

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**LOK SABHA
STARRED QUESTION NO. 329
TO BE ANSWERED ON 11TH DECEMBER, 2019**

ADJUSTED GROSS REVENUES

***329. SHRI MANISH TEWARI:**

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) the salient points of the Supreme Court Judgement dated 24-10-2019 in the matter of Adjusted Gross Revenues (AGR) of Telecom Service Providers (TSPs);
- (b) the details of the AGR arrears that have to be recovered by the Government from private and public TSPs, year-wise and TSP-wise; and
- (c) the roadmap/timelines formulated by the Government to recover the aforesaid AGR arrears?

ANSWER

**MINISTER OF COMMUNICATIONS, LAW & JUSTICE AND
ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

- (a) to (c) A statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF LOK SABHA IN RESPECT OF PARTS (a) to (c) OF LOK SABHA STARRED QUESTION NO. *329 FOR 11TH DECEMBER, 2019 ON “ADJUSTED GROSS REVENUES”.

(a) The Hon’ble Supreme Court in CIVIL APPEAL NOS. 6328 - 6399 OF 2015 [UNION OF INDIA Vs. ASSOCIATION OF UNIFIED TELECOM SERVICE PROVIDERS OF INDIA ETC.] pronounced its judgment dated 24-10-2019 wherein the appeals filed by the Department of Telecom were upheld and the appeals filed by the Telecom Service Providers were dismissed.

The salient points of the judgement dated 24-10-2019 are attached as **Annexure-I**.

(b) The provisional Adjusted Gross Revenue dues of the Telecom Service Providers on account of License Fee and Spectrum Usage Charges are based on the assessments carried out/ demands raised and are subject to revision in light of the Hon’ble Supreme Court order dated 24-10-2019. Details are at **Annexure-II (a) and Annexure-II (b)**.

(c) The Hon’ble Supreme Court while pronouncing the judgement on 24-10-2019 has granted 3 months’ time for compliance of the order. The Department of Telecom has issued a letter to all the Telecom Service Providers (TSPs) directing them to make the payments in accordance with the order of the Hon’ble Supreme Court dated 24-10-2019 and submit the relevant documents to ensure the compliance within the stipulated timeframe.

Salient points of the AGR judgment dated 24.10.2019

1. The Supreme Court delivered the final judgment on 24.10.2019 [Civil Appeal 6328 of 2015] wherein the appeals filed by Department of Telecom were allowed and appeals filed by the Licensees were dismissed.
2. The Supreme Court has upheld the definition of 'Gross Revenue' and 'Adjusted Gross Revenue' as mentioned in the License Agreement.
3. The Supreme Court held that the Licensees are liable to pay the interest, penalty and interest on penalty as per the license agreement.
4. The Supreme Court has given three months' time to deposit the amount, which is due and compliance be reported.

Telecom Service Providers Wise License Fee Outstanding as per Demand upto July , 2019
(In Rupees crore)

SNo.	Name of the Company	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Total
1	AIRCEL GROUP OF COMPANIES	0	0	77.83	65.61	125.29	454.28	2745.00	625.49	1105.91	984.23	852.20	415.85	400.99	7852.68
2	BHARTI AIRTEL GROUP OF COMPANIES	0	0	949.61	3351.33	2610.03	2601.63	2014.74	2162.45	3058.97	1485.75	2333.65	479.86	634.09	21682.13
3	BHARAT SANCHAR NIGAM LIMITED	0	0	0	0	0	0	0	0	1289.48	809.24	0	0	0	2098.72
4	ETISALAT DB TELECOM PRIVATE LIMITED	0	0	0	0.05	0.48	9.20	19.50	0	0	0	0	0	0	29.24
5	IDEA CELLULAR LTD/VODAFONE IDEA LTD	0	0	227.38	826.02	1024.55	1369.80	1103.42	980.33	931.45	862.92	733.17	425.98	0	8485.02
6	LOOP TELECOM PVT LTD	0	0	0	32.64	26.17	26.56	25.48	61.10	60.55	0	0	0	0	232.51
7	MAHANAGAR TELEPHONE NIGAM LIMITED	0	0	9.32	350.60	169.70	170.98	166.15	122.72	35.67	184.59	740.49	587.27	0	2537.48
8	QUADRANT TELEVENTURES LIMITED	1.29	0.11	0	33.08	36.69	1.61	0.91	2.59	2.72	13.28	4.62	0.55	18.73	116.17
9	RELIANCE COMMUNICATION/RELIANCE TELECOM LIMITED	0	0	1758.49	2690.29	3240.38	2333.41	1823.63	949.45	1451.95	766.55	799.21	301.49	341.62	16456.47
10	RELIANCE JIO INFOCOMM LTD	0	0	0	0	0	0	0	0	0	8.73	4.62	0	0	13.35
11	S TEL PVT LTD	0	0	0	1.34	1.32	10.43	13.15	15.76	0.44	0	0	0	0	42.43
12	SISTEMA SHYAM TELESERVICES LTD	0	0	4.92	4.94	32.76	31.52	79.66	81.95	33.54	11.19	21.33	0.11	0	301.93
13	TATA GROUP OF COMPANIES	0	104.59	1389.68	1437.15	1551.19	1788.52	938.87	695.17	672.32	637.65	382.94	108.71	280.25	9987.04
14	TELENOR INDIA PRIVATE LIMITED	0	0	0	0.01	0.13	13.00	259.74	349.62	444.56	449.08	338.06	95.91	0	1950.11
15	VIDEOCON TELECOMMUNICATIONS LTD	0	0	0	1.54	4.97	12.16	64.94	44.89	0.08	108.80	173.14	1.74	620.36	1032.62
16	VODAFONE GROUP OF COMPANIES	0	0	197.46	1254.64	2499.74	3530.11	3098.94	2280.67	2762.59	2126.56	2073.01	0	0	19823.72
	Total:														92641.61

