No.10-13/2017-Restg  
भारत सरकार Government of India  
मंत्रालय Ministry of Communications  
मंत्रालय Ministry of Communications  
Department of Telecommunications  
(Restructuring Cell)  
20, Ashoka Road, Sanchar Bhawan, New Delhi-1  
Dated: 22nd December, 2017

ADVERTISEMENT

Subject: Appointment to the post of Member, 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.

Terms of Appointment: One post of Member, TRAI will fall vacant on 07.04.2018. The tenure of the post is for a term not exceeding three years or till the age of 65 years, whichever is earlier. As per Department of Expenditure, Min. of Finance’s Resolution No.1-2/2016-IC dated 25.07.2016, a whole-time Member of TRAI, shall be entitled to a pay package of Rs. 4,00,000/- (Rupees Four Lakh) per month and will not be entitled to government accommodation or transport. An employee of the Government on his/her selection as
Member, TRAI shall have to retire from service before joining as Member, 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 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.

**Procedure for selection:** A Search-cum-Selection Committee has been constituted for selection to the said post. In addition to applications received through this Advertisement, the Search-cum-Selection Committee will have the authority to consider any other names for the appointment to the said post.

**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](http://www.dot.gov.in) or [http://www.persmin.gov.in](http://www.persmin.gov.in) or [http://www.trai.gov.in](http://www.trai.gov.in), along-with copies of relevant documents to the following address or scanned copy of the same may be sent at e-mail: h.chinzason@nic.in so as to reach this office latest by 05:30 PM on 31.01.2018:

Shri H. Chinzason  
Under Secretary (Restg.),  
Room No. 512, Sanchar Bhawan,  
20, Ashoka Road, New Delhi-110001.  
FAX No. 23372049

Any application received after due date will not be entertained.

(Signed)  
(Naveen Kumar)  
Director
APPLICATION FORMAT FOR THE POST OF MEMBER, TELECOM
REGULATORY AUTHORITY OF INDIA (TRAI), NEW DELHI

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

1. Name (in block letters):
   
   Last Name:
   
   Middle Name:
   
   First Name

   Space for photograph duly signed by candidate

2. Father's Name:

3. Marital Status:

4. Date of Birth: Day......Month............Year.......... (Attach a copy
   of High School Certificate):

5. Age as on ....../....../2019: ......Years......Months......Days

6. Service which belongs to and total service in HAG Scale:

7. Nationality:

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

9. Permanent Address (in block letters):

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

11. Whether belonging to SC/ST/OBC:

12. Educational Qualifications (in reverse chronological order):

<table>
<thead>
<tr>
<th>Name of University/</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>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3
13. 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/ahoc</th>
<th>Period of service</th>
<th>Nature of work/experience</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>From</td>
<td>To</td>
</tr>
</tbody>
</table>

14. 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 or relating to administering of institutions dealing with the aforesaid matters and length of experience in such institutions:

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

16. Awards/honours, if any:

17. Any other relevant information:

18. 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:
विषय: भारतीय दूरसंचार विनियमक प्राधिकरण में सदस्य के पद पर नियुक्ति।

दृष्टि: भारतीय दूरसंचार विनियमक प्राधिकरण (दृष्टि) की स्थापना दूरसंचार सेवाओं को विनियमित करने और दूरसंचार क्षेत्र के सेवा प्रदाताओं और उपभोक्ताओं के हितों की रक्षा के लिए, दूरसंचार क्षेत्र के सुधार विकास को बढ़ावा देने और सुनिश्चित करने और उससे संबंधित अथवा आनुपमिक मामलों के लिए की गई थी और यह भारतीय दूरसंचार विनियमक प्राधिकरण अधिनियम, 1997 द्वारा शक्तित है। इसके कार्यों में (i) दूरसंचार सेवाओं के संचालन में प्रतिस्पर्धा को सुकार बनाने और दक्षता को बढ़ाने के उपाय (ii) सेवा प्रदाताओं द्वारा प्रदान की गई सेवाओं में प्रदूषणकीय सुधार (iii) दूरसंचार प्रौद्योगिकी और संबंधित मामलों के विकास के उपायों पर संचालक कर्म कराना सम्मिलित है। यह लाइसेंस, विनियमन सेवा प्रदाताओं के बीच तकनीकी संगठन और प्रभावी अंतर-संबंध, दूरसंचार सेवाओं उपलब्ध कराने से उत्पन्न राजस्व की सेवा प्रदाताओं के बीच साझेदारी के प्रबंधन को विनियमित करना, सेवा प्रदाताओं द्वारा उपलब्ध कराइ गई सेवा की गुणवत्ता के मानकों को निर्धारित करना और सेवा की गुणवत्ता को सुनिश्चित करना और उपभोक्ताओं के हितों की रक्षा के लिए आवश्यक संरक्षण करना और सार्वभौमिक सेवा दायित्वों के प्राधिकों अनुपालन को सुनिश्चित करने के लिए शी निर्देशन एवं शर्तों का अनुपालन सुनिश्चित किया गया है।

