Dispute Resolution Mechanism in Telecom Sector in India

MTNL Mumbai
Telecom Operators working in Mumbai

- Basic Service Operators (BSO/UASO)
  - Mahanagar Telephone Nigam Ltd (MTNL)
  - Reliance Infocomm Ltd (RIL)
    » Migrated to UAS License from Basic.
  - Tata Telesevices (Maharashtra) Ltd (TTML)
    » Migrated to UAS License from Basic.
  - Bharati Cellular Limited (BCL)
    » Migrated to UAS License from cellular.
Telecom Operators working in Mumbai

• Cellular Mobile Service Providers
  – Hutchison Telecom Ltd(HTML)- Orange
  – BPL Mobile communications Ltd
  – MTNL
  – Bharati Cellular Limited(BCL)
    » Migrated to UAS License.
Telecom Operators working in Mumbai

- National Long Distance Operators (NLDO)
  - BSNL
  - Bharati(BTSOL)
  - Reliance Infocomm Ltd.
Telecom Operators working in Mumbai

• International Long Distance Operators (ILDO) -
  – VSNL
  – Bharati (BTSOL)
  – Reliance Infocomm Ltd.
  – Data access (India) Limited
Role of TRAI

• TRAI act 1997 and subsequent amendment in 2000 defined the role of TRAI to make recommendations, either suo moto or on a request from the licensor, on the following matters, namely:-

  (i) need and timing for introduction of new service provider;
  (ii) terms and conditions of license to a service provider;
  (iii) revocation of license for non-compliance of terms and conditions of license
  (iv) measures to facilitate competition and promote efficiency in the operation of telecommunication services so as to facilitate growth in such services.
Role of TRAI

- TRAI act 1997 and subsequent amendment in 2000 defined the role of TRAI to
  (v) technological improvements in the services provided by the service providers
  (iv) type of equipment to be used by the service providers after inspection of equipment used in the network.
  (vii) examine the measures for the development of telecommunication technology and any other matter relatable to telecommunication industry in general;
  (viii) monitor the efficient management of available spectrum;
Role of TDSAT

- By TRAI act amendment 2000, The Central Government had established an Appellate Tribunal to be known as the Telecom Disputes Settlement and Appellate Tribunal (TDSAT) to -
  - (a) adjudicate any dispute -
    - (i) between a licensor and a licensee;
    - (ii) between two or more service providers;
    - (iii) between a service provider and a group of consumers:
  - (b) hear and dispose of appeal against any direction, decision or order of the TRAI.
Telecom disputes

• Type of telecom disputes
  – Between licensor & licensee
    • Non compliance of license conditions
    • Roll out obligation
  – Between two service providers
    • Related to interconnection issues and agreement.
    • Damage of infrastructure due to developmental activities of other operators.
    • Related to IUC Billing.
    • Unauthorized use of resources like spectrum.
Telecom disputes

• Type of telecom disputes
  – Between Service Provider & Consumer groups
    • Quality of service.
    • Wrong/excess billing.
Other general issues.

• Other general issues:
  – Charging issues.
  – The interference of frequency spectrum between operators.
    • GSM to CDMA.
    • CDMA to CDMA.
  – The default of IUC payment by Operators.
Thanks