until they attain the age of sixty-five years, whichever is earlier.

(3) On the commencement of the Telecom Regulatory Authority of India (Amendment) Act, 2000, a person appointed as Chairperson of the Authority and every other person appointed as member and holding office as such immediately before such commencement shall vacate their respective offices and such Chairperson and such other members shall be entitled to claim compensation not exceeding three months pay and allowances for the premature termination of the term of their offices or of any contract of service.

(4) The employee of the government on his [selection as the Chairperson or whole-time member] shall have to retire from service before [joining as the Chairperson or a whole-time member, as the case may be].

(5) The salary and allowances payable to and the other terms and conditions of service of the Chairperson and [whole-time members] shall be such as may be prescribed.

(6) The salary, allowances and other conditions of service of the Chairperson or of a member shall not be varied to his disadvantage after appointment.

"[(6A) The part-time members shall receive such allowances as may be prescribed.]

(7) Notwithstanding anything contained in sub-section (2) ["*"]], a member may-

(a) relinquish his office by giving in writing to the Central Government notice of not less than three months; or

(b) be removed from his office in accordance with the provisions of section 7,

(8) The Chairperson or any [whole-time member] ceasing to hold office as such, shall-

(a) be ineligible for further employment under the Central Government or any State Government; or

(b) not accept any commercial employment, for a period of [one year] from the date he ceases to hold such office:

1. Substituted for word "selection as member" by Amendment Act of 2000, w.e.f. 24-1-2000.
2. Substituted for words "joining as a member" by Amendment Act of 2000, w.e.f. 24-1-2000.
3. Substituted for words "other members" by Amendment Act of 2000, w.e.f. 24-1-2000.
5. The words, brackets and figure "or sub-section (3)" shall be omitted, by Amendment Act of 2000, w.e.f. 24-1-2000.
6. Substituted for words "other member" by Amendment Act of 2000, w.e.f. 24-1-2000
7. Substituted for words "two years" by Amendment Act of 2000, w.e.f. 24-1-2000.
provides that nothing contained in this sub-section shall apply to the Chairperson or a member who has ceased to hold office under sub-section (3) and such Chairperson or member shall be eligible for re-appointment in the Authority or appointment in the Appellate Tribunal.

(9) A vacancy caused to the office of the Chairperson or any other member shall be filled up within a period of three months from the date on which such vacancy occurs.

Explanation: For the purposes of this section, "commercial employment" means employment in any capacity under, or agency of, a person engaged in trading, commercial, industrial or financial business in any field and includes also a director of a company or partner of a firm and it also includes setting up practice either independently or as partner of a firm or as an adviser or a consultant.

6. Powers of Chairperson and Vice-Chairperson

(1) The Chairperson shall have powers of general superintendence and directions in the conduct of the affairs of the Authority and he shall, in addition to presiding over the meetings of the Authority, exercise and discharge such powers and functions of the Authority and shall discharge such other powers and functions as may be prescribed.

(2) The Central Government may appoint one of the members to be a Vice-Chairperson of the Authority who shall exercise and discharge such powers and functions of the Chairperson as may be prescribed or as may be delegated to him by the Authority.

7. Removal and suspension of member from office in certain circumstances

(1) The Central Government may remove from office any member, who.

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as a member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

1. Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

1[(2) No such member shall be removed from his office under clause (d) or clause (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.]

8. Meetings

(1) The Authority shall meet at such times and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including quorum at such meetings) as may be provided by regulations.

(2) The Chairperson or, if for any reason, he is unable to attend a meeting of the Authority, Vice-Chairperson and in his absence, any other member chosen by the members present from amongst themselves at the meeting shall preside at the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority vote of the members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding, shall have a second or casting vote.

(4) The Authority may make regulations for the transaction of business at its meetings.

9. Vacancies, etc. not to invalidate proceedings of Authority

No act or proceeding of the Authority shall be invalid merely by reason of-

(a) any vacancy in, or any defect in the constitution of, the Authority; or
(b) any defect in the appointment of a person acting as a member of the Authority; or
(c) any irregularity in the procedure of the Authority not affecting the merits of the case.

1. Sub-ss. (2) and (3) substituted by Amendment Act 2000, w.e.f. 24-1-2000.
2. Officers and other employees of Authority

(1) The Authority may appoint officers and such other employees as it considers necessary for the efficient discharge of its functions under this Act.

(2) The salary and allowances payable to and the other conditions of service of the officers and other employees of the Authority appointed under sub-section (1) shall be such as may be prescribed:

Provided that any regulation, in respect of the salary and allowances payable to and other conditions of service of the officers and other employees of the Authority, made before the commencement of the Telecom Regulatory Authority of India (Amendment) Act, 2000, shall cease to have effect immediately on the notification of rules made under clause (ca) of sub-section (2) of section 35.

1. Substituted for words "determined by regulations" by Amendment Act of 2000, w.e.f. 24-1-2000.
2. Inserted by Amendment Act of 2000, w.e.f 24-1-2000.
CHAPTER III

POWERS AND FUNCTIONS OF THE AUTHORITY

11. Functions of Authority

(1) Notwithstanding anything contained in the Indian Telegraph Act, 1885 (13 of 1885) the functions of the Authority shall be to -

(a) make recommendations, either suo motu or on a request from the licensor, on the following matters, namely:

(i) need and timing for introduction of new service provider;
(ii) terms and conditions of licence to a service provider;
(iii) revocation of licence for non-compliance of terms and conditions of licence;
(iv) measures to facilitate competition and promote efficiency in the operation of telecommunication services so as to facilitate growth in such services;
(v) technological improvements in the services provided by the service providers;
(vi) type of equipment to be used by the service providers after inspection of equipment used in the network;
(vii) measures for the development of telecommunication technology and any other matter relatable to telecommunication industry in general;
(viii) efficient management of available spectrum;

(b) discharge the following functions, namely:

(i) ensure compliance of terms and conditions of licence;
(ii) notwithstanding anything contained in the terms and conditions of the licence granted before the commencement of the Telecom Regulatory Authority of India (Amendment) Act, 2000, fix the terms and conditions of inter-connectivity between the service providers;
(iii) ensure technical compatibility and effective inter-connection between different service providers;
(iv) regulate arrangement amongst service providers of sharing their revenue derived from providing telecommunication services;
(v) lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers.
so as to protect interest of the consumers of telecommunication service;

(vi) lay-down and ensure the time period for providing local and long distance circuits of telecommunication between different service providers;

(vii) maintain register of inter-connect agreements and of all such other matters as may be provided in the regulations;

(viii) keep register maintained under clause (vii) open for inspection to any member of public on payment of such fee and compliance of such other requirement as may be provided in the regulations;

(ix) ensure effective compliance of universal service obligations;

(c) levy fees and other charges at such rates and in respect of such services as may be determined by regulations;

(d) perform such other functions including such administrative and financial functions as may be entrusted to it by the Central Government or as may be necessary to carry out the provisions of this Act:

PROVIDED that the recommendations of the Authority specified in clause (a) of this sub-section shall not be binding upon the Central Government:

PROVIDED FURTHER that the Central Government shall seek the recommendations of the Authority in respect of matters specified in sub-clauses (i) and (ii) of clause (a) of this sub-section in respect of new licence to be issued to a service provider and the Authority shall forward its recommendations within a period of sixty days from the date on which that Government sought the recommendations:

PROVIDED also that the Authority may request the Central Government to furnish such information or documents as may be necessary for the purpose of making recommendations under sub-clauses (i) and (ii) of clause (a) of this sub-section and that Government shall supply such information within a period of seven days from receipt of such request:

PROVIDED also that the Central Government may issue a licence to a service provider if no recommendations are received from the Authority within the period specified in the second proviso or within such period as may be mutually agreed upon between the Central Government and the Authority:
PROVIDED also that if the Central Government, having considered that recommendation of the Authority, comes to a prima facie conclusion that such recommendation cannot be accepted or needs modifications, it shall refer the recommendation back to the Authority for its reconsideration, and the Authority may, within fifteen days from the date of receipt of such reference, forward to the Central Government its recommendation after considering the reference made by that Government. After receipt of further recommendation if any, the Central Government shall take a final decision.]