नियुक्ति की शर्तें: सदस्य, दृष्टि का एक पद दिनांक 07.04.2018 को रिच्ह्ट हो जाएगा। इस पद का कार्यकाल दोनों वर्ष तक अथवा 65 वर्ष की उम्र तक, जो भी पहले हो, के लिए है। व्यवसाय, विल्ल मंत्रालय के दिनांक 25-07-2016 के संकल्प सं. 1-2/2016-आईसी के अनुसार दृष्टि के पूर्णकालिक सदस्य, र. 4,00,000/- (4 लाख रू.) वर्ष में वेतन प्राप्त करेगा। अदालत और सरकारी आवास अयोग्यता परिवर्तन के हकदार होगे और सरकारी कार्यवाही अयोग्यता परिवर्तन के हकदार नहीं होगे। सरकारी कर्मचारी को, सदस्य, दृष्टि के रूप में चयनित होने पर, दृष्टि के रूप में कार्यबाहन करने से पहले उस सेवा से सेवानिवृत्त होना होगा।

आरंभातः दृष्टि अधिनियम की धारा 4 में उल्लिखित इस पद की नियुक्ति संबंधी अहंकार निम्नानुसार हैं:

ऐसा व्यक्त निम्न, दूरसंचार, उद्योग, विल्ल, लेखा पदवित, विधि, प्रबंधन अथवा उपभोक्ता मामलों में विशेष जान एवं व्यवसायिक अनुभव है।
बशर्त कि, ऐसा व्यक्ति जो, सरकारी सेवा में रहा हो, यो सदस्य के रूप में नियुक्त नहीं किया जाएगा जब तक कि वह व्यक्तिगत सचिव अथवा अपर सचिव के पद पर रहा हो अथवा भारत सरकार के अपर सचिव और सचिव के पद पर रहा हो अथवा कैद राज्य सरकार अथवा राज्य सरकार में किसी समतुल्य पद पर कम से कम तीन वर्षों की अवधि के लिए रहा हो।

कैद अथवा राज्य सरकार, स्वयंत्रताशाली/सावधानिक संगठनों, सार्वजनिक क्षेत्र के उपक्रमों इत्यादि में कार्य कर रहे अधिकारी अपने आवेदन को उचित माध्यम से भेजें।

चयन की प्रक्रिया: उक्त पद के चयन हेतु खोज-सह-चयन समिति का गठन किया गया है। इस विज्ञापन के माध्यम से प्राप्त आवेदनों के अलावा, खोज-सह-चयन समिति के पास उक्त पद पर नियुक्ति के लिए किसी अन्य नाम पर विचार करने का प्राधिकार होगा।

आवेदन की प्रक्रिया: इस्तेमाल और योजना व्यक्तियों से अनुमोदन है कि वे अपने आवेदन को निर्धारित प्रारूप में भेजें जिसे इन वेबसाइटों से डाउनलोड किया जा सकता है। [उपलब्ध URL] और आवेदन के साथ संगत दस्तावेज भी निर्माणलिखित पते पर क्षेत्रीय स्तरीय प्रतिनिधियों को h.chinzason@nic.in पर ई-मेल करें ताकि आवेदन इस कार्यालय को हर हालत में 21 दिनों तक पहुँच जाए।

