

**3G services provided by operators in non-licensed areas**

4707. SHRIMATI GUNDU SUDHARANI: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that some of the GSM operators who had started their 3G services under intra-circle roaming services had filed their tariffs with the TRAI three to four months in advance as per the guidelines;

(b) if so, the reasons for action not being taken by TRAI/DOT officials on these operators for providing 3G services in their non-licensed areas which would have saved more than Rs. 32,000/- crore to Government;

(c) whether any enquiry has been constituted to unearth the connivance of DOT/TRAI officials in this mega 3G scam;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) and (b) As per existing guidelines, operators need not file tariffs to TRAI before start of service. The reporting requirement envisaged in Telecommunication Tariff Order mandates the service providers to report tariffs to TRAI within seven days from the date of implementation of such tariff. All the telecom operators have been reporting tariffs to TRAI as an ongoing process. When it came to notice of Licensor that some private service provider 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. The matter was examined as per the terms and conditions of Cellular Mobile Telephone Service (CMTS)/Unified Access Service (UAS) Licenses, terms & of conditions of Notice Inviting Application (NIA) for auction of 3G spectrum, queries & responses issued in this regard and conditions of Amendment issued to CMTS/UAS Licenses for use of 3G spectrum for providing 3G services. Accordingly, it was concluded that the company who do not have 3G spectrum in a particular service area is not permitted to provide 3G services to its customers in that service area by way of entering into intra service area roaming agreement with 3G spectrum holder Licensee. Accordingly, instructions were issued on 23.12.2011 to such companies

for stopping 3G service in such service areas immediately. These companies have filed petitions in Hon'ble Telecom Dispute Settlement & Appellate Tribunal (TDSAT) against the instructions issued on 23.12.2011, the 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 subjudice.

(c) to (e) No, specific instance of connivance of any DoT/TRAI official had emerged so far in the examination of matter.

#### **Complaints against telecom services**

†4708. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether consumers have to face problems due to deficiency in the services provided by various telecom companies in the country;

(b) if so, the details thereof and the number of complaints received in this regard, company-wise;

(c) whether Government proposes to enhance the capacity of mobile towers with a view to improve the quality of telecom services in the country;

(d) if so, the details thereof; and

(e) whether Government proposes to issue instructions to these telecom companies for solving the network problems faced by the consumers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) As per the Performance Monitoring Reports for the Quarter ending December, 2011 submitted by the various Telecom Service Providers to Telecom Regulatory Authority of India (TRAI), the service providers are in general meeting the quality of service (QoS) benchmarks prescribed for the services by Telecom Regulatory Authority of India (TRAI). However, some of the service providers are not meeting the benchmark for some of the parameters in some of the service areas.

(b) In the case of Basic Telephone service (Wireline), non-compliance with the QoS benchmarks is mostly observed in respect of the parameters relating to fault repair, metering and billing and response time to the customer for assistance.

†Original notice of the question was received in Hindi.