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TDSAT sets aside BSNL carriage demand of 65 paise

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NEW DELHI: Providing some relief to private operators, telecom tribunal [TDSAT](#) has restrained state-owned [BSNL](#) from charging higher carriage charges of 65 paise a minute until sectoral regulator Trai frames new rules or the [Supreme Court](#) passes an order in this matter.

Setting aside the bills raised by BSNL, TDSAT said, "The impugned demand of respondent (BSNL) cannot be sustained. They are set aside accordingly."

However, the tribunal added, "This order shall be subject to any other or further order which may be passed by the Supreme Court of India or any Regulation that may be made by the telecom regulator (Trai)."

The Telecom Disputes Settlement and [Appellate Tribunal](#) direction came over a bunch of petitions filed by Tata Teleservices, [Reliance Communications](#) and [Sistema Shyam Teleservices](#).

The operators had requested TDSAT to restrain BSNL from recovering any amount in excess of 15 paise per minute towards inter-circle transit charge till such time that Trai notifies the new Interconnection Usage Charges Regulations (IUC).

The PSU had raised some bills and issued disconnections notices to the operators on July 21, 2011, based on Trai's old IUC Regulations of 2006, claiming carriage charges at 65 paise per minute.

The tribunal observed, "65 paise per minute per call was subject to a ceiling and not a fixed sum, it required negotiations between the parties."

The 2006 regulation has come over the old regulation of 2003, which had four slots of carriage charges based on the distance such as 0 to 50 Km, 50 to 200 Km, 200 to 500 Km and 500 and above with a tariff of 20 paise, 65 paise, 90 paise and Rs 1.10 per minutes respectively.

However, in 2006, Trai proposed universal carriage charges for all long distance calls with a ceiling of 65 paise per minute irrespective of the distance.

This was challenged by BSNL before the TDSAT. The tribunal had, on May 21, 2010, set it aside and the appeals are pending before the Supreme Court.

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