श्री एच. चिन्जासन
अपर सचिव (पुराणगंज)
कमरा नं. 512, संचार भवन,
20, अशोक रोड, नई दिल्ली - 110001
फैक्स नं. 23372049

नियत तारीख के बाद प्राप्त होने वाले किसी भी आवेदन पर विचार नहीं किया जाएगा।

(नयीन कुमार)
निर्देशक
भारतीय दूरसंचार विभाग योजना प्राधिकरण (टीएम), नई दिल्ली में सदस्य के पद के लिए आवेदन का प्रारूप
(यदि किसी पद के सामने दिया गया स्थान पर्याप्त नहीं है, कृपया अतिरिक्त पृष्ठ/शीट संलग्न करें)

1. नाम (स्पष्ट शब्दों में):
   अंतिम नाम :
   माध्य नाम :
   पहला नाम :

2. पिता का नाम :

3. बैवाहिक स्थिति :

4. जन्म की तारीख : दिन................माह...............वर्ष...............(हाई स्कूल प्रमाणपत्र की प्रति संलग्न करें)

5. ............./2018 : की स्थिति के अनुसार आयु.........................वर्ष...............माह...............दिन

6. सेवा जिससे संबंधित है और एचएचजी मान में कुल सेवा :-

7. राष्ट्रीयता :

8. पत्राचार का पता (स्पष्ट अक्षरों में) स्पष्ट पिन कोड दर्शाते हुए :

9. स्थायी पता (स्पष्ट अक्षरों में) :

10. (क) दूरभाष एवं फॅक्स नं. (कार्यालय/आवास) :
    (ख) मोबाइल :
    (ग) ई-मेल आईडी :

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

12. शैक्षणिक योग्यताएं (विपरीत कलानुक्रमिक क्रम में):

<table>
<thead>
<tr>
<th>विश्वविद्यालय/समकक्ष संस्थान का नाम</th>
<th>डिग्री</th>
<th>उत्तीर्ण करने का वर्ष</th>
<th>प्राप्त की गई श्रेणी/प्राप्त अंकों का प्रतिशत</th>
<th>विशेष शैक्षिक योग्यता</th>
<th>विषय/विशेषज्ञता</th>
</tr>
</thead>
</table>
13. रोजगार रिकार्ड (प्रतिमान पद से आरंभ होकर कालनुक्रमिक क्रम में, (विपरीत कालनुक्रमिक क्रम में):

<table>
<thead>
<tr>
<th>नियोजक का नाम और पता</th>
<th>पदनाम, वेतनमान और क्या नियमित/प्रतिनियुक्त/ तदर्थ जो भी हो उल्लेख करे</th>
<th>सेवा की अवधि</th>
<th>कार्य की प्रकृति/अनुभव</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>से</td>
<td>तक</td>
</tr>
</tbody>
</table>

14. दूरसंचार, उद्योग, वित्त, लेखा पदहिट, विधि, प्रबंधन अथवा उपबोधकता मामले अथवा उपवुक्त मामलों से निषेधन वाले संस्थाओं के प्रशासन से संबंधित मामलों के संबंध में विशेष ज्ञान और व्यवसायिक अनुभव से संबंधित सूचना और ऐसे संस्थाओं में कार्य करने के अनुमत की अवधि:

15. प्रकाशन, यदि है, राष्ट्रीय/अंतरराष्ट्रीय प्रतिष्ठा के जनरल (पत्रिका) उद्धरण और सूचनांक सहित:

16. पुस्तकार/सम्पादन, यदि कोई है:

17. कोई अन्य संगत सूचना:

18. घोषणा:-

में प्रभावित करता हूं कि पूर्वगामी सूचना मेरी समझ और विश्वास के अनुसार सत्य और पूर्ण है और मेरे द्वारा कुछ भी छिपाया/गलत तरीके से पेश नहीं किया गया है। यदि कभी भी, मेरे द्वारा किसी भौतिक सूचना को छुपाने/गलत तरीके से पेश करना पाया जाता है; मेरी नियुक्ति को बिना कोई नोटिस दिये समाप्त किया जा सकेगा।

अभ्यर्थी के हस्ताक्षर

दिनांक:

स्थान:
संगठन/संस्था के प्रमुख दुरारा अग्रिमित किया जाना है 

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

संदर्भलय/विभाग/ कार्यालय

..............................................................

