

No.10-01/2023-Restg.
Government of India
Ministry of Communications
Department of Telecommunications
(Restructuring Division)

20, Ashoka Road, Sanchar Bhawan, New Delhi-1

Dated: 08.12.2023

Subject: Advertisement to call for applications for the post of Chairperson, Telecom Regulatory Authority of India (TRAI), New Delhi

The Government of India, Department of Telecommunications proposes to fill up the post of Chairperson, Telecom Regulatory Authority of India (TRAI), New Delhi which is vacant since 01.10.2023.

2. About 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 telecommunication 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. Powers and functions of TRAI are laid down in the Telecom Regulatory Authority of India Act, 1997.

3. Role of Chairperson, TRAI: The Chairperson has powers of general superintendence and directions in the conduct of the affairs of the Authority and he/she shall, in addition to presiding over the meetings of the Authority, exercise and discharge such other powers and functions of the Authority as may be prescribed.

4. Terms of Appointment:

- (a) Appointment to the post of Chairperson, TRAI is governed by the relevant provisions of the Telecom Regulatory Authority of India Act, 1997 and Telecom Regulatory Authority of India (Salaries, Allowances and other conditions of Service of Chairperson and whole-time Members) Rules, 2000.
- (b) Chairperson, TRAI shall be entitled to a consolidated salary of Rs.4.50 lakh per month (without house and car) as per OM No.16-1/2017/E-III A dated 10th January, 2018 issued by Ministry of Finance, Department of Expenditure.
- (c) The tenure of the post is for a term not exceeding three years or till the age of sixty five years, whichever is earlier.
- (d) The candidate is required to give a declaration that he/she does not have any financial or other interest which is likely to affect prejudicially his/her functions as Chairperson, TRAI.
- (e) An employee of the Government on his/her selection as Chairperson, TRAI shall have to retire from service before joining the post.

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5. Qualifications: The qualifications for appointment to the post, as derived from Section 4 of the TRAI Act, are as follows:

The applicant must 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 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 total period of not less than three years.

6. Procedure for Selection: The appointment shall be made by the Central Government on the recommendation of the Search-cum-Selection Committee set up for this purpose. It may, however, be noted that the Search-cum-Selection Committee is free to identify and recommend any other person also, on the basis of merit, who has not applied for the post.

7. Application Procedure: Applications/nominations in the pro-forma prescribed in **Annexure-I**, clearly demonstrating eligibility against each requirement along with one passport size photograph, may be sent to Shri Ramanuj Dey, Deputy Secretary(Restg.), Room No. 1011, Sanchar Bhavan, 20, Ashoka Road, New Delhi-110001 or by e-mail to ramanuj.dey@nic.in. **The Last date of submission of the applications is 22.12.2023 by 5.30 PM. Those who have applied against earlier advertisement issued on 22.06.2023 need not apply afresh.**

7.1 The applications must be accompanied with the following documents:

- a) Duly attested Annual Confidential Report / Annual Performance Appraisal Report of the last five years
- b) Vigilance clearance certificate that no disciplinary proceedings or criminal proceedings are either pending or contemplated against the officer concerned.
- c) Integrity certificate
- d) List of major/minor penalties, if any, imposed on the candidate
- e) A certificate confirming that no penalty has been imposed on the officer during service

7.2 Officers working in the Central or State Government, Autonomous/ Statutory organizations, Public Sector Undertakings etc. shall send their applications through proper channel. The application/nomination of the candidate must be forwarded by the appropriate authority along with the certificates in the pro-forma given in **Annexure-II**.

7.3 Applicants who are not in the service of the Government/Autonomous bodies etc. may provide equivalent documents to the ones mentioned in para 7.1 above, as applicable to their organizations.

7.4 The applications of the candidates received without the documents mentioned above or not in prescribed pro-forma or which contain incomplete information or received after the due date will not be considered.

8. Application pro-forma for the post can be downloaded from the websites <http://www.dot.gov.in> or <http://www.dopt.gov.in> or <http://www.trai.gov.in>.

