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असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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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.

LOK SABHA

The following Bill was introduced in Lok Sabha on 11th July, 2014:—

BILL No. 52 OF 2014

A Bill further to amend the Telecom Regulatory Authority of India Act, 1997.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Telecom Regulatory Authority of India (Amendment) Act, 2014.

Short title
and com-
mencement.

(2) It shall be deemed to have come into force on the 28th day of May, 2014.

24 of 1997.

2. In the Telecom Regulatory Authority of India Act, 1997 (hereinafter referred to as the principal Act), in section 5,—

Amendment
of section 5.

(i) for sub-section (8), the following sub-section shall be substituted, namely:—

“(8) The Chairperson and the whole-time members shall not, for a period of two years from the date on which they cease to hold office as such, except with the previous approval of the Central Government, accept—

(a) any employment either under the Central Government or under any State Government; or

(b) any appointment in any company in the business of telecommunication services.”;

(ii) the *Explanation* at the end shall be omitted.

Repeal and
saving.

3. (1) The Telecom Regulatory Authority of India (Amendment) Ordinance, 2014, is hereby repealed. Ord. 3 of 2014.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Sub-section (8) of section 5 of the Telecom Regulatory Authority of India Act, 1997 places certain restrictions on employment of persons who have served as Chairperson or Members of the Telecom Regulatory Authority of India after demitting office. A person who has served as Chairperson or Member in the Telecom Regulatory Authority of India is ineligible for employment in the Central Government or any State Government. But under the provisions of the Insurance Regulatory and Development Authority Act, 1999, the Pension Fund Regulatory and Development Authority Act, 2013 and the Airports Economic Regulatory Authority of India Act, 2008, the Chairperson or Members of the Insurance Regulatory and Development Authority, the Pension Fund Regulatory and Development Authority and the Airports Economic Regulatory Authority respectively, are eligible for employment in the Central Government or any State Government after demitting office as Chairperson or Member, after a gap of two years. Under the provisions of the Competition Act, 2002, there is no restriction on employment in the Central Government or any State Government after demitting charge. Likewise under the provisions of the Electricity Act, 2003, the restrictions on employment of persons who have served as Chairperson or Members of the Central Electricity Regulatory Commission, are less limiting than those imposed upon persons who have served as Chairperson or Members of the Telecom Regulatory Authority of India.

2. In view of the above, a need was felt that the provisions in the Telecom Regulatory Authority of India Act may be harmonised with similar provisions applicable to other regulators in economic sectors. Accordingly, it was proposed that the restriction on further employment of a person who has served as Chairperson or Member of the Telecom Regulatory Authority of India, in the Central Government or any State Government or any appointment in any company in the business of telecommunication services shall be limited to a period of two years from the date of demitting office. Prior approval of the Central Government is provided in case such employment is proposed before the completion of two years.

3. In order to overcome the above difficulties, a need was felt to suitably amend the provisions of sub-section (8) of section 5 of the aforesaid Act. As both Houses of Parliament were not in session and immediate action was required to be taken, the President was satisfied that the circumstances existed which rendered it necessary for him to take immediate action to amend the said Act, the President promulgated the Telecom Regulatory Authority of India (Amendment) Ordinance, 2014 on the 28th May, 2014.

4. The Bill seeks to replace the aforesaid Ordinance.

RAVISHANKAR PRASAD

NEW DELHI;
The 3rd July, 2014.

P. SREEDHARAN,
Secretary-General.