

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2009-2010)**

(FIFTEENTH LOK SABHA)

FIFTH REPORT

**PENDING ASSURANCES PERTAINING TO
MINISTRY OF COMMUNICATIONS AND
INFORMATION TECHNOLOGY
(DEPARTMENT OF TELECOMMUNICATIONS)**

Presented to Lok Sabha on 5 May, 2010



**LOK SABHA SECRETARIAT
NEW DELHI**

May, 2010/Vaisakha, 1932 (Saka)

CONTENTS

PAGE

Composition of the Committee (2009-2010)	(iv)
Introduction	(v)
Appendix-I - Ministry-wise details of pending assurances	
Appendix II - Extracts from Manual of Practice & Procedure in the Government of India, Ministry of Parliamentary Affairs, New Delhi	
Appendix III - Pending Assurances pertaining to Ministry of Communications and Information Technology (Department of Telecommunications)	
Appendix IV	
(i) Minutes of the Sitting of the Committee held on 3 February, 2010.	
(ii) Minutes of the Sitting of the Committee held on 15 February, 2010.	
(iii) Minutes of the Sitting of the Committee held on 11 March, 2010.	
(iv) Minutes of the Sitting of the Committee held on 04 May, 2010.	

COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2009 - 2010)

Shrimati Maneka Gandhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Avtar Singh Bhadana
4. Shri Dara Singh Chauhan
5. Dr. Kakoli Ghosh Dastidar
6. Shri Mohan Jena
7. Shri Raghuvir Singh Meena
8. Shri Bishnu Pada Ray
9. Shri K.J.S.P. Reddy
10. Shri M. Raja Mohan Reddy
11. Rajkumari Ratna Singh
12. Shri Takam Sanjoy
13. Dr. M. Thambidurai
14. Shri Manohar Tirkey
15. Shri Hukumdeo Narayan Yadav

SECRETARIAT

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director
4. Shri Kulvinder Singh - Sr. Executive Assistant

* The Committee was constituted on 23 September, 2009 *vide* Para No. 580 of Lok Sabha Bulletin Part-II dated 23 September, 2009.

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this Fifth Report of the Committee on Government Assurances.

2. The Committee (2009-2010) at their sitting held on 3 & 15 February, 2010 and 11 March, 2010 took oral evidence of the representatives of the Ministry of Communications and Information Technology (Department of Telecommunications).
3. At their sitting held on 04 May, 2010 the Committee (2009-2010) considered and adopted their Fifth Report.
4. The Minutes of the aforesaid sittings of the Committee form part of this report.

NEW DELHI;

MANEKA GANDHI

CHAIRPERSON

COMMITTEE ON GOVERNMENT ASSURANCES

04 May, 2010

Vaisakha 14, 1932 (Saka)

I. Introductory

The Committee on Government Assurances scrutinize the assurances, promises, undertakings etc. given by Ministers from time to time on the floor of the House and report the extent to which such assurances, promises, undertakings etc. have been implemented. Once an assurance has been given on the floor of the House, the same is required to be implemented within three months. The Ministries/Departments of the Government of India are required to seek extension if they are unable to fulfill the assurance within that time. Where the Ministry is unable to implement an assurance, they are required to request the Committee to drop the same. The Committee agree to drop if they are satisfied that the grounds adduced are justifiable. The Committee also examine whether the implementation of assurances has taken place within the minimum time necessary for the purpose and also the extent to which the same have been implemented.

2. The Committee on Government Assurances (2009-10) were constituted on 23 September, 2009. At the time of constitution of the Committee, 1654 assurances were pending pertaining to various Ministries of Government of India. The break up of those assurances were as follows:-

Lok Sabha	No. of assurances outstanding
Eighth Lok Sabha (15.1.1985 to 13.10.1989)	4
Ninth Lok Sabha (18.12.1989 to 12.3.1991)	1

Tenth Lok Sabha (9.7.1991 to 12.3.1996)	21
Eleventh Lok Sabha (22.5.1996 to 2.12.1997)	14
Twelfth Lok Sabha (23.3.1998 to 22.4.1999)	16
Thirteenth Lok Sabha (20.10.1999 to 5.2.2004)	158
Fourteenth Lok Sabha (02.6.2004 to 26.2.2009)	1440
TOTAL	1654

3. The number of pending assurances Ministry/Department-wise, since 8th to 14th Lok Sabha, is given at Appendix-I.

4. The Committee immediately after its constitution, reviewed the 1654 pending assurances and decided to call the representatives of the various Ministries/Departments of Government of India for oral evidence with a view to looking into the reasons for the pendency, the operation of the prescribed system in the Ministries/Departments in this regard and to ensure implementation of the assurances which had been outstanding over a period of time.

II. Pending Assurances Pertaining to Ministry of Communications and Information Technology (Department of Telecommunications)

5. Out of the 1654 pending assurances, 19 assurances related to the Ministry of Communications and Information Technology (Department of Telecommunications).

These assurances were briefly as follows:-

S.No.	SQ/USQ Dated	Subject
1.	SQ 7 1/12/2004	Merger of BSNL and MTNL
2.	SQ 372 20/4/2005	Merger of MTNL and BSNL
3.	USQ 3246 23/3/2005	Amendment in the Indian Telegraph Act, 1885
4.	USQ 4049 20/4/2005	Three-Way Agreement among DOT, MTNL & BSNL
5.	USQ 3061 23/8/2006	Merger of MTNL and BSNL
6.	SQ 132 7.3.2007	Merger of BSNL and MTNL
7.	USQ 2186 14/3/2007	Setting up of BTS in Border Areas
8.	USQ 4628 9/5/2007	Grievances Redressal Mechanism by the Access Providers
9.	USQ 2046 27/8/2007	Threat from websites

10.	USQ 2248 3/12/2007	Sale of Vacant Land of VSNL
11.	SQ 141 10/3/2008	Pricing of Spectrum
12.	SQ 391 21/4/2008	Provision of Mobile Telephone Service
13.	USQ 4824 28/4/2008	Spectrum Controversy
14.	USQ 4854 28/4/2008	Agreement with Blackberry and Indian Telecom Operators
15.	USQ 5334 5/5/2008	Unearth of Scam in BSNL offices
16.	USQ 2294 15/12/2008	Internet Telephony Services
17.	USQ 2367 15/12/2008	Loss in Revenue of BSNL and MTNL
18.	USQ 3374 22/12/2008	Spectrum user charges for 3G Mobile Service providers
19.	USQ 3376 22/12/2008	Telephone facilities in villages

6. The above mentioned questions and the answers given thereto wherein the assurances were given and were pending implementation are shown as Appendix-III. The Committee took oral evidence of the representatives of the Ministry of Communications and Information Technology (Department of Telecommunications) to examine the pendency at their sittings held on 3 February 2010, 15 February 2010 and 11 March 2010.

7. The Ministry of Parliamentary Affairs, which is the interface between the various Ministries/Departments of the Government of India and Parliament, have issued comprehensive instructions which *inter-alia* include review of assurances at different levels in the hierarchy periodically. A copy of the instructions are given at Appendix-II.

8. During oral evidence, the Committee enquired whether the Department of Telecommunications were following the instructions contained in the Manual of Parliamentary Procedure in the Government of India, regarding implementation of pending assurances, the representatives of the Department stated as follows:-

“Madam, we are aware of the instructions of the Ministry of Parliamentary Affairs and we have also seen the Manual.”

9. When asked about the review of the pending assurances, the representative stated as follows:-

“I think the review was done four months back”.

10. The Committee then desired to know whether the review was undertaken for the first time. In reply the representative of the Ministry deposed:-

“Yes”.

11. The Committee’s examination of certain other Ministries also revealed that the instructions issued by the Ministry of Parliamentary Affairs were not followed.

12. The Committee on Government Assurances are mandated to scrutinize the assurances, promises undertakings given by the Ministers on the floor of the House from time to time and report to the House, the extent to which, these have been implemented. The Committee also look into whether such implementations have taken place within the minimum time required for purpose. A Ministry/Department of Government of India is required to implement an assurance within a period of three months. Where the Ministry/Department are unable to fulfill the assurance within that period, they are required to seek extension of time. In case where a Ministry feel that the given assurance cannot be implemented at all, they are required to approach the Committee for dropping of such an assurance. The Committee consider such request from time to time and take an appropriate decision on the merits of the requests.

13. The Committee on Government Assurance (2009-2010) took stock of all the pending assurances at their first sitting of the Committee. The Committee's examination revealed that as many as 1654 assurances from the Eighth to the Fourteenth Lok Sabhas were pending implementation at the beginning of 15th Lok Sabha. As many as four assurances pertained to the Eighth Lok Sabha (15 January 1985 to 13 October 1989), one to the Nineth Lok Sabha (18 December 1989 to 12 March 1991), 21 to the 10th Lok Sabha (09 July 1991 to 12 March 1996), 14 to the 11th Lok Sabha (22 May 1996 to 02 December 1997), 16 to the 12th Lok Sabha (23 March 1998 to 22 April 1999), 158 to the 13th Lok Sabha (20

October 1999 to 05 February 2004), and another 1440 to the 14th Lok Sabha (02 June 2004 to 26 February 2009). The Committee deplore the non-implementation of assurances of such a magnitude over a long period of time by the various Ministries/Departments of the Government of India. They are deeply concerned over the extent of pendency and are of the view that the utility and relevance of an assurance is lost if there is delay of this extent in the implementation of the same.

14. The Committee note that the Ministry of Parliamentary Affairs, which act as the interface between the Government and Parliament, have issued detailed guidelines to process the assurances and review them periodically at different levels in the hierarchy. A duty has been cast upon the Ministry/Department concerned to apprise senior officers and the Minister concerned of the progress made in the implementation of the assurances, drawing their special attention to the causes of delay. Unfortunately, the Committee's examination has revealed that, generally, Ministries/Departments concerned, seldom review the given assurances as stipulated in the guidelines with the result that the assurances went on piling up year after year. This is a totally unsatisfactory situation and warrants corrections immediately. The Committee, therefore, desire that the Ministry of Parliamentary Affairs should impress upon various Ministries/Departments to scrupulously follow their instructions/guidelines. The Committee desire that the Ministries/ Departments concerned, should review their systems and ensure that the assurances are fulfilled within the prescribed time limit and that the instructions issued in this behalf are carefully

complied with by all concerned. The Committee also desire that all the pending assurances should be implemented in a time bound manner.