(S.K. Biswas)

Under Secretary to the Government of India
Tele No. 011-23036235

ANNEXURE-I

**PRO-FORMA FOR APPLICATION FOR THE POST OF CHAIRPERSON,
TELECOM REGULATORY AUTHORITY OF INDIA**

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

1. Name (in block letters):
2. Father's Name:
3. Marital Status:
4. Address for correspondence:
5. Permanent Address:
6. (a) Telephone No. (Off./Res.):
(b) Mobile No.:
(c) e-mail ID:
7. Date of Birth (DD/MM/YYYY):
8. Age as on 01.10.2023: _____ Years _____ Months _____ Days
9. Nationality:
10. Whether belonging to SC/ST/OBC:
11. Service to which belongs:
12. Total service in HAG and Above Scale:
(for serving/retired Govt. employees)
13. Date of regular appointment in HAG Scale :
(for serving/retired Govt. employees)
14. Educational Qualifications (in reverse chronological order):

Space for coloured photograph duly signed by candidate
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Name of University/ Equivalent Institution	Degree	Year of passing	Division / % of marks/ obtained	Academic Distinction	Subject/ Specialization

15. Details of experience and brief service particulars (in chronological order starting with present post, list in reverse):

Name & address of employer	Designation, scale of pay and whether regular/deputation/ Ad-hoc	Period of service		Nature of work/ experience
		From	To	

16. 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:

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

18. Awards/honours, if any:

19. Any other relevant information (limited to 500 words):

20. Declaration: -

(i) 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 be cancelled.

(ii) I hereby declare that I do not have any financial or other interest, which is likely to affect prejudicially my function as Chairperson, TRAI, in the event of my selection.

Signature of the Candidate

Date:

Place:

Enclosures: Self-attested copies of educational /professional certificates and suitable evidence of employment in the organization mentioned, proof of age.

ANNEXURE-II

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

(i) It is certified that the particulars furnished by Shri/Smt.
_____ have been verified with reference to the
service records and found correct.

(ii) It is certified that no vigilance case or criminal case or disciplinary
proceedings is either pending or contemplated against the above officer.

(iii) The Integrity Certificate of the above officer is enclosed.

**(Signature & Designation of the
Forwarding Officer with Seal)**

Address:

Dated:

सं. 10-01/2023-पुनर्गठन

भारत सरकार

संचार मंत्रालय

दूरसंचार विभाग

(पुनर्गठन प्रभाग)

20, अशोक रोड, संचार भवन, नई दिल्ली-1

दिनांक: 08.12.2023

विषय: भारतीय दूरसंचार विनियामक प्राधिकरण (ट्राई), नई दिल्ली के अध्यक्ष के पद के लिए आवेदन आमंत्रित करने के लिए विज्ञापन।

भारत सरकार, दूरसंचार विभाग अध्यक्ष, भारतीय दूरसंचार विनियामक प्राधिकरण (ट्राई), नई दिल्ली के पद को भरने का प्रस्ताव करता है जो कि दिनांक 01.10.2023 से रिक्त है।

2. **ट्राई के बारे में:** भारतीय दूरसंचार विनियामक प्राधिकरण (ट्राई) की स्थापना दूरसंचार सेवाओं को विनियमित करने और दूरसंचार क्षेत्र के सेवा प्रदाताओं और उपभोक्ताओं के हितों की रक्षा करने, दूरसंचार क्षेत्र के व्यवस्थित विकास को बढ़ावा देने और इसे सुनिश्चित करने और उससे जुड़े या प्रासंगिक मामलों के लिए की गई है और यह भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 द्वारा अभिशासित है। ट्राई की शक्तियां और कार्य भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 में निर्धारित किए गए हैं।

3. **अध्यक्ष, ट्राई की भूमिका:** अध्यक्ष के पास प्राधिकरण के मामलों के संचालन में सामान्य अधीक्षण और निर्देश देने की शक्तियां हैं और वह प्राधिकरण की बैठकों की अध्यक्षता करने के अलावा ऐसी अन्य शक्तियों का प्रयोग करने तथा प्राधिकरण से संबंधित कार्यों की निर्वहन करने हेतु करेगा/करेगी जैसा कि निर्धारित हो।

