MOST IMMEDIATE

No.8-10/2013-TCO
Government of India
Ministry of Communications and IT
Department of Telecommunications
(TCO)

*******

New Delhi, dated 11 June, 2012

OFFICE MEMORANDUM

Subject: Uploading of information on the Department of Telecom’s Website.

The undersigned is requested to request that the following enclosed documents may please be uploaded on the Department of Telecommunications’ website:

i) Resolution dated 11-4-1989 constituting the Telecom Commission.


(Anand Agrawal)
Deputy Secretary(Policy)
Ph.2303 6032

Director(IT)
भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग I—खबर
PART I—Section 1

प्राधिकरण से प्रकाशित
PUBLISHED BY AUTHORITY

No. 68] NEW DELHI, TUESDAY, APRIL 11, 1989/CHAITRA 21, 1911

नई विलियम, अम्बारी, अप्रैल 11, 1989/चैत्र 21, 1911

प्रारंभ में भिड़ने गए कंडक्टर की कारण से निकाल किया गया है जिससे कि यह अन्य समाचार दो पत्र में देखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

2. आयोग का गठन

(२) आयोग में पूर्णता का एवं अस्तित्व प्राप्त होने वाले

(३) वह संबंधत विषयों के प्रशस्त विभाग में दृश्यस्वार्थ 'लिखित' होगा।

(४) इस आयोग के पूर्णता का एवं अस्तित्व प्राप्त होने वाले, दृश्यस्वार्थ 'लिखित' होगा।

(५) इन संरचनाओं में पूर्णता का एवं अस्तित्व प्राप्त होने वाले, दृश्यस्वार्थ 'लिखित' होगा।

(६) इन संरचनाओं में पूर्णता का एवं अस्तित्व प्राप्त होने वाले, दृश्यस्वार्थ 'लिखित' होगा।

(७) इन संरचनाओं में पूर्णता का एवं अस्तित्व प्राप्त होने वाले, दृश्यस्वार्थ 'लिखित' होगा।

3. वर्तमान

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PART I—SEC. I

2. Constitution of the Commission
(a) The Commission will consist of full time and part time Members;
(b) The Secretary to the Government of India in the Department of Telecommunications shall be the ex-officio Chairman of the Commission;
(c) The full time Members of the Commission shall be ex-officio Secretary to the Government of India in the Department of Telecommunications. One or more of these Members shall be Member for Finance:
(d) The Secretary and the full time Members of the Commission shall be drawn from the best persons available, including from within the Department of Telecommunications.

3. Functions
The Telecom Commission shall be responsible:
(a) For formulating the policy of the Department of Telecommunications for approval of the Government;
(b) For preparing the budget for the Department of Telecommunications for each financial year and getting it approved by the Government;
(c) Implementation of the Government’s policy in all matters concerning telecommunications.

4. Within the limits of the budget provision, approved by the Parliament, the Commission shall have the powers of the Government of India, both administrative and financial, for carrying out the work of the Department of Telecommunications.

5. Chairman
(a) The Chairman, in his capacity as Secretary to the Government of India in the Department of Telecommunications, shall be responsible under the Ministry of Communications for arriving at decisions on technical matters.

CABINET SECRETARIAT
New Delhi, the 11th April, 1989

RESOLUTION

CONSTITUTION OF TELECOM COMMISSION

No. 15/[1]/87-Cab. I. Telecommunication service is an essential infrastructure for national development. It has impact on social and economic activities. Besides, business, industry and administration depend heavily on information and telecom for productivity, efficiency and their day-to-day operations. Its development, therefore, is vital for nation building.

In order to promote rapid development in all aspects of telecommunications including technology, production and services, the Government of India has decided to establish a Telecommunication Commission with full executive and financial powers modelled on the lines of the Atomic Energy Commission.
questions and advising Government on policy and allied matters of telecommunication. All recommendations of the Commission on policy and allied matters shall be put to the Minister of Communications through the Chairman.