15. The Committee note that 19 assurances pertaining to the Ministry of Communication and Information Technology (Department of Telecommunications) were pending implementation. The Committee are concerned to note that some of these assurances were given way back in the year 2004 and are still pending implementation. The pending assurances included those relating to the merger of MTNL with BSNL, amendment to the Indian Telegraph Act, need for grievance redressal mechanism by service providers, pricing of spectrum and telephone facilities in the villages. The Committee desire that the pending assurances should be implemented and the report in this behalf laid on the Table of the House without any further delay.

III. Scrutiny of Pending Assurance of Department of Telecommunications

16. During oral evidence, the Committee examined all the 19 assurances. However, some of the more important issues have been dealt in the succeeding paragraphs. These issues are as follows :-

- (a) (i) SQ No. 7 dated 1 December, 2004 regarding Merger of BSNL & MTNL.
- (ii) SQ No. 372 dated 20 April, 2005 regarding Merger of BSNL & MTNL.
- (iii) USQ No. 3061 dated 23 August, 2006 regarding Merger of BSNL & MTNL.
- (iv) SQ No. 132 dated 7 March, 2007 regarding Merger of BSNL & MTNL.
- (b) USQ No. 3246 dated 23 March, 2005 regarding Amendment in the Indian Telegraph Act, 1885.
- (c) SQ No. 141 dated 10 March, 2008 regarding Pricing of Spectrum.

- (d) USQ No. 4628 dated 9 May, 2007 regarding Grievance Redressal Mechanism by the Access Providers.
- (e) USQ No. 2248 dated 3 December, 2007 regarding Sale of vacant land of VSNL.
- (f) USQ No. 4854 dated 29 April, 2008 regarding Agreement with Blackberry and Indian Telecom Operators.
- (g) USQ No. 3376 dated 22 December, 2008 regarding Telephone Facilities in Villages.

(a) Merger of MTNL and BSNL

17. The Committee noted that the following assurances regarding Merger of MTNL & BSNL were pending:-

- (i) SQ No. 7 dated 1 December, 2004 regarding Merger of BSNL & MTNL.
- (ii) SQ No. 372 dated 20 April, 2005 regarding Merger of BSNL & MTNL.
- (iii) USQ No. 3061 dated 23 August, 2006 regarding Merger of BSNL & MTNL.
- (iv) SQ No. 132 dated 7 March, 2007 regarding Merger of BSNL & MTNL.

18. The above mentioned questions and the replies given thereto are reproduced in Appendix-III. The first assurance on the issue was given in the year 2004 i.e. about six years back that the Government were examining different options for restructuring of MTNL and BSNL with the objective of bringing higher synergy in their operations. Similar assurances were given in replies to the other three questions. The Committee, therefore, desired to know the action been taken by the Ministry to implement the assurances. In reply the representative of the Ministry stated as follows:-

“We have asked for time till July, 2010. Final decision has not been taken on this.....The consortium of consultants is appointed to give the recommendations. They have given the recommendations. This has been put up to a Committee chaired by the Secretary, Department of Telecom for various reasons it was decided that it was not an opportune time to do the merger.....”

“The merger is an option on which the Government can take a view. We would like that to happen fast. That will make our operations countrywide.....that would be really helpful”.

19. Subsequently the Ministry in a written note submitted to the Committee stated as follows:-

“The question of restructuring/merger of BSNL and MTNL has since been considered in this Department and having regard to various relevant considerations, it has been decided that this issue may not be pursued further and it may be treated as closed. Accordingly, necessary action is being initiated for liquidation of this assurance as per the prescribed procedure”.

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

20. The Committee note that four assurances on the merger of MTNL and BSNL were pending for the last six years and the Ministry were not able to take a decision on the merger of MTNL and BSNL despite appointment of a consortium of consultants and a committee chaired by the Secretary, Department of Telecommunications besides other efforts/exercises. However, after the Committee pursued the assurances vigorously, the Ministry took a decision and have now decided to treat the matter as closed. The Committee do not wish to enter into the merit of the decision. However, they are happy to note that a decision which the Ministry were not able to take in the last six years has atleast been taken now. This is clearly indicative of the somewhat casual and indecisive attitude by the Ministry not only in the decision making process, but also, in the matter of implementation of the assurances. The Committee desire that this approach should change and the Ministry should act upon the assurances made on the floor of the House expeditiously.

(b) Amendment in the Indian Telegraph Act, 1885

21. On 28 April 2008, an USQ No. 4854 was answered as under:-

“(a) whether the Government is considering to make amendment in the Telegraph Act to ensure that the legal provision is more stringent for grey market operations;

(b) if so, the details thereof;

(c) whether it is true that the notional loss caused by grey market operators in the country since 1998 amounts to Rs 400.00 crores; and

(d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) The amendment to the Indian Telegraph Act for revising the amount of financial penalties is under consideration.

(c) & (d) The estimated notional loss of more than Rs. 400 crores has been caused to the country, by 267 grey market cases detected till date, since 1998. As per available data, as on date the year- wise breakup is as given below:

Year	Notional Loss (Rupees in Crores)
1998	60
1999	55.92
2000	154.75
2001	126.63
2002	19.08
2003	17.56
2004	30.93
2005	27.57

22. Thus, in reply to USQ No. 3246 answered on 23 March 2005, it was informed that the amendment to the Indian Telegraph Act, 1885 for revising the amount of financial penalties was under consideration. This constituted an assurance and was pending from the last five years. It was also stated in the reply that an estimated notional loss of more than Rs. 400 crore had been caused to the country, by 267 grey market cases detected till date since 1998. On being asked about the delay in implementing the assurance, the representative of the Ministry stated as follows:-

“The matter was referred to the Ministry of Law and Justice. They said that the matter should be sent to them after obtaining comments from the rest of the Ministries. The comments from the rest of Ministries have been received and we are sending this matter to them.”

23. When the Committee enquired the reasons for the undue delay especially when the country has already incurred a loss of Rs. 400 crore till the year 2005, the representative of the Ministry submitted as follows:-

“In the meantime, probably during 2006-2007 it was decided that some amendments of other priorities be carried out and then this one should be taken up.”

24. The representative further assured the Committee that the amendments are likely to be placed before Parliament this year either in the Monsoon or Winter Session.

25. On being asked whether the proposed amendment has been sent to Ministry of Law and Justice, the representatives of the Ministry deposed:-

“I think by 15th March we will be sending the case to the Ministry of Law and Justice.”

26. The Ministry while updating the position stated in a note as under:-

1.	Total number of cases	:	538
2.	No. of cases in which arrests were made	:	246
3.	No. of persons arrested so far	:	385
4.	No. of cases in which conviction has been granted	:	04
5.	No. of cases in which imprisonment has been awarded:		03
6.	No. of cases in which financial penalty has been awarded:		01
7.	No. of persons convicted so far	:	05

27. It was also stated by the Ministry that FIRs were filed against those who were operating the equipments seized in the grey market. Regarding persons punished, it was stated that punishment would be as per provisions of law and FIRs were filed in States.

28. The Ministry in a post-evidence note submitted to the Committee furnished the state-wise details of cases of grey market as follows:-

Sl. No.	State	No. of cases handled by CBI, Police etc.			Notional Loss in Rs. (Approx.)
		CBI	Others(Police etc.)	Total	
1.	Gujarat	1	26	27	22.81 Crore
2.	Tamilnadu	39	59	98	71.49 Crore
3.	Kerala	5	34	39	13.03 Crore
4.	Pudduchery	1	2	3	4.79 Crore
5.	Delhi	9	53	62	120.6 Crore
6.	Uttar Pradesh	0	10	10	8.5 Crore
7.	Haryana	1	10	11	8.33 Crore
8.	Punjab	1	3	4	38.11 Crore
9.	Rajasthan	1	3	4	0.89 Crore
10.	Maharashtra	14	73	87	232.18 Crore
11.	West Bengal	1	15	16	8.14 Crore
12.	Andhra Pradesh	10	111	121	171.06 Crore

13.	Madhya Pradesh	0	2	2	2.36 Crore
14.	Orissa	1	3	3	0.68 Crore
15.	Karnataka	4	28	32	77.09 Crore
16.	Chattisgarh	0	1	1	1.15 Lakh
	Total	90	448	538	780.1 Crore

29. According to the Ministry, the year-wise details of cases and loss thereof was as under:-

Year	No. of Cases	Notional Loss in Crores of Rs. (Approx.)
1998	9	60
1999	3	55.92
2000	26	154.75
2001	55	126.63
2002	52	19.08
2003	25	17.56
2004	46	30.93
2005	195	201.81
2006	94	92.72
2007	28	18.84
2008	2	0.56
2009	3	1.3
2010	0	0
Total	538	780.1

30. As regards information related to seizure of equipment, the Department of Telecommunications stated as under:-

- (a) Total Number of Cases - 538
- (b) No. of cases in which equipment seized - 397

31. While indicating the details of the case in which Rs. 1000/- penalty and one month simple imprisonment was awarded, the Ministry stated:-

“The accused (M/s. Alfeena Communications, Tirurangadi, Kerala) was selling the conference cards and was running the international call conference illegally. TERM Cell, Chennai booked complaint in 2005 under the Section 4 and Section 20 of Indian Telegraph Act. The Hon’ble Court delivered judgement in December, 2008. The accused was held guilty and court ordered a fine of Rs. 1000/- (Rupees one thousand only) and one month simple imprisonment.”

32. From the perusal of the above state-wise and year-wise information, the Committee found that total notional loss was Rs. 780.1 Crore (approx.) and a penalty of just Rs. 1000/- was imposed on only one person.

