TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY PART- II-SECTION 3 – SUB-SECTION (i)

MINISTRY OF COMMUNICATIONS
(Department of Telecommunications)

NOTIFICATION

New Delhi, the 10th February, 1999

G.S.R. 80(E). – In exercise of the powers conferred by clause (g) of sub-section 2 of section 35 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement. – These rules may be called the Telecom Regulatory Authority of India (Annual Report and Returns) Rules, 1999.

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

2. Definitions: In these rule unless the context otherwise requires –

(a) "Act" means the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);
(b) "Appendix" means an Appendix annexed to these rules.
(c) Words and expressions used in these rules but not defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Furnishing of returns: – (i) The Authority shall furnish quarterly, to the Central Government, returns and statements on the matters specified in Appendix-I, including matters as may be specified by the Central Government from time to time.

(ii) The Authority shall also furnish such returns, statements or particulars in regard to any proposed or existing programme for the promotion and development of the Telecommunications services, as the Central Government may direct from time to time.

4. Preparation and submission of annual report. – (1) The Authority shall prepare, as soon as may be, after the commencement of each financial year the annual report referred to in sub-section (2) of section 24 of the Act in the form specified in Appendix II.

(2) The annual report shall give an account of the activities during the previous financial year, containing interalia –

(a) a statement of corporate and operational goals and objectives of the Authority;

(b) annual targets in physical and financial terms set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets;

(c) a administrative report on the activities of the Authority during the year just past and the current year and an account of the activities which are likely to be taken up during the next financial year;

(d) important changes in the organizational set up of the Authority;

(e) report on employer-employees relations and welfare activities of the Authority;

(f) report on such other miscellaneous matters as deemed fit by the Authority for reporting to the Central Government.

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(3) The annual report shall after adoption at a meeting of the Authority and be signed by the members and authenticated by affixing the common seal of the Authority and the requisite number of copies thereof shall be submitted to the Central Government by the 30th day of September.

[F. No. 5-4/98-TCO]
R.K. GUPTA, Jt. Secy.

APPENDIX-I

RETURNS AND STATEMENTS AND OTHER PARTICULARS REQUIRED TO BE FURNISHED QUARTERLY BY TRAI.

I. Return on number of cases filed before the Authority for settlement of disputes and adjudicated upon.

Sl. No.	No. of Cases pending in the last quarter	No. of cases received during the quarter	No. of cases disposed of

II. Statement on the periodical survey conducted by the Authority to monitor the quality of service provided by the service providers.

Sl. No.	Survey conducted during the quarter with details	Observation of TRAI	Remedial steps taken

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III. Statement on steps taken to achieve universal service obligation.

Sl. No.	Subject	Steps taken	Results achieved

IV. Returns on research and studies conducted including those conducted outside India.

Sl. No.	Subject	Duration	Place where research/study was conducted	Official/organisation concerned with research & studies	Results of the studies/research conducted

V. Statements on penalty imposed by the Authority for contraventions of the directions of the Authority.

Sl. No.	Name of the service provider	Details of the directions issued	Penalty imposed

APPENDIX-II

Form of Annual Report of the Telecom Regulatory Authority of India

Part-I

Policies & programmes:

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(a) Review of General Environment in the Telecom Sector.
(b) Review of policies and programme in respect of

(a) Rural Telephone Network:
(b) Expansion of Telephone Network:
(c) Entry of private sector in both basic and value added service;
(d) Technical compatibility and effective interconnection between service providers;
(e) Telecommunication technology;
(f) Implementation of National Telecom Policy;
(g) Quality of Service;
(h) Universal service obligation.

Part-II

Review of working and operation of the Telecom Regulatory Authority of India in Telecom Sector in Respect of

(a) Rural Telephone Network:
(b) Expansion of Telephone Network:
(c) Entry of private sector in basic and value added services;
(d) Technical compatibility and effective interconnection between service providers;
(e) Telecommunication technology;
(f) Implementation of National Telecom Policy;
(g) Quality of Service;
(h) Universal service obligation.

Part-III

Functions of the Telecom Regulatory Authority of India in respect of matters specified in Section 11 of the Act.

(a) Telecommunication rates both within India and outside India including the rates at which message shall be transmitted to any country outside India.

(Indicate the measures taken to fix tariffs and if already fixed the reaction of service providers thereto)

(b) Recommendations on:

(i) the need and timing of the new service providers;
(ii) the terms and conditions of licence to a new service provider.
(iii) Revocation of Licence for non-compliance of terms and conditions of Licence.

(Indicate the recommendations on the above and reaction of the Government thereto)

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(c) Ensuring technical compatibility and effective inter-connection;
(Indicate the measures taken and the results thereof)

(d) Regulating arrangement amongst service providers of sharing their revenue derived from providing telecommunication service.
(Give details of action taken and the results thereof)

(e) Time period for providing local and long distance circuits of telecommunication between different service providers;
(Indicate the time period fixed and whether they have been adhered to by service provider).,

(f) Ensuring compliance of terms and conditions of licence;
(Give details of action taken and results thereof)

(g) Steps taken to protect the interest of consumers of telecommunication services;
(Give details of steps taken including the details of cases adjudicated upon)

(h) Steps taken to facilitate completion and promote efficiency in the operation of telecommunication services so as to facilitate growth in such services;
(Give details of steps taken and the results thereof)

(i) Settlement of dispute between service providers;
(Give details of disputes adjudicated upon)

(j) Levy of fees and other charges at such rates and in respect of such services as may be determined by regulations.
(Give an account of fees and other charges collected by TRAI)

(k) Steps taken to ensure effective compliance of universal service obligation;
(Indicate the steps taken to ensure effective compliance of universal service obligation and achievement in this regard)

(l) Details of advice rendered to the Central Government in the matter relating to development of telecommunication technology and any other matter relatable in telecommunication industry in general.
(Give details of advice rendered and the reaction of the Government thereto)

(m) Administrative and financial functions entrusted to it by the Central Government.
(Give details regarding performance of delegated functions)

(n) Monitoring of the quality of services and details of promotional survey of such services by the service providers.
(Give details of steps taken and the results achieved)

(o) Inspection of equipment used in the network and recommendation made on the type of equipment to be used by the service providers.
(Give details of the inspection made and remedial action taken)

Part –IV

Organisational matters of the Telecom Regulatory Authority of India, including financial performance.

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TO BE PUBLISHED IN GAZETTE OF INDIA EXTRAORDINARY, PART-II
SECTION 3 SUB-SECTION (i)

GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
DEPARTMENTOF TELECOMMUNICATIONS

Dated 26th February, 2004

NOTIFICATION

G.S.R. 148(E).– In exercise of powers conferred by clause (g) of sub-section (2) of section 35 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Central Government hereby makes the following rules to amend the Telecom Regulatory Authority of India (Annual Report and Returns) Rules, 1999, namely:-

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1. (1) These rules may be called the Telecom Regulatory Authority of India (Annual Report and Returns) Amendment Rules, 2004.

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

2. In the Telecom Regulatory Authority of India (Annual Report and Returns) Rules, 1999, -

(i) In Appendix-I annexed thereto, the heading "1. Return on number of cases filed before the Authority for settlement of disputes and adjudicated upon" and the columns and entries thereunder shall be omitted;

(ii) In Appendix-II, in Part-III, item number (i) and the entries relating thereto shall be omitted.

[F.No. 5-4/98-TCO]

(P.K. Tiwari)
Deputy Secretary to the Government of India.

Note: The principal rules were published in the Gazette of India vide G.S.R 80(E), dated the 10th February, 1999.