4. **नियुक्ति की शर्तें:**

(क) ट्राई के अध्यक्ष के पद पर नियुक्ति भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 और भारतीय दूरसंचार विनियामक प्राधिकरण (अध्यक्ष और पूर्णकालिक सदस्यों के वेतन, भत्ते और सेवा की अन्य शर्तों) नियम, 2000 के संबंधित उपबंधों द्वारा शासित है।

(ख) ट्राई के अध्यक्ष वित्त मंत्रालय, व्यय विभाग द्वारा जारी दिनांक 10 जनवरी, 2018 के का.जा. संख्या 16-1/2017/ई-IIIए के अनुसार 4.50 लाख रूपए प्रतिमाह (आवास और गाड़ी के बिना) के समेकित वेतन के हकदार होंगे।

(ग) इस पर कार्यकाल तीन वर्ष तक या पैंसठ वर्ष की आयु तक, जो भी पहले हो, के लिए है।

- (घ) अभ्यर्थी को यह घोषणा करनी अपेक्षित है कि उनका कोई वित्तीय या अन्य हित नहीं है, जो उनके चयन की स्थिति में ट्राई के अध्यक्ष के रूप में उनके कार्य को प्रतिकूल रूप से प्रभावित करे।
- (ङ) किसी सरकारी कर्मचारी के ट्राई के अध्यक्ष के रूप में चयन होने पर इस पद पर कार्यभार ग्रहण करने से पहले उसे सेवा से सेवानिवृत्त होना होगा।

5. अर्हताएं: ट्राई अधिनियम की धारा 4 के अनुसार इस पद की नियुक्ति संबंधी अर्हताएं निम्नानुसार हैं:

आवेदक को दूरसंचार, उद्योग, वित्त, लेखाकार्य, विधि, प्रबंधन या उपभोक्ता मामलों का विशेष ज्ञान और पेशेवर अनुभव आवश्यक है। बशर्ते कि कोई व्यक्ति जो सरकार की सेवा में है, या रहा है, को अध्यक्ष के रूप में नियुक्त नहीं किया जाएगा जब तक कि उस व्यक्ति ने कम से कम तीन वर्ष के लिए भारत सरकार के सचिव या अतिरिक्त सचिव या सचिव और अतिरिक्त सचिव पद या केंद्र सरकार या राज्य सरकार में किसी समकक्ष पद को धारण नहीं किया हो।

6. **चयन की प्रक्रिया:** यह नियुक्ति केंद्र सरकार द्वारा इस प्रयोजन के लिए गठित की गई खोज-सह-चयन समिति की सिफारिश पर की जाएगी। तथापि यह उल्लेखनीय है कि खोज-सह-चयन समिति योग्यता के आधार पर किसी ऐसे व्यक्ति की भी पहचान करने और सिफारिश करने के लिए स्वतंत्र है जिसने पद के लिए आवेदन नहीं किया हो।
7. **आवेदन प्रक्रिया:** संलग्नक-1 में दिए निर्धारित प्रपत्र में आवेदन/नामांकन प्रत्येक अपेक्षा के लिए स्पष्ट रूप से पात्रता का प्रदर्शित करते हुए और एक पासपोर्ट आकार के फोटो के साथ श्री रामानुज डे, उप सचिव (पुनर्गठन), कमरा सं. 1011, संचार भवन, 20, अशोक रोड, नई दिल्ली-110001 को या ई-मेल द्वारा ramanuj.dey@nic.in पर भेज सकते हैं। आवेदन को जमा करने की अंतिम तिथि दिनांक 22.12.2023 को शाम 5:30 बजे तक है। ऐसे आवेदक जिन्होंने दिनांक 22.06.2023 को जारी किए गए पहले विज्ञापन के लिए आवेदन किया गया है, उन्हें नए सिरे से आवेदन करने की आवश्यकता नहीं है।

7.1 आवेदन के साथ निम्नलिखित दस्तावेज संलग्न होना चाहिए:

- क) पिछले पांच वर्षों की विधिवत रूप से प्रमाणित वार्षिक गोपनीय रिपोर्ट/वार्षिक निष्पादन मूल्यांकन रिपोर्ट
- ख) सतर्कता अनापत्ति प्रमाण-पत्र कि संबंधित अधिकारी के खिलाफ न कोई अनुशासनिक कार्रवाई लंबित है और न ही चलाए जाने का विचार है।
- ग) सत्यनिष्ठा प्रमाण-पत्र
- घ) अभ्यर्थी पर लगाई गई बड़ी/छोटी शास्ति की सूची, यदि कोई हो
- ङ) इस बात की पुष्टि करने वाला प्रमाण-पत्र कि सेवा के दौरान अधिकारी पर कोई जुर्माना नहीं लगाया गया है।

