



## भारतीय दूरसंचार विनियामक प्राधिकरण

महानगर दूरसंचार भवन, जवाहर लाल नेहरू मार्ग,  
(पुराना मिनटो रोड), नई दिल्ली-110002

### TELECOM REGULATORY AUTHORITY OF INDIA

Mahanagar Doorsanchar Bhawan, Jawahar Lal Nehru Marg,  
(Old Minto Road), New Delhi-110002  
Fax : 91-11-23213294

No. 406-10/2005- I&FN (Vol. II)

Dated the 18<sup>th</sup> October, 2011

### DIRECTION

**Subject:** Direction under section 13, read with sub-clauses (i),(ii), (iii), (v) and (vi) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) to Bharat Sanchar Nigam Ltd.(BSNL) to restore all POIs disconnected by it in the Punjab Service Area.

Whereas the Telecom Regulatory Authority of India [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act, 1997), has been entrusted with discharge of certain functions, *inter alia*, to regulate the telecommunication services, protect the interests of consumers of the telecom sector, ensure compliance of terms and conditions of licence, ensure technical compatibility and effective inter-connection between different service providers, and ensure the quality of service so as to protect the interest of the consumers of telecommunications service;

2. And whereas it has been brought to the notice of the Authority that BSNL has disconnected L1 and L2 TAX POIs of some of the service providers in the Punjab Service Area;

3. And whereas unavailability of interconnection between networks of service providers results in non-completion of calls, causes disruption of service and inconvenience to the subscribers of both the interconnecting service providers and leads

to deterioration in the Quality of Service provided by the service provider and is against the interest of the consumers and service providers;

4. And whereas clause 17.6 of the Basic Telephone Service Licence provides as under:-

"The terms and conditions of Interconnection including standard interfaces, points of Interconnection and technical aspects will be as mutually agreed between the service providers subject to compliance of prevailing regulations, directions and determinations issued by TRAI under TRAI Act 1997";

5. And whereas clause 26.5 of the Unified Access Service Licence provides as under:-

"It shall be mandatory for the LICENSEE to provide interconnection to all eligible Telecom Service Providers as well as NLD Operators whereby the subscribers could have a free choice to make inter-circle/ international long distance calls through NLD/ILD Operator.....";

6. And whereas clause 26.7 of the Unified Access Service Licence provides as under:-

"Point of Inter-connection (POI) between the networks shall be governed by Guidelines/ Orders/ Directions/ Regulation issued from time to time by Licensor/ TRAI.";

7. And whereas similar issue of disconnection of POIs by BSNL is pending adjudication before the Hon'ble TDSAT in the Petition Nos. 395, 400 and 401 of 2011 filed by the service providers wherein the Hon'ble Tribunal has, inter-alia, passed the following order on 30<sup>th</sup> September, 2011:-

*29.....Subject to compliance of this order, the operation of the impugned circular dated 21.7.2011 so far as the petitioners are concerned is stayed. Subject to the aforementioned, the POIs, which have been disconnected, may be restored."*

8. Now therefore, in exercise of the powers conferred upon the Authority under section 13 read with sub-clauses (i),(ii), (iii), (v) and (vi) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and in order to ensure compliance of terms and conditions of Basic Telephone Service Licence and Unified Access Service License, effective interconnection between service providers and to protect consumer interest and also keeping in view the aforesaid order dated 30.9.2011 of Honble TDSAT, the Authority hereby directs Bharat Sanchar Nigam Ltd to restore all Points of Interconnection disconnected by it in the Punjab Service Area immediately and report compliance latest by 21<sup>st</sup> October, 2011.

  
**(Arvind Kumar)**  
**Advisor(I&FN)**

**To,**

**Shri R. K. Upadhyay**  
**Chairman & Managing Director,**  
**Bharat Sanchar Nigam Ltd.,**  
**Bharat Sanchar Bhavan,**  
**Janpath**  
**New Delhi-110001**