(2) Notwithstanding anything contained in the Indian Telegraph Act, 1885 (13 of 1885), the Authority may, from time to time, by order, notify in the Official Gazette the rates at which the telecommunication services within India and outside India shall be provided under this Act including the rates at which messages shall be transmitted to any country outside India:

PROVIDED that the Authority may notify different rates for different persons or class of persons for similar telecommunication services and where different rates are fixed as aforesaid the Authority shall record the reasons therefor.

(3) While discharging its functions (under sub-section(1) or sub-section(2)), the Authority shall not act against the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality.

(4) The Authority shall ensure transparency while exercising its powers and discharging its functions.

12. Powers of Authority to call for information, conduct investigations, etc.

(1) Where the Authority considers it expedient so to do, it may, by order in writing:

(a) call upon any service provider at any time to furnish in writing such information or explanation relating to its affairs as the Authority may require; or

(b) appoint one or more persons to make an inquiry in relation to the affairs of any service provider; and

(c) direct any of its officers or employees to inspect the books of account or other documents of any service provider.

(2) Where any inquiry in relation to the affairs of a service provider has been undertaken under sub-section (1),

1. Substituted for words "under sub-section (1)" by Amendment Act of 2000, w.e.f. 24-1-2000
(a) every office of the government department, if such service provider is a department of the government;
(b) every director, manager, secretary or other officer, if such service provider is a company; or
(c) every partner, manager, secretary or other officer, if such service provider is a firm; or
(d) every other person or body of persons who has had dealings in the course of business with any of the persons mentioned in clauses (b) and (c),

shall be bound to produce before the Authority making the inquiry, all such books of account or other documents in his custody or power relating to, or having a bearing on the subject-matter of such inquiry and also to furnish to the Authority with any such statement or information relating thereto, as the case may be, required of him, within such time as may be specified.

(3) Every service provider shall maintain such books of account or other documents as may be prescribed.

(4) The Authority shall have the power to issue such directions to service providers as it may consider necessary for proper functioning by service providers.

13. Power of Authority to issue directions

The Authority may, for the discharge of its functions under sub-section (1) of section 11, issue such directions from time to time to the service providers, as it may consider necessary:

[PROVIDED that no direction under sub-section (4) of section 12 or under this section shall be issued except on the matters specified in clause (b) of sub-section (1) of section 11.]

1. Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
CHAPTER IV

APPELLATE TRIBUNAL

14. Establishment of Appellate Tribunal

The Central Government shall, by notification, establish an Appellate Tribunal to be known as the Telecom Disputes Settlement and Appellate Tribunal to -

(a) adjudicate any dispute -

(i) between a licensor and a licensee;

(ii) between two or more service providers;

(iii) between a service provider and a group of consumers:

PROVIDED that nothing in this clause shall apply in respect of matters relating to-

(A) the monopolistic trade practice, restrictive trade practice and unfair trade practice which are subject to the jurisdiction of the Monopolies and Restrictive Trade Practices Commission established under sub-section (1) of section 5 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969);

(B) the complaint of an individual consumer maintainable before a Consumer Disputes Redressal Forum or a Consumer Disputes Redressal Commission or the National Consumer Disputes Redressal Commission established under section 9 of the Consumer Protection Act, 1986 (68 of 1986);

(C) the dispute between telegraph authority and any other person referred to in sub-section (1) of section 7B of the Indian Telegraph Act, 1885 (13 of 1885);

(b) hear and dispose of appeal against any direction, decision or order of the authority under this Act.

14A. Application for settlement of disputes and appeals to Appellate Tribunal

(1) The Central Government or a State Government or a local authority or any person may make an application to the Appellate Tribunal for adjudication of any dispute referred to in clause (a) of section 14.

(2) The Central Government or a State Government or a local authority or any person aggrieved by any direction, decision or order made by the Authority may prefer an appeal to the Appellate Tribunal.

(3) Every appeal under sub-section (2) shall be preferred within a period of thirty days from the date on which a copy of the direction or order or decision made by the Authority is received by the Central Government or the State Government or the local authority or the aggrieved person and it shall be in such form, verified in such manner and be accompanied by such fee as may be prescribed:

Provided that the Appellate Tribunal may entertain any appeal after the expiry of the said period of thirty days if it is satisfied that there was sufficient cause for not filing it within that period.

(4) On receipt of an application under sub-section (1) or an appeal under sub-section (2), the Appellate Tribunal may, after giving the parties to the dispute or the appeal an opportunity of being heard, pass such orders thereon as it thinks fit.

(5) The Appellate Tribunal shall send a copy of every order made by it to the parties to the dispute or the appeal and to the Authority, as the case may be.

(6) The application made under sub-section (1) or the appeal preferred under sub-section (2) shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the application or appeal finally within ninety days from the date of receipt of application or appeal, as the case may be:

Provided that where any such application or appeal could not be disposed of within the said period of ninety days, the Appellate Tribunal shall record its reasons in writing for not disposing of the application or appeal within that period.

(7) The Appellate Tribunal may, for the purpose of examining the legality or propriety or correctness of any dispute made in any application under sub-section (1) or of any direction or order or decision of the Authority referred to in the appeal preferred under sub-section (2), on its own motion or otherwise, call for the records relevant to disposing of such application or appeal and made such orders as it thinks fit.

14B. Composition of Appellate Tribunal

(1) The Appellate Tribunal shall consist of a Chairperson and not more than two members to be appointed, by notification, by the Central Government.

(2) The selection of Chairperson and Members of the Appellate Tribunal shall be made by the Central Government in consultation with the Chief Justice of India.
(3) Subject to the provisions of this Act,

(a) the jurisdiction of the Appellate Tribunal may be exercised by the Benches thereof;

(b) a Bench may be constituted by the Chairperson of the Appellate Tribunal with one or two Members of such Tribunal as the Chairperson may deem fit;

(c) the Benches of the Appellate Tribunal shall ordinarily sit at New Delhi and at such other places as the Central Government may, in consultation with the Chairperson of the Appellate Tribunal, notify;

(d) the Central Government shall notify the areas in relation to which each bench of the Appellate Tribunal may exercise its jurisdiction.

(4) Notwithstanding anything contained in sub-section (2), the Chairperson of the Appellate Tribunal may transfer a Member of such Tribunal from one Bench to another Bench.

(5) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member of the Appellate Tribunal that the case or matter is of such a nature that it ought to be heard by a Bench consisting of two Members, the case or matter may be transferred by the Chairperson to such Bench as the Chairperson may deem fit.