7.2 केंद्र या राज्य सरकार, स्वायत्त/सांविधिक संगठनों, सार्वजनिक क्षेत्र के उपक्रमों आदि में कार्यरत अधिकारी अपना आवेदन उचित माध्यम से भेजें। अभ्यर्थी का आवेदन/नामांकन उपयुक्त प्राधिकारी द्वारा संलग्नक-II में दिए गए प्रपत्र प्रमाण-पत्रों के साथ अग्रेषित किया जाना चाहिए।

7.3 ऐसे आवेदक जो सरकार/स्वायत्त निकायों आदि में कार्यरत नहीं हैं, वे ऊपर 7.1 में उल्लिखित दस्तावेजों के समकक्ष दस्तावेज प्रदान कर सकते हैं, जैसा कि उनके संगठनों पर लागू होता है।

7.4 अभ्यर्थियों के उपर्युक्त दस्तावेजों के बिना या निर्धारित प्रोफार्मा में नहीं भेजे गए या अपूर्ण सूचना वाले या नियत तिथि के बाद प्राप्त आवेदनों पर विचार नहीं किया जाएगा।

8. इस पद के लिए आवेदन प्रपत्र वेबसाइट <http://www.dot.gov.in> या <http://www.dopt.gov.in> या <http://www.trai.gov.in> से भी डाउनलोड किया जा सकता है।



(एस. के. बिस्वास)

अवर सचिव, भारत सरकार

दूरभाष सं: 011-23036235

अनुबंध-1

भारतीय दूरसंचार विनियामक प्राधिकरण में अध्यक्ष के पद के लिए आवेदन का प्रारूप
(यदि किसी मद के लिए स्थान पर्याप्त नहीं है, कृपया अतिरिक्त पेपर(शीट संलग्न करें/

1. नाम :(स्पष्ट शब्दों में)

2. पिता का नाम:

3. वैवाहिक स्थिति:

4. :पत्राचार का पता

5. स्थायी पता:

6. (क) दूरभाष नम्बर (कार्यालय/आवास):

(खमोबाइल (नम्बर:

(ग:मेल आईडी-ई (

7. जन्म तिथि :(दिन/माह/वर्ष):

8. 01.10.2023 की स्थिति के अनुसार आयु: ____ वर्ष ____ माह ____ दिन

9. राष्ट्रियता:

10. क्या अनुसूचित जाति:अन्य पिछड़ा वर्ग से संबंधित है/अनुसूचित जनजाति/

11. किस सेवा से हैं:

12. एचएजी और उपर्युक्त स्केल में कुल सेवा:
(सेवारत/सेवानिवृत्त सरकारी कर्मचारियों के लिए)

13. एचएजी स्केल में नियमित नियुक्ति की तिथि:
(सेवारत/सेवानिवृत्त सरकारी कर्मचारियों के लिए)

अभ्यर्थी द्वारा
विधिवत रूप से
हस्ताक्षरित फोटो
के लिए स्थान

14. शैक्षणिक योग्यताएं : (विपरीत क्रम में)

विश्वविद्यालयसम/ कक्ष संस्था का नाम	उपाधि	उत्तीर्ण करने का वर्ष	प्राप्त की गई श्रेणीप्राप्त / अंकों का प्रतिशत	विशेष शैक्षिक योग्यता	विषयविशेषज्ञ/ ता

15. अनुभव का ब्यौरा और सेवा का संक्षिप्त विवरण (वर्तमान पद से शुरू करते हुए क्रमानुसार, सूची विपरीत क्रम में):

नियोक्ता का नाम और पता	पदनाम, वेतनमान और नियमित /प्रतिनियुक्ति/ तदर्थ	सेवा की अवधि		कार्य की प्रकृतिअनुभव/
		से	तक	

