## 16-65/O&M/2013 Government of India Ministry of Communications & IT Department of Telecommunications Sanchar Bhavan, 20, Ashoka Road, New Delhi-110001

dated 3/2/2014.

### **OFFICE MEMORANDUM**

# <u>Subject:</u> Revision of Compendium on "Channel of submission and level of final disposal of cases in DoT".

The undersigned is directed to refer to this section's O.M of even number dated 27/12/2014 (copy enclosed) on the subject mentioned above and to say that the requisite material from your division is still awaited.

2. It is therefore requested to send the information relating to your division at the earliest to enable finalization of Compendium on "Channel of submission and level of final disposal of cases in DoT.

(A.K. Singh) Under Secretary (C&A) Ph No. 2303-6073 Fax No. 23372279

Encl: as above.

То

- 1. Administrator (USO (F))
- All Sr. DDsG/DDsG, DoT (<u>except DDG (AS), DDG (TERM), CVO</u> & Sr. DDG (TEC)/DDG (Security))

Copy to :

11

- 3. Sr. PPS/PPS to Secretary (T)/Member(T)/Member(S)/Member (F)/ AS (T)/Advisors, DoT/Wireless Advisor/Legal Advisor/JS (T)/JS (A).
- 4. ADG (IT.II) for putting the O.M under Knowledge Management section of e-office.

## 16-65/O&M/2013 Government of India Ministry of Communications & IT Department of Telecommunications Sanchar Bhavan, 20, Ashoka Road, New Delhi-110001

#### Dated 27/12/2013.

Subject: Revision of Compendium on "Channel of submission and level of final disposal of cases in PoTC.

The undersigned is directed to enclose DoT's O.M No. 49-1/2010-Admn.I dated 22/11/2013 forwarding therewith details of remedial measures suggested by the One Man Committee constituted in 2010 under the Chairmanship of Justice (Retd.) Shivraj Patil along with action points as decided with the approval of Hon'ble MOC&IT. One of the action points (Point No. XX) seeks revision of the 'Compendium on Channel of submission in DoT'.

2. Accordingly, it is proposed to revise the existing "Compendium on Channel of submission and level of final disposal of cases in DoT" issued vide this Ministry's O.M No. 16-12/2009-O&M dated 25<sup>th</sup> January, 2012 with the approval of Hon'ble MOC&IT.

3. All the Divisional/Wing Heads in DoT are requested to review and intimate the additions/deletions/modifications proposed in the Channel of Submission related to their work, <u>latest by 20/01/2014</u>, to expedite finalization of the fresh compendium on 'Channel of Submission'. While reviewing the Channel of submission, the following provisions may be kept in mind :-

(i) All cases where the Approving Authority is Hon'ble MoC&IT, the concerned files have to be routed through Secretary (T):

(ii) Level of final disposal of cases should ordinarily be restricted to three as per the recommendations of the One Man Committee and guidelines of D/O AR&PG on the subject.

Encl: as above.

(A.K. Singh) Under Secretary (C&A) Ph No. 2303-6073

To

- 1. Administrator, USOF
- 2. All Sr. DDsG/Sr. DDG (TEC)/DDsG, DoT/ JS(A)/JS(T)/CVO/Advisor (WPC)/Legal Advisor/Economic Advisor

Copy for information to :

- 1. PS to MoC &IT/ PS to MoS (C&IT& Shipping)(D)
- 2. Sr. PPS/PPS to Secretary (T)/Member(T)/Member(F)/Member(S)
- 3. Sr. PPS to AS(T)

No.49-1/2010-Admn.I Department of Telecommunications Ministry of Communications & IT Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001

Dated, the 22 November, 2013

#### OFFICE MEMORANDUM

The One Man Committee constituted vide OM of even number dated 13<sup>th</sup>. December, 2010 under the Chairmanship of Justice (Retd.) Shivraj Patil, to examine the appropriateness of procedures followed by DoT in issuance of licenses and allocation of spectrum during 2001-2009, suggested certain remedial measures with reference to Term of Reference No.8 in its Report.

