MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 25th October, 2002

G.S.R. 726(E).- In exercise of the powers conferred by sub-section (2) of section 10 read with clause (ca) of sub-section (2) of section 35 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and in supercession of the TRAI Staff (Salaries, allowances and other conditions) Regulation, 1999 and the TRAI (Appointment of Casual Labourers) Regulation, 1999, except in respect of things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

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

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

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

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

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

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

(d) "Casual employee" means a person engaged by the Authority on works of intermittent or sporadic nature or which extend over short period;

(e) "Consultant" means a consultant appointed by the Authority under sub-section (1) of section 10 of the Act for carrying out the purposes of the Act;

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

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

3. **Categories of Officers and employees of the Authority and pay scales**.- The nature and categories of officers and employees of the Authority and the scales of pay thereof shall be as specified in the Scheduled – I.

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

Provided that –

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

(b) the officers and employees of the Authority shall be entitled to medical facilities as specified in Scheduled-II.

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

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

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

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

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

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

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

Provided that the officers and employees other than those appointed by the Authority on deputation, shall not be eligible for pension.

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

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5. Salary and allowances payable to, and other conditions of service of, Consultant,-

(1) The Authority shall appoint Consultant on the following terms and conditions, namely :-

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

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

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

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

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

(iii) Telephone facility.

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

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

6. **Powers to relax**.- The Central Government shall have power to relax the provisions of any of these rules in respect of any class or category of persons.

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Schedule – I

(See rule 3)

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

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Schedule- II

[See rule 4(b)]

MEDICAL FACILITIES

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

Explanation - For the purpose of this clause, the expression "family" has the same meaning as assigned to it in the Central Services (Medical Attendance) Rules, 1944.

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

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

2 Indoor treatment-

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

(ii) The authorised hospitals for the purpose of (i) above shall be the same as are available to the Central Government employees regulated by Central Services (Medical Attendance) Rule 1944.

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

Schedule III
[See rule 4(d)]

Traveling Allowance in respect of foreign tours- (1) Selection of officers for deputation abroad – Selection of officers for proceeding on deputation abroad shall be done by a Selection Committee comprising of the Chairperson and two whole time Members.

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

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

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	Pay scale of officers	Per diem halting allowance
(i)	Rs. 22400-24500	US $ 450 per day
(ii)	Rs. 18400-22400 & Rs. 14300-18300	US $ 350 per day
(iii)	Rs. 12000-16500 and below	US $ 250 per day
(iv)	for travel to Nepal (all categories)	US $ 250 per day (to be paid in Indian Rupees):

Provided that –

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

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

Government officers shall also apply on the rate of US $ 100 or US $ 50, as the case may be.

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

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

[F.No. 10-2/2000-Restg.]

ANIL KUMAR, Jt. Secy.

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