14C. Qualifications for appointment of Chairperson and Members

A person shall not be qualified for appointment as the Chairperson or a Member of the Appellate Tribunal unless he -

(a) in the case of Chairperson, is, or has been, a Judge of the Supreme Court or the Chief Justice of a High Court;

(b) in the case of a Member, has held the post of Secretary to the Government of India or any equivalent post in the Central Government or the State Government for a period of not less than two years or a person who is well versed in the field of technology, telecommunication, industry, commerce or administration.

14D. Term of office

The Chairperson and every other Member of the Appellate Tribunal shall hold office as such for a term not exceeding three years from the date on which he entered upon his office.
PROVIDED that no Chairperson or other Member shall hold office as such after he has attained,

(a) in the case of Chairperson, the age of seventy years;
(b) in the case of any other Member, the age of sixty-five years.

14E. Terms and conditions of service

The Salary and allowances payable to and other terms and conditions of service of the Chairperson and other Members of the Appellate Tribunal shall be such as may be prescribed:

PROVIDED that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or a Member of the Appellate Tribunal shall be varied to his disadvantage after appointment.

14F. Vacancies

If, for reason other than temporary absence, any vacancy occurs in the office of the Chairperson or a Member of the Appellate Tribunal, the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Appellate Tribunal from the stage at which the vacancy is filled.

14G. Removal and resignation

(1) The Central Government may remove from office, the Chairperson or any Member of the Appellate Tribunal who

(a) has been adjudged an insolvent; or
(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or
(c) has become physically or mentally incapable of acting as the Chairperson or a Member; or
(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a Member; or
(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) Notwithstanding anything contained in sub-section (1), the Chairperson or a Member of the Appellate Tribunal shall not be removed from his office on the
ground specified in clause (d) or clause (e) of that sub-section unless the Supreme Court on a reference being made to it in this behalf by the Central Government, has, on an enquiry held by it in accordance with such procedure as it may specify in this behalf, reported that the Chairperson or a Member ought on such ground or grounds to be removed.

(3) The Central Government may suspend from office, the Chairperson or a Member of the Appellate Tribunal in respect of whom a reference has been made to the Supreme Court under sub-section (2), until the Central Government has passed an order on receipt of the report of the Supreme Court on such reference.

14H. Staff of Appellate Tribunal

(1) The Central Government shall provide the Appellate Tribunal with such officers and employees as it may deem fit.

(2) The officers and employees of the Appellate Tribunal shall discharge their functions under the general superintendence of its Chairperson.

(3) The salaries and allowances and other conditions of service of the officers and employees of the Appellate Tribunal shall be such as may be prescribed.

14-I. Distribution of business amongst Benches

Where Benches are constituted, the Chairperson of the Appellate Tribunal may, from time to time, by notification, make provisions as to the distribution of the business of the Appellate Tribunal amongst the Benches and also provide for the matters which may be dealt with by each Bench.

14J. Power of Chairperson to transfer cases

On the application of any of the parties and after notice to the parties, and after hearing such of them as he may desire to be heard, or on his own motion without such notice, the Chairperson of the Appellate Tribunal may transfer any case pending before one Bench, for disposal, to any other Bench.
4K. Decision to be by majority

If, the Members of a Bench consisting of two members differ in opinion on any point, they shall state the point or points on which they differ, and make a reference to the Chairperson of the Appellate Tribunal who shall hear the point or points himself and such point or points shall be decided according to the opinion of the majority who have heard the case, including those who first heard it.

14L. Members, etc., to be public servants

The Chairperson, Members and other officers and employees of the Appellate Tribunal shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

14M. Transfer of pending cases

All applications, pending for adjudication of disputes before the Authority immediately before the date of establishment of the Appellate Tribunal under this Act, shall stand transferred on that date to such Tribunal:

Provided that all disputes being adjudicated under the provisions of Chapter IV as it stood immediately before the commencement of the Telecom Regulatory Authority of India (Amendment) Act, 2000, shall continue to be adjudicated by the Authority in accordance with the provisions contained in that Chapter, till the establishment of the Appellate Tribunal under this Act:

Provided further that all cases referred to in the first proviso shall be transferred by the Authority to the Appellate Tribunal immediately on its establishment under section 14.

14N. Transfer of appeals

(1) All appeals pending before the High Court immediately before the commencement of the Telecom Regulatory Authority of India (Amendment) Act, 2000, shall stand transferred to the Appellate Tribunal on its establishment under section 14.

(2) Where any appeal stands transferred from the High Court to the Appellate Tribunal under sub-section (1), -
(a) the High Court shall, as soon as may be after such transfer, forward the records of such appeal to the Appellate Tribunal; and

(b) the Appellate Tribunal may, on receipt of such records, proceed to deal with such appeal, so far as may be from the stage which was reached before such transfer or from any earlier stage or de novo as to Appellate Tribunal may deem fit.

15. Civil court not to have jurisdiction

No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Appellate Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

16. Procedure and powers of Appellate Tribunal

(1) The Appellate Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908), but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Appellate Tribunal shall have powers to regulate its own procedure.

(2) The Appellate Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) while trying a suit, in respect of the following matters, namely:

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavit;

(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872 (1 of 1872) requisitioning any public record or document or a copy of such record or document, from any office;

(e) issuing commissions for the examination of witnesses or documents;

(f) reviewing its decisions;

(g) dismissing an application for default or deciding it, ex parte.
(h) setting aside any order of dismissal of any application for default or any order passed by it, ex parte; and

(i) any other matter which may be prescribed.

(3) Every proceeding before the Appellate Tribunal shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purposes of section 196, of the Indian Penal Code (45 of 1860); and the Appellate Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

17. Right to legal representation

The applicant or appellant may either appear in person or authorise one or more chartered accountants or company secretaries or cost accountants or legal practitioners or any of its officers to present his or its case before the Appellate Tribunal.

Explanation: For the purposes of this section,

(a) "chartered accountant" means a chartered accountant as defined in clause (b) of sub-section (1) of section 2 of the Chartered Accountants Act, 1949 (38 of 1949) and who has obtained a certificate of practice under sub-section (1) of section 6 of that Act;

(b) "company secretary" means a company secretary as defined in clause (c) of sub-section (1) of section 2 of the Companies Secretaries Act, 1980 (56 of 1980) and who has obtained a certificate of practice under sub-section (1) of section 6 of that Act;

(c) "cost accountant" means a cost accountant as defined in clause (b) of sub-section (1) of section 2 of the Cost and Works Accountants Act, 1959 (23 of 1959) and who has obtained a certificate of practice under sub-section (1) of section 6 of that Act;

(d) "legal practitioner" means an advocate, vakil or an attorney of any High Court, and includes a pleader in practice.

18. Appeal to Supreme Court

(1) Notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908) or in any other law, an appeal shall lie against any order, not being an
interlocutory order, of the appellate Tribunal to the Supreme Court on one or more of the grounds specified in section 100 of that Code.

(2) No appeal shall lie against any decision or order made by the Appellate Tribunal with the consent of the parties.

(3) Every appeal under this section shall be preferred within a period of ninety days from the date of the decision or order appealed against:

PROVIDED that the Supreme Court may entertain the appeal after the expiry of the said period of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

19. Orders passed by Appellate Tribunal to be executable as a decree

(1) An order passed by the Appellate Tribunal under this Act shall be executable by the Appellate Tribunal as a decree of civil court, and for this purpose, the Appellate Tribunal shall have all the powers of a civil court.