..............................................दुरारा प्रस्तुत किए गए विवरणों का सत्यापन सेवा रिकार्ड्स से किया गया है और 
प्रमाणित किया जाता है कि उक्त विवरण सही है।

यह प्रमाणित किया जाता है कि उपर्युक्त अधिकारी के खिलाफ सलंकता मामला न तो कोई मामला लंबित है 
और न ही चलाए जाने का विचार है।

उपर्युक्त अधिकारी से संबंधित सत्यनिष्ठा प्रमाण-पत्र संलग्न है।

..............................................................

(अभ्यर्थित अधिकारी के हस्ताक्षर एवं पदानाम मोहर सहित)

पता :

दिनांक :
THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997

[24 of 1997 dt. 28-3-1997]
As amended by TRAI (Amendment) Act, 2000
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THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997
[24 of 1997, dt. 28-3-1997]
As amended by TRAI (Amendment) Act, 2000

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;
       (b) "Telecom Regulatory Authority of India" means the Telecom Regulatory Authority of India established under sub-section (1) of section 3;
       (c) "Authority" means the Telecom Regulatory Authority of India established under sub-section (1) of section 3;
       (d) "Fund" means the Fund constituted under sub-section (1) of section 22;
       (e) "licensor" means any person licensed under sub-section (1) of section 4 of the Indian Telegraph Act, 1865 (13 of 1865) for providing specified public telecommunication services;

1. Substituted by words "Telecom Regulatory Authority of India to regulate the telecommunication services" 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 tex services, video tex 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 movable 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

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1 Substituted by Amendment Act of 2000, w.e.f. 24-1-2003.
2 Substituted by Amendment Act of 2000, w.e.f. 24-1-2000.
3 Sub-cls. (2) and (3) 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.

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1. Substituted for words "selected 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 for sub-section (6) 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.
![Image](https://example.com/image.png)

1. 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.

(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 direction 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. 01-1-2000.
(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.
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 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.

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, 1865 (13 of 1865) 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, 1865 (13 of 1865), 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 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 there on 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 subsection.

(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
faith done or intended to be done under this Act or the rules or regulations made thereunder.

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 regulations under section 35) 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.

1Available at: http://www.tca.gov.in
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;

'(aa) the allowances payable to the part-time members under sub-section (6A) of section 6;

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

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

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

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

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

(db) 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;

(dc) 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;

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

(e) 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. (da), (db), (dc) and (dd) 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) ["**"]

(d) 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;

(e) 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;

(f) 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

2. Substituted for words, brackets and letter "under clause (f)" by Amendment Act of 2000, w.e.f. 24-1-2000.
3. Substituted for words, brackets and letter "under clause (m)" by Amendment Act of 2000, w.e.f. 24-1-2000.
4. Substituted for words, brackets and letter "under clause (p)" by Amendment Act of 2000, w.e.f. 24-1-2000.
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.
MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 18th July, 2014/Asadh 27, 1936 (Saka)

The following Act of Parliament received the assent of the President on the
17th July, 2014, and is hereby published for general information:—

THE TELECOM REGULATORY AUTHORITY OF INDIA
(AMENDMENT) ACT, 2014

No. 20 of 2014

[17th July, 2014.]

An Act further to amend the Telecom Regulatory Authority of India Act, 1997.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Telecom Regulatory Authority of India (Amendment) Act, 2014.

(2) It shall be deemed to have come into force on the 28th day of May, 2014.

2. In the Telecom Regulatory Authority of India Act, 1997 (hereinafter referred to as the principal Act), in section 5,—

(i) for sub-section (8), the following sub-section shall be substituted, namely:—

“(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.

(ii) the Explanation at the end shall be omitted.

3. (1) The Telecom Regulatory Authority of India (Amendment) Ordinance, 2014, is hereby repealed.

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

P.K. MALHOTRA.
Secy. to the Govt. of India.
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 25 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.
The Chairperson and a Member shall be entitled to a fixed remuneration of Rs. 1,300/- per month fixed.

