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Negotiating Group on Basic Telecommunications

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Response to Questionnaire on Basic Telecommunications

The following communication is circulated at the request of India to Members of the Negotiating Group on Basic Telecommunications.

Part I

Definition and Market Structure

Definition:

1. What are considered to be basic telecommunications under your regulatory regime? How are they defined? How does your regulatory regime define that which is not considered basic telecommunications?

In the Indian Government's Laws and Regulations relating to telecommunications, there is no definition of Basic Telecommunications. However, for the purposes of reply to this questionnaire, the word "basic telecommunication services" is assumed to cover the following services:-

- a. Voice telephone services
- b. Packet-switched data transmission services
- c. Circuit switched data transmission services
- d. Telex services
- e. Telegraph services
- f. Facsimile services
- g. Private leased circuit services,

Note: Provision of 64 KBPS V-SAT based telecom networks for closed user groups is considered as a value added service. Provision of radio-based mobile voice telephone services is considered as a Value Added Service.

2. Does your regulatory regime distinguish between networks (facilities) and services in defining basic telecommunications? If so, how is this distinction made?

In the Indian Government's laws and regulations relating to telecommunications, distinction between services and networks is not spelt out.

3. Are there any networks or services which would be considered to be basic telecommunications within the scope of the GATS definition which would not be so considered by your national definition? If so, what are they ?

See answer 1.

Market structure

4. List any basic telecommunications sub-sectors or categories which are reserved to supply by monopoly or exclusive supplier(s).

As per the Indian Telegraph Act, within India, Government of India has the exclusive privilege for providing telecommunication services. However, the Government may authorise a licensee to provide these services under specified terms and conditions.

5. Does your regime designate one or a limited number of monopoly/exclusive suppliers to supply any basic telecommunications nationally, on a geographical basis, or for particular market segments? How is it (or they) constituted (e.g. government ministry or agency, wholly government-owned corporate entity, company party owned by the government, privately owned)?

Government of India through the Department of Telecommunications (DoT) administers the telecom services throughout the country. For this purpose the country is divided into 20 telecommunication circles and 4 metro districts. At present Basic Telecommunication Services are provided directly by DoT in all telecommunication circles and metro districts except in 2 metro districts (Bombay and Delhi) where a licensee of the government namely Mahanagar Telephone Nigam Ltd., a Government company, provides the same. International Telecom. Services are provided by M/s. Videsh Sanchar Nigam Ltd. [VSNL], a Government Company. The National Telecom Policy, announced by the Government in 1994, provides for participation of private sector in providing telecommunication services. In pursuance of this National Telecom Policy, the Government has invited bids from private companies through open tender for providing telephone services.

6. Is foreign equity participation or ownership of monopoly or exclusive suppliers permitted? If so, what is the maximum percentage share allowed and what is the current level of identifiable foreign participation?

The guidelines issued by the Government for the entry of private sector into basic telecom services permits foreign equity upto 49 per cent only in Indian companies for providing voice telephone service in various telecommunication circles/metro districts.

7. If your regime is generally characterized as not permitting competition, please indicate:

- (a) if certain activities or categories of what could be considered basic telecommunications are not reserved to the monopoly, e.g. facsimile, telex, data transmission, mobile, satellite services;
- (b) are there any other means through which foreign suppliers of basic telecommunications are or may participate in the supply of basic telecommunications, e.g. sub-contract or build-operate-transfer arrangements with the monopoly suppliers.

Not applicable.

8. Please list and briefly describe any intergovernmental agreements, bilateral or otherwise, that your government has entered into relating to the supply of basic telecommunications networks and services.

Some of the intergovernmental agreements entered into by Government of India are as under:

1. INTELSAT Agreement.
2. INMARSAT Convention & operating agreement on INMARSAT.
3. Commonwealth Telecommunications organisation Financial Agreement, 1983.
4. ITU International Telecommunications Union.
5. ITU Radio Regulations.
6. ITU International Regulations.

There are four bilateral agreements one each with Pakistan, Nepal, Bangladesh and Bhutan on some telecommunication services.

PART II

Competition

For the sub-sector and category headings in sections A and B, the five questions listed below should be addressed for each subsector and category that you describe. Recognizing that subsectors and Categories may overlap, please keep in mind that it is the introduction of competition and the way it has been introduced that should determine how to select which subsectors and categories covered in your responses.

