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EXECUTIVES' ASSOCIATION
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No. AIBSNLEA/CMD/BSNL/2011-12

Dated:17.11.2011

**To
Shri R.K. Upadhyay
CMD, BSNL
New Delhi-110001**

Sub: - 3G LOSS TO BSNL- DoT favoring Airtel, Idea, Vodafone-reg.

Respected Sir,

We would like to draw your kind attention that BSNL has paid for 3G spectrum charges throughout the Nation and has launched the services accordingly. However, Airtel, Vodafone and Idea (who are also partners for the Tower sharing business in the name of Indus Towers) have offered services in Circles where they don't even hold 3G spectrum. Vodafone has spectrum allotted only in 9 Circles, it offered 3G in 20 Circles. Airtel has in 13 Circles but launched in 20 Circles as far as Idea figures are 11 and 19. Earlier DoT Unit has clearly stated that under the BSNL Unified Access Service License (UASL) can't offer 3G service and declare tariff plan or acquire customers in a circle where it has not been allotted the spectrum. It also said that 3G roaming in mobile operation is like MVNO which is not allowed under the current policy.

TRAI has stated that study on the issue of legality of above and has said prima facie as illegal and violates terms and conditions of the license. The regulator also opined that the action of the operator has serious financial implication for the Government. This is because the operators can provide 3G services in Circle where they have not paid for the spectrum.

BSNL has paid for all the area and should be only National 3G provider. Thus, these three lead private operators are eating the share of BSNL 3G without even paying for the spectrum and not having license. BSNL should be strongly opposed and it appears that BSNL has not taken a strong stand on this issue. BSNL should make itself a party in the Court and file a litigation regarding the same. Also it should claim losses as it has lost brand value and prospective customers by these lead private operators usurping the unique selling point of National roaming available to it on the basis of having paid much higher 3G spectrum fees.

We would therefore request you to kindly intervene in this matter and do the immediate needful to sort out the issue forthwith.

With kind regards,

Yours Sincerely
-sd-
(PRAHLAD RAI)
General Secretary

Copy to:-

- (i) Shri Kapil Sibal, Hon'ble MOC&IT, Govt. of India, New Delhi
- (ii) Shri R. Chandrashekar, Secy(T) DoT, New Delhi-110001
- (iii) The Director(CFA)/Director(CM)/Director(HR)/Director(EB), BSNL CO, New Delhi-110001