

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.

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

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.