

**MOST IMMEDIATE**

**No.8-10/2013-TCO**

Government of India  
Ministry of Communications and IT  
Department of Telecommunications  
(TCO)  
\*\*\*\*\*


New Delhi, dated <sup>th</sup> 11 June, 2012

**OFFICE MEMORANDUM**

**Subject: Uploading of information on the Department of Telecom's Website.**

The undersigned is requested to request that the following enclosed documents may please be uploaded on the Department of Telecommunications' website:

- i) Resolution dated 11-4-1989 constituting the Telecom Commission.
- ii) Rules of Business For The Telecom Commission.

  
(Anand Agrawal)  
Deputy Secretary(Policy)  
Ph.2303 6032

**Director(IT)**



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग I—खण्ड 1  
PART I—Section 1

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 68]  
No. 68]

नई दिल्ली, मंगलवार; अप्रैल 11, 1989/चैत्र 21, 1911  
NEW DELHI, TUESDAY, APRIL 11, 1989/CHAITRA 21, 1911

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

मंत्रिमंडल सचिवालय  
नई दिल्ली, 11 अप्रैल, 1989  
संकल्प  
दूरसंचार आयोग का गठन

सं. 15/1/2/87-मंत्रि.--1. दूरसंचार सेवा राष्ट्रीय विकास के लिए एक आवश्यक बुनियादी संरचना है। इसका सामाजिक और आर्थिक कार्यकलाप में महत्वपूर्ण प्रभाव है। व्यापार के अलावा, उद्योग और प्रशासन, उत्पादकता, कार्यकुशलता और अपने रोजमर्रा के प्रचालनों के लिए, सूचना और दूरसंचार पर बहुत अधिक निर्भर रहते हैं। अतः राष्ट्र निर्माण के लिए इसका विकास महत्वपूर्ण है।

तकनीक, उत्पादन और सेवाओं सहित दूरसंचार के सभी पहलुओं का तेजी से विकास करने की दृष्टि से, भारत सरकार का यह विचार है कि एक ऐसे संगठन की स्थापना आवश्यक है जो दूरसंचार के सम्पूर्ण क्षेत्र में उत्तरदायी हो।

इस संबंध में सावधानीपूर्वक विचार करने के बाद, भारत सरकार ने यह निर्णय लिया है कि परमाणु ऊर्जा आयोग की तरह ही पूरे प्रशासनिक और आर्थिक शक्तियों सहित एक दूरसंचार आयोग की स्थापना की जाए।

2. आयोग का गठन

- आयोग में पूर्णकालिक एवं अल्पकालिक सदस्य होंगे।
- भारत सरकार में दूरसंचार विभाग का सचिव, आयोग का पदेन अध्यक्ष होगा।
- इस आयोग के पूर्णकालिक सदस्य, भारत सरकार में दूरसंचार विभाग के पदेन सचिव होंगे। इन सदस्यों में से एक सदस्य, वित्त होगा।
- एक आयोग के सचिव और पूर्णकालिक सदस्य, दूरसंचार विभाग में कार्यरत व्यक्तियों सहित, उपलब्ध सबसे अच्छे व्यक्तियों में से लिए जाएंगे।

3. कार्य

दूरसंचार आयोग निम्नलिखित के लिए उत्तरदायी होगा:

- सरकार के अनुमोदन के लिए दूरसंचार विभाग की नीतियां बनाना।
- प्रत्येक वित्तीय वर्ष के लिए दूरसंचार विभाग का बजट बनाना और इस पर सरकार को सहायता लेना; और

(ग) दूरसंचार से संबंधित सभी मामलों में सरकार की नीति का कार्यान्वयन।

4. संसद द्वारा अनुमोदित किए गए बजट प्रावधानों की सीमा के अन्तर्गत, दूरसंचार विभाग के कार्य-निष्पादन के लिए, इस आयोग को प्रशासनिक और वित्तीय दोनों मामलों में भारत सरकार की शक्तियाँ प्राप्त होंगी।

