

File No: 800-36/2014-AS.II
Government of India
Ministry of Communications
Department of Telecommunications
(Access Services Wing)
Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001.

Dated: 18.01.2023

To,

1. DG(T), DoT
2. CGCA, DoT
3. DDG (LFA)/ DDG (LFP), DoT

Subject: Order dated 30.10.2018 passed by Hon'ble Telecom Dispute Settlement & Appellate Tribunal (TDSAT) in Petition No. 500/2014 filed by COAI and other Telecom operators V/s UoI - regarding

Reference: Letter no. 800-36/2014-AS.II dated 08.02.2019

This is in continuation to order dated 08.02.2019 (copy enclosed) issued by this office on the above mentioned subject and the representation received from the association of service providers raising issues on closed demands and date of applicability of the Hon'ble TDSAT order dated 30.10.2018. In this regard, it is intimated that the representation of the association of service providers has been examined and it has been decided by the competent authority that para d) of order dated 08.02.2019 shall be replaced as: -

"d) The closed demands of the testing fees i.e. demands raised by DoT after 20.11.2014 and have been paid by the licensee in entirety shall be revised and charged @ Rs. 4000 per test as per para (a) & (b) above. The excess amount arising from those closed demands, if any, shall be adjusted against the pending/future testing charges."

2. In addition to above, it has also been decided that the adjustment of excess testing fees, if any, available with the Department shall be done in following manner: -

- i. The excess amount, if any, arising from the closed demands of the Licensees, who are operational, will be adjusted against the pending/future testing charges.

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- ii. The excess amount, if any, arising from the closed demands of the Licensees, who are non-operational and/or under insolvency, will be adjusted against their other pending dues with DoT.
3. The other terms and conditions of the order dated 08.02.2019 shall remain the same.

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18.01.2023

(Nisha)

ADG (AS-II)

Tel: 011-23036580

Copy to:

1. Member (F)/ Advisor (F), DoT.
2. All Advisor(s)/ Sr. DDG(s) of LSA Field Units of DoT.
3. Sr. DDG, TEC, New Delhi.
4. All CMTS/UASL/UL (Access Service Authorization) Licensees.
5. COAI, New Delhi.