(ii) Darness 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' 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 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 rates as applicable to an Officer of the Central Government drawing an equivalent pay.
Accommodation : The Chairperson and Member shall be entitled to 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 two and a half percent of his basic pay thereof and

4. A Member shall be entitled to residential accommodation as applicable to Group A officer 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. Powers to relax : The Central Government shall have power to relax any provision of these rules in respect of Chairperson or any other Member.
<table>
<thead>
<tr>
<th>नं.</th>
<th>संस्था/संयोग, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार (11.23.170)</th>
<th>2400</th>
<th>2800</th>
<th>पद मौजूद नहीं हैं।</th>
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<td>1.</td>
<td>माली ओवरसीयर, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार (11.23.170)</td>
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<td>2800</td>
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<td>2.</td>
<td>गुप्त लेबल वर्कर, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार (11.23.170)</td>
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<td>3.</td>
<td>विस्तार अधिकारी (कृषि) राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार (11.23.170)</td>
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<td>4.</td>
<td>कविता फार्म रेडार, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार (11.23.170)</td>
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<td>5.</td>
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<td>1900</td>
<td>2400</td>
<td>यह पद पहले से ही 2400 रुपए के श्रेणी वेतन में है।</td>
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**MINISTRY OF FINANCE**

*(Department of Expenditure)*

**RESOLUTION**

New Delhi, the 25th July, 2016


2. The Government, after consideration, has decided to accept the recommendations of the Commission in respect of the categories of employees covered in its Terms of Reference contained in the aforesaid Resolution dated the 28th February, 2014 in the manner as specified hereinafter.

3. The Government has accepted the Commission’s recommendations on Minimum Pay, Fitment Factor, Index of Rationalisation, Pay Matrices and general recommendations on pay without any material alteration with the following exceptions in Defence Pay Matrix in order to maintain parity in pay with Central Armed Police Forces, namely:-
(i) the Index of Rationalisation of Level 13A (Brigadier) in Defence Pay Matrix may be revised upward from 2.57 to 2.67;

(ii) additional three stages in Levels 12A (Lieutenant Colonel), three stages in Level 13 (Colonel) and two stages in Level 13A (Brigadier) may be added appropriately in the Defence Pay Matrix.

4. (1) The Pay Matrix, in replacement of the Pay Bands and Grade Pays as in force immediately prior to the notification of this Resolution, shall be as specified in Annexure I in respect of civilian employees.

(2) With regard to fixation of pay of the employee in the new Pay Matrix as on 1st day of January, 2016, the existing pay (Pay in Pay Band plus Grade Pay) in the pre-revised structure as on 31st day of December, 2015 shall be multiplied by a factor of 2.57. The figure so arrived at is to be located in the Level corresponding to employee’s Pay Band and Grade Pay or Pay Scale in the new Pay Matrix. If a Cell identical with the figure so arrived at is available in the appropriate Level, that Cell shall be the revised pay; otherwise the next higher cell in that Level shall be the revised pay of the employee.

(3) After fixation of pay in the appropriate Level as specified in sub-paragraph (2) above, the subsequent increments in the Level shall be at the immediate next Cell in the Level.

5. There shall be two dates for grant of increment namely, 1st January and 1st July of every year, instead of existing date of 1st July; provided that an employee shall be entitled to only one annual increment on either one of these two dates depending on the date of appointment, promotion or grant of financial up-gradation.

6. The Commission’s recommendations and Government’s decision thereon with regard to revised pay structure for civilian employees of the Central Government and personnel of All India Services as specified at Annexure I and the consequent pay fixation therein as specified at Annexure II shall be effective from the 1st day of January, 2016. The arrears on this account shall be paid during the financial year 2016-2017.

7. The recommendations on Allowances (except Dearness Allowance) will be referred to a Committee comprising Finance Secretary and Secretary (Expenditure) as Chairman and Secretaries of Home Affairs, Defence, Health and Family Welfare, Personnel and Training, Posts and Chairman, Railway Board as Members. The Committee will submit its report within a period of four months. Till a final decision on Allowances is taken based on the recommendations of this Committee, all Allowances will continue to be paid at existing rates in existing pay structure, as if the pay had not been revised with effect from 1st day of January, 2016.

