

Regularisation of casual workers in BSNL

1466. SHRI TAPAN KUMAR SEN: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) how many casual workers are engaged in BSNL and for how many years;
- (b) whether there is any proposal to regularize them as was done earlier;
- (c) if so, the time-frame thereto; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) 3348 casual workers are presently working in BSNL. These casual workers have been in engagement prior to formation of BSNL on 01.10.2000.

(b) to (d) There is no proposal to regularise casual workers in view of Hon'ble Supreme Court Constitution Bench Judgement in the matter of Secretary, State of Karnataka & Others Vs Uma Devi & Others which has held that regularisation of casual laborers without following the provisions of the statutory Recruitment Rules is illegal.

Free national roaming facility

1467. SHRI D.P. TRIPATHI: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether it is a fact that Government is planning to provide free national roaming facility through mobile operators;
- (b) if so, the details thereof; and
- (c) how much time it will take to start this scheme?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) and (b) National Telecom Policy-2012 *inter-alia* include the following provisions:

- Achieve One Nation - Full Mobile Number Portability and work towards One Nation - Free Roaming.

- To review roaming charges with the ultimate objective of removing the roaming charges across the nation.

(c) As per the implementation schedule of National Telecom Policy-2012 (NTP-2012), as contained in the Cabinet Note on NTP-2012, the policy will be operationalized by bringing out detailed guidelines, as may be considered appropriate, from time to time. Detailed policy framework would be put in place within one year for achieving short term objectives and within three years for medium term objectives.

Allotment of spectrum beyond contracted amount

1468. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Telecom Commission has agreed with the recommendations of TRAI that the contracted spectrum is 6.2 MHz for GSM and 5 MHz for CDMA for all licences issued since 2001 onwards;

(b) whether Government has been allotting 2G spectrum till now without any additional one-time charge, whether for the contracted amount of spectrum or for spectrum beyond the contracted amount;

(c) the estimated loss to Government because of free allotment of spectrum beyond the contracted value; and

(d) the action being taken by Government to recover the loss suffered due to allotment of spectrum beyond the contracted value?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) Telecom Commission, in its meetings held during 2011, has noted the recommendations of Telecom Regulatory Authority of India (TRAI) in this regard.

Further, the Telecom Disputes Settlement and Appellate Tribunal (TDSAT) in its judgement dated 31.3.2009 in petition of 286 of 2007, the matter of Cellular Operators Association of India (COAI) & ors. Vs Union of India (UOI) & ors. has held that the petitioners do not have any vested right to receive GSM spectrum beyond 6.2 MHz. COAI has appealed against this judgement, before the Supreme Court. No stay has been granted by the Supreme Court and the matter is *sub judice*.