16. अनुभव की अवधि सहित दूरसंचार, उद्योग, वित्त, लेखा, विधि, प्रबंधन अथवा उपभोक्ता मामलों के संबंध में विशेष ज्ञान और व्यावसायिक अनुभव से संबंधित सूचना:

17. यदि राष्ट्रीयअंतर्राष्ट्रीय ख्यातिप्राप्त / में प्रकाशन हो तो (पत्रिका) जर्नलप्रशस्ति एवं इंडेक्स सहित विवरण:

18. पुरस्कारसम्मान/, यदि कोई है:

19. कोई अन्य संगत सूचना:

20. घोषणा:-

- (i) मैं प्रमाणित करता हूँ कि पूर्वगामी सूचना मेरी जानकारी और विश्वास के अनुसार सत्य और पूर्ण है और मेरे द्वारा कुछ भी छिपायागलत तरीके से पेश नहीं किया गया है। / यदि कभी भी, मेरे द्वारा किसी भौतिक सूचना को छुपानागलत तरीके से पेश करना / पाया जाता है तो मेरी नियुक्ति को बिना कोई नोटिस दिए रद्द किया जा सकेगा।
- (ii) मैं एतद्वारा घोषणा करता हूँ कि मेरा ऐसा कोई वित्तीय अथवा अन्य हित नहीं है जिससे ट्राई के अध्यक्ष पद पर मेरे चयन की स्थिति में पूर्वाग्रह के कारण मेरा कार्य प्रभावित होने की कोई संभावना हो।

अभ्यर्थी का हस्ताक्षर

दिनांक :

स्थान :

संलग्नक: शैक्षणिक/ व्यावसायिक प्रमाण पत्रों और उल्लिखित संगठन में रोजगार के उपयुक्त साक्ष्य, आयु प्रमाण की स्व-प्रमाणित प्रतियां।

संगठनसंस्था के प्रमुख द्वारा अग्रेषित किया जाना है/

(सरकारी सार्वजनिक क्षेत्र के उपक्रमों/सांविधिक/स्वायत्तशासी/आदि के अधीन कार्य कर रहे
अभ्यर्थियों के संबंध में)

मंत्रालयकार्यालय /विभाग/
.....

(i) प्रमाणित किया जाता है कि सेवा रिकार्ड के संबंध में श्री/श्रीमती..... द्वारा प्रस्तुत
किए गए ब्यौरे को सत्यापित कर लिया गया है और उक्त विवरण सही है।

(ii) प्रमाणित किया जाता है कि उपर्युक्त अधिकारी के खिलाफ कोई सतर्कता मामला अथवा
आपराधिक मामला अथवा अनुशासनात्मक कार्यवाही लंबित और विचाराधीन नहीं है।

(iii) उपर्युक्त अधिकारी का सत्यनिष्ठा प्रमाणपत्र संलग्न है।-

(अग्रेषित अधिकारी का हस्ताक्षर एवं पदनाम मुहर सहित)

पता :

दिनांक :

THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997

(24 of 1997)

[28th March, 1997]

An Act to provide for the establishment of the ¹[Telecom Regulatory Authority of India and the Telecom Disputes Settlement and Appellate Tribunal to regulate the telecommunication 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;

²[(aa) "Appellate Tribunal" means the Telecom Disputes Settlement and Appellate Tribunal established under section 14;]

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

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

(d) "Fund" means the Fund constituted under sub-section (1) of section 22;

(e) "Licensee" means any person licensed under sub-section (1) of section 4 of the Indian Telegraph Act, 1885 (13 of 1885) for providing specified public telecommunication services;

²[(ea) "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);]

1. Subs. by Act 2 of 2000, sec. 2, for "Telecom, Regulatory Authority of India to regulate the telecommunication services," (w.r.e.f. 24-1-2000).

2. Ins. by Act 2 of 2000, sec. 3 (w.r.e.f. 24-1-2000).

- (f) "member" means a member of the Authority appointed under sub-section (3) of section 3 and includes the Chairperson and the Vice-Chairperson;
- (g) "notification" means a notification published in the Official Gazette;
- (h) "prescribed" means prescribed by rules made under this Act;
- (i) "regulations" means regulations made by the Authority under this Act;
- (j) "service provider" means the ¹[Government as a service provider] and includes a licensee;
- (k) "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:

²[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.