33. Regarding the notional loss the representative of the Ministry deposed:-

"So far as Rs. 780 crore is concerned, from 2005 onwards, there is a gradual decrease. In 2005, it was Rs. 201 crore, in 2006 it was Rs. 92 crore."

34. The representative further deposed:-

"In 2004 we started forming our VTN Cells, which is called 'TERM Cell' – Telecom Enforcement Resource Management Cell. We had only four, now we increased it to 74. Now intentionally nobody can go in for the grey market. We have so much of control because of the enforcement of our TERM Cells. Earlier we did not have any mechanism."

35. The representative further deposed:-

".....unfortunately, the Indian Telegraph Act provides a penalty of Rs. 1000 only.....we are proposing this punishment amount to Rs. 5 crore."

36. Subsequent to the evidence, the Ministry of Communications and Information

Technology, Department of Telecommunications got the implementation report on the

assurance laid on the Table of the House on 28 April, 2010 which read as follows:-

How promise implemented.

"The process of amendment in Indian Telegraph Act, 1885 has been taken up which will take its own time for which no time limit can be set. However, there is no explicit provision in respect of grey telecom market in the proposed amendment. The cases of grey telecom market will be handled under Section 20 of the Indian Telegraph Act which deals with penalty for unauthorized telegraph. In view of above, the Assurance may be considered as fulfilled.

The reasons for delay.

The process for amendment of the Indian Telegraph Act, 1885 has been initiated and it involves due examination of issues and deliberations within/outside the department, which is a time consuming process."

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

37. The Committee note that in reply to USQ No. 3246 dated 23 March 2005, it was stated by the then Minister that an estimated notional loss of more than Rs. 400 crore has been caused to the country by 267 grey market cases detected since 1998. An assurance was also given that the amendment to the Indian Telegraph Act, 1885 for revising the amount of financial penalty was under consideration. The Committee note with concern that even after lapse of a period of five years, no concrete action has been taken by the Ministry to implement the assurance. During evidence, the representatives of the Department of Telecommunications assured the Committee that an amendment to the Indian Telegraph Act, 1885 proposing to raise the existing penalty amount of Rs. 1000/- to Rs. five crore in such cases was under consideration. It was also intimated to the Committee that the amendment will be brought either by the Monsoon or Winter Session of Parliament. The Committee are, however, dismayed to know from the Implementation Report laid on the Table of the House, subsequent to the evidence that the Department seem to be having same second thoughts on the issue. As per the Implementation Report, there is no explicit provision in respect of grey telecom market in the proposed amendment and the cases of grey telecom market will be handled under section 20 of the Indian Telegraph Act, 1885, which deals with penalty for unauthorized telegraph. The Committee consider this statement of the Ministry as ambivalent and somewhat contrary to the deposition made by the

representatives of the Department of Telecommunications before them. The Committee, therefore, are not satisfied with the Implementation Report and desire that concrete action should be taken by the Ministry on the proposed amendment, as assured by them to the Committee.

(c) Grievances Redressal Mechanism by the Access Providers

38. On 9 May 2007, an USQ No. 4628 was answered as under:-

“(a) whether as per the Government’s directives all Access Providers have to set up a Consumer Grievances Redressal Mechanism at the call centre level and also an Appellate Authority within the company;

(b) if so, whether the said condition has been complied to by all the Access Providers;

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

(d) whether with the growing complaints of telecom services and absence of direct complaint and redressal mechanism for consumers, TRAI proposes to review the TRAI Act and send a proposal to the Government in this regard; and

(e) if so, the response of the Government thereto and the steps taken or proposed to be taken by the Government to ensure that grievances of the consumers are adhered to promptly?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) Yes, Sir.

(b) & (c) Yes, Sir. The Access Providers have already set up a Consumer Grievance Redressal Mechanism at the Call Centre Level and an Appellate Authority within the company.

(d) & (e) Telecom Regulatory Authority of India has submitted a consolidated revised proposal to Department of Telecommunications in February, 2007, to consider various amendments in the TRAI Act, 1997.”

39. Thus in reply to USQ No. 4628 dated 9 May, 2007 regarding Grievances Redressal Mechanism by the Access Providers it was stated that Telecom Regulatory Authority of India has submitted a consolidated revised proposal to the Department of

Telecommunications in February, 2007, to consider various amendments in the TRAI Act, 1997. The issue of amendment in the Act has been pending for the last three years.

40. On being asked about the delay, the representative of the Ministry during evidence deposed as under:-

".....The proposals for amendment for the TRAI Act are received from time to time.....Since the TRAI is the authority which deals with both telecom and broadcasting, the comments from the Ministry of Information and Broadcasting were sought. We had a lot of difficulty in getting these comments. While the views of the Department of Telecommunications were finalized in 2009, on the aspect relating to broadcasting, we could get the comments only on the 27th January this year.....Finally now, we have the comments and we are going to circulate a Cabinet Note."

41. The representative further deposed:-

"There was a three-tier grievance redressal mechanism as regulated by the TRAI."

42. Asked about the nature of amendment in TRAI Act for redressal of the grievances of the consumers, the representative of the Ministry deposed:-

"The one provision, which relates to the grievances of consumers is Section 11(1).....this is basically a covering provision so that regulation does not get struck down. It will now give additional power to TRAI in the area of redressing consumer grievances. It is an enabling provision which will make the regulation even more strong if they are challenged".

43. The representative further deposed:-

"We will circulate the Cabinet Note within a fortnight and then we will put up a Bill in the House for the amendment of the Act".

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

44. The Committee note that the service providers have already set up a Consumer Grievance Redressal Mechanism at the Call Centre level and also an Appellate Authority within the company. However, incorporating amendments to Telecom Regulatory Authority of India (TRAI) Act as was assured to the House in reply to the Question, still remains unfulfilled. Moreover, the Ministry have also not obtained the comments of the Ministry of Information and Broadcasting and others as yet. The Committee feel that in the prevailing extent of telecommunication coverage in the country, it is highly imperative that the grievances of the users are redressed expeditiously within a well structured framework. They, therefore, desire that the necessary amendments which will give additional power to TRAI in the area of redressing consumer grievances, may be given a concrete shape without any further delay. The Committee, therefore, desire that the Bill for amending the TRAI Act in this regard be introduced at the earliest in Parliament, as assured by the representative of the Ministry during the oral evidence and the assurance given on the floor of the House be implemented without any delay.

(d) Sale of Vacant Land of VSNL

45. On 3 December 2007, an USQ No. 2248 was answered as under:-

“(a) whether the sale of the vacant land of Videsh Sanchar Nigam Limited (VSNL) is not being done to the pressure of the company while the vacant land is not covered under disinvestment and Government is overlooking the recommendation of the Parliamentary Committee on Finance regarding the sale of the vacant land;

(b) if so, the details thereof;

(c) the ground on which the vacant land of the VSNL was handed over to its buyer the Tata Telecom/Tata Group, while it was not covered under investment;

(d) the portion of the vacant land of the VSNL lying with its buyer the Tata Group;

(e) whether the Government has formulated any scheme to sell out the vacant land of the VSNL;

(f) if so, the details thereof; and

(g) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) There is no pressure from the company on Government to sell the vacant (surplus) Land of VSNL. And there is no recommendation regarding sale of vacant (surplus) land VSNL by Standing Parliamentary Committee of Department of Disinvestment, Ministry of Finance.

(c) VSNL (A Private company) is the custodian of the vacant (surplus) land. And the TATA Group is the major stake holder in VSNL.

(d) The vacant (surplus) Land identified prior to disinvestment is 773.13 Acres. M/s VSNL is the custodian of this land.

(e) to (g) The Government is considering all possible options and the matter is under consideration of the Government."

46. Thus in reply to USQ No. 2248 dated 3 December, 2007 regarding Sale of Vacant Land of VSNL it was informed that the Government was considering all possible options and the matter is under consideration of the Government. The assurance is pending since 2007.

47. On being asked whether the vacant land has been sold and the present status of assurance, the representative of the Ministry deposed:-

"There was a total land of about 1200 acres out of which 774 acres of land was declared surplus in five locations.....The first option.....was tried but there some objections raised by the Planning Commission and the Finance Ministry.....Then the second option was tried.....In that case also, there is objection from the Ministry of Finance. Then, the Department proposed.....that the consultant be appointed....."

48. On being enquired about the latest status of the assurance, the representative stated as follows:-

".....The consultant is not yet appointed and for appointment of the consultant, they have called for an Expression of Interest".

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

49. The Committee note that the assurance is pending for the last three years and from the deposition made by the representatives of the Ministry, it appears that in the near future also the chances of implementation of the assurance look bleak. The Committee are unhappy over this. They are surprised to note that the Ministry have not been able to appoint a consultant in a long period of three years. Moreover, the Ministry are also not clear about what is to be done with the vacant surplus land. The Committee are totally dissatisfied with the Ministry's explanation and they recommend that the Ministry should initiate concrete steps to appoint the consultant and take decision regarding the surplus land at the earliest and thereby implement the pending assurance.

(e) Pricing of Spectrum

50. On 10 March, 2008, a SQ No. 141 was answered as under:-

"(a) whether the policy regarding pricing of spectrum licences has been finalised;

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

(c) whether the Government has received some suggestions/representations for a fair and equitable spectrum policy from different quarters; and

(d) if so, the details thereof and the reaction of the Government thereto?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a) to (d) At present the service providers are paying spectrum charges based on percentage/share of Adjusted Gross Revenue (AGR). The pricing of spectrum is reviewed from time to time, taking into account various relevant aspects, and suggestions thereof.

In order to ensure optimum use and equitable allotment of scarce spectrum resource, the criteria for allotment of spectrum are based on the number of subscribers in an operator`s network and their usage of network. These criteria are reviewed from time to time taking into account relevant factors and technological developments."

51. During supplementaries to the Question, Member (Shri Iqbal Ahmed Saradgi) had raised the following:-

"Sir, part `c` of Question 141 has not been properly replied to by the Hon. Minister. Due to lack of proper decision, there is deadlock between the Government and various sections of the telecom industry over the pricing and the allocation of spectrum. So, I would like to know whether any steps have been taken by the Government to find out any solution in regard to pricing and the allocation of spectrum to various agencies".