These amounts are provisional and subject to revision in light of the Hon'ble Supreme Court Judgement dated 24.10.2019 and updation of Interest, penalty and interest on penalty.

Annexure-II (b)**Telecom Service Providers (TSPs) and yearwise outstanding SUC****(In Rupees crore)**

SNo.	Name of the Company	2002-03	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	Total
1	Bharti Airtel Limited		87.07	0.15	833.49	20007.09	489.63	867.60	3444.12	1470.87	1412.88	738.55	1318.37	314.65	659.97	237.01	22.55		
2	Reliance Jio Infocom Limited (RJIO)		0.01	0.43											10.36	36.72	0.00		
3	Idea Cellular Limited (Idea)				82.73	321.54	556.86	590.60	1678.70	747.77	841.15	586.13	690.49	313.21	256.94	48.33	30.92		
4	Vodafone India Ltd. (Vodafone)			51.92	168.11	705.18	1270.52	1511.81	4192.90	1658.88	2449.59	1935.95	2203.29	716.52	819.36	300.58	-0.40		
5	Tata Teleservices Limited		4.42	18.04	258.71	607.78	528.28	543.10	468.32	362.35	387.57	259.53	209.74	110.18	62.61	15.68	-0.02		
6	Bharat Sanchar Nigam Limited			271.10	604.26	1004.33	183.38	94.33	103.40	123.86	197.82	19.51	133.69	86.38	47.77	-5.24	22.81	3.07	
7	Mahanagar Telephone Nigam Limited (MTNL)								73.76	87.42	46.94	1.50	292.30	87.00	-3.04				
8	Aircel Limited (Aircel)				70.04	-1.33	-0.12	60.03	905.40	242.57	330.87	279.99	183.97	166.63	129.88	8.85	0.00		
9	Reliance Telecom Limited (RTL)	12.86			14.39	54.97	188.23	97.24	64.57	29.04	82.27	74.62	77.92	44.52	52.16	3.53	0.00		
10	Reliance Communication Limited (RCL)			23.17	288.24	730.77	870.08	640.45	481.30	316.19	242.05	104.38	97.47	45.76	44.80	2.80	0.00		
11	Etisalat DB Telecom Pvt. Ltd.						0.40	-0.04	2.42	0.02	0.00								
12	Unitech Wireless East Pvt Ltd						0.02	1.05	88.29	117.41	154.48	143.60	153.41	41.15	4.78	8.13	0.00		
13	Dishnet Wireless Limited			18.85	13.82	1.61	15.48	40.53	274.52	42.38	87.39	61.65	40.89	27.73	16.54	1.14	0.00		
14	Loop Telecom Pvt. Ltd.						0.00	0.03	0.25	0.24	0.04								
15	Quadrant Televentures Ltd.					10.42	12.06	1.51	1.75	20.06	4.14	7.77	2.42	4.96	6.84				
16	Telenor India Communications Private Ltd/Telewings Communication Services Pvt Ltd						0.01	0.12	9.45	16.86	15.86	35.79	89.37	34.80	5.53	0.04			
17	S.Tel.Private Ltd					0.09	0.21	3.32	5.71	4.22	0.12								
18	Sistema Shyam Teleservices Ltd (SSTL)					0.00	4.12	10.83	34.53	27.26	8.56	5.89	11.32	-0.10	0.26	-1.22			
19	Videocon Telecommunications Ltd					0.00	0.69	6.66	9.23	4.58	8.59	5.56	5.15	0.27	224.36	0.00			
TOTAL																			55054.51

These amounts are provisional and subject to revision in light of the Hon'ble Supreme Court Judgement dated 24.10.2019 and updation of Interest, penalty and interest on penalty.