- (i) Overview: What are the main government policies and regulations regarding the competition in this subsector or category? Can foreign suppliers participate in the supply of basic telecommunications in this subsector or category?
- (ii) Modes of supply: In your view, how do the GATS modes of supply (cross border, consumption abroad, commercial presence, and presence of natural persons) apply to this subsector or category? What kinds of requirements conditions, or limitations are applied in this subsector or category which relate to each mode of supply?

Note: Responses on modes of supply should not necessarily be limited to measures which might relate to market access or national treatment as defined by the GATs. Information provided may help advance discussions on how the modes of supply, particularly cross border and consumption abroad, relate to basic telecommunications.

- (iii) Market access: What kind of limitations on market access are applied? (i.e. Are they any quantitative limitations on, or economic needs tests applied, to, the number of suppliers? Are there any limits on the total value of transactions, total number of operators, quantity of output, or the total number of persons that may supply basic telecommunications or be employed by a supplier? Are there any restrictions or requirements regarding type of legal entity that may supply basic telecommunications? Are there any limits on foreign ownership or equity participation?)

- (iv) National treatment: What kind of limitations on national treatment are in place extending to foreign suppliers treatment less favourable than that for domestic suppliers? (E.g. are preferences given to domestic suppliers or restrictions or obligations imposed on foreign suppliers with respect to any procedures or regulations, including licensing? Are there any limitations on the nationality or residency of managers, directors, or board members? Are there any restrictions on foreign ownership of land or facilities?)
- (v) Licensing: If licensing is required in this sub-sector or category, briefly describe the procedures concerned and explain the main requirements, criteria and fees applied. what are some of the principal terms and conditions on licensees, once a licence is obtained?

Note: Licensing is intended to be understood in a broad sense, include processes such as approval, authorisation, registration or certification, as applicable.

Sub-Sectors

For any sub-sector in which competition is permitted in your regime (i.e. which are not reserved to monopoly or exclusive suppliers) answer questions (i) through (v) above, as applicable. The following list of sub-sectors is considered illustrative and should be supplemented with any other sub-sectors or subactivities which you may wish to describe.

- a. Voice telephone services
- b. Packet-switched data transmission services
- c. Circuit switched data transmission services
- d. Telex services
- e. Telegraph services
- f. Facsimile services
- g. Private leased circuit services, and
- o. Other

The following are some additional examples of basic telecommunications networks or services not explicitly listed in (a) - (g) and (o), above, for which responses may be relevant; voice/nonvoice services using domestic/international private leased circuits; cable-TV-related voice telephone networks and services; domestic/international satellite services and satellite links/capacity; analogue/digital cellular mobile networks and services; PCS networks and services; paging services; mobile data services; fixed line/wireless local access; loca/long distance line links; local/long distance switching; international switching and other international gateway facilities. Whereas some of these might be considered to fall under (o), above, some might also be considered to be activities falling within sub-sectors (a) - (g).

A. Sub-sectors

(a) Voice Telephone Service

- (i) Overview: So far, there has been no competition in this service and service is supplied solely by the Government of India through DoT/MTNL. In may, 1994, the Government of India announced a new National Telecom Policy which allows participation by companies registered in India in the expansion of telecommunication network for providing telephone service. These companies will be required to maintain a balance in their coverage between urban and rural areas. Their conditions of operation will include agreed tariff and revenue sharing arrangements. Subsequently in 1994, the Government of India issued further guidelines for the entry of private sector into the field of providing telephone service. In pursuance of the National Telecom Policy

& the guidelines issued, Ministry of communications invited tenders setting down licence conditions within the framework of the National Telecom Policy and the guidelines thereof. For the purpose of this tender, the country is divided into 20 territorial Circles and Delhi Metro district. In each of the telecommunication circles for the first ten years, competition will be provided by one private operator to the existing supplier, namely, Deptt. of Telecommunication as per details given in the tender document. The competition for voice telephone service will be within the telecommunication circle/metro district. Inter circle/metro district long distance media will be provided solely by DoT initially for a period of five years after which the policy will be reviewed. International telecommunication service will continue to be provided by the existing monopoly supplier i.e. Videsh Sanchar Nigam Limited (VSNL).