52. In reply thereto, the Minister had stated:-

“Future recommendations are being awaited. Once the new Report of the Committee comes, the Government will act accordingly”.

53. The above reply was treated as an assurance.

54. On being asked whether allocation were made by the Ministry in 2G, the Secretary, Department of Telecommunications deposed:-

“This question was asked in March 2008 and allocation was made in January 2008 after which no allocation was made.”

55. The representative of the Ministry further deposed:-

“This question was replied in March 2008 and we said that the point in time the Committee under Additional Secretary..... Submitted its Report in May, 2009, thereafter the Committee Report was sent to TRAI in July, 2009 for seeking its recommendations.”

56. On being further asked that in reply to the supplementary question it was specifically stated that the Report of the Committee was awaited and whether the Ministry waited for the Report of the Committee before allocating the spectrum, the representative of the Ministry deposed:-

“The Committee was constituted for a specific purpose. There was a Committee earlier also headed by the Additional Secretary Shri Bandhopadhyay. The Term of Reference of the Committee was basically to recommend what should be the criteria to allocate additional spectrum..... The Committee was constituted in November, 2007. TRAI gave its recommendations..... There was a separate TEC Committee, which also gave its recommendation on spectrum allocations..... in October, 2007. A Committee headed by Shri Bandhopadhyay gave its recommendations on methodology of allocation of additional spectrum.”

57. On being asked as to when did the Bandhopadhyay Committee submitted its report, the representative of the Ministry deposed:-

“Bandhopadhyay Committee Report came in December, 2007.”

58. The Committee then pointed out that then why in reply to the supplementary question it was specifically stated that future recommendations are awaited till the new report of the Committee came. The Committee also pointed out that at the time of giving reply, the Committee Report was available with the Ministry and at the time of reply March 2008, spectrum had already been allotted in January 2008. The representative of the Ministry deposed:-

“TEC Report was separately available in October, 2007, Bandhopadhyay Committee Report came in December, 2007..... The decision was made by the Government on how to allocate additional spectrum we gave 120 LoI, on 10th January 2008 because the service condition provides that subject to availability they can be allocated initial spectrum, GSM or CDMA spectrum for which they have to separately apply to our WPC wing. So, this initial spectrum was granted as per the guidelines of the licensing condition..... 17th January 2008 order says how to allocate additional spectrum beyond the license spectrum. Bandhopadhyay Committee also said that we need a specialized committee and the 17th January criterion was only an interim criterion.....so after that Subodh Kumar Committee was constituted in June 2008.”

59. The Committee further pointed out that the new Committee was constituted in June 2008 and that the Bandhopadhyay Committee had submitted its report in December 2007 and when the question was being replied in the House that the report of the Committee is being awaited, no Committee had been in existence.

60. At the instance of the Committee, the Department of Telecommunications submitted a detailed note on the assurance as follows:-

“From the Verbatim of the debate during the Oral answer of the above referred Question, it may be seen that during the supplementary of the Question, Shri Iqbal Ahmed Saradgi, Hon’ble MP(LS), wanted to know “whether any steps have been taken by the Government to find out any solution in regard to pricing and the allocation of spectrum to various agencies.” In reply, Shri A. Raja, Hon’ble MOC&IT, *inter-alia*, stated that “in order to arrive at an amicable solution, the Ministry took a decision, for the time being, as an interim relief, the recommendations of the TRAI can be taken into account. Accordingly,

spectrum has been allocated to all eligible operators in keeping with the recommendations of the TRAI with the condition that the larger Committee will be constituted. Future recommendations are being awaited. Once the new Report of the Committee comes, the Government will act accordingly." Therefore, the assurance made by the Hon'ble Minister that "Future recommendations are being awaited. Once the new Report of the Committee comes, the Government will act accordingly," was in respect of a larger Committee to be constituted on the issue of allocation and pricing of the spectrum.

61. In this regard, it is submitted that thereafter, on 16.06.2008, Government constituted a Committee for 'Allocation of Access (GSM/CDMA) Spectrum and Pricing'. The issues on which the Spectrum Committee had given its recommendations on 13.05.2009 which appeared to have wider implications on the Telecom Sector and upon the public at large. Moreover, all recommendations of the committee are inter-linked or inter-dependent. Therefore, in terms of clause 11(1)(a) of TRAI Act 1997 (as amended), on 7th July, 2009, the Government has sought the recommendations of TRAI on the recommendations/comments of the Report of the Spectrum Committee.

62. On 16.10.2009, TRAI issued a Consultation Paper on "Overall Spectrum Management and review of license terms and conditions". The issues raised in the Consultation Paper for deliberation include spectrum requirement & availability, licensing issues, merger & acquisition issues, spectrum trading, spectrum sharing, perpetuity of licences, uniform licence fee, spectrum assignment, spectrum pricing and structure for spectrum management. It was stated in the Consultation Paper of TRAI that "It is hoped that stakeholders will benefit us with their detailed views before 12th November 2009. Comments will be posted on TRAI's website as and when they are received. Counter comments, if any, to the comments received may be send to TRAI preferably within a week of their being placed on the website but not later than 19th November 2009." Thereafter, detailed comments and counter comments received from the stakeholder on the Consultation Paper of TRAI have been posted on TRAI's website. Further, open house discussions were held from 30.11.2009 to 02.12.2009 at Delhi. TRAI is now in the process of formulating its recommendations on the above mentioned issues and the same is expected by March 2010. After, receipt of the recommendations of TRAI, it will have to be further scrutinized and processed by the Government at various levels before a final decision including spectrum allocation and pricing will be arrived at by the Competent Authority.

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

63. The Committee find that a Starred Question was asked in March 2008 on the pricing of spectrum. During supplementaries, the Member had desired to know the steps taken by the Government for ensuring a fair and equitable spectrum policy. Responding to the same, the Minister had stated that future recommendations were being awaited and that once the new report of the Committee comes, the Government will act accordingly. The Committee's examination has, however, revealed that even at the time of this reply, reports given by various Committees on the issue of spectrum were already available. Also, the new Committee had not been constituted at that time. Notwithstanding the position arising out thereof what has caused immense concern to the Committee is that despite the lapse of over a period of two years, this important assurance still stands unfulfilled. Not surprisingly, the issue has since engaged a lot of public attention underscoring the need for evolving an appropriate policy encompassing fairness and transparency. The Committee, therefore, desire that the assurance be fulfilled forthwith and the implementation report laid on the Table of the House without any further delay.

(f) Agreement with Blackberry and Indian Telecom Operators

64. On 28 April, 2008, USQ No. 4854 was replied to as per details reproduced below:-

“(a) whether there has been agreement alliance between Blackberry with some Indian telecom operators that allow to offer services providers to use the brand name “Blackberry” in the country;

(b) if so, the details thereof;

(c) whether the Government has proposed to allow Virtual Mobile Network Operators (VMNO) to telecom operators in alliance with foreign based companies; and

(d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) & (b) The Service Providers namely, M/s BPL Mobile Communications Limited, M/s Bharti Airtel Limited, M/s Bharti Hexacom Limited, Vodafone Group Companies (except M/s Vodafone Essar Spacetel Limited) and M/s Reliance Communications Limited & M/s Reliance Telecom limited have reported that they have entered into agreement with Research In Motion (RIM) to provide “BlackBerry Services” to their customers. Under the agreement, main services offered are voice, data and internet. The customers can use devices / handsets manufactured by RIM or any other compatible handsets from Nokia, Motoralla, Sony Ericsson, etc.

(c) Department of Telecommunications has sought the recommendations of Telecom Regulatory Authority of India (TRAI) under section 11(1)(a) (i) & (ii) on need and timing for introduction of Virtual Mobile Network Operators (VMNO) as well as terms and conditions of the License to be granted to such operators.

(d) The decision will be taken after considering the recommendations of TRAI on the subject.”

65. As regard to the present status of implementation, the Ministry in a note stated as under:-

"The recommendations of Telecom Regulatory Authority of India (TRAI) on the need and timing for introduction of Mobile Virtual Network Operator (MVNO) dated 6 August, 2008 was examined in the Department and based on the decision taken, certain recommendations were referred back to TRAI for reconsideration. TRAI's reconsidered views dated 12 March, 2009 were examined in the Department and the matter was brought before Telecom Commission.

The decision of the Telecom Commission dated 28 May, 2009 on introduction of Mobile Virtual Network Operator has been approved in principle by the Competent Authority. Based on the approval the guidelines and License Agreement for MVNO are being prepared and shall be issued in due course.

Blackberry is a product developed by Canadian company, Research in Motion (RIM). It has a feature where data is protected by high level of encryption or compression making it difficult to decipher intercepted e-mail or corporate communications. Blackberry services are being provided by M/s Bharti, Vodafone, Reliance, BPL, Tata, BSNL, MTNL, Idea and other operators except in the State of J&K, North-East and Assam at present. In third and fourth quarters of 2007, these services were being provided by M/s Bharti, Vodafone, Reliance and BPL only.

Security agencies objected to provisioning of Blackberry services in November, 2007 for want of proper monitoring facilities and the service providers were directed accordingly. Meetings were held with the representatives of RIM to resolve the issue.

It was found that there is no difficulty in the lawful interception of telephone calls and SMSs originating and terminating on Blackberry handset. However, there was a difficulty in lawful interception of Blackberry to non-Blackberry e-mail addresses. This issue was resolved in consultation with Blackberry in August, 2008 when Blackberry stopped deploying compression techniques for such mail messages for Blackberry to non-Blackberry e-mail addresses. Security agencies have been apprised of non-availability of Blackberry services in North-East, J&K and Assam areas.

Still there is a difficulty in deciphering attachments with e-mails but RIM has reported that attachment are not being encrypted / compressed by them, therefore, they cannot provide a solution for this. Also, interception of an e-mail message from Blackberry address to another Blackberry e-mail address is not feasible at present as it uses dynamic encryption keys. The service providers are able to provide the stream of content of lawfully intercepted messages to security agencies. The issue of decryption of contents is pending with security agencies."