(2) Notwithstanding anything contained in sub-section (1), the Appellate Tribunal may transmit any order made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court.

20. Penalty for wilful failure to comply with orders of Appellate Tribunal

If any person willfully fails to comply with the order of the Appellate Tribunal, he shall be punishable with fine which may extend to one lakh rupees and in case of a second or subsequent offence with fine which may extend to two lakh rupees and in the case of continuing contravention with additional fine which may extend to two lakh rupees for every day during which such default continues.
CHAPTER V
FINANCE, ACCOUNTS AND AUDIT

21. Grants by Central Government

The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Authority grants of such sums of money as are required to pay salaries and allowances payable to the Chairperson and the members and the administrative expenses including the salaries, allowances and pension payable to or in respect of officers and other employees of the Authority.

22. Fund

(1) There shall be constituted a Fund to be called the Telecom Regulatory Authority of India General Fund and there shall be credited thereto-
   
   (a) all grants, fees and charges received by the Authority under this Act; and
   
   (b) all sums received by the Authority from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for meeting-

   (a) the salaries and allowances payable to the Chairperson and members and the administrative expenses including the salaries, allowances and pension payable to or in respect of officers and other employees of the authority; and
   
   (b) the expenses on objects and for purposes authorised by this Act.

23. Accounts and audit

(1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure
incurred in connection with such auditor shall be payable by the Authority to the Comptroller and Auditor-General of India.

[Explanation: For the removal of doubts, it is hereby declared that the decisions of the Authority taken in the discharge of its functions under clause (b) of sub-section (1) and sub-section (2) of section 11 and section 13, being matters appealable to the Appellate Tribunal, shall not be subject to audit under this section.]

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the Authority shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has, in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority.

(4) The accounts of the Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

24. Furnishing of returns, etc. to Central Government

(1) The Authority shall furnish to the Central Government at such time and in such form and manner as may be prescribed or as the Central Government may direct, such returns and statements and such particulars in regard to any proposed or existing programme for the promotion and development of the telecommunication services, as the Central Government may, from time to time, require.

(2) The Authority shall prepare once every year in such form and at such time as may be prescribed, an annual report giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.

(3) A copy of the report received under sub-section (2) shall be laid, as soon as may be after it is received, before each House of Parliament.

1. Inserted by Amendment Act of 2000, w.e.f. 24-1-2000
CHAPTER VI
MISCELLANEOUS

25. Power of Central Government to issue directions

(1) The Central Government may, from time to time, issue to the Authority such directions as it may think necessary in the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order decency or morality.

(2) Without prejudice to the foregoing provisions, the Authority shall, in exercise of its powers or the performance of its functions, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

PROVIDED that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(3) The decision of the Central Government whether a question is, one of policy or not shall be final.

26. Members, officers and employees of Authority to be public servants

All members, officers and other employees of the Authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

27. Bar of jurisdiction

No civil court shall have jurisdiction in respect of any matter which the Authority is empowered by or under this Act to determine.

28. Protection of action taken in good faith

No suit, prosecution or other legal proceedings shall lie against the Central Government or the Authority or any officer of the Central Government or any member, officer or other employees of the Authority for anything which is in good
29. Penalty for contravention of directions of Authority

If a person violates directions of the Authority, such person shall be punishable with fine which may extend to one lakh rupees and in case of second or subsequent offence with fine which may extend to two lakh rupees and in the case of continuing contravention with additional fine which may extend to two lakh rupees for every day during which the default continues.

30. Offences by companies

(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

PROVIDED that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purposes of this section-

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.
31. Offences by Government Department

(1) Where an offence under this Act has been committed by any Department of Government, the head of the department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

32. Exemption from tax on wealth and income

Notwithstanding anything contained in the Wealth tax Act, 1957 (27 of 1957), the Income tax Act, 1961 (43 of 1961), or any other enactment for the time being in force relating to tax on wealth, income, profits or gains, the Authority shall not be liable to pay wealth-tax, income-tax or any other tax in respect of their wealth, income, profits or gains derived.

33. Delegation

The Authority may, by general or special order in writing, delegate to any member, officer of the authority or any other person subject to such conditions, if any, as may be specified in the order, such of its powers and functions under this Act (except the power to settle dispute under Chapter IV and to make regulation under section 36) as it may deem necessary.

34. Cognizance of offences

(1) No court shall take cognizance of any offence punishable under this Act or the rules or regulations made thereunder, save on a complaint made by the Authority.

(2) No court inferior to that of a Chief Metropolitan Magistrate or a Chief Judicial Magistrate of first class shall try any offence punishable under this Act.
35. Power to make rules

(1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the salary and allowances payable to and the other conditions of service of the Chairperson and members under sub-section (5) of section 5;

(b) the allowances payable to the part-time members under sub-section (8A) of section 5;

(c) the powers and functions of the Chairperson under sub-section (1) of section 6;

(d) the procedure for conducting an inquiry made under sub-section (2) of section 7;

(e) the salary and allowances and other conditions of service of officers and other employees of the Authority under sub-section (2) of section 10;

(f) the category of books of account or other documents which are required to be maintained under sub-section (3) of section 12;

(g) the form, the manner of its verification and the fee under sub-section (3) of section 14A;

(h) the salary and allowances payable to and other terms and conditions of service of the Chairperson and other Members of the Appellate Tribunal under section 14E;

(i) the salary and allowances and other conditions of service of the officers and employees of the Appellate Tribunal under sub-section (3) of section 14H;

(j) any other power of a civil court required to be prescribed under clause (l) of sub-section (2) of section 16;

(k) the period within which an Application is to be made under sub-section (1) of section 15;

1. Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
2. Inserted by Amendment Act of 2000, w.e.f 24-1-2000.
3. Sub-cla. (ia), (ib), (ic) and (id) Inserted by Amendment Act of 2000, w.e.f. 24-1-2000.
(f) the manner in which the accounts of the Authority shall be maintained under sub-section (1) of section 23;

(g) the time within which and the form and manner in which returns and report are to be made to the Central Government under sub-sections (1) and (2) of section 24;

(h) any other matter which is to be, or may be prescribed, or in respect of which provision is to be made, by rules.

36. Power to make regulations

(1) The Authority may, by notification, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:

(a) the times and places of meetings of the Authority and the procedure to be followed at such meetings under sub-section (1) of section 8, including quorum necessary for the transaction of business;

(b) the transaction of business at the meetings of the Authority under sub-section (4) of section 8;

(c) matters in respect of which register is to be maintained by the Authority under sub-clause (vii) of clause (b) of sub-section (1) of section 11;

(d) levy of fee and lay down such other requirements on fulfillment of which a copy of register may be obtained under sub-clause (viii) of clause (b) of sub-section (1) of section 11;

(e) levy of fees and other charges under clause (c) of sub-section (1) of section 11.

37. Rules and regulations to be laid before Parliament

Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive session, and if, before the expiry of the session immediately
following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

38. Application of certain laws

The provisions of this Act shall be in addition to the provisions of the Indian Telegraph Act, 1885 (13 of 1885) and the Indian Wireless Telegraphy Act, 1933 (17 of 1933) and, in particular, nothing in this Act shall affect any jurisdiction, powers and functions required to be exercised or performed by the Telegraph Authority in relation to any area falling within the jurisdiction of such Authority.