8. The recommendations of the Commission relating to interest bearing Advances as well as interest free Advances have been accepted with the exception that interest free Advances for Medical Treatment, Travelling Allowance for family of deceased, Travelling Allowance on tour or transfer and Leave Travel Concession shall be retained.

9. The recommendations of the Commission for increase in rates of monthly contribution towards Central Government Employees Group Insurance Scheme (CGEGIS) for various categories of employees has not been accepted. The existing rates of monthly contribution shall continue. Department of Expenditure and Department of Financial Services will work out a customised group insurance scheme for Central Government employees.

10. The Government has accepted the recommendations of the Commission on upgrading of posts except for those specified at Annexure III. The recommendations on upgradation specified at Annexure III will be separately examined by Department of Personnel and Training for taking a comprehensive view in the matter.
11. The Government has not accepted the recommendations of the Commission on downgrading of posts and normal replacement will be provided in such cases.

12. While revising the pay of Doctors in respect of whom Non Practicing Allowance is admissible and Railway employees in respect of whom Running Allowance is admissible, it will be ensured that the actual raise in pay at the time of initial fixation is about 14.29 percent as recommended by the Commission.

13. The pay of officers posted on deputation under Central Staffing Scheme will be protected and the difference in the pay will be given to them in the form of Personal Pay to be made effective from the date of notification.

14. Recommendations not relating to pay, pension and allowances and other administrative issues specific to Departments/Cadres/Posts will be examined by the Ministries/Departments concerned as per the Allocation of Business Rules or Transaction of Business Rules. Until a decision is taken by the Government on administrative issues pertaining to (i) Non Functional Upgradation (NFU) presently admissible to the Indian Police Service/Indian Forest Service and Organised Group ‘A’ Services, (ii) two years’ edge to Indian Administrative Service officers vis-a-vis other All India Services/Organised Group ‘A’ Services in empanelment under Central Staffing Scheme, (iii) grant of two additional increments at Senior Time Scale, Junior Administrative Grade and Selection Grade to Indian Police Service and Indian Forest Service at par with Indian Administrative Service and Indian Foreign Service (iv) a uniform retirement age for all ranks in Central Armed Police Forces, where the Commission could not arrive at a consensus, status quo shall be maintained.

15. A Committee of Secretaries comprising Secretaries of Departments of Personnel and Training, Financial Services and Pension and Pensioners’ Welfare will be set up to suggest measures for streamlining the implementation of the National Pension System (NPS).

16. Anomalies Committees will be set up by Department of Personnel and Training to examine individual, post-specific and cadre-specific anomalies arising out of implementation of the recommendations of the Commission.

17. Regarding pay and related issues concerning All India Services, appropriate action will be taken by Department of Personnel and Training to give effect to the decisions on these matters as may be applicable to them.

18. The Government of India wishes to place on record their appreciation of the work done by the Commission.

ORDER

Ordered that this Resolution be published in the Gazette of India, Extraordinary.

Ordered that a copy of this Resolution be communicated to the Ministries/Departments of the Government of India, State Governments, Administrations of Union Territories and all other concerned.

## PAY MATRIX

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<th>Pay Band</th>
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### Annexure I

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</table>
Statement showing the recommendations of the Seventh Central Pay Commission on Pay relating to Civilian employees in Group ‘A’, ‘B’ and ‘C’ and personnel of All India Services and Government’s decisions thereon.