66. On being asked further about the objection by the security agencies against introduction of the MNVO/Blackberry services, the representative of the Ministry deposed:-

“As far as the users are concerned, from sender to receiver, there is no problem....

In some Blackberry to Blackberry e-mail only one kind of thing they are reporting that they are not able to have this in the readable format because it is encrypted. So, the security agencies, namely NTRO is working on it as to how to able to read it. So, they are still working on the solution, we are yet to hear from them.”

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

67. The Committee note that the Blackberry services are already being provided by various service providers in the country. They are, however, astonished to note that the issues concerning security arising out of the operation of Blackberry services are yet to be fully sorted out. As regards introduction of the Mobile Virtual Network Operator (MVNO) the Department of Telecommunications have stated that the same has been approved and the detailed guidelines are under finalization. The Committee desire that the security issues concerning operation of the Blackberry services be resolved within a specified time limit and the assurance made regarding introduction of MVNO be implemented expeditiously.

(g) Telephone Facilities in Villages

68. On 22 December, 2008, USQ No. 3376 was answered as under:-

“(a) the number of villages in the country with a population of less than 100 persons which have been provided telephone facilities during each of the last three years and the current year particularly in the remote, thickly forested and naxalite infested areas; and

(b) the number of such villages in the country still deprived of the basic telephone facilities?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) Universal Service obligation Fund (USOF) entered into an agreement with Bharat Sanchar Nigam Limited (BSNL) in November, 2004 for provision of Village Public Telephones (VPTs) in remaining 66,822 unconnected villages in the country. This excludes villages having population less than 100, laying in thick forests areas/naxalites effected areas. As on 31st October, 2008, 55,420 VPTs have been provided by BSNL.

(b) As per Cencus 2001, there are 60, 000 inhabited villages in the country which are yet to be provided with VPT facility. These villages are likely to be provided with VPT facility in next two years.”

69. When the Committee enquired about the latest position in regard to Village Public Telephones (VPT) facilities, the representative of the Ministry during evidence stated:-

“.....under the Bharat Nirman Programme, each village was to have a Village Public Telephone..... At that time, the norms were that the villages should have a population of more than 100 people, they should not be in deep forests and they should not be affected by insurgency..... after the 2001 census, the Government decided that they will provide this facility to all villages irrespective of the fact whether they are in deep forests etc..... we expect to fulfill this assurance by February, 2011.”

OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

70. The Committee note that earlier the norms for providing Village Public Telephone were that the villages should have a population of more than 100 people and should not be in deep forests and should also not be affected by insurgency. However, the norms have been revised and the Village Public Telephones would now be provided to the villages even if they are in deep forests/affected by insurgency. With the revision of the norms, more villages are now eligible for Village Public Telephones and the Ministry expect to implement this assurance by February, 2011. The Committee, therefore, desire that all steps must be taken to implement the assurance by the target fixed by the Ministry itself.

NEW DELHI;

MANEKA GANDHI

CHAIRPERSON

COMMITTEE ON GOVERNMENT ASSURANCES

04 May, 2010

Vaisakha 14, 1932 (Saka)

Statement of pending assurances from 8th to 14th Lok Sabha as on

29 September, 2009

S.No.	Name of Ministry	No. of Pending Assurances
1.	Agriculture	42
2.	Atomic Energy	7
3.	Chemicals and Fertilizers	63
4.	Civil Aviation	106
5.	Coal	40
6.	Commerce and Industry	44
7.	Communications and Information Technology	38
8.	Consumer Affairs, Food and Public Distribution	15
9.	Corporate Affairs	4
10.	Culture	29
11.	Defence	38
12.	Development of North Eastern Region	2
13.	Earth Science	5
14.	Environment and Forests	47
15.	External Affairs	21
16.	Finance	57
17.	Health and Family Welfare	123
18.	Heavy Industries and Public Enterprises	8

19.	Home Affairs	115
20.	Housing & Urban Poverty Alleviation	4
21.	Human Resource Development	106
22.	Information and Broadcasting	39
23.	Labour	36
24.	Law and Justice	75
25.	Micro, Small & Medium Enterprises	12
26.	Mines	14
27.	Minority Affairs	8
28.	New Renewable Energy Sources	7
29.	Overseas Indian Affairs	16
30.	Parliamentary Affairs	1
31.	Panchayati Raj	10
32.	Personnel, Public Grievances and Pensions	19
33.	Petroleum and Natural Gas	57
34.	Planning	19
35.	Power	20
36.	Railways	67
37.	Rural Development	30
38.	Science and Technology	9
39.	Shipping, Road Transport and Highways	55
40.	Social Justice and Empowerment	39
41.	Space	4
42.	Statistics and Programme Implementation	4

43.	Steel	6
44.	Textiles	19
45.	Tourism	1
46.	Tribal Affairs	25
47.	Urban Development and Poverty Alleviation	94
48.	Water Resources	5
49.	Women and Child Development	45
50.	Youth Affairs and Sports	4
	TOTAL	1654

Extracts from Manual of Practice & Procedure in the Government of India, Ministry of Parliamentary Affairs, New Delhi

Definition	<p>8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an ‘assurance’. Standard list of such expressions which normally constitute assurances and as approved by the Committees on Government Assurances of the Lok Sabha and the Rajya Sabha, is given at Annex 3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance in these terms.</p> <p>8.2 When an assurance is given by a Minister or when the Presiding Officer directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs from the relevant proceedings and communicated to the department concerned normally within 10 working days of the date on which it is given.</p>
Deletion from the list of assurances	<p>8.3.1 If the administrative department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfil it, it may write to the Lok/Rajya Sabha Secretariat direct with a copy to the Ministry of Parliamentary Affairs within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require prior approval of the Minister.</p> <p>8.3.2 Departments should make request for dropping of assurances immediately on receipt of statement of assurances from the Ministry of Parliamentary Affairs and only in rare cases where they are fully convinced that the assurances could not be implemented under any circumstances and there is no option left with them but to make a request for dropping. Such requests should have the approval of their Minister and this fact should be indicated in their communication containing the request. If such a request is made towards the end of the stipulated period of three months, then it should invariably be accompanied with a request for extension of time. The department should continue to seek extension of time till a decision of the Committee on Government Assurances is received by them. Copy of the above communications should be simultaneously endorsed to the Ministry of Parliamentary Affairs.</p>
Time limit for fulfilling and assurance	<p>8.4.1 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.</p>
Extension of time for	<p>8.4.2 If the department finds that it is not possible to fulfil the assurance within the stipulated period of three months or within the period of extension already granted,</p>

fulfilling an assurance	<p>it may seek further extension of time direct from the respective Committee on Government Assurances under intimation to the Ministry of Parliamentary Affairs as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required. Such a communication should be issued with the approval of the Minister.</p>
Registers of assurances	<p>8.5.1 The particulars of every assurance will be entered by the Parliament Unit of the department concerned in a register as at Annex 4 after which the assurance will be passed on to the concerned section.</p> <p>8.5.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs, the section concerned should take prompt action to fulfil such assurances and keep a watch thereon in a register as at Annex 5.</p> <p>8.5.3 The registers referred to in paras 8.5.1 and 8.5.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session wise.</p>
Role of Section Officer and Branch Officer	<p>8.6.1 The Section Officer incharge of the concerned section will:</p> <ul style="list-style-type: none"> (a) scrutinise the registers once a week; (b) ensure that necessary follow-up action is taken without any delay whatsoever; (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and (d) review of pending assurances should be undertaken periodically at the highest level in order to minimise the delay in implementing the assurances. <p>8.6.2 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.</p>
Procedure for fulfilment of an assurance	<p>8.7.1 Every effort should be made to fulfil the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an implementation report containing the available information should be supplied to the Ministry of Parliamentary Affairs in part 44crutinize of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.</p> <p>8.7.2 Information to be supplied in partial or complete fulfilment of an assurance should be approved by the Minister concerned and 15 copies thereof (bilingual) in the prescribed proforma as at Annex 6, together with its enclosures, along with one copy each in Hindi and English duly authenticated by the officer forwarding</p>

the implementation report, should be sent to the Ministry of Parliamentary Affairs. If, however, the information being furnished is in response to an assurance given in reply to a question etc., asked for by more than one member, an additional copy of the completed proforma (both in Hindi and English) should be furnished in respect of each additional member. A copy of this communication should be endorsed to the Parliament Unit for completing column 7 of its register.

8.7.3 The implementation reports should be sent to the Ministry of the Parliamentary Affairs and not to the Lok/Rajya Sabha Secretariat. No advance copies of the implementation reports are to be endorsed to the Lok/Rajya Sabha Secretariat either.

Laying of the implementation report on the Table of the House

8.8 The Ministry of Parliamentary Affairs, after a scrutiny of the implementation report, will arrange to lay it on the Table of the House concerned. A copy of the statement, as laid on the Table, will be forwarded by the Ministry of Parliamentary Affairs to the member as well as the department concerned. The Parliament Unit of the department concerned and the concerned section will, on the basis of this statement, make a suitable entry in their registers.

Obligation to lay a paper on the Table of the House vis-à-vis assurance on the same subject

8.9 Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfilment of the obligation, independent of the assurance given. After this is done, a report in formal implementation of the assurance indicating the date on which the paper was laid on the Table will be sent to the Ministry of Parliamentary Affairs in the prescribed proforma (Annex 6) in the manner already described in para 8.7.2.

Committees on Government Assurances
LSR 323,324
RSR 211-A

8.10 Each House of Parliament has a Committee on Government assurances nominated by the Speaker/Chairman. It scrutinizes the implementation reports and the time taken in the implementation of Government assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by the Ministry of Parliamentary Affairs from time to time are to be followed strictly.

Reports of the Committees on Government Assurances

8.11 The department will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two committees for remedial action wherever called for.

Effect on assurances on dissolution of the Lok Sabha

8.12 On dissolution of the Lok Sabha, all assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with a specific recommendation regarding the assurances to be dropped or retained for implementation by the Government.

GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA STARRED QUESTION NO. 7

ANSWERED ON 1.12.2004

MERGER OF BSNL AND MTNL

*7. SHRI RATILAL KALIDAS VARMA

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether there is any proposal to merge or synergise BSNL and MTNL operations in the near future;
- (b) if so, whether the modalities have been worked out in this regard;
- (c) the extent to which the merger is likely to help in improving the efficiency of the two public undertakings in providing cost effective service to the public; and
- (d) the steps taken to safeguard the interests of workers in both the organisations?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN)

(a) to (d) A statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a)

TO (d) OF LOK SABHA STARRED QUESTION NO. 7 FOR 1ST DECEMBER, 2004 REGARDING MERGER OF BSNL AND MTNL.

(a) Yes Sir, the Government is examining different options for restructuring of MTNL & BSNL with the objective of bringing higher synergy in their operations.

(b) The Government has appointed consultants to advice and assist in the restructuring task. In the first phase of assignment, the consultant shall submit a report on the most appropriate restructuring option to the Government.

(c) & (d) After evaluation of the options with reference to all important issues such as the likely business synergies, transaction costs, concerns of shareholders, managements & employees etc., final decision would be arrived at. The restructuring of both PSUs will strengthen their competitive positioning and enhance value for stakeholders.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA STARRED QUESTION NO. 372

ANSWERED ON 20.4.2005

MERGER OF MTNL AND BSNL

*372. DR. LAXMINARAYAN PANDEY

SHRI P. RAJENDRAN

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether the Government has received the report of Industrial Credit and Investment Corporation of India securities with regard to merger of the BSNL and the MTNL;
- (b) if so, the main points thereof;
- (c) whether any Committee has been constituted by the Government to study the merger of BSNL and MTNL;
- (d) if so, the details thereof and the views of the Government on the recommendations of the Committee;
- (e) whether any discussion with the recognised Unions of these two PSUs have been held;
- (f) if so, the details thereof and by when the said PSUs are likely to be merged;
- (g) the manner in which the Government proposes to protect the interest of the employees working in both the PSUs; and
- (h) the likely benefits to accrue to the general public as a result of merger?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN)

(a) to (h): A statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (h) OF LOK SABHA STARRED QUESTION NO. 372 FOR 20TH APRIL, 2005 REGARDING MERGER OF MTNL AND BSNL.

(a) Yes Sir. M/s ICICI Securities, lead partner of the Consortium of consultants have submitted their report on `Restructuring of Bharat Sanchar Nigam Ltd. (BSNL) and Mahanagar Telephone Nigam Ltd. (MTNL).

(b) As per the consultant, in the telecom market, the vertically and geographically integrated operator will be better positioned to compete effectively and unsynergised MTNL/BSNL would loose out. The consultant has short listed following four options:-

- Option I A: Merger of MTNL into BSNL
- Option I B: Merger of BSNL into MTNL
- Option II A: Acquisition of MTNL by BSNL, IPO by BSNL
- Option II B: Acquisition of BSNL by MTNL

Out of these, option II A has been preferred by the Consultant.

(c) & (d) Yes Sir. A Steering committee comprising of the Secretary, DOT and other senior officers of DOT, Department of Disinvestment, MTNL & BSNL has been constituted to examine the consultant`s report. The committee is studying details of the report.

(e) & (f) No, Sir. The Government is yet to take a view on the report submitted by the consultant.

(g) As per the consultant`s report, restructuring of BSNL & MTNL does not adversely affect interests of the employees of the PSUs.

(h) All the relevant factors would be considered while taking final view on the report.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 3246

ANSWERED ON 23.3.2005

AMENDMENT IN TELEGRAPH ACT

3246. SHRI CHANDRA BHUSHAN SINGH

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether the Government is considering to make amendment in the Telegraph Act to ensure that the legal provision is more stringent for grey market operations;
- (b) if so, the details thereof;
- (c) whether it is true that the national loss caused by grey market operators in the country since 1998 amounts to Rs 400.00 crores; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) The amendment to the Indian Telegraph Act for revising the amount of financial penalties is under consideration.

(c) & (d) The estimated notional loss of more than Rs. 400 crores has been caused to the country, by 267 grey market cases detected till date, since 1998. As per available data, as on date the year- wise breakup is as given below:

Year	Notional Loss (Rupees in Crores)
1998	60
1999	55.92
2000	154.75
2001	126.63
2002	19.08
2003	17.56
2004	30.93

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 4049

ANSWERED ON 20.4.2005

THREE-WAY AGREEMENT AMONG DOT, MTNL & BSNL

4049. SHRI IQBAL AHMED SARADGI

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether the MTNL is not in favour of the idea that it should be made a subsidiary of BSNL;
- (b) if so, the details thereof ;
- (c) whether a proposal has been mooted for a three-way agreement among DoT, MTNL and BSNL to merge the two companies alongwith the decision that BSNL be made to finalise its accounts for last year;
- (d) if so, whether any final decision in this regard has been reached; and
- (e) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

- (a) & (b) The consultants in their report for restructuring of MTNL and BSNL have short listed four options which are under examination by MTNL and DOT.
- (c) No, Sir.
- (d) & (e) No final decision has been taken in this regard.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 3061

ANSWERED ON 23.8.2006

MERGER OF MTNL AND BSNL

3061. SHRI NEDURUMALLI JANARDHANA REDDY

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) Whether the Government proposes to merge the Mahanagar Telephone Nigam Limited (MTNL) and the Bharat Sanchar Nigam Limited (BSNL) to provide uniform and better telephone service throughout the country under a single telephone authority;
- (b) If so, the present position in this regard and the time by which the merger is likely to be effected; and
- (c) The extent to which the telecom services are likely to improve and become cheaper for the customers?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) to (c) The Government has appointed a consortium of consultants led by M/s ICICI Securities to advise and aid the Government in restructuring of MTNL and BSNL so as to achieve higher synergies, improve the competitive position on both the PSUs and enhance the value for all the stakeholders. The report submitted by the consultants is under consideration of the Government.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA STARRED QUESTION NO. 132

ANSWERED ON 7.3.2007

MERGER OF BSNL AND MTNL

*132. SHRI GIRDHARI LAL BHARGAV

SHRI BASUDEB ACHARIA

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether the Government has contemplated for the merger of Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL);
- (b) whether any decision has been taken in this regard;
- (c) if so, the details thereof;
- (d) whether the Joint Forum of BSNL/MTNL Employees have submitted their memorandum to the Government in this regard; and
- (e) if so, the reaction of the Government thereto?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 132 FOR 7TH MARCH, 2007 REGARDING MERGER OF BSNL AND MTNL

(a) to (e) Sir, various options for restructuring of MTNL and BSNL including merger option is under consideration of the government for bringing higher synergy in their operation.

The Joint Forum of BSNL/MTNL employees had submitted a memorandum to the Government on various issues concerning telecom sector including the issue of merger of BSNL and MTNL. The Government is considering all aspects in this regard.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2186

ANSWERED ON 14.3.2007

SETTING UP OF BTS IN BORDER AREAS

2186. SHRI BHUBNESHWAR PRASAD MEHTA

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether some private mobile phone companies have set up Base Terminal Station (BTS) close to the border areas by violating the licence policy which is likely to cause security threat;
- (b) if so, the details thereof;
- (c) the total number of BTS set up by the various mobile phone companies at sensitive areas close to the border till date;
- (d) the names and other details of those companies, who have set up BTS without taking prior permission; and
- (e) the action taken by the Government against these companies?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) to (e) Setting up of BTS within 10 Kms of International Border for provision of mobile service required specific permission from Department of Telecommunications (DOT). It was brought to the notice of DOT that some mobile service providers have setup their BTS within 10 Kms of International Border for provision of mobile service without specific permission. These cases are being examined as per the terms and conditions of the licence agreement that existed at the time of violation. While the matter is being examined, the conditions relating to provision of mobile services in areas falling within 10 Kms of International Border has been relaxed as per details given below:

(i) There shall be a "No Service Zone" of 500 Meters width along the International border within Indian territory for wireless/mobile service, where the Licensee(s) are not permitted to provide wireless/mobile service. The Licensee shall use requisite technology to ensure that the signals become unusable within 500 Meters of International boundaries and there shall be no wireless/mobile service in the "No Service Zone".

(ii) The Licensee shall create a "Buffer Zone" of 10 Kms width along the Line of Control (LOC), Line of Actual Control (LAC), Akhnoor and Pathankot areas in Jammu and Kashmir, as applicable, wherein they shall not deploy their Cell site(s)/BTS(s)/Radio Transmitter(s).

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 4628

ANSWERED ON 9.5.2007

GRIEVANCES REDRESSAL MECHANISM BY THE ACCESS PROVIDERS

4628. SHRI ASADUDDIN OWAISI

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether as per the Government's directives all Access Providers have to set up a Consumer Grievances Redressal Mechanism at the call centre level and also an Appellate Authority within the company;

(b) if so, whether the said condition has been complied to by all the Access Providers;

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

(d) whether with the growing complaints of telecom services and absence of direct complaint and redressal mechanism for consumers, TRAI proposes to review the TRAI Act and sent a proposal to the Government in this regard; and

(e) if so, the response of the Government thereto and the steps taken or proposed to be taken by the Government to ensure that grievances of the consumers are adhered to promptly?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) Yes, Sir.

(b) & (c) Yes, Sir. The Access Providers have already set up a Consumer Grievance Redressal Mechanism at the Call Centre Level and an Appellate Authority within the company.

