

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

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.
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.