(b) In case of any difference of opinion in the meetings of the Commission, the decision of the Chairman shall be final, but in financial matters, Member (Finance) of the Commission will have access to Finance Minister.

c) The Chairman may authorise any Member of the Commission to exercise on his behalf, subject to such general or special orders as he may issue from time to time, such of his powers and responsibilities as he may decide.

6. Member Finance

The Member for Finance shall exercise powers of the Government of India in financial matters concerning the Department of Telecommunications except in so far as such powers have been, or may in future be conferred on or delegated to the Department.

7. The Commission shall have power to frame its own rules and procedures. The Commission shall meet at such time and places as fixed by the Chairman.

8. The Telecom Commission shall take over all legal and statutory authority vested with the Telecom Board.

D. DAS GUPTA, Jt. Secy.
CABINET SECRETARIAT  
New Delhi, the 11th April, 1989  
RESOLUTION  
CONSTITUTION OF TELECOM COMMISSION  

No. 15/1/2/87-Cab.-1. Telecommunication service is an essential infrastructure for national development. It has impact on social and economic activities. Besides, business, industry and administration depend heavily on information and telecom for productivity, efficiency and their day-to-day operations. Its development, therefore, is vital for nation building.

In order to promote rapid development in all aspects of telecommunications including technology, production and services, the Government of India consider it necessary to set up an organisation, which will have responsibility in the entire field of telecommunications.

After careful consideration, the Government of India have decided to establish a Telecommunication Commission with full executive and financial powers modelled on the lines of the Atomic Energy Commission.

2. Constitution of the Commission

(a) The Commission will consist of full time and part time members;

(b) The Secretary to the Government of India in the Department of Telecommunications shall be the ex-officio Chairman of the Commission;

(c) The full time Members of the Commission shall be ex-officio Secretary to the Government of India in the Department of Telecommunications. One of these Members shall be Member for Finance; and

(d) The Secretary and the full time Members of the Commission shall be drawn from the best persons available, including from within the Department of Telecommunications.

3. Functions

The Commission shall be responsible:

(a) For formulating the policy of Department of Telecommunications for approval of the Government;
(b) For preparing the budget for the Department of Telecommunications for each financial year and getting it approved by the Government; and

(c) Implementation of Government’s policy in all matters concerning telecommunication.

4. Within the limits of budget provision, approved by the Parliament, the Commission shall have the powers of the Government of India, both administrative and financial, for carrying out the work of the Department of Telecommunications.

5. Chairman

(a) The Chairman, in his capacity as Secretary to the Government of India in the Department of Telecommunications, shall be responsible under the Ministry of Communications for arriving at decisions on technical questions and advising Government on policy and allied matters of telecommunication. All recommendations of the Commission on policy and allied matters shall be put to the Minister of Communications through the Chairman.

In case any difference of opinion in the meetings of the Commission, the decision of the Chairman will be final, but in financial matters, Member (Finance) of Commission will have access to Finance Minister.

The Chairman may authorise any Member of the Commission to exercise on his behalf, subject to such general or special orders as he may issue from time to time, such of his powers and responsibilities as he may decide.

6. Member Finance

The Member for Finance shall exercise powers of the Government of India in financial matters concerning the Department of Telecommunications except in so far as such powers have been, or may in future be conferred on or delegated to the Department.

7. The Commission shall have power to frame its own rules and procedures. The Commission shall meet at such time and places as fixed by the Chairman.

8. The Telecom Commission shall take over all legal and statutory authority vested with the Telecom Board.
ANNEXURE-II

RULES OF BUSINESS FOR THE TELECOM COMMISSION

The following rules are made for the convenient transaction of business in the Telecom Commission:

1. The business of the Commission is:

   (a) To formulate the policy of the Department of Telecommunications for the approval of Government.

   (b) To prepare the capital, revenue and foreign exchange budgets for the Department for each year;

   (c) To ensure the implementation of the Government’s Policy in all matters concerning telecommunications and all other matters which have been allotted to the charge of the Department of Telecommunications under the Government of India (Allocation of Business) Rules or will be so allotted in future.

