

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 3263
TO BE ANSWERED ON 23RD MARCH, 2018**

CARTELISATION BY TELCOS

3263. DR. PRADEEP KUMAR BALMUCHU:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether it is a fact that telcos have resorted to cartelisation to take on the Reliance Jio;
- (b) if so, the details thereof;
- (c) whether Reliance Jio has complained to the TRAI in this regard, if so, the details thereof; and
- (d) the steps being taken by Government to penalise telcos against cartelisation along with the details thereof?

ANSWER

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF COMMUNICATIONS &
MINISTER OF STATE IN THE MINISTRY OF RAILWAYS
(SHRI MANOJ SINHA)**

(a) to (d) M/s Reliance JioInfocomm Ltd. (RJIL) vide their several letters had raised issues related to difficulty in obtaining interconnectivity at Point of Interconnections (POIs) from the existing telecom service providers. Cellular Operators Association of India (COAI) vide their letter dated 02.09.2016 submitted inter-alia “wish to politely clarify that they are in no position, by way of network resources or financial resources, to terminate volumes of traffic which are markedly asymmetric. Neither are they obliged to entertain interconnect requests which are derived from abnormal induced traffic patterns that game the Interconnection Usage Charge (IUC) regime and are anti-competitive”.

Telecom Regulatory Authority of India (TRAI) had examined the submissions made by M/s RJIL and also those made by COAI on behalf of their members.

Show Cause Notices were issued to the concerned Telecom Service Providers on 27.09.2016 for violation of Standards of Quality of service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009, dated 20.3.2009, besides the provisions of Unified License and Unified Access Service License. Additionally, a Direction dated 7.10.2016 was also issued to all Telecom

Service Providers(TSPs) to ensure compliance of the terms and conditions of the license. Thereafter, examining the replies to the Show Cause Notices received from concerned TSPs, it was summarised that M/s Bharti Airtel Ltd., M/s Idea Cellular Ltd. And M/s Vodafone India Ltd. are in non-compliance of the terms and conditions of license and denial of interconnection to RJIL appears to be with ulterior motive to stifle competition and is anti consumer. Therefore, the Authority on 21st October, 2016 has recommended to Department of Telecom that a penal action of Rs.50 crore per Licence Service Area (LSA), where POI congestion exceeded the allowable limit of 0.5%, may be initiated against M/s Bharti Airtel Ltd., M/s Idea Cellular Ltd. & M/s Vodafone India Ltd.

TRAI has examined the issue raised by the new entrant and submitted its recommendation dated 21.10.2016 to the Government. The said recommendations were examined by the Department of Telecommunications (DoT) and referred back to TRAI for reconsideration vide letter dated 05.04.2017. The reconsidered opinion of TRAI has been received. The recommendations are under consideration in DoT.
