

card of callers who are calling from PCOs so as to avoid misuse of this facility by anti-social elements; and

(b) whether State Governments can issue directions in this regard, if they require as there is steep increase in fake calls to police and sexual harassment to girls and housewives?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) The issue regarding maintaining of register of callers and asking to demonstrate valid identity of callers while making a call from Public Call Office (PCO), is being examined and appropriate decision will be taken on the issue keeping in view pros and cons.

(b) Public Call Offices (PCOs) are run by the PCO franchisees under the agreement between PCO franchisee and the licensed Telecom Service Providers, and telecommunication being a central subject, the jurisdiction of policy framework lies with the Central Government. However, as per the Seventh Schedule, 'Policies' and 'Public Order' are the state subjects under the constitution, and such primary responsibility of prevention, deletion and, investigation of such fake calls lies with the State Governments/Union Territory Administrations. Therefore, local police authorizes/ state Governments issue suitable notifications based on local laws/specials laws for maintaining law and order.

### **3G services**

3156. SHRIMATI GUNDU SUDHARANI :

SHRI JAI PRAKASH NARAYAN SINGH :

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that some GSM operators have created a cartel and started offering 3G services in States where they do not own 3G spectrum for providing such services;

(b) if so, the names of the telecom operators;

(c) whether it is also a fact that such an illegal activity has caused the nation a loss of more than Rs. 32,000/- crores;

(d) if so, the details thereof:

(e) the action taken by the Government to recover the losses from these operators; and

(f) the action taken on the DoT officials for allowing such an illegal activity to continue for so long?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) and (c) to (f) Private companies having Cellular Mobile Telephone Service (CMTS)/Unified Access Service (UAS) Licence in a particular service area but who have not been allocated 3G spectrum & their Licence have also not been amended for use of 3G spectrum are providing 3G services, which is against the terms and conditions of license. When the matter came to the notice of Licensor the case was examined in detailed keeping in view license condition. Notice Inviting Application (NIA) condition for 3G auction and legal opinion of Ministry of Law and Justice was obtained.

Accordingly, instructions were issued on 23.12.2011 to such companies for stopping 3G services immediately. These companies have filed petitions in Hon'ble Telecom Dispute Settlement & Appellate Tribunal (TDSAT) against the instructions issued on 23.12.2011. Hon'ble TDSAT on dated 24.12.2011, has ordered that DoT may not take any coercive action for enforcing the impugned order dated 23.12.2011. The matter is sub-judice.

(b) The name of such private companies are M/s Bharti, M/s Idea, M/s Spice, M/s Vodafone, M/s Aditya Birla, M/s Aircel and M/s Dishnet.

#### **Mobile virtual network operator**

3157. SHRI A. ELAVARASAN : Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether TRAI has asked Department of Telecommunications to allow roll-out of mobile Virtual Network Operator (MVNO) model in the National Telecom Policy;

(b) if so, the details thereof;

(c) whether the regulator also agreed to the one-nation, one-licence proposal which will make roaming free across the country;

(d) if so, the details thereof;

(e) whether it is part of TRAI's comments, it sent to Government on the draft of the New Telecom Policy; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) and (b) Yes,