NOTIFICATION

New Delhi, the 22nd March, 1999

No.5-5/98-TRAI(A&R).--- In exercise of the powers conferred upon it under Clause(a) of Sub-section 2 of Section 36 read with Section 8 of the Telecom Regulatory Authority of India Act, 1997, the Authority hereby makes the following regulation:

The TRAI Meetings for Transaction of Business Regulation, 1999

Section I

Title, extent and commencement

1. (i) This Regulation shall be called the TRAI ' Meetings for Transaction of business Regulation, 1999.

(ii) This Regulation shall provide for the time, place and the procedure to be followed at the meetings of the Authority held under sub-section(1) of Section 8 of TRAI Act, including quorum necessary for the transaction of business.

(iii) This Regulation shall come into effect from the date of its publication in the Gazette of India

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Section II

Definition

2. In this regulation, unless the context otherwise requires,

(a) 'Act' means the Telecom Regulatory Authority of India Act, 1997.

(b) 'Authority' means the Telecom Regulatory Authority of India.

(c) 'Secretary' means the Secretary, Telecom Regulatory Authority of India and includes a person acting for the Secretary.

(d) Words and expressions used in this order and not defined but defined in the Act shall have the same meaning respectively assigned to them in the Act.

Section III

General

3. Amendment and Annulment: the Authority may, from time to time modify, amend, or annul this Regulation either in whole or in part.

4. Interpretation: In the event of any dispute regarding interpretation of any provisions of this legislation, the decision of the Authority shall be final and binding.

Section IV

Meetings for transaction of Business and Procedure to be followed

5. The meetings of the Authority shall normally be held at its head office. Whenever circumstances render it expedient to hold a meeting elsewhere than in the Head office at Delhi, the Authority may do so at any other place in India. The place and timing shall be decided by the Chairperson.

6. The meeting for transaction of business shall be held at least once a month.

7. (a) The agenda for the meeting shall be issued with the approval of the Chairperson and in his absence by Vice-Chairperson.

(b) The Agenda for the meeting shall be normally circulated seven days in advance by the Secretary.

8. The meeting shall be presided over by the Chairperson. If, for any reason, the Chairperson is unable to attend a meeting, the Vice-Chairperson, and in his absence, any other Member chosen by the Members present from amongst themselves at the meeting, shall preside over the meeting.

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9. Quorum for transaction of business for a meeting shall be three Members.

10. (i) All items that come up for decision of the Authority at a meeting shall be decided by the majority of the Members present and voting, and in the event of equality of votes, the Chairperson or in his absence the person presiding, shall have a second or casting vote.

(ii) If a Member so desires, he may have his different view recorded as a part of the Minutes of the Meeting.

11. An item not included earlier in the Agenda of a Meeting, may be taken up for consideration, if so approved by the Member presiding over the meeting.

12. No act, or proceedings of the Authority shall be invalid merely by reason of any irregularity in the procedure of the Authority not affecting merits of the case.

13. The Secretary shall prepare Minutes of Meeting and after obtaining the approval of the Chairperson circulate them amongst the Members present at the Meeting. The Minutes of the Meeting shall be given a continuous serial number for a particular financial year (e.g.7/98-99). The Secretary shall communicate the relevant extracts of the decision of the Authority to all concerned for necessary follow-up action and monitor their compliance by evolving a suitable reporting system. Periodical reports on follow-up action(s) will be submitted for information of the Authority.

14. The Chairperson, and in his absence the Vice-Chairperson, may, without prior notice, convene an extraordinary meeting at any time or place to consider any item, which in his opinion, requires any urgent decision.

15. (i) With the approval of the Chairperson, and in his absence by the Vice-Chairperson, an issue may be decided on file by circulation.

(ii) The decision of the Chairperson, and in his absence, the Vice-Chairperson, as to whether an item should be decided in a Meeting of the Authority or by circulation of the relevant file shall be final.

16. Any person, with prior approval of Chairperson or in his absence by the Vice-Chairperson, may be invited to attend the meeting for advice/consultation.

(No.Advt/III/IV/Exty/142/98)

RAKESH KAPUR, Jt. Secy.

