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DoT questions TDSAT jurisdiction to hear telcos' plea on 3G

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NEW DELHI: The telecom ministry today questioned the jurisdiction of telecom tribunal TDSAT on entertaining the petitions of five telecom operators, including [Bharti Airtel](#) and [Vodafone](#), challenging the government's directive to stop 3G roaming agreements.

Additional Solicitor General A S Chandio appearing for the Department of Telecom (DoT) told the tribunal that it has no jurisdiction to entertain the petitions which are altering the terms of telecom licence.

Terming the inter-circle roaming pacts among telecom service providers for 3G services in areas where they do not have the designated spectrum as "illegal", the government had issued notices to five players to stop such services immediately.

The operators -- Bharti, Vodafone, [Idea](#), [Tatas](#) and [Aircel](#) -- had challenged the government's decision in the TDSAT.

The ASG said that in its recent judgement the Supreme Court has said that the tribunal cannot entertain the petition which are altering the licence conditions.

On this the tribunal asked the government to file a separate application in this regard. The ASG said, "It would be filed today only."

Further, the tribunal asked the operators to file replies of the new coming application questioning its jurisdiction by Friday this week and directed to list the matter on Monday (January 9) for next hearing.

Meanwhile, state-owned BSNL today requested to implead into this ongoing dispute and make it a party in the suite.

Additional Solicitor General AS Tankha appearing for BSNL submitted that that PSU is going to be affected very largely by the outcome of its hearing and it should be heard. He also submitted that an application in this regard would be filed today only.

On this, the [TDSAT Chairman](#) Justice S B Sinha said it should be decided only after deciding on the preliminary objections raised by the DoT.

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