5. अध्यक्ष

(क) अध्यक्ष, भारत सरकार में दूरसंचार विभाग के सचिव की हैसियत से, तकनीकी मामलों में निर्णय लेने तथा दूरसंचार के मामलों में नीति और तत्संबंधी मामलों में सरकार को सलाह देने के लिए, संचार मंत्री के तहत जिम्मेदार होगा। नीति और तत्संबंधी मामलों में आयोग की सभी संस्तुतियाँ अध्यक्ष के माध्यम से संचार मंत्री को प्रस्तुत की जाएंगी।

(ख) इस आयोग की बैठकों में विन्न मत होने की किसी स्थिति में अध्यक्ष का निर्णय अंतिम होगा, निम्न वित्तीय मामलों में आयोग का सदस्य (वित्त) वित्त मंत्री तक जा सकेगा।

(ग) अध्यक्ष समय-समय पर स्वयं जारी किए गए सामान्य अथवा विशेष आदेशों के तहत अपनी किन्हीं शक्तियों और अपने किन्हीं उत्तरदायित्वों को जिन्हें वह चाहे, अपनी ओर से प्रयोग करने के लिए, आयोग के किसी सदस्य को प्राधिकृत कर सकता है।

6. सदस्य वित्त

सदस्य वित्त दूरसंचार विभाग संबंधी वित्तीय मामलों में ऐसी शक्तियों के अतिरिक्त जो विभाग को प्रदान की गई हों, कृपया सौंपी गई हों या भविष्य में प्रदान की या सौंपी जाएंगी भारत सरकार की शक्तियों का प्रयोग करेगा।

7. इस आयोग को अपनी निम्नान्वृत्त और कार्यविधि बनाने का अधिकार होगा। इस आयोग की बैठक ऐसे समय और स्थान पर होगी जिसे अध्यक्ष तय करेगा।

8. यह दूरसंचार आयोग, दूरसंचार बोर्ड को प्रदत्त सभी विधिक और सांविधिक प्राधिकारों को अपने हाथ में लेगा।

दीपक दास गुप्ता, संयुक्त सचिव

CABINET SECRETARIAT

New Delhi, the 11th April, 1989

RESOLUTION

CONSTITUTION OF TELECOM COMMISSION

No. 15/1/2/87-Cab.-1. Telecommunication service is an essential infrastructure for national development. It has impact on social and economic activities. Besides, business, industry and administration

depend heavily on information and telecom for productivity, efficiency and their day-to-day operations. Its development, therefore, is vital for nation building.

In order to promote rapid development in all aspects of telecommunications including technology, production and services, the Government of India consider it necessary to set up an organisation, which will have responsibility in the entire field of telecommunications.

After careful consideration, the Government of India have decided to establish a Telecommunication Commission with full executive and financial powers modelled on the lines of the Atomic Energy Commission.

2. Constitution of the Commission

(a) The Commission will consist of full time and part time Members;

(b) The Secretary to the Government of India in the Department of Telecommunications shall be the ex-officio Chairman of the Commission;

(c) The full time Members of the Commission shall be ex-officio Secretary to the Government of India in the Department of Telecommunications. One of these Members shall be Member for Finance; and

(d) The Secretary and the full time Members of the Commission shall be drawn from the best persons available, including from within the Department of Telecommunications.

3. Functions

The Telecom Commission shall be responsible :

(a) For formulating the policy of the Department of Telecommunications for approval of the Government;

(b) For preparing the budget for the Department of Telecommunications for each financial year and getting it approved by the Government; and

(c) Implementation of the Government's policy in all matters concerning telecommunication.

4. Within the limits of the budget provision, approved by the Parliament, the Commission shall have the powers of the Government of India, both administrative and financial, for carrying out the work of the Department of Telecommunications.

5. Chairman

(a) The Chairman, in his capacity as Secretary to the Government of India in the Department of Telecommunications, shall be responsible under the Minister of Communications for arriving at decisions on technical

questions and advising Government on policy and allied matters of telecommunication. All recommendations of the Commission on policy and allied matters shall be put to the Minister of Communications through the Chairman.