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Telecom Regulatory Authority of India
NOTIFICATION
New Delhi, the 17 May, 2005

F. No 14- 7/2005-FA In exercise of the powers conferred upon it under clause (a) of sub-section 2 of section 36 read with section 8 of the Telecom Regulatory Authority of India Act, 1997, the Telecom Regulatory Authority of India hereby makes the following regulation, namely-

Title, extent and commencement

1. (i) This Regulation shall be called the " TRAI Meetings for Transaction of Business (First Amendment) Regulation, 2005 (9 of 2005)"

(ii) This Regulation shall come into effect from the date of its publication in the Official Gazette.

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2. The following entries shall substitute the existing entries relating to regulation 9 of the TRAI Meetings for Transaction of Business Regulation, 1999:

"9 (i) The quorum for transaction of business for a meeting shall be three Members.

(ii) A Member, if he/she so desires, can attend the meeting through video conferencing and this shall be considered as attendance by the Member in the said meeting for the purposes of quorum."

3. The following entries shall added after regulation 15 (ii) of the TRAI Meetings for Transaction of Business Regulation, 1999

"(iii) All decision taken through circulation of file shall be included in the agenda of meeting scheduled immediately following the decision for confirmation."

4 This Regulation contains an explanatory memorandum to provide clarity and transparency to matters covered under this Regulation

Rajendra Singh
Secretary

Explanatory Memorandum

Video conferencing is a method by which people at different locations can conduct meetings. This tool is enabling governments, corporate, universities and other organisations to conduct meetings more often between people based at different locations. The Authority has decided to allow members to participate through videoconference, as it would facilitate higher participation of members, especially those residing at distant places from Authority's head office. The amendment would also help chairperson to convene extra-ordinary meetings in terms of regulation 14 of the TRAI Meetings for Transaction of Business regulation, 1999 at short notices to discuss items requiring urgent decisions.

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In terms of regulation 15 (i), an issue may be decided by circulation of file amongst permanent members. As a practice, all such decisions are included in the agenda of meeting scheduled immediately following the decision for confirmation. With the present amendment it shall be necessary to take confirmation of the Authority on all decisions taken on file.

Telecom Regulatory Authority of India

NOTIFICATION

New Delhi, the 10th July, 2006

F.No.14-12/2006- FA In exercise of the powers conferred upon it under Clause(a) of Sub-section 2 of Section 36 read with Section 8 of the Telecom Regulatory Authority of India Act, 1997, the Authority hereby further amend the TRAI Meetings for Transaction of Business Regulation, 1999, namely;

Short Title, extent and commencement

1. (i) This Regulation shall be called the "TRAI Meetings for Transaction of Business (Second Amendment) Regulation, 2006 (7 of 2006).

(ii) This Regulation shall come into effect from the date of its publication in the Gazette of India.

MediaCode

2. In Section IV of the TRAI Meetings for Transaction of Business Regulation, 1999, in regulation 9, the following proviso and the entries relating thereto shall be inserted after paragraph (i) and the entries relating thereto, namely;

"Provided where the Authority comprises three or less Members at a particular time, the quorum for transaction of business for a meeting shall be two Members."

3. This Regulation contains at Annex –A, an explanatory memorandum to provide clarity and transparency to matters covered under this Regulation.

[Rajendra Singh]
Secretary

Annexe – A

Explanatory Memorandum

1. As per the Scheme of the Telecom Regulatory Authority Act, 1997 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. The Chairperson and other members shall hold office for a term not exceeding 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.

2. The previous Chairperson and two whole time members of erstwhile Authority demitted their office during the months of March / April 2006. The tenure of existing two part-time members is also coming to an end on 14th July 2006. The Central Government has appointed new Chairperson who assumed office on 22nd March 2006. The Central Government has appointed one whole time member who assumed office on 30th June 2006. However, appointment of other whole time member and the two part-time members is yet to be made by the Central Government. In effect, from 15th July 2006 only two Members (Chairperson and one whole time member) will constitute the Authority. In the absence of appointment of one whole time member or part-time member, the required quorum of Authority meeting, which is three members, would not be complete. In order to avoid any delay in taking timely regulatory decisions by transacting businesses in the meetings of Authority, it is felt necessary to amend the existing regulation by prescribing a reduced quorum of only two members as and when the Authority comprises of three or less than three members.