COMMENTS

To understand the meaning of 'licensee' sub-section (1) of section 4 of the Indian Telegraph Act, 1885 is reproduced below:

- (1) Within India, the Central Government shall have the exclusive privilege of establishing, maintaining and working telegraphs:

Provided that the Central Government may grant a licence, on such conditions and in consideration of such payments as it thinks fit, to any person to establish, maintain or work a telegraph within any part of India:

Provided further that the Central Government may, by rules made under this Act and published in the Official Gazette, permit, subject to such restrictions and conditions as it thinks fit, the establishment, maintenance and, working—

- (a) of wireless telegraphs on ships within Indian territorial waters and on aircraft within or above India, or Indian territorial waters and
- (b) of telegraphs other than wireless telegraphs within any part of India

1. Subs. by Act 2 of 2000, sec. 3, for "Government" (w.r.e.f. 24-1-2000).

2. Ins. by Act 2 of 2000, sec. 3 (w.r.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 movable and immovable, and to contract, and shall, by the said name, sue or be sued.

¹[(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.

²4. 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.

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

1. Subs. by Act 2 of 2000, sec. 4, for sub-section (3) (w.r.e.f. 24-1-2000).

2. Subs. by Act 2 of 2000, sec. 5, for section 4 (w.r.e.f. 24-1-2000).

3. Subs. by Act 2 of 2000, sec. 6, for sub-sections (2) and (3) (w.r.e.f. 24-1-2000).

(4) The employee of the Government on his ¹[selection as the Chairperson or whole-time member] shall have to retire from service before ²[joining as the Chairperson or a whole-time member].

(5) The salary and allowances payable to and the other terms and conditions of service of the Chairperson and ³[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.

⁴[(6A) The part-time members shall receive such allowances as may be prescribed.]

(7) Notwithstanding anything contained in sub-section (2) ⁵[***], 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.

⁶[(8) The Chairperson and the whole-time members shall not, for a period of two years from the date on which they cease to hold office as such, except with the previous approval of the Central Government, accept—

- (a) any employment either under the Central Government or under any State Government; or
- (b) any appointment in any company in the business of telecommunication services.]

(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.

⁷[***]

1. Subs. by Act 2 of 2000, sec. 6, for "selection as member" (w.r.e.f. 24-1-2000).

2. Subs. by Act 2 of 2000, sec. 6, for "joining as member" (w.r.e.f. 24-1-2000).

3. Subs. by Act 2 of 2000, sec. 6, for "other members" (w.r.e.f. 24-1-2000).

4. Ins. by Act 2 of 2000, sec. 6 (w.r.e.f. 24-1-2000).

5. The words "or sub-section (3)" omitted by Act 2 of 2000, sec. 6 (w.r.e.f. 24-1-2000).

6. Subs. by Act 20 of 2014, sec. 2(i), for sub-section (8) (w.r.e.f. 28-5-2014). Earlier sub-section (8) was amended by Act 2 of 2000, sec. 6 (w.r.e.f. 24-1-2000). Sub-section (8), before substitution by Act 20 of 2014, stood as under:

"(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:

Provided 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."

7. Explanation omitted by Act 20 of 2014, sec. 2(ii) (w.r.e.f. 28-5-2014). The Explanation, before omission, stood as under:

"Explanation.—For the purpose 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
- (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—

1. Subs. by Act 2 of 2000, sec. 7, for sub-sections (2) and (3) (w.r.e.f. 24-1-2000).

- (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.

10. 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 ¹[prescribed]:

²[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.]

CHAPTER III

POWERS AND FUNCTIONS OF THE AUTHORITY

11. Functions of Authority.—³[(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;

1. Subs. by Act 2 of 2000, sec. 8, for "determined by regulations" (w.r.e.f. 24-1-2000).

2. Ins. by Act 2 of 2000, sec. 8 (w.r.e.f. 24-1-2000).

3. Subs. by Act 2 of 2000, sec. 9, for sub-section (1) (w.r.e.f. 24-1-2000).

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 sections 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.

3. (i) **Salaries and allowances: -**

(a) The Chairperson shall be paid a salary of Rs. 30,000/- per month (fixed).