- (b) In case of any difference of opinion in the meetings of the Commission, the decision of the Chairman shall be final, but in financial matters, Member (Finance) of the Commission will have access to Finance Minister.
- (c) The Chairman may authorise any Member of the Commission to exercise on his behalf, subject to such general or special orders as he may issue from time to time, such of his powers and responsibilities as he may decide.

#### 6. Member Finance

The Member for Finance shall exercise powers of the Government of India in financial matters concerning the Department of Telecommunications except in so far as such powers have been, or may in future be conferred on or delegated to the Department.

7. The Commission shall have power to frame its own rules and procedures. The Commission shall meet at such time and places as fixed by the Chairman.

8. The Telecom Commission shall take over all legal and statutory authority vested with the Telecom Board.

D. DAS GUPTA, Jt. Secy.

**CABINET SECRETARIAT**  
**New Delhi, the 11<sup>th</sup> April, 1989**

**RESOLUTION**

**CONSTITUTION OF TELECOM COMMISSION**

No. 15/1/2/87-Cab.-1. Telecommunication service is an essential infrastructure for national development. It has impact on social and economic activities. Besides, business, industry and administration depend heavily on information and telecom for productivity, efficiency and their day-to-day operations. Its development, therefore, is vital for nation building.

In order to promote rapid development in all aspects of telecommunications including technology, production and services, the Government of India consider it necessary to set up an organisation, which will have responsibility in the entire field of telecommunications.

After careful consideration, the Government of India have decided to establish a Telecommunication Commission with full executive and financial powers modelled on the lines of the Atomic Energy Commission.

2. Constitution of the Commission

- (a) The Commission will consist of full time and part time members;
- (b) The Secretary to the Government of India in the Department of Telecommunications shall be the ex-officio Chairman of the Commission;
- (c) The full time Members of the Commission shall be ex-officio Secretary to the Government of India in the Department of Telecommunications. One of these Members shall be Member for Finance; and
- (d) The Secretary and the full time Members of the Commission shall be drawn from the best persons available, including from within the Department of Telecommunications.

3. Functions

The Commission shall be responsible:

- (a) For formulating the policy of Department of Telecommunications for approval of the Government;

- (b) For preparing the budget for the Department of Telecommunications for each financial year and getting it approved by the Government; and
- (c) Implementation of Government's policy in all matters concerning telecommunication.

4. Within the limits of budget provision, approved by the Parliament, the Commission shall have the powers of the Government of India, both administrative and financial, for carrying out the work of the Department of Telecommunications.

#### 5. Chairman

- (a) The Chairman, in his capacity as Secretary to the Government of India in the Department of Telecommunications, shall be responsible under the Ministry of Communications for arriving at decisions on technical questions and advising Government on policy and allied matters of telecommunication. All recommendations of the Commission on policy and allied matters shall be put to the Minister of Communications through the Chairman.

In case any difference of opinion in the meetings of the Commission, the decision of the Chairman will be final, but in financial matters, Member (Finance) of Commission will have access to Finance Minister.

The Chairman may authorise any Member of the Commission to exercise on his behalf, subject to such general or special orders as he may issue from time to time, such of his powers and responsibilities as he may decide.

#### 6. Member Finance

The Member for Finance shall exercise powers of the Government of India in financial matters concerning the Department of Telecommunications except in so far as such powers have been, or may in future be conferred on or delegated to the Department.

7. The Commission shall have power to frame its own rules and procedures. The Commission shall meet at such time and places as fixed by the Chairman.

8. The Telecom Commission shall take over all legal and statutory authority vested with the Telecom Board.

RULES OF BUSINESS FOR THE TELECOM  
COMMISSION

The following rules are made for the convenient transaction of business in the Telecom Commission:

