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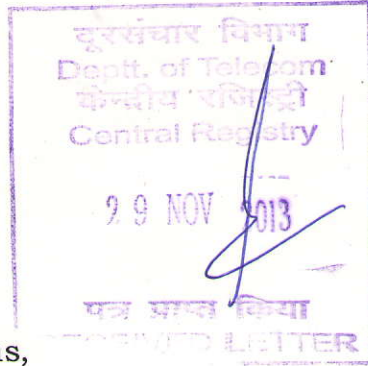
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No.AIBSNLOA/CHQ/2013/204

Dated: 29.11.2013

To

Shri M.F. Farooqui,
Secretary,
Department of Telecommunications,
New Delhi.



Subject: Refund of BWA spectrum charges paid by BSNL – regarding

Respected Sir,

The Group of Ministers on revival of BSNL and MTNL, in its meeting held on 12.9.2013, is reported to have decided to refund the money paid by BSNL and MTNL in lieu of surrendering Broadband Wireless Access (BWA) spectrum. BSNL is to get Rs 6,724.51 crore in lieu of surrendering BWA spectrum.

2. It may be recalled that BSNL was allotted non-standard spectrum in 2.5 – 2.69 GHz, while the other operators were allocated spectrum in 2.3 GHz band. BSNL had surrendered the spectrum since LTE-TDD technology in the 2.5 GHz band allocated to BSNL is still in development stage and BSNL cannot utilise it for commercial services. The other operators had been allocated spectrum in 2.3 GHz band and the ecosystem around this band is developing faster.

3. BSNL, through a letter dated March 29, 2012 had submitted proposals with two options: for surrender of BWA spectrum in 2.5-2.69 GHz band allotted to them in all the 20 circles and requested to refund Rs 8,313.9 crore. BSNL had suggested a second option; seeking a refund of Rs 6,724.51 crore for surrendering BWA spectrum in six circles -- Maharashtra, Gujarat, Andhra Pradesh, Kolkata, Karnataka and Tamil Nadu.

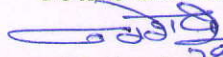
4. The DoT on its part had committed, in the MoU between DoT and BSNL for 2012-13 signed on 14.3.2012, for refund of upfront BWA spectrum License fee. It has taken more than a year and a half for DoT to get a recommendation by a GoM for refund of Rs 6,724.51 crore. But even after lapse of two months no cabinet approval appears to have been given.

5. It may not be overemphasized that BSNL is in a serious financial crunch, struggling to meet even the OPEX not to speak of CAPEX. DoT has been using BSNL to fulfill the social obligations of the Government like provision of telecom facility in rural and remote areas but BSNL has never been compensated in full towards these loss making services. It is DoT's responsibility to ensure that the refund towards surrendered BWA spectrum is paid by the Government at the earliest.

6. We therefore request you to kindly take up the matter at the highest level and to ensure that the amount is paid immediately by the Government.

With kind regards,

Yours sincerely,


(Rakesh Sethi)
29.11.13
General Secretary

Copy to:

1. Shri Kapil Sibal,
Hon'ble Minister of Communications & IT,
107, 1st Floor,
Sanchar Bhawan,
New Delhi - 110001

2. Shri P. Chidambaram,
Chairman of the GoM & Hon'ble Minister of Finance,
Room No.134, North Block
New Delhi : 110001

3. Shri R.K. Upadhyay, CMD, BSNL