

Regulations 2018 on 13th December, 2018. The Regulation will come into effect after six months from the date of issue in the Gazette. As per the amended regulations, the Unique Porting Code (UPC) will be generated and delivered by the Mobile Number Portability Service Provider (MNPSP). It shall be done by MNPSP only after making queries from the Donor Operator regarding fulfilment of porting conditions. Therefore, once the UPC is generated, the rejection of porting requests is expected to get curbed.

Setting aside of TRAI regulation

2627. SHRI A. K. SELVARAJ: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Telecom Disputes Settlement and Appellate Tribunal has set aside a regulation brought by the Telecom Regulatory Authority of India which prohibited incumbent operators from providing segmented offers to their high ARPU (average revenue per user) subscribers;

(b) if so, the details thereof; and

(c) whether the said tribunal has also struck down the definition of predatory pricing which the regulator had brought through the same regulation, which prevented operators having 30 per cent or more subscriber and revenue market share, from providing below cost tariff but newer operators were free to offer such tariff till they reached the threshold mark?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI MANOJ SINHA): (a) to (c) No regulations issued by Telecom Regulatory Authority of India (TRAI) under reference has been set aside by the Telecom Dispute Settlement and Appellate Tribunal (TDSAT). However, TDSAT *vide* its judgment dated 13th December, 2018, has set aside the Telecommunication Tariff (63rd Amendment) Order, 2018 dated 16.02.2018, so far as it changes the concept of Significant Market Power (SMP), Non-predation and the related provisions and ordered that these provisions shall be reconsidered by the Authority at the earliest, preferably within six months.

Fixing of spectrum usage charge

2628. SHRI K. R. ARJUNAN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the Telecom Regulatory Authority of India (TRAI) had recommended fixing a flat spectrum usage charge for operators at three per cent of their adjusted gross revenue;

(b) if so, the details thereof;

(c) whether it is also a fact that the panel of Department of Telecommunications has rejected the said proposal of the TRAI; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI MANOJ SINHA): (a) and (b) Yes Sir, TRAI, *vide* its recommendations on “Auction of Spectrum in 700 MHz, 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, 2300 MHz, 2500 MHz, 3300-3400 MHz, 3400-3600 MHz Bands” dated 01.08.2018 reiterated its earlier recommendation dated 09.07.2013 and 27.01.2016 that Spectrum Usages Charges (SUC) for all auctioned spectrum should be at a flat rate of 3% of AGR of wireless services.

(c) and (d) The recommendation dated 27.01.2016 of TRAI had been considered by the Government in 2016 and was not accepted.

Allocation of 5G spectrum

2629. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government has taken any decision to roll out 5G telecom services;

(b) if so, the details thereof, if not, the reasons therefor;

(c) whether Government has taken any steps for allocation of 5G spectrum to telecom players;

(d) if so, the details thereof;

(e) whether Government is considering to delay rolling out of 5G services in view of precarious financial position of telecom companies; and

(f) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI MANOJ SINHA): (a) to (f) The standards for IMT 2020 (International Mobile Telecommunications 2020), also known as 5G technologies in industry, are being finalized and trials of the technologies are in progress globally. The Department of Telecommunications is also working with telecom service providers/original equipment manufacturers on technological studies. On application, the necessary spectrum for testing/experimenting 5G equipment/technology is being allocated to telecom service providers/equipment manufacturers for a period of three months. Further,