(b) The Member shall be paid a salary of Rs. 26,000/- per month (fixed).

(c) **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 Service (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' officer 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 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;

(x) **Accommodation:-** (a) the Chairperson is entitled to rent free furnished residential accommodation at the rates specified by the Central Government from time to time for this purpose or house rent allowance at the rate of twelve-and-a-half percent of his pay in lieu thereof; and

(b) a Member shall be entitled to residential accommodation as applicable to Group 'A' officers of the Central Government drawing an equivalent pay.

On demitting 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. **Power to relax:-** The Central Government shall have power to relax any provision of these rules in respect of Chairperson on any other Member.

[F. No. 10-11/2000-TCO)
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 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

10-01/2023-Restg.

816271/2023/Restructuring-Cell

No. 16-1/2017/E-III
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 10th January, 2018Office Memorandum

Subject: Consolidated pay package in case of Chairpersons and Members of Regulatory Bodies-recommendations of the 7th Central Pay Commission.

The undersigned is directed to invite the attention to this Ministry's Resolution No. 1-2/2016-IC dated 25.7.2016 and to say that as provided in S. No. IV (1) of Annexure-II thereof, the Government has accepted the recommendations of the 7th Central Pay Commission for the Consolidated Pay Package of Rs. 4.5 lakh p.m. for Chairpersons and Rs. 4 lakhs p.m. for Members of the 9 Regulatory Bodies, namely, TRAI, IRDA, SEBI, CERC, CCI, PFRDA, PNGRB, WDR and AERAI. This amount of Consolidated Pay Package is in relation to the existing Consolidated Pay Package of Rs. 4.5 lakh p.m. (without house and car) for Chairpersons and Rs. 3.75 lakh p.m. (without house and car) for Whole Time Members of these Regulatory Bodies, which is effective from 17.2013 in terms of this Ministry's OM No. 81/1/2008-IC dt. 31st October, 2013. This system of Consolidated Pay Package has also been separately extended in case of Chairperson and whole time members of the Insolvency & Bankruptcy Board of India.

2. In pursuance of the decision of the Government on the recommendations of the 7th Central Pay Commission, as mentioned above, the President is pleased to decide that the Consolidated Pay Package in case of Chairpersons and Whole Time Members in respect of the aforesaid 10 regulatory bodies shall be as under:-

- | | | |
|-------------------------|---|--|
| (i) Chairpersons | = | Rs. 4,50,000/- p.m. (Rupees Four Lakh Fifty Thousand only) (without house and car) |
| (ii) Whole Time Members | = | Rs. 4,00,000/- p.m. (Rupees Four Lakh only) (without house and car) |

3. In respect of retired Government officers appointed as Chairperson or Whole Time Member in any of the aforesaid 10 regulatory bodies, non-deduction of pension from the Consolidated Pay Package shall continue to be applicable, as hitherto.

4. These orders shall take effect from 01.01.2016.

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10-01/2023-Restg.

133/141

8/6271/2023/Restructuring-Cell

6/12

5. The Administrative Ministries in respect of these 10 Regulatory Bodies shall take suitable action to implement these orders in respect of Regulatory Bodies under their concern.

(Amar Nath Singh)
Director

To,

1. Secretary,
Department of Financial Services,
New Delhi
(in respect of the PFRDA & IRDA)
2. Secretary
M/o Corporate Affairs,
New Delhi
(in respect of the Competition Commission of India and Insolvency & Bankruptcy Board of India)
3. Secretary,
Department of Telecommunications,
New Delhi
(in respect of the Telecom Regulatory Authority of India)
4. Secretary,
Ministry of Power,
New Delhi-1
(in respect of the Central Electricity Regulatory Commission)
5. Secretary,
Department of Economic Affairs,
New Delhi
(in respect of the SEBI)
6. Secretary,
M/o Petroleum and Natural Gas,
New Delhi
(in respect of the Petroleum and Natural Gas Regulatory Board)
7. Secretary,
Ministry of Civil Aviation
New Delhi
(in respect of Airports Economic Regulatory Authority of India)
8. Secretary
Department of Food and Public Distribution
New Delhi
(in respect of the Warehousing Development and Regulatory Authority).