39. Power to remove difficulties.

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

PROVIDED that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

40. Repeal and saving

(1) The Telecom Regulatory Authority of India Ordinance, 1997 (Ord. 11 of 1997) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.
ANNEXURE-I

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
(DEPARTMENT OF TELECOMMUNICATIONS)

NOTIFICATION
New Delhi, the 25th October, 2002

G.S.R. – In exercise of the powers conferred by sub-section (2) of section 10 read with clause (ca) of sub-section (2) of section 35 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and in supersession of the TRAI Staff (Salaries, allowances and other conditions Regulation, 1999 and the TRAI (Appointment of Casual Labourers) Regulation, 1999, except in respect of things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement

   (i) These rules may be called the Telecom Regulatory Authority of India (Salary, Allowances and other conditions of Service of the officers and employees) Rules, 2002.

   (ii) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

   In these rules, unless the context otherwise requires:-

   (a) "Act" means the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

   (b) "Authority" means the Telecom Regulatory Authority of India established under sub-section (1) of Section 3 of the Act;

   (c) "officers and employees of the Authority" means the officers and employees of the Authority and includes those taken on deputation by the Authority from the Central Government/State Government/Public Sector Undertakings;

   (d) "Casual employee" means a person engaged by the Authority on works of intermittent or sporadic nature of which extend over short period,
(e) "Consultant" means a consultant appointed by the Authority under subsection (1) of section 10 of the Act for carrying out the purposes of the Act;

(f) "Schedule" means Schedule annexed to these rules:

(g) All other words and expression used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act;

3. Categories of Officers and employees of the Authority and pay scales.

The nature and categories of officers and employees of the Authority and the scales of pay thereof shall be as specified in the Schedule-I.

4. Conditions of service

(1) The conditions of service of the officers and employees of the Authority including casual employee and any other category of employees in the matter of pay, all allowances, leave joining time, joining time pay, age of superannuation and other conditions of service, shall be regulated in accordance with such rules and regulations as are, from time to time, applicable to officers and employees of the Central Government belonging to Group ‘A’, Group ‘B’ and Group ‘C’ and Group ‘D’ as the case may be, and drawing the corresponding scales of pay:

Provided that-

(a) the officers and employees of the Authority on deputation to the Authority who are Government employees and have been allotted residential accommodation under General Pool shall be eligible to retain the facility of Government residential accommodation in terms of Ministry of Urban Development and Poverty Alleviation, Directorate of Estates, OM No. 11013/D/7/94-Pol.IV/I, dated 26.4.1999, as amended from time to time; and in case Government residential accommodation has not been allotted on availed, they shall be eligible for House Rent Allowance as per with Central Government servants drawing equivalent pay. The officers and employees of Authority other than those appointed on deputation shall be entitled to House Rent Allowance at par with those applicable to Central Government servants drawing equivalent pay.
(b) the officers and employees of the Authority shall be entitled to medical facilities as specified in Schedule-II

(c) (i) the officers and employees of the Authority other than those on deputation shall be entitled to subscribe to Contributory Provident Fund and shall be regulated by the Contributory Provident Fund Rules made by the Central Government for the Authority from time to time:

Provided that such officers and employees shall not be entitled to get pension:

(ii) in the case of the officers and employees of the Authority appointed on deputation, they shall continue to be governed by Provident Fund Scheme as are applicable to them in their parent Ministry/Department/organisation. The Authority shall recover contribution towards provident fund from such officers and employees and remit the amount immediately to the lending Ministry/Department/Organisation. Any loss of interest on account of late remittance shall be borne by the Authority.

(d) the officers and employees of the Authority while on official foreign tours, shall be entitled to allowances as specified in Schedule-III.

(e) the officers and employees of the Authority other than those on deputation shall be eligible for payment of gratuity as per the Gratuity Act, 1976.

(f) the officers and employees of the Authority other than those on deputation shall be entitled Group Insurance as per the scheme to be formulated by the Authority in consultation with the Central Government.

(g) the officers and employees of the Authority on deputation from organization other than the Central Government shall be eligible for pension and retirement benefits, if any, as are available to them in their parent Ministry/ Department/organization:

(2) Conditions of service of casual employees. – The conditions of service of casual employees shall be regulated as per the instructions issued by the Central Government from time to time.

5. Salary and allowances payable to, and other conditions of service, Consultant-
The Authority shall appoint Consultant on the following terms and conditions namely:-

(i) the Consultant shall not be deemed to be regular members of the staff borne on the establishment of Authority;

(ii) the Consultant may be appointed for a tenure of one year, extendable on year to year basis. The terms of their appointment may be terminated by the Authority by serving one month’s notice.

(2) Unless otherwise specifically provided, Consultant shall be entitled to,-

(i) an honorarium of Rs. 1 per month; no other pay or allowance will be admissible.

(ii) transport from residence to head office of the Authority and back, as also while performing any duty assigned by the Authority.

(iii) Telephone facility

(iv) When required to perform duty outside the headquarters of the Authority, the travel entitlements, class of travel and allowance admissible shall be governed by the provisions contained in rule 4 of these rules. The entitlements shall be at par with those admissible to an officer in any one of the categories of staff mentioned at Schedule-I, as may be determined by the Authority, but shall not exceed the travel entitlements of an officer in the pay scale of Rs. 22,400 – 24,500 (pre-revised Rs. 7,300 – 7,600).

(3) Consultants may also be appointed by the Authority on a lump sum all inclusive retainership basis keeping in view the guidelines for engagement of consultants issued by the Department of Personnel and Training from time to time.

6. Power to relax

The Central Governmental shall have power to relax the provisions of any of these rules in respect of any class or category of persons.
### SCHEDULE - I
(See rule 3)

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Category of the Post</th>
<th>Scale of pay (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Secretary</td>
<td>22400-525-24500</td>
</tr>
<tr>
<td>2</td>
<td>Principal Advisor</td>
<td>22400-525-24500</td>
</tr>
<tr>
<td>3</td>
<td>Advisor</td>
<td>18400-500-22400</td>
</tr>
<tr>
<td>4</td>
<td>Joint Advisor</td>
<td>14300-450-18300</td>
</tr>
<tr>
<td>5</td>
<td>Deputy Advisor</td>
<td>12000-375-16500</td>
</tr>
<tr>
<td>6</td>
<td>Senior Principal Private Secretary</td>
<td>12000-375-16500</td>
</tr>
<tr>
<td>7</td>
<td>Senior Research Officer</td>
<td>10000-325-15200</td>
</tr>
<tr>
<td>8</td>
<td>Principal Private Secretary</td>
<td>10000-325-15200</td>
</tr>
<tr>
<td>9</td>
<td>Technical Officer</td>
<td>8000-275-13500</td>
</tr>
<tr>
<td>10</td>
<td>Section Officer</td>
<td>6500-200-10500</td>
</tr>
<tr>
<td>11</td>
<td>Assistant Accounts Officer</td>
<td>6500-200-10500</td>
</tr>
<tr>
<td>12</td>
<td>Librarian</td>
<td>6500-200-10500</td>
</tr>
<tr>
<td>13</td>
<td>Private Secretary</td>
<td>6500-200-10500</td>
</tr>
<tr>
<td>14</td>
<td>Assistant</td>
<td>5500-175-9000</td>
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<tr>
<td>15</td>
<td>Personal Assistant</td>
<td>5500-175-9000</td>
</tr>
<tr>
<td>16</td>
<td>Junior Assistant Officer</td>
<td>5500-175-9000</td>
</tr>
<tr>
<td>17</td>
<td>Stenographer Grade 'D'</td>
<td>4000-100-6000</td>
</tr>
<tr>
<td>18</td>
<td>Lower Division Clerk</td>
<td>3050-75-4590</td>
</tr>
<tr>
<td>19</td>
<td>Driver Grade-I</td>
<td>4000-100-6000</td>
</tr>
<tr>
<td>20</td>
<td>Driver Grade-II</td>
<td>3050-75-4590</td>
</tr>
<tr>
<td>21</td>
<td>Group 'D' (Attendant)</td>
<td>2550-55-3200</td>
</tr>
</tbody>
</table>
SCHEDULE – II
(See rule 4(b)

Medical Facilities

1. Outdoor Medical expenses –

   (i) Officers and employees shall be eligible to get medical reimbursement for self and declared members of family.

