

## TDSAT rejects RCom's plea against BSNL

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NEW DELHI: Telecom tribunal TDSAT has dismissed Anil Ambani group firm RCom's plea challenging the penalty and disconnection notices issued by state-run BSNL for wrong routing of international calls in Karnataka Circle in 2003.

The TDSAT bench headed by its chairman Justice S B Sinha said RCom's plea was barred by limitation, there was no need to look into the merit of the case.

The bench said the impugned bill raised in 2005 was related to calls made in 2003. However, RCom approached TDSAT only in 2010, hence it was not entitled to challenge it.

"In view of the fact that this petition is barred by limitation, it is not necessary for us to enter into the merit of the matter. This petition is, therefore, dismissed," the bench said.

BSNL in 2005 had slapped RCom with two bills of Rs 1.5 crore and Rs 4.26 crore after finding that RCom was tampering with Caller Line Identification and showing international calls as local ones. Also, it issued a disconnection notice to the company in March 27, 2007.

As per the rules, the state-run teleco had imposed highest slab of international calls for such unauthorised calls, which was challenged by RCom before TDSAT.

The tribunal further observed that Rcom was also not pursuing its case "bonafidely" by not providing Call Data Records of its Point of Interconnectons (PoI) despite several earlier orders.

"It cannot, therefore, be said that the petitioner was pursuing its remedy bonafide. The cause of action for bringing an action on the part of the petitioner was the disconnection of PoI and not the bill," the tribunal said.

PoI between two operators is needed before subscribers can make and receive calls from different networks.