(d) & (e) Telecom Regulatory Authority of India has submitted a consolidated revised proposal to Department of Telecommunications in February, 2007, to consider various amendments in the TRAI Act, 1997.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2046

ANSWERED ON 27.8.2007

THREAT FROM WEBSITES

2046. SHRI RAVI PRAKASH VERMA

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether the Government proposes the need to regulate Google, Skype, Yahoo, Vonage, MSN and other such internet telephony companies that are outside the ambit of local laws and can be used by inimical local interests to pose a threat to national security;

(b) if so, the details thereof;

(c) whether the Telephone Regulatory Authority of India (TRAI) has already expressed its concern; and

(d) if so, the steps taken/being taken by the Government to bring these companies within the ambit of local laws?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) to (d) Telecom Regulatory Authority of India (TRAI) in its recommendation on Review of Internet Services dated 10th May 2007 has expressed concerns over the Internet Telephony Services being offered by some entities located abroad. The matter is being examined.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2248

ANSWERED ON 3.12.2007

SALE OF VACANT LAND OF VSNL

2248. SHRI BHUBNESHWAR PRASAD MEHTA

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether the sale of the vacant land of Videsh Sanchar Nigam Limited (VSNL) is not being done to the pressure of the company while the vacant land is not covered under disinvestment and Government is overlooking the recommendation of the Parliamentary Committee on Finance regarding the sale of the vacant land;

(b) if so, the details thereof;

(c) the ground on which the vacant land of the VSNL was handed over to its buyer the Tata Telecom/Tata Group, while it was not covered under investment;

(d) the portion of the vacant land of the VSNL lying with its buyer the Tata Group;

(e) whether the Government has formulated any scheme to sell out the vacant land of the VSNL;

(f) if so, the details thereof; and

(g) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) There is no pressure from the company on Government to sell the vacant (surplus) Land of VSNL. And there is no recommendation regarding sale of vacant (surplus) land VSNL by Standing Parliamentary Committee of Department of Disinvestment, Ministry of Finance.

(c) VSNL (A Private company) is the custodian of the vacant (surplus) land. And the TATA Group is the major stake holder in VSNL.

(d) The vacant (surplus) Land identified prior to disinvestment is 773.13 Acres. M/s VSNL is the custodian of this land.

(e) to (g) The Government is considering all possible options and the matter is under consideration of the Government.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA STARRED QUESTION NO. 141

ANSWERED ON 10.3.2008

PRICING OF SPECTRUM

*141. SHRI IQBAL AHMED SARADGI

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether the policy regarding pricing of spectrum licences has been finalised;
- (b) if so, the details thereof and if not the reasons therefor;
- (c) whether the Government has received some suggestions/representations for a fair and equitable spectrum policy from different quarters; and
- (d) if so, the details thereof and the reaction of the Government thereto?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a) to (d) A Statement is laid on the Table of the House.

(a) to (d) At present the service providers are paying spectrum charges based on percentage/share of Adjusted Gross Revenue (AGR). The pricing of spectrum is reviewed from time to time, taking into account various relevant aspects, and suggestions thereof.

In order to ensure optimum use and equitable allotment of scarce spectrum resource, the criteria for allotment of spectrum are based on the number of subscribers in an operator's network and their usage of network. These criteria are reviewed from time to time taking into account relevant factors and technological developments.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA STARRED QUESTION NO. 391

ANSWERED ON 21.4.2008

PROVISION OF MOBILE TELEPHONE SERVICE

*391. SHRI VIRJIBHAI THUMMAR

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) whether mobile telephone service has not been launched in many areas of the country, so far;
- (b) if so, the details thereof, location-wise;
- (c) the reasons due to which the Government has not provided this facility in those areas;
- (d) the efforts made by the Government to provide this facility in the above-mentioned areas during the previous year and in the current year; and
- (e) the success achieved as a result thereof so far?

ANSWER

THE MINISTER OF COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 391 FOR 21st APRIL, 2008 REGARDING PROVISION OF MOBILE TELEPHONE SERVICE.

(a) to (e) At present around 65% of geographical area of the country has got mobile coverage. However, location-wise details are not maintained in respect of areas where such service is not available.

Further, Government has issued 120 new Unified Access Service Licences in January 2008 for increasing competition which will help to roll out mobile services in uncovered areas. Moreover, in order to expedite the roll out of mobile services in rural and remote areas, the Government is providing a total subsidy of approximately Rs. 587.88 crores over a period of 5 years through Universal Service Obligation Fund for setting up and managing 7871 infrastructure sites (towers) in 500 districts spread over 27 States where there is no existing Fixed Wireless or mobile coverage. The agreements were signed with successful bidders in May, 2007. The mobile services from these towers are likely to be launched in a phased manner by the end of year 2008. Till 29th February, 2008, 150 towers have been set up under this scheme.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 4824

ANSWERED ON 28.4.2008

SPECTRUM CONTROVERSY

4824. SHRI IQBAL AHMED SARADGI

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether a consultation has been held among National Security Adviser, Department of Telecommunications (DoT) and Telecom Regulatory Authority of India (TRAI) to resolve spectrum controversy;

(b) if so, the outcome thereof;

(c) whether all the hurdles that were preventing clearance of spectrum has been finalised;

(d) if so, the details thereof; and

(e) the time by which a final decision is likely to be taken in this regard?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) to (e) A Group of Ministers (GoM) has been constituted for vacation of spectrum and raising resources for the purpose. In its first meeting (September 2007), among other, a committee was setup under the National Security Adviser (NSA), with Secretary (Telecom), Defence Secretary, Wireless Advisor to the Govt. of India, Signal Officer-in-Charge, Army Headquarters, and a representative from Indian Space Research Organization (ISRO), for speedy release/vacation of spectrum. The meeting of this committee scheduled during February 2008 has been deferred. Meanwhile, the scheme for providing alternate network for release of spectrum has commenced.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 4854

ANSWERED ON 28.4.2008

AGREEMENT WITH BLACKBERRY AND INDIAN TELECOM OPERATORS

4854. SHRI J.M. AARON RASHID

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether there has been agreement alliance between Blackberry with some Indian telecom operators that allow to offer services providers to use the brand name "Blackberry" in the country;

(b) if so, the details thereof;

(c) whether the Government has proposed to allow Virtual Mobile Network Operators (VMNO) to telecom operators in alliance with foreign based companies; and

(d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) & (b) The Service Providers namely, M/s BPL Mobile Communications Limited, M/s Bharti Airtel Limited, M/s Bharti Hexacom Limited, Vodafone Group Companies (except M/s Vodafone Essar Spacotel Limited) and M/s Reliance Communications Limited & M/s Reliance Telecom limited have reported that they have entered into agreement with Research In Motion (RIM) to provide "BlackBerry Services" to their customers. Under the agreement, main services offered are voice, data and internet. The customers can use

devices / handsets manufactured by RIM or any other compatible handsets from Nokia, Motorolla, Sony Ericsson, etc.

(c) Department of Telecommunications has sought the recommendations of Telecom Regulatory Authority of India (TRAI) under section 11(1)(a) (i) & (ii) on need and timing for introduction of Virtual Mobile Network Operators (VMNO) as well as terms and conditions of the License to be granted to such operators.

(d) The decision will be taken after considering the recommendations of TRAI on the subject.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 5334

ANSWERED ON 5.5.2008

UNEARTH OF SCAM IN BSNL OFFICES

5334. SHRI HANSRAJ GANGARAM AHIR

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether the Government is aware that Central Bureau of Investigation (CBI) has unearthed a scam of Rs. 27 lakh after conducting raids at Bharat Sanchar Nigam Limited (BSNL) offices in Maharashtra as reported in the Dainik Bhaskar, Nagpur Edition, dated March 19, 2008;

(b) if so, the facts of the matter reported therein;

(c) whether the Government has conducted any official inquiry into the matter on the basis of the said report;

(d) if so, whether any action has been taken against the officials involved in BSNL tower maintenance scam; and

(e) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) Yes, Sir. The CBI, Nagpur has asked some documents from BSNL on 18-3-2008 and reported that a case has been registered vide RC 11(A)/07-NGP.

(b)

(i) A Regular case RC 11(A)/07-NGP was registered by CBI, Nagpur Branch on 31.12.2007 u/sec. 120 B r/w 420 IPC and Sec 13(2) r/w. 13(1)(d) of Prevention of Corruption Act, 1988 against (1) Shri N.P. Parate, Dy. General Manager, Bharat Sanchar Nigam Limited (BSNL), Yavatmal (2) Shri P.L. Wadekar, Chief Accounts Officer, BSNL, Yavatmal (3) Shri M.M. Khiratkar, Divisional Engineer, BSNL Yavatmal and (4) Proprietor of M/s Mahesh Constructions, Indore.

(ii) The brief allegations are that the accused public servants entered into a criminal conspiracy with a private person to cheat Bharat Sanchar Nigam Limited, Yavatmal in the work relating to painting and earthing of cable pillars and caused wrongful loss to the BSNL, Yavatmal to the tune of about Rs. 27.31 lakhs. After registration of the case, searches were conducted on 13.3.2008 and 15.3.2008 at the residence and office premises of public servants S/Shri M.M. Khiratkar, DE (Central) BSNL, Nagpur, P.L. Wadekar, Chief Accounts Officer, Aurangabad and Pvt. Persons viz., Shri Santosh Kumar Rajpur, Indore, Shri Vishal Jain, Yavatmal.

(iii) Investigation is in progress by CBI.

(c) to (e) No, Sir.CBI is still investigating the case.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2294

ANSWERED ON 15.12.2008

INTERNET TELEPHONY SERVICES

2294. SHRI S. AJAYA KUMAR

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) Whether the Telephone Regulatory Authority of India (TRAI) has lifted curbs on Internet Telephony services in the country;
- (b) if so, the details thereof;
- (c) whether this move to TRAI will lead to cheaper STD rates in the country; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a)& (b) Telecom Regulatory Authority of India (TRAI) has submitted its recommendations on "Issues related to Internet Telephony" on 18th August, 2008 to the Government, inter-alia, recommending that Internet Telephony may be permitted to Internet Service Providers (ISPs) with permission to provide Internet Telephony calls to Public Switched Telephone Network (PSTN)/Public Land Mobile Network (PLMN) and vice-versa within country. As on date, no decision has been taken by the Government on these recommendations.