   Explanation – For the purpose of this clause, the expression “family” has the same meaning as assigned to it in the Central Service (Medical Attendance) Rules, 1994.

   (ii) The reimbursement of outdoor medical expenses shall be limited to the actual expenses or one month’s pay on 1st January of the year (Basic pay + Dearness Allowance) whichever is less. The claim should be supported by Doctor’s prescription and the original cash memos/bills for treatment by the Doctor and purchase of medicines. Release of increment or promotion during the year shall not affect the limit as on 1st January. For officers and employees joining during the year, the annual entitlement shall be restricted on pro-rata basis.

   (iii) The outdoor treatment shall be taken from the Authorised Medical Attendants from the panel to be maintained by the Authority.

2. Indoor treatment –

   (i) For the purpose of indoor treatment the officers and employees of the Authority shall be entitled for medical treatment at hospitals authorised by the Authority in this behalf, and for this purpose cost of treatment including hospital accommodation, nursing home facility, etc shall be as per the provisions of the Central Services (Medical Attendance) Rules, 1944 as applicable to the Central Government employees drawing equivalent pay.

   (ii) The authorised hospital for the purpose of (i) above shall be the same as are available to the Central Government employees regulated by Central Services (Medical Attendance) Rule 1994.

   (iii) Treatment at authorised hospitals may be taken on the advice of the Authorised Medical attendants except in emergency.

34
SCHEDULE – III

[See rule 4(d)]

Traveling Allowance in respect of foreign tours –

(1) Selection of officers for deputation abroad – Selection of officers for proceeding on deputation abroad shall be done by a Selection Committee comprising of the Chairperson and two whole time Members.

(2) Entitlement for travel by Air. – The officers and employees of the Authority shall be entitled to travel abroad by Air at par with facilities available from time to time Central Government employees drawing equivalent pay.

(3) Per diem halting allowance. – While on foreign tour, the officers and employees of the Authority are entitled to draw per diem allowances at the following rates; namely:

<table>
<thead>
<tr>
<th>Pay scale of officers</th>
<th>Per diem halting allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Rs.22400-24500</td>
<td>US $ 450 per day</td>
</tr>
<tr>
<td>(ii) Rs. 18400-22400 &amp; Rs. 14300-18300</td>
<td>US $ 350 per day</td>
</tr>
<tr>
<td>(iii) Rs. 12000-15500 and below</td>
<td>US $ 250 per day</td>
</tr>
<tr>
<td>(iv) for travel to Nepal (all categories)</td>
<td>US $ 250 per day (to be paid in Indian Rupees)</td>
</tr>
</tbody>
</table>

Provident that –

(a) the proposed per diem would be a consolidated amount limited to actual subject to production of vouchers covering room rent, taxi charges, entertainment if any, official telephone calls, daily allowance at the rates available from time to time to Central Government employee drawing equivalent pay and other contingent expenditure.

(b) If full hospitality (i.e. lodging and boarding) is provided by the host organization/official agencies, Indian Missions, the incidental expenses would be US$ 100 per diem for all categories of officers and employees for the entire period of stay. In case of Nepal, in such case, the same would be US$ 50 per diem. In such a case, economy cut if any, as applicable in case of Central Government officers shall also apply on the rate of US $ 100 or US$ 50, as the case may be.

(c) in case only free lodging is provided, cash allowance at the rate of 50% of the per diem at normal rate would be applicable.

(d) in case of stay beyond 7 consecutive days, the per diem from the 8th to 28th days shall be US$ 250 for all grades of officers and the rate of per diem in case of stay beyond 28 days consecutively will be decided on case to case basis keeping in view the facilities provided.

[Note: 10-2/2000-Resg.]

ANIL KUMAR, Jt. Secy.
ORDER
New Delhi, the 9th January, 2004

S.O. 45(e) - In exercise of the powers conferred by clause (d) of Sub-section (1) of Section 11 of the Telecom Regulatory Authority of India, Act, 1997 (24 of 1997) (hereinafter referred to as the Act), the Central Government hereby entrusts the following additional functions to the Telecom Regulatory Authority of India, established under Sub-section (1) of Section 3 of the Act, in respect of broadcasting services and cable service, namely:

(1) Without prejudice to the provisions contained in clause (a) of Sub-section (1) of Section II of the Act to make recommendation regarding —

a) the terms and conditions on which the "Addressable systems" shall be provided to customers.

Explanation - For the purpose of this clause, "addressable system" with its grammatical variation, means an electronic device or more than one electronic devices put in an integrated system through which signals of cable television network can be seen in encrypted or unencrypted form, which can decoded by the device or devices at the premises of the subscriber within the limits of authorisation made, on the choice and request of such subscriber, by the cable operator for that purpose to the subscriber;

b) the parameters regulating maximum time for advertisement in pay channels as well as other channels.

(2) Without prejudice to the provision of Sub-section (2) of Section 11 of the Act, also to specify standard norms for, and periodicity of, revision of rates of pay channels, including interim measures.

[F.No. 13-1/2004-Restg.]

P.K. TIWARI. Dy. Secy. (Restg.)
भारत का राजपत्र
The Gazette of India

EXTRAORDINARY
भाग II—खंड II—संसद—खंड (ii)
Part II—Section (ii) Sub-section (ii)

PUBLISHED BY AUTHORITY

संख्या 3453
No. 3453

नये दिल्ली, मार्च 27, 2002, असाद्धा २०, १९२३
NEW DELHI, TUESDAY, JUNE 27, 2000/ASADHA २०, १९२३

संबंधित विभाग,

(डू. सतपत्र सिंह)

अधिनियम

नवमिन्तो २०, जून २०००

संबंधित संदेश:

जो सरकारी सूचना, भारतीय प्रांत में संकायिक प्रशासन, भारत, १९९७ (१९९७ का २४) की धारा २५ के प्रकाश (१) के खंड में, इस उपनिवेश के स्थापना के दिन होने के समय भारतीय प्रांत में संकायिक प्रशासन (अन्धकार एवं अन्य स्थानों में) के लिए, भारतीय प्रांत में संकायिक प्रशासन को अन्तर्गत शामिल किया गया है। अधिनियम (२) द्वारा निर्माणीयक संरक्षण को मूल्यांकन करने के लिए, निम्नलिखित कथित है:

1. संज्ञा एवं प्रारम्भ— (१) इस नियमात्मक का संबंधित नाम भारतीय प्रांत में संकायिक प्रशासन (अन्धकार एवं अन्य स्थानों के लिए) संबंधित संदेश को कार्यान्वयन की यह सूचना, २००२ में करा गया है:

