

Telecom Regulatory Authority of India
Notification

New Delhi, the 29th November 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 (Forty First Amendment) Order, 2005” (9 of 2005).

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

2. In Schedule X of the Telecommunication Tariff Order, 1999 the figures “29-11-2005” shall substitute the words “from a date to be notified separately” against the column ‘(1) Date of implementation.’

3. 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.

[M.Kannan]
Advisor (Economic)

Foot Note:

1. Schedule X inserted in the Telecommunication Tariff Order, 1999 vide notification No.310-3(1)/2003-Eco dated 08.09.2005.
2. The figures ‘16.09.2005’ against the column ‘(1) Date of implementation’ substituted by the words ‘from a date to be notified separately’ vide notification No.310-3(1)/2003-Eco dated 16.09.2005.

Explanatory Memorandum

1. The Authority had notified the Telecommunication Tariff (39th Amendment) Order on 8th September 2005. M/s Videsh Sanchar Nigam Limited 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 came 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 the Authority had notified another Tariff Order vide 40th Amendment to TTO, 1999 to this effect.
3. The Hon'ble TDSAT after hearing the arguments of both the Parties, vide its order dated 28.11.05 dismissed the appeal filed by VSNL and directed that the Notification be brought into effect immediately by TRAI so that the benefit of the Notification to the consumer is not delayed further. Hence this Order is issued to give effect to Tariff Order for IPLC as specified by TRAI vide 39th Amendment to TTO dated 8.9.2005. These tariffs will take effect from 29.11.2005.