### I. Pay Fixation in revised Pay Structure:

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>1.</td>
<td>Minimum pay in government with effect from 01.01.2016 at Rs. 18000 per month (Para 4.2.13 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>2.</td>
<td>Pay Matrix comprising two dimensions having horizontal range in which each level corresponds to a “functional role in the hierarchy” with number assigned 1, 2, 3 and so on till 18 and “vertical range” denoting “pay progression”. These indicate the steps of annual financial progression (Para 5.1.21 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>3.</td>
<td>On recruitment, an employee joins at a particular level and progresses within the level as per the vertical range. The movement is usually on an annual basis, based on annual increments till the time of their next promotion. (Para 5.1.22 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>4.</td>
<td>The fitment factor of 2.57 to be applied uniformly for all employees. (Para 5.1.27 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>5.</td>
<td>Pay of employees to be fixed in the revised Pay Structure in the manner laid down in Paras 5.1.28 and 5.1.29 of the Report.</td>
<td>Accepted</td>
</tr>
<tr>
<td>6.</td>
<td>In case of upgrading of posts recommended by the Commission, the pay may be fixed in revised Pay Structure in manner laid down in Para 5.1.30 of the Report.</td>
<td>Accepted. The recommendation regarding downgrading not accepted and, therefore, no occasion for fixation on downgrading of posts.</td>
</tr>
<tr>
<td>7.</td>
<td>Pay of direct recruits will start at the minimum pay corresponding to the Level to which recruitment is made, which will be the first cell of each Level in the Matrix (Para 5.1.32 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>8.</td>
<td>On promotion, pay of employees to be fixed in the manner laid down in Para 5.1.33 of the Report.</td>
<td>Accepted</td>
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### II. Annual Increments:

<table>
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<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>The manner of drawal of annual increment to be as laid down in Para 5.1.53 of the Report.</td>
<td>Accepted</td>
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### III. Modified Assured Career Progression Scheme:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1.</td>
<td>MACP will continue to be administered at 10, 20 and 30 years as before. In the new Pay Matrix, the employee will move to immediate next Level in hierarchy. Fixation of pay will follow the same principle as that for a regular promotion in the Pay Matrix. MACPS will continue to be applicable to all employees up to Higher Administrative Grade (HAG) level except members of Organised Group ‘A’ Services. (Para 5.1.44 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>2.</td>
<td>Benchmark for performance appraisal for promotion and financial upgradation under MACPS to be enhanced from “Good” to “Very Good”. (Para 5.1.45 of the Report)</td>
<td>Accepted</td>
</tr>
<tr>
<td>3.</td>
<td>Withholding of annual increments in the case of those employees who are not able to meet the benchmark either for MACP or a regular promotion within the first 20 years of their service. (Para 5.1.46 of the Report)</td>
<td>Accepted</td>
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</table>

### IV. Consolidated Pay package in Regulatory Bodies:

<table>
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<tr>
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<tr>
<td>1.</td>
<td>Consolidated pay package of Rs. 4,50,000 (Rupees Four Lakh and Fifty Thousand only) for Chairpersons of Telecom Regulatory Authority of India, Central Electricity Regulatory Commission, Insurance Regulatory and Development Authority, Securities and Exchange Board of India, Competition Commission of India, Pension Fund Regulatory and Development Authority, Securities and Exchange Board of India, Competition Commission of India, Pension Fund Regulatory and Development Authority, Petroleum and Natural Gas Regulatory Board, Warehousing Development and Regulatory Authority, and Airports Economic Regulatory Authority of India (Para No. 13.15 (i) of the Report)</td>
<td>Accepted</td>
</tr>
</tbody>
</table>
2. Consolidated pay package of Rs. 4,00,000 (Rupees Four Lakh only) for Members of Telecom Regulatory Authority of India, Central Electricity Regulatory Commission, Insurance Regulatory and Development Authority, Securities and Exchange Board of India, Competition Commission of India, Pension Fund Regulatory and Development Authority, Petroleum and Natural Gas Regulatory Board, Warehousing Development and Regulatory Authority, and Airports Economic Regulatory Authority of India (Para No. 13.15 (i) of the Report)  
   Accepted

3. Consolidated pay package in above cases to be raised by 25 percent as and when Dearness Allowance goes up by 50 percent. All other benefits, including Travelling Allowance/Daily Allowance on tour etc., to be provided by the Regulatory Bodies as per their rules and regulations. (Para No. 13.15 (ii) of the Report)  
   Accepted

   Accepted

V. Dearness Allowance:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Existing formula and methodology for calculating Dearness Allowance to continue (Para 8.17.37 of the Report)</td>
<td>Accepted. The reference base for calculation of Dearness Allowance after coming into force of the revised Pay structure shall undergo change accordingly and will be linked to the average index as on 01.01.2016.</td>
</tr>
</tbody>
</table>