(२) से संबंधित विभाग की नीतिक को प्रस्तुत कर सबूत है।

2. प्रतिभागी— (२) इस नियम में, क्रम में बरकरार संदेश से अन्य सबूत अन्तर्गत नहीं है।

(३) “अधिनियम” से मुद्रित संकायिक प्रशासन, १९९७ (१९९७ का २४) अधिनियम है

(४) “अधिनियम” से अधिनियम को कार ३ की उपाधि (१) के अन्तर्गत स्वयं भारतीय प्रांत में संकायिक प्रशासन को अधिनियम है

(५) “अधिनियम” से अधिनियम को कार ३ की उपाधि (३) के अन्तर्गत स्वयं भारतीय प्रांत में संकायिक प्रशासन को अधिनियम है

(६) “अधिनियम” से अधिनियम को कार ३ की उपाधि (५) के अन्तर्गत स्वयं भारतीय प्रांत में संकायिक प्रशासन को अधिनियम है

(७) ऐसे सभी अन्य सदस्य और समस्त अधिनियम के नियम हैं जिसका परिनाम नहीं है, यह अन्य संदेश को प्रस्तुत अधिनियम में ठहरे हैं

3. (१) संदेश और (संदेश)

(२) अधिनियम की पत्रिका, २००२ में (संदेश) संकायिक प्रशासन का प्रस्तुत अधिनियम।
राजस्थान के प्रसिद्ध राजस्थान सोने के समग्र प्रसिद्धि नाम के साथ देखा गया है।

(2) यहाँ देखा गया है कि कैसे इस योग्यता के साथ देखा गया है और या, राजस्थान, अभिव्यक्ति में निवेश के अधिकार के रूप में किसी तरह से पंजीयन देर या, अभिव्यक्ति में संग्रह निवेशक पर्यावरण का प्राप्त करना देगा।

यहाँ देखा गया है कि कैसे इस योग्यता के साथ देखा गया है और या, राजस्थान, अभिव्यक्ति में निवेश के अधिकार के रूप में किसी तरह से पंजीयन देर या, अभिव्यक्ति में संग्रह निवेशक पर्यावरण का प्राप्त करना देगा।

प्रथम उदाहरण के लिए है: आधुनिक और सद्य सरकार के साथ सरकार के संस्थान से संरक्षित गर्दन देखा गया है।

(3) भविष्य निपटन—आधुनिक और सद्य सरकार के साथ सरकार के संस्थान से संरक्षित गर्दन देखा गया है।

(4) यादाना भाषा और दौरान भाषा—आधुनिक और सद्य सरकार के साथ सरकार के संस्थान से संरक्षित गर्दन देखा गया है।

(5) त्रिशूल—आधुनिक और सद्य सरकार के साथ सरकार के संस्थान से संरक्षित गर्दन देखा गया है।

(6) विकल्प सुविधाएँ—आधुनिक और सद्य सरकार के साथ सरकार के संस्थान से संरक्षित गर्दन देखा गया है।
निषिद्ध करने की अधिकार —कानपुर विश्वविद्यालय के अध्यक्ष या विभिन्न अन्य सदस्य प्रथम की प्राथमिक स्थानीय सरकार के प्रदेश प्रमुख का निर्णय से निषिद्ध करते हुए शासन द्वारा प्रस्तुत हुए भारतीय दूर संचार विज्ञान महाविद्यालय के अध्यक्ष/सदस्य का नाम

सदस्य 

भारतीय दूर संचार विज्ञान महाविद्यालय के अध्यक्ष/सदस्यों के लिए गृहपालिका को श्रेय देने का प्रयत्न

सदस्यों के नाम

भारतीय दूर संचार विज्ञान महाविद्यालय के अध्यक्ष/सदस्यों के लिए गृहपालिका को श्रेय देने का प्रयत्न

(अध्यक्ष/सदस्य का नाम)
MINISTRY OF COMMUNICATIONS
(Department of Telecommunications)
NOTIFICATION
New Delhi, the 26th June, 2000

G.S.R. 566(E)— in exercise of the powers conferred by clause (a) of sub-section (2) of section 35 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and in supersession of the Telecom Regulatory Authority of India (Salaries, Allowances and other conditions of service of Chairperson and other Members) Rules, 1997, the Central Government hereby makes the following rules, namely:

1. **Short title and commencement:**— (1) These rules may be called the Telecom Regulatory Authority of India (Salaries, Allowances and other Conditions of Service of Chairperson and whole-time Members) Rules, 2000.

   (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions:**— In these rules, unless the context otherwise requires,

   (a) "Act", means the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

   (b) "Authority", means the Telecom Regulatory Authority of India established under sub-section (1) of section 3 of the Act;

   (c) "Chairperson", means the Chairperson of the Authority appointed under sub-section (3) of section 3 of the Act;

   (d) "Member", means a whole-time Member of the Authority appointed under sub-section (3) of section 3 of the Act;

   (e) All other words and expressions used herein but not defined shall have the same meanings respectively assigned to them in the Act.
1. The Chairperson shall be paid a salary of Rs. 20,000/- per month.

2. The Member shall be paid a salary of Rs. 10,000/- per month.

3. Dearness Allowance and City Compensatory Allowance: The Chairperson and a Member shall be entitled to draw dearness allowance and city compensatory allowance at the rate applicable to a Group ‘A’ officer of the Central Government drawing an equivalent pay.

Provided that in case of appointment of a person as the Chairperson or a Member who has retired from the service under Central Government or State Government and who is in receipt of or has received or has become entitled to receive any retirement benefits by way of pension, gratuity, employers contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay of such Chairperson or Member shall be reduced by the gross amount of pension or employers contribution to the Contributory Provident Fund or any other form of retirement benefits, if any (except pension equivalent of gratuity), drawn or to be drawn by him.

Provided further that if a person who has retired from any service including service under Central Government or State Government, Public Sector Undertakings and/or Autonomous Bodies is appointed as the Chairperson or a Member, he shall be entitled to receive dearness allowance at the same rate as applicable to a Group ‘A’ officer of the Central Government drawing an equivalent pay, but he shall not be entitled to receive dearness relief on pension during the period he holds office as such Chairperson or a Member.

(ii) Leave: The Chairperson or a Member shall be entitled to thirty days of earned leave for every year of service. The payment of leave salary during leave shall be governed by rule 40 of the Central Civil Services (Leave) Rules, 1972. The Chairperson or Member shall be entitled to encashment of fifty percent of earned leave to his credit at any time.

(iii) Provident Fund: The Chairperson and a Member shall be entitled to subscribe to the Contributory Provident Fund which shall be governed by the Contributory Provident Fund Rules, 1962;

(iv) Travelling Allowance and Daily Allowance: The Chairperson and a Member shall be entitled to travelling allowance and daily allowance for transportation of personal effects while on tour or on transfer (including the
journey undertaken to join the Authority or on the expiry of his term with the Authority to proceed to his home-town), at the same rates as applicable to Group ‘A’ officers of the Central Government drawing an equivalent pay.

(v) Domestic official tours:- The Chairperson and a Member, while on tour, shall be entitled to the facility of Government accommodation in guest houses or inspection bungalows run by the Central Government, wherever available, on payment of normal rent at outstations, as applicable to Group ‘A’ Officers of the Central Government drawing an equivalent pay.