2. With a view to take necessary follow up action on the Report, three Departmental Committees - (i) to review the policies and procedures in respect of grant of licenses and allocation of spectrum under the Chairmanship of the then Advisor (T); (ii) to review the existing legislation relating to Telecom Sector under the Chairmanship of the then Advisor (O); and (iii) action to be taken for the acts of omission and commission by the public officials, whose names were identified by the One Man Committee, under the Chairmanship of Member (S) - were constituted. The three Departmental Committees constituted have already submitted their reports and the follow up action on these reports has been/is being taken, which has either been completed or is to be taken as a continuing process. It was, however, deemed appropriate to review the progress made so far and to identify areas still requiring some action in terms of the recommendations of the One Man Committee.

3. As regards the actions which are still required to be taken, it has been observed that these actions are long-term measures involving policy issues and requiring detailed examination and consultations. Accordingly, on review of the status of the action taken so far and further action required to be taken on the recommendations contained in the One Man Committee Report, the decisions taken, with the approval of MOC & IT, in regard to each 'Remedial Measure' suggested by the OMC is indicated in the Annexure enclosed. Based on the decisions taken, various Divisions/Officers of DoT are required to take appropriate action on the recommendations of the One Man Committee as indicated against each recommendation in the Annexure. A status report about the action taken may be sent to Admn.1 by 7<sup>th</sup> of each month.

4. In so far as the follow up action on the three Departmental Committees indicated in para 2 above, the concerned Divisions/Nodal Officers shall continue to take the residual/remaining action till its conclusion.

(O. S. Ashok) Deputy Secretary (Admn.I)

- 1. Member (S)/Member (T)/Member(F)/AS (T)/WA/DDG(AS)/JS(T)/DDG(C&A)
- 2. All.Divisions of DoT[w.r.t. S.No(iv) of Annexure enclosed]

Copy to: -

why of which when you

1.

2.

PS to MOC & IT/MOS(C&IT)(D)/MOS(C&IT)(KK) PPS to Secretary (T) F(1)  $b = 2b^{1/2} 2013 (DDG^{1}(CA))$ f(1)  $b = 2b^{1/2} 2013 (DDG^{1}(CA))$  **(C)** alle compendium of a channel columnission and level of final disposal of cases in DoT" mentions the officers responsible for disposal of all matters. General ruling on channel of submission and levels of final disposal of different categories of cases conveyed by Department of A.R. & P.G. vide-

No.30012/1/2002-0&M **OM** dated 11.12.2002, stipulates that as a general rule levels of final disposal may be restricted to three, however, there may be exception in case of policy matters, parliament guestions for which each Ministry/Department is to formulate clear guidelines indicating channels and levels of decision making. However, the matter of grant of access licences (at the stage of issuance of LoI and also for grant of licence upon compliance with terms of Lol) and also for allotment of spectrum the files go up to the level of Minister for final decision. Once the procedure for grant of licences/allotment of spectrum are laid down, in absence of requirement of any further policy decision, requirement of placing all files for grant of licences/allotment of spectrum before the Minister is not necessary and the channel of initiation and final disposal can be restricted to three officers;

IV. <u>Reg. protection of officers</u>

xxi) It is recommended that suitable orders are issued for ensuring protection of upright officers who take a stand against any deviation either in formulation of procedures or its implementation. There is a need to protect such officials from any harassment/victimization. Mechanism should be devised to require consideration of confidential reports/case for promotion or order for transfer of such officers by any independent body before giving effect. xx) there is already a Compendium on Changel of Submission in the DoT. It may be reviewed in the light of the recommendation. [Action: DDG(C&A)]

-11/

xxi) This recommendation has already been examined in consultation with various cadre controlling authorities of DoT. There are enough safeguards for protecting the upright officials and, therefore, <u>there is no need to issue separate</u> orders.

[No Action]