Annexure III

List of cases of upgradation of posts recommended by Seventh Central Pay Commission to be referred to Department of Personnel and Training

A (I). Upgradation other than Apex Level:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Posts (Para No. of Report of Seventh Central Pay Commission)</th>
<th>Present Grade Pay</th>
<th>Grade Pay recommended by Seventh Central Pay Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Junior Radiographer of Andaman and Nicobar Islands Administration (7.7.50)</td>
<td>2000</td>
<td>2800</td>
</tr>
<tr>
<td>Sl. No.</td>
<td>Name of Post</td>
<td>Pay Scale</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Preservation Assistant, Botanical Survey of India, Ministry of Environment, Forest and Climate Change (11.16.19)</td>
<td>2400</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Senior Technical Assistant (Survey), Ministry of Mines (11.29.15)</td>
<td>4600</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Senior Technical Assistant (Drawing), Ministry of Mines (11.29.15)</td>
<td>4600</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Technical Officer, Office of Textile Commissioner, Ministry of Textile (11.49.9)</td>
<td>4600</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Assistant Director Grade-II (Technical), Ministry of Textile (11.49.9)</td>
<td>4800</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Assistant Accounts Officer, Finance Division of Defence, Ministry of Defence (11.12.140)</td>
<td>5400 (PB-2) on completion of 4 years service</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Senior Section Officer (Accounts), Ministry of Railways (11.40.83)</td>
<td>4800</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Senior Travelling Inspector (Accounts), Ministry of Railways (11.40.83)</td>
<td>4800</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Senior Inspector (Store Accounts), Ministry of Railways (11.40.83)</td>
<td>4800</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Chemical and Metallurgical Assistant (CMA), Ministry of Railways (11.40.124)</td>
<td>4600</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Chemical and Metallurgical Superintendent (CMS), Ministry of Railways (11.40.124)</td>
<td>4800</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Assistant Chemist and Metallurgist, Ministry of Railways (11.40.124)</td>
<td>5400 (PB-2)</td>
<td></td>
</tr>
</tbody>
</table>

A (II) Up-gradation to Apex scale:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Director General (Indian Coast Guard) (11.12.27)</td>
</tr>
<tr>
<td>2</td>
<td>Director General, Central Statistics Office, Ministry of Statistics and Programme Implementation (11.47.9)</td>
</tr>
<tr>
<td>3</td>
<td>Vice President of Income Tax Tribunal, Department of Legal Affairs (11.27.27)</td>
</tr>
<tr>
<td>4</td>
<td>Head, National Defence College (NDC), New Delhi (14.21)</td>
</tr>
<tr>
<td>5</td>
<td>Head, National Defence Academy (NDA), Khadakwasa, Pune (14.21)</td>
</tr>
<tr>
<td>6</td>
<td>Head, Defence Services Staff College (DSSC), Wellington (14.21)</td>
</tr>
</tbody>
</table>
B. Cases recommended by Seventh Central Pay Commission in which no action is required:

<table>
<thead>
<tr>
<th>S.No</th>
<th>Name of Post (Para No. of Report of Seventh Central Pay Commission)</th>
<th>Present Grade Pay</th>
<th>Grade Pay recommended by Seventh Central Pay Commission</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agriculture Assistant, Government of National Capital Territory of Delhi (11.23.170)</td>
<td>2400</td>
<td>2800</td>
<td>Posts do not exist</td>
</tr>
<tr>
<td>2</td>
<td>Gardener overseer, Government of National Capital Territory of Delhi (11.23.170)</td>
<td>2400</td>
<td>2800</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Group Level Worker, Government of National Capital Territory of Delhi (11.23.170)</td>
<td>2400</td>
<td>2800</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Extension Officer (Agriculture) Government of National Capital Territory of Delhi (11.23.170)</td>
<td>2400</td>
<td>2800</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Farm Manager Junior, Government of National Capital Territory of Delhi (11.23.170)</td>
<td>2400</td>
<td>2800</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Assistant Store Keeper, Indian Bureau of Mines (11.29.24)</td>
<td>1900</td>
<td>2400</td>
<td>This post already exists in Grade Pay 2400</td>
</tr>
</tbody>
</table>