In case Government accommodation is not available while on domestic official tour, the Chairperson and a Member shall be entitled to stay in India Tourism Development Corporation hotels on a reimbursement basis and wherever India Tourism Development Corporation hotels are not available, in other hotels on reimbursement basis, re-imbursement in both cases being limited to lodging charges only, and on a single room occupancy basis;

(vi) Leave Travel Concession:- The Chairperson and a Member shall be entitled to leave travel concession at the same rate as applicable to Group ‘A’ officers of the Central Government drawing an equivalent pay;

(vii) Medical Facilities:- The Chairperson and a Member shall be entitled to medical treatment and hospital facilities, as provided in the Central Government Health Scheme and at places where the Central Government Health Scheme is not in operation, the Chairperson and a Member shall be entitled to facilities as provided in the Central Services (Medical Attendance) Rules, 1944;

(viii) Official Visits Abroad:- The Chairperson and a Member shall be entitled to undertake official visits abroad with the prior approval of the Minister of the Government of India in-charge of the Department of Telecommunications and after clearance from Ministry of External Affairs on the points relating to political affairs. The daily allowance and provision of hotel accommodation during the period of tour abroad shall be regulated in accordance with the Government instructions as applicable to officers of equal grade in the Government of India. Indian Missions abroad shall take care of arrangements and extend facilities as applicable to Group ‘A’ officers of the Central Government drawing an equivalent pay;

(ix) Conveyance facility:- The Chairperson and a Member shall be entitled to conveyance facilities at par with those available to a Group ‘A’ officer of the Central Government drawing an equivalent pay.
3. Accommodation: The Chairperson is entitled to rent-free furnished residential accommodation at the rates specified by the Central Government from time to time for the purpose of house rent allowance at the rate of twelve and a half percent of his pay in lieu thereof, and a Member shall be entitled to residential accommodation at applicable to the Group "A" official of the Central Government, drawing an equivalent pay.

On assuming office, the Chairperson and Member shall be entitled to retention of residential accommodation for one month on the same terms and conditions.

4. Oath of Office and Secrecy: Every person appointed to be the Chairperson and Member shall, before entering upon their office, make and subscribe an Oath of Office and Secrecy, in the FORMS I and II annexed to these rules.

5. Interpretation: If any question arises relating to the interpretation of these rules, the same shall be referred to the Central Government for its decision.

6. Residuary provision: Matters relating to the terms and conditions of service of the Chairperson or a Member with respect to which no express provision has been made in these rules, shall be referred by the Authority to the Central Government for its decision, and the decision of the Central Government thereon shall be applicable to the Chairperson or Member, as the case may be.

7. Powers to relax: The Central Government shall have power to relax any provision of these rules in respect of Chairperson or any other Member.


ANIL KUMAR, Jt. Secy.
FORM – I
(See rule 4)

Form of Oath of Office for the Chairperson/Members of the Telecom Regulatory Authority of India

I, ____________, having been appointed as the Chairperson/Member (cross out portion not applicable) solemnly affirm and do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Chairperson/Member (cross out portion not applicable) of the Telecom Regulatory Authority of India, to the best of my ability, knowledge and judgement, without fear or favour, affection or ill-will.

(Name of the Chairperson/Member)
Dated: TELECOM REGULATORY AUTHORITY OF INDIA

FORM – II
(See rule 4)

Form of Oath of Secrecy for the Chairperson/Members of the Telecom Regulatory Authority of India

I, ____________, having been appointed as the Chairperson/Member (cross out portion not applicable) do solemnly affirm and swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as the Chairperson/Member (cross out portion not applicable) of the said Telecom Regulatory Authority of India, except as may be required for the due discharge of my duties as the Chairperson/Member (cross out portion not applicable).

(Name of the Chairperson/Member)
Dated: TELECOM REGULATORY AUTHORITY OF INDIA
Subject: Revision of consolidated pay package of Chairpersons and whole-time Members of Regulatory Bodies.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum of even no. dated 20th September, 2011, read with the OM No. 7(22)/2010/EIII(A)- Vol III dt.16.2.2012, as per which the consolidated pay package of Chairpersons and whole-time Members of Regulatory Bodies was fixed at Rs. 3.75 lakh per month (without house and car) and Rs. 3.125 lakh per month (without house and car) respectively. The list of Regulatory Bodies where the said consolidated pay package is applicable is given in the Annexure to these orders.

2. The question of suitable revision in the consolidated pay package of Chairpersons and whole-time Members of the respective Regulatory Bodies, as covered in the list given in the Annexure, has been considered and the President is pleased to decide that the consolidated pay package in case of Chairpersons and whole-time Members thereof shall be as under:

   Chairperson = Rs.4,50,000 (Rupees Four Lakh and Fifty Thousand) per month (without house & car)

   Whole Time Members = Rs.3,75,000 (Rupees Three Lakh and Seventy-five Thousand) per month (without house & car)

3. The revised consolidated pay package under these orders as specified in para 2 above shall take effect from 1st July, 2013.

4. The concerned Administrative Ministries/Department under whose domain these Regulatory Bodies fall, are requested to ensure that the additional cost on account of the aforesaid revision in consolidated pay package is met from within the existing budget as far as possible.

   (Amar Nath Singh)
   Deputy Secretary to the Government of India.

To,
1. Secretary,
   Department of Financial Services,
   R. No. 6, 3rd Floor, Jeevan Deep Building,
   Parliament Street,
   New Delhi
   (In respect of the PFRDA & IRDA)

Forwarded for n.e.

P.P.S. to Sec.(I)

At (I) - On

Dick (P) 7/5 (I)
2. Secretary
M/o Corporate Affairs,
R. No. 502, 'A' Wing,
Shastri Bhawan,
New Delhi
(in respect of the Competition Commission of India)

2. Secretary,
Department of Telecommunications,
R.No. 210, Sanchar Bhawan,
New Delhi
(in respect of the Telecom Regulatory Authority of India)

4. Secretary,
Ministry of Power,
Shram Shakti Bhawan,
New Delhi-1
(in respect of the Central Electricity Regulatory Commission)

5. Secretary,
Department of Economic Affairs,
North Block, New Delhi – 1
(In respect of the SEBI)

6. Secretary,
M/o Petroleum and Natural Gas,
Shastri Bhawan,
New Delhi – 1
(In respect of the Petroleum and Natural Gas Regulatory Board)

7. Secretary,
Ministry of Civil Aviation
Rajiv Gandhi Bhawan
New Delhi
(In respect of Airports Economic Regulatory Authority of India)

8. Secretary
Department of Food and Public Distribution
Krishi Bhawan,
New Delhi
(In respect of the Warehousing Development and Regulatory Authority.)
Annexure

(As referred to in the Ministry of Finance,
DOE OM F. No. 8.1/1/2005-IC
dt.31.10.2013)

List of Regulatory Bodies for the purpose of Consolidated Pay Package in case of Chairpersons and Whole Time Members

1. Telecom Regulatory Authority of India (TRAI)
2. Insurance Regulatory and Development Authority (IRDA)
3. Central Electricity Regulatory Commission (CERC)
4. Securities and Exchange Board of India (SEBI)
5. Competition Commission of India (CCI)
6. Pension Fund Regulatory and Development Authority (PFRDA)
7. Petroleum and Natural Gas Regulatory Board (P&NGRB)
8. Warehousing Development and Regulatory Authority (WDRA)
9. Airports Economic Regulatory Authority of India (AERA)}