1. The business of the Commission is :
  - (a) To formulate the policy of the Department of Telecommunications for the approval of Government.
  - (b) To prepare the capital, revenue and foreign exchange budgets for the Department for each year;
  - (c) To ensure the implementation of the Government's Policy in all matters concerning telecommunications and all other matters which have been allotted to the charge of the Department of Telecommunications under the Government of India (Allocation of Business) Rules or will be so allotted in future.
2. All cases of the nature specified in Annexure 'A' to these rules shall be brought before the Commission. The Chairman may add to this list such other matters as in his opinion require consideration of the Commission.
3. Seven days' notice of every meeting shall ordinarily be given to each member of the Commission provided that the Chairman for special reasons may convene a meeting at shorter notice.
4. Attendance at these meetings shall be by Members in person. The quorum for the meeting shall be three full time Members present in person and shall include the Chairman provided that at meeting which the Chairman considers it expedient should be held in spite of his absence, this requirement shall be deemed to have been met, if Chairman authorizes another Member to place before the Commission and bring on record his views. The Member (Finance) shall ordinarily be present at all meetings of the Commission, provided that if he is unable to attend a meeting at which matters having financial implications are considered he may authorize another Member to place before the Commission and bring on record his views.

5. The Secretary of the Commission will work under the general control of and perform such duties as may be assigned to him by the Chairman. In particular he will be responsible for issuing notice of meetings and circulating agenda papers to the Members of the Commission. He will prepare minutes of the meetings and after obtaining approval of the Chairman, circulate them to each Member. He will communicate decisions of the Commission to those concerned for necessary action and obtain for the information of the Commission periodical reports of action taken thereon.
6. All proposals for consideration by the Commission shall be sent to the Secretary to the Commission in the form of self-contained memorandum stating the facts of the case, the points for decisions and recommendations, if any.
7. Cases which are urgent or which, in the opinion of the Chairman, may be decided by circulation without convening a meeting of the Commission will be circulated to Members of the Commission, for recording their opinions, specifying the limit of the time within which opinions are to be communicated to the Secretary of the Commission. If any Member does not indicate his opinion within the limit of time specified, he shall be presumed to have accepted the recommendations contained in the memorandum or the note circulated. In the event of difference of opinion, the case shall be submitted to the Chairman.



**ANNEXURE 'A'**

[TO THE RULES FOR THE TRANSACTION OF BUSINESS OF THE TELECOM COMMISSION.]

(List of cases which have to be brought before the Telecom Commission)

---

1. Important matters of policy relating to Telecommunications.
2. Proposals for legislation or promulgation of rules and orders in the exercise of statutory power confirmed on the Department.
3. Budget proposals.
4. All proposals for capital expenditure exceeding ₹ 5 crores.
5. Proposals concerning the conditions of service of personnel of the Department (as well as the Directorate) involving major departures from normal government rules.
6. Proposals for the acceptance of any rules and procedures which involve significant deviations from the normal rules and procedures of Government.
7. Annual and long term plans in respect of technology, services and production.
8. Any other case which with the approval of the Chairman may be placed before the Commission.

Subject allotted to the Department of Telecommunications (Door Sanchar Vibhag)  
under the Government of India (Allocation of Business) Rules, 1961 dated 6.1.2004

1. Policy, Licensing and Coordination matters relating to telegraphs, telephones, Wireless, data, facsimile and telematic services and other like forms of communications.
2. International cooperation in matters connected with telecommunications including matters relating to all international bodies dealing with telecommunications such as International Telecommunication Union (ITU), its Radio Regulation Board (RRB), Radio Communication Sector (ITU-R), Telecommunication Standardization Sector (ITU-T), Development Sector (ITU-D), International Telecommunication Satellite Organization (INTELSAT), International Mobile Satellite Organization (INMARSAT), Asia Pacific Telecommunication (APT).
3. Promotion of standardization, research and development in telecommunications.
4. Promotion of private investment in Telecommunications.
5. Financial assistance for furtherance of research and study in telecommunications technology and for building up adequately trained manpower for telecom programme, including-
  - (a) assistance to institutions, assistance to scientific institutions and to universities for advanced scientific study and research; and
  - (b) grant of scholarships to students in educational institutions and other forms of financial aid to individuals including those going abroad for studies in the field of telecommunications.
6. Procurement of stores and equipment required by the Department of Telecommunications.
7. Telecom Commission.
8. Telecom Regulatory Authority of India (TRAI)
9. Telecom Disputes Settlement and Appellate Tribunal (TD-SAT)