(c) & (d) STD tariff are under forbearance. However, TRAI in its above recommendations has viewed that there would be cost saving by transmitting the call-over Internet Protocol (IP) based network (i.e. Internet Telephony) that may be passed on to the user in the form of lower tariff by service providers.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2367

ANSWERED ON 15.12.2008

LOSS IN REVENUE OF BSNL AND MTNL

2367. SHRI BHARTRUHARI MAHTAB

Will the Minister of Communications and Information Technology be pleased to state:-

- (a) the amount of profit or loss earned/incurred by Bharat Sanchar Nigam Limited (BSNL)/Mahanagar Telephone Nigam Limited (MTNL) during the last two years and the current year;
- (b) whether any review has been conducted to find out the reasons for losses if any;
- (c) if so, the details thereof;
- (d) whether BSNL and MTNL are able to pay up for 3G Spectrum and undertake revision in pay structure of employees;
- (e) if no, the reasons therefore; and
- (f) the steps taken/being taken by the Government in this regard?

ANSWER

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a) Sir, net profit earned by BSNL and MTNL during the last two years and the financial year 2007-08 is as follows:

YEAR	BSNL	MTNL
2005-06	8939.70	580.20
2006-07	7805.87	681.74
2007-08	3009.39	586.89

(b) & (c) Not applicable in view of (a) above.

(d) The payment for 3G spectrum is still not due in the absence of price discovery through auction process. As regard pay revision, the DPE has issued guidelines on 26.11.2008 which are under consideration by the management and appropriate decision will be taken in due course.

(e) & (f) Not applicable in view of (d) above.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 3374

ANSWERED ON 22.12.2008

SPECTRUM USER CHARGES FOR 3G MOBILE SERVICE PROVIDERS

3374. SHRI RAVI PRAKASH VERMA

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether the Government has finalized a proposal regarding spectrum user charges for stand-alone Third Generation (3G) mobile service operators and one time levy on those operators having over 6.2 MHz of spectrum:

(b) if so, the details thereof;

(c) the proposal regarding lock in period on stake sales by promoters of new telecom companies; and

(d) the time by which it is likely to be implemented?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) & (b) The proposal to levy annual spectrum charges for stand alone 3G mobile operators and levying of one time charges for spectrum over 6.2 MHz are under consideration and is likely to be finalized shortly.

(c) & (d) The proposal regarding lock-in period for sale of equity of promoters of UAS Licencee company is under consideration.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 3376

ANSWERED ON 22.12.2008

TELEPHONE FACILITIES IN VILLAGES

3376. SHRI KISHANBHAI VESTABHAI PATEL

Will the Minister of Communications and Information Technology be pleased to state:-

(a) the number of villages in the country with a population of less than 100 persons which have been provided telephone facilities during each of the last three years and the current year particularly in the remote, thickly forested and naxalite infested areas; and

(b) the number of such villages in the country still deprived of the basic telephone facilities?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI JYOTIRADITYA M. SCINDIA)

(a) Universal Service obligation Fund (USOF) entered into an agreement with Bharat Sanchar Nigam Limited (BSNL) in November, 2004 for provision of Village Public Telephones (VPTs) in remaining 66,822 unconnected villages in the country. This excludes villages having population less than 100, laying in thick forests areas/naxalites effected areas. As on 31st October, 2008, 55,420 VPTs have been provided by BSNL.

(b) As per Cencus 2001, there are 60, 000 inhabited villages in the country which are yet to be provided with VPT facility. These villages are likely to be provided with VPT facility in next two years.

MINUTES

TENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2009-2010) held on 3 February, 2010 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1650 hours on Wednesday 3 February, 2010.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Dr. Kakoli Ghosh Dastidar
4. Shri Mohan Jena
5. Shri K.J.S.P. Reddy
6. Shri M. Raja Mohan Reddy
7. Rajkumari Ratna Singh
8. Shri Manohar Tirkey
9. Shri Hukumdeo Narayan Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director

4. Smt. Veena Kumari - Deputy Secretary

Ministry of Communications & Information Technology

1. Shri P.J. Thomas, Secretary (T)
2. Shri Chandra Prakash, Member (Tech)
3. Shri Subodh Kumar, Additional Secretary
4. Dr. Ashok Chandra, W.A.
5. Shri Vipin Kumar, Sr. DDG (Vig.)
6. Shri J.S. Deepak, JS(T)
7. Shri R.K. Chandolia, Economic Advisor
8. Shri S.S. Singh, DDG (PG)
9. Shri Ram Narain, DDG
10. Shri S.K. Tiwari, DDG (TPF)
11. Shri Nitin Jain, DDG (DS)
12. Shri N.K. Joshi, DDG (SU)
13. Shri Kuldeep Goyal, CMD, BSNL
14. Shri Kuldeep Singh, CMD, MTNL

At the outset, the Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee took oral evidence of the representatives of Ministry of Communications & Information Technology (Department of Telecommunications) in connection with the pending assurances.

2. The Committee sought certain clarifications on assurances (Sl. No. 1 to 10) which were replied to by the representatives of the Ministry. Due to paucity of time, the Committee could not review all the pending assurances. The Committee decided to review the remaining pending assurances at their next sitting to be held on 15 February, 2010.
3. The verbatim proceedings have been kept on record.

The Committee then adjourned.

MINUTES

ELEVENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2009-2010) held on 15 February, 2010 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1100 hours to 1230 hours on Monday 15 February, 2010.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Dara Singh Chauhan
3. Shri Mohan Jena
4. Shri Bishnu Pada Ray
5. Rajkumari Ratna Singh
6. Dr. M Thambidurai
7. Shri Hukumdeo Narayan Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director
4. Smt. Veena Kumari - Deputy Secretary

Ministry of Communications & Information Technology

1. Shri P.J. Thomas, Secretary (T)
2. Shri Subhodh Kumar, Additional Secretary
3. Dr. Ashok Chandra, W.A.
4. Shri Vipin Kumar, Sr. DDG (Vig.)
5. Shri J.S. Deepak, JS(T)
6. Shri R.K. Chandolia, Economic Advisor
7. Shri S.S. Singh, DDG (PG)
8. Shri A.K. Srivastava, DDG (AS)
9. Shri S.K. Tiwari, DDG (TPF)
10. Shri Nitin Jain, DDG (DS)
11. Shri N.K. Joshi, DDG (SU)
12. Shri Ram Narain, DDG (Security)
13. Shri Kuldeep Goyal, CMD, BSNL
14. Shri Kuldeep Singh, CMD, MTNL
15. Shri Rajendra Singh, Director, BSNL

At the outset, the Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee resumed the oral evidence of the representatives of Ministry of Communications & Information Technology (Department of Telecommunications) in connection with the pending assurances.

2. The Committee sought certain clarifications on pending assurances which were replied to by the representatives of the Ministry. Due to paucity of time, the Committee could not review all the pending assurances. The Committee decided to review the remaining pending assurances on a later date.

3. A verbatim record of the proceedings have been kept.

The Committee then adjourned.

MINUTES

TWELFTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2009-2010) held on 11 March, 2010 in Committee Room 'E', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1600 hours on Thursday 11 March, 2010.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Dr. Kakoli Ghosh Dastidar
4. Shri Mohan Jena
5. Shri Raghuvir Singh Meena
6. Shri K.J.S.P. Reddy
7. Shri M. Raja Mohan Reddy
8. Rajkumari Ratna Singh
9. Shri Manohar Tirkey

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director

4. Smt. Veena Kumari - Deputy Secretary

Ministry of Communications & Information Technology

<u>S.No.</u>	<u>Name & Designation</u>
1.	Shri P.J. Thomas, Secretary (T)
2.	Shri Chandra Prakash, Member (Tech)
3.	Shri Subodh Kumar, Additional Secretary
4.	Dr. Ashok Chandra, W.A.
5.	Shri Vipin Kumar, Sr. DDG (Vig.)
6.	Shri J.S. Deepak, JS(T)
7.	Shri R.K. Chandolia, Economic Advisor
8.	Shri S.S. Singh, DDG (PG)
9.	Shri A.K. Srivastava, DDG (AS)
10.	Shri S.K. Tiwari, DDG (TPF)
11.	Shri Nitin Jain, DDG (DS)
12.	Shri N.K. Joshi, DDG (SU)
13.	Shri Ram Narain, DDG (Security)
14.	Shri Kuldeep Goyal, CMD, BSNL
15.	Shri Kuldeep Singh, CMD, MTNL
16.	Shri Kirthy Kumar, DDG (C&A)

At the outset, the Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee resumed the oral evidence of the representatives of Ministry of Communications & Information Technology (Department of Telecommunications) in connection with the pending assurances.

2. The Committee sought certain clarifications which were replied to by the representatives of the Ministry.
3. A verbatim record of the proceedings have been kept.

The Committee then adjourned.

MINUTES

SIXTEENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2009-2010) held on 4 May, 2010 in Committee Room 'D', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1545 hours on Tuesday, 4 May, 2010.

PRESENT

IN THE CHAIR

Shri Bishnu Pada Ray

Members

2. Shri Anandrao Adsul
3. Shri Dara Singh Chauhan
4. Shri K.J.S.P. Reddy
5. Shri M. Raja Mohan Reddy
6. Rajkumari Ratna Singh
7. Dr. M. Thambidurai
8. Shri Hukumdeo Narayan Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director

3. Shri D.S. Malha - Additional Director
4. Smt. Veena Kumari - Deputy Secretary

At the outset, in the absence of the Chairperson, Shri Bishnu Pada Ray was chosen as Chairman under rule 258(3) of Rules of Procedure and Conduct of Business in Lok Sabha.

Thereafter, the Committee considered and adopted Draft Fifth Report regarding pending assurances pertaining to the Ministry of Communications & Information Technology (Department of Telecommunications) and Draft Sixth and Seventh Reports regarding requests for dropping of assurances. The Committee authorized the Chairperson to finalise the Reports and present them to the House.

The Committee also decided to review pending assurances of the Ministries of Home Affairs, Agriculture, Civil Aviation and Women & Child Development during ensuing inter-session period.

The Committee then adjourned.

