

**Telecom Regulatory Authority of India
Notification**

New Delhi, the 16th September 2005

No. 310-3(1)/2003-Eco. In exercise of the powers conferred upon it under sub-section (2) of the section 11 read with section 11(1)(b)(i) of the Telecom Regulatory Authority of India Act, 1997, the Telecom Regulatory Authority of India, hereby further amends the Telecommunication Tariff Order, 1999 as under, namely:-

1. Short title, extent and commencement:

(i) This Order shall be called “ The Telecommunication Tariff (Fortieth Amendment) Order, 2005” (7 of 2005).

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

2. In the Telecommunication Tariff (Thirty Ninth Amendment) Order dated 8th September 2005, in Schedule X against Item (1) Date of implementation, the words “from a date to be notified separately” shall substitute the existing figures ‘16.09.2005’ under the heading Tariff.

General

In case of any doubt with regard to the interpretation of any provision of this Order, the decision of the Authority shall be final.

This order contains at Annexure –A, an Explanatory Memorandum, which explains the reasons for this amendment to the Telecommunication Tariff Order, 1999.

By Order,

(M.Kannan)
Advisor (Economic)

Explanatory Memorandum

1. The Authority had notified the Telecommunication Tariff (39th Amendment) Order on 8th September 2005. M/s Videsh Sanchar Nigam Limited has challenged this tariff order in Hon'ble Telecom Disputes Settlement and Appellate Tribunal (TDSAT) on 12th September 2005 vide Appeal No. 10/2005.

2. The said appeal come up for hearing before the TDSAT on 14th September 2005. The tribunal vide its order dated 14.09.2005 ordered that the impugned notification be kept in abeyance till a decision in the case is given by the Tribunal, and hence, this order.