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रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

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No. 438] NEW DELHI, TUESDAY, NOVEMBER 14, 2017/KARTIKA 23, 1939

भारतीय दूरसंचार विनियामक प्राधिकरण

अधिसूचना

नई दिल्ली, **13** नवम्बर, 2017

फा. सं. 1–1/2017–समन्वय.—भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 (1997 का 24वां) की धारा 8 के साथ पठित धारा 36 की उपधारा (2) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए प्राधिकरण कामकाज करने हेतु भादूविप्रा की बैठकें अधिनियम, 1999 में एतद्द्वारा अगला संशोधन करता है, अर्थात्:—

संक्षिप्त नाम, सीमा और प्रारंभ.—

1. (i) इस विनियम का संक्षिप्त नाम कामकाज करने हेतु भादूविप्रा की बैठकें (तीसरा संशोधन) अधिनियम, 2017 है।

(ii) यह विनियम सरकारी राजपत्र में इसके प्रकाशन की तारीख से लागू होगा।

2. कामकाज करने हेतु भादूविप्रा की बैठकें अधिनियम, 1999 के विनियम 6 में कथन ''माह में एक बार'' को कथन ''तीन माह में एक बार'' से प्रतिस्थापित किया जाएगा।

सुनील कुमार गुप्ता, सचिव

[विज्ञापन–III/4/असा./307/17]

टिप्पणी : व्याख्यात्मक ज्ञापन कामकाज करने हेतु भादूविप्रा की बैठकें (तीसरा संशोधन) अधिनियम, 2017 (2017 का 6वां) के प्रयोजन और कारणों को स्पष्ट करता है।

अनुलग्नक–क

व्याख्यात्मक ज्ञापन

1. कामकाज करने हेतु भादूविप्रा की बैठकें अधिनियम, 1999 में कामकाज करने हेतु आवश्यक कोरम सहित भादूविप्रा अधिनियम की धारा 8 की उपधारा (1) के तहत आयोजित प्राधिकरण की बैठकों अनुसरण किए जाने वाले समय, स्थान और प्रक्रिया के लिए प्रावधान किया गया है।

2. कामकाज करने हेतु भादूविप्रा की बैठकें अधिनियम, 1999 की धारा IV के खंड 6 के अनुसार, कामकाज करने हेतु बैठक माह में एक बार आयोजित की जाएगी। इसके अलावा, धारा IV का खंड 5 अध्यक्ष को प्राधिकरण की बैठक का स्थान और समय निर्धारित करने का अधिकार प्रदान करता है।

3. विनियम 15(1) में प्रावधान है कि फाइलों के परिपत्रण द्वारा निर्णय लिए जा सकते हैं और बाद की बैठकों में इन निर्णयों की अभिपुष्टि की जाएगी। अतः यह अनुभव किया गया कि तीन माह में कम से कम एक बार प्राधिकरण की बैठक आयोजित करने के लिए विनियम में संशोधन किया जाए।

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 13th November, 2017

F. No. 1-1/2017-Coord.—In exercise of the powers conferred under clause (a) of sub-section (2) of section 36, read with section 8, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Authority hereby further amends the TRAI Meetings for Transaction of Business Regulation, 1999, namely:—

Short Title, extent and commencement

1. (i) This Regulation may be called the TRAI Meetings for Transaction of Business (Third Amendment) Regulation, 2017.

   (ii) This Regulation shall come into force from the date of its publication in the Official Gazette.

2. In regulation 6 of the TRAI Meetings for Transaction of Business Regulation, 1999, for the words "once a month", the words "once in three months" shall be substituted.

SUNIL KUMAR GUPTA**,** Secy.

[ADVT.-III/4/Exty./307/17]

Note : The explanatory memorandum explains the object and reasons of the TRAI Meetings for Transaction of Business (Third Amendment) Regulation, 2017 (6 of 2017).

Annexure – A

Explanatory Memorandum

1. The TRAI Meetings for Transaction of Business Regulation, 1999, provides for time, place and the procedure to be followed at the meetings of the Authority held under Sub-section (1) of Section 8 of TRAI Act, including quorum necessary for the transaction of Business.

2. As per the clause 6 of Section IV of the TRAI Meetings for Transaction of Business Regulation, 1999, the Meeting for Transaction of Business shall be held once a month. Further, the clause 5 of Section IV empowers chairperson to decide the place and timing of the meeting of the Authority.

3. Regulation 15(1) provides that decisions can be taken through circulation of files and these decisions are ratified in the subsequent meetings. Therefore, it is felt that the regulation may be amended to hold the meeting of the authority at least once in three months.

RAKESH SUKUL
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