

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:1982
ANSWERED ON:22.11.2010
REFUND OF EXCESS SPECTRUM
Das Shri Khagen;Premajibhai Dr. Solanki Kiritbhai

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

- (a) whether some of the GSM operators who have got spectrum upto 10 MHz i.e. much above the contracted value without any extra payment in the country;
- (b) if so, whether the new operators who have paid the entry fee are still waiting for the allotment of initial/additional spectrum upto the contracted value;
- (c) if so, the details thereof;
- (d) the action taken/being taken by the Government in this regard; and
- (e) the time by which the Department of Telecom will allot initial/additional spectrum to the new operators who have already paid the licence fee?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT)

(a) GSM operator who have been allotted beyond initial spectrum are charged annual spectrum usage charges at higher percentage of Adjusted Gross Revenue (AGR). As per the Service Licence Agreement, additional spectrum beyond the initial spectrum is considered for allocation after ensuring optimal and efficient utilization of the already allotted spectrum, taking into account all types of traffic and subscriber criteria evolved from time to time. Operators are levied additional 1% (3% of AGR) for spectrum allotted between 4.4MHz to 6.2MHz and an additional 1% of AGR for spectrum allotted between 6.2 MHz to 10 MHz (4% of AGR) prior to 1st April 2010. Current spectrum charges have been revised w.e.f 1st April 2010 and same was stayed by Hon'ble Supreme Court.

(b) to (e) All the new operators have been allotted initial spectrum of 4.4 MHz in all service areas except in Delhi service area. In Delhi service area, five new operator are waiting for allotment of initial spectrum. Few new operators have applied for additional spectrum of 1.8 MHz in some service areas.

New operators were given Unified Access Service (UAS) Licences with a condition that spectrum will be allotted subject to availability.

A Memorandum of Understanding (MOU) between Ministry of Defence (MOD) and Department of Telecom has been signed on 22.05.2009 to ensure time bound vacation of spectrum by MOD implementation of other related issues. Spectrum vacated by MOD will be made available for telecom service providers.