2. All cases of the nature specified in Annexure ‘A’ to these rules shall be brought before the Commission. The Chairman may add to this list such other matters as in his opinion require consideration of the Commission.

3. Seven days’ notice of every meeting shall ordinarily be given to each member of the Commission provided that the Chairman for special reasons may convene a meeting at shorter notice.

4. Attendance at these meetings shall be by Members in person. The quorum for the meeting shall be three full time Members present in person and shall include the Chairman provided that at meeting which the Chairman considers it expedient should be held in spite of his absence, this requirement shall be deemed to have been met, if Chairman authorizes another Member to place before the Commission and bring on record his views. The Member (Finance) shall ordinarily be present at all meetings of the Commission, provided that if he is unable to attend a meeting at which matters having financial implications are considered he may authorize another Member to place before the Commission and bring on record his views.
5. The Secretary of the Commission will work under the general control of and perform such duties as may be assigned to him by the Chairman. In particular he will be responsible for issuing notice of meetings and circulating agenda papers to the Members of the Commission. He will prepare minutes of the meetings and after obtaining approval of the Chairman, circulate them to each Member. He will communicate decisions of the Commission to those concerned for necessary action and obtain for the information of the Commission periodical reports of action taken thereon.

6. All proposals for consideration by the Commission shall be sent to the Secretary to the Commission in the form of self-contained memorandum stating the facts of the case, the points for decisions and recommendations, if any.

7. Cases which are urgent or which, in the opinion of the Chairman, may be decided by circulation without convening a meeting of the Commission will be circulated to Members of the Commission, for recording their opinions, specifying the limit of the time within which opinions are to be communicated to the Secretary of the Commission. If any Member does not indicate his opinion within the limit of time specified, he shall be presumed to have accepted the recommendations contained in the memorandum or the note circulated. In the event of difference of opinion, the case shall be submitted to the Chairman.
ANNEXURE ‘A’

[TO THE RULES FOR THE TRANSACTION OF BUSINESS OF THE TELECOM COMMISSION.]

(List of cases which have to be brought before the Telecom Commission)

1. Important matters of policy relating to Telecommunications.

2. Proposals for legislation or promulgation of rules and orders in the exercise of statutory power confirmed on the Department.


4. All proposals for capital expenditure exceeding ₹ 5 crores.

5. Proposals concerning the conditions of service of personnel of the Department (as well as the Directorate) involving major departures from normal government rules.

6. Proposals for the acceptance of any rules and procedures which involve significant deviations from the normal rules and procedures of Government.

7. Annual and long term plans in respect of technology, services and production.

8. Any other case which with the approval of the Chairman may be placed before the Commission.
1. Policy, Licensing and Coordination matters relating to telegraphs, telephones, Wireless, data, facsimile and telematic services and other like forms of communications.

2. International cooperation in matters connected with telecommunications including matters relating to all international bodies dealing with telecommunications such as International Telecommunication Union (ITU), its Radio Regulation Board (RRB), Radio Communication Sector (ITU-R), Telecommunication Standardization Sector (ITU-T), Development Sector (ITU-D), International Telecommunication Satellite Organization (INTELSAT), International Mobile Satellite Organization (INMARSAT), Asia Pacific Telecommunication (APT).

3. Promotion of standardization, research and development in telecommunications.

4. Promotion of private investment in Telecommunications.

5. Financial assistance for furtherance of research and study in telecommunications technology and for building up adequately trained manpower for telecom programme, including-

   (a) assistance to institutions, assistance to scientific institutions and to universities for advanced scientific study and research; and
   (b) grant of scholarships to students in educational institutions and other forms of financial aid to individuals including those going abroad for studies in the field of telecommunications.

6. Procurement of stores and equipment required by the Department of Telecommunications.


8. Telecom Regulatory Authority of India (TRAI)

9. Telecom Disputes Settlement and Appellate Tribunal (TD-SAT)