- (ii) Mode of supply: Cross border mode of supply is not relevant to local exchange service or domestic long distance service i.e. intra circle/intra metro district or inter circle/metro district. It is applicable only to international long distance service.

Consumption abroad: does not appear to be a relevant mode of supply for basic telecommunication services.

- (iii) Market access:

Only Indian Companies are allowed to provide telephone service. Foreign equity in such companies cannot be more than 49 per cent. The service has to be provided as per licence conditions, detailed in the tender document.

- (iv) National Treatment

Foreign equity participation in any registered Indian company can be up to 49 per cent. There is no other telecommunication-specific restriction. Horizontal restrictions as given in India's schedule of specific commitments shall however be applicable.

- (v) Licensing

As per the provisions of the Indian Telegraph Act, the service can be provided only after getting licence from the Director General, Telecommunications who is vested by the Government of India with the power to issue licence. The licence to successful bidder will be given as per details given in the tender document.

- (b) Packet switched data transmission services

This service continues to be supplied only by Department of Telecom, Government of India.

- (c) Circuit switched data transmission service

Licensed voice telephone service providers are permitted to provide switched data service in real time over their voice telephone network. See answer to A(a).

- (d) Telex services - see answer (b)

- (e) Telegraph services - see answer (b)

(f) Facsimile services

Licensed voice telephone service providers are permitted to provide Facsimile services in real time over their voice telephone network. See answer to A(a).

(g) Private leased circuit services

Licensed voice telephone service providers are permitted to provide point to point leased circuits within the Circle. See answer to A(a).

B. Categories

For each of the categories that follow in which competition is permitted answer questions (i) through (v) above as applicable, as well as the specific questions listed under a given category.

Local/long distance/international

For answer to question (i) through (v) see answer given in A(a).

1. How are local and domestic long distance distinguished or defined?

The area within 5 Km radial distance from telephone exchange or such areas which Director General, Telecom. has declared/declares to be served by an exchange system for the purpose of telephone connection is the local area which generally but not necessarily coincides with the boundary of a city or town. The calls made within the local area are treated as local calls. Calls between different local areas constitute domestic long distance calls.

2. Are there any regulatory or other distinctions between domestic (local and long distance) and international networks and services and between the suppliers of basic telecommunications in these market segments? If so, what are they?

Local voice telephone service including intra telecom circle/metro district (i.e. service within the telecom Circle/metro district) will be provided initially by one competitor private company apart from Department of Telecommunications (the existing monopoly supplier of the service). Inter telecom circle long distance network and services will be provided initially only by Department of Telecom and policy in this regard will be reviewed after a period of five years. International long distance network and services will be provided only by existing monopoly supplier i.e. VSNL.

Wire-based

As per tender conditions, private operator will be permitted to provide fibre-based local loops except for the last 500 meters for which he may take recourse to copper cables.

Radio-based

The private operator will also be permitted to provide wireless local loops.

Note: Please address all types of relevant radio-based telecommunications including satellite links, access to satellite capacity, VSAT, mobile cellular communications, paging, mobile data services and other radio communication systems. Recognizing that wire based or "fixed" networks can radio based in part, responses under this category should relate to any requirements specifically related to radio-based elements of networks or services.

Resale-basis

For answer to questions (i) through (v), see answer given in A (a).

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Resale-basis

For answer to questions (i) through (v), see answer given in A.

3. Do your regulations permit international resale of private leased circuit capacity if connected to the public network. If so, at one end? At both ends? Under what conditions? Is resale of switched voice capacity permitted?

Resale of international leased circuits is not generally permitted.

4. Is resale of private leased circuit excess capacity permitted? If so, under what conditions? May basic telecommunications be resold to make them available to third parties? For which basic telecommunications is this permitted?

Resale of voice telephone service is permitted to a limited extent as per the following:

- (a) Licenced franchisees provide public call office service for which they earn a commission from the DoT.
- (b) Licenced franchisees provide direct in-dialling EPABX service in a multi-storeyed building for which they earn a commission from the DoT.

Facilities-based

For answer to (i) through (v), see reply at A.

5. May basic telecommunications suppliers (foreign and domestic) construct and operate their own networks or invest in consortia to construct and operate such facilities? If not, what organisations are permitted to construct and operate basic telecommunications network infrastructures?

Indian companies who will be selected on the basis of tender bids (tender has already been floated) will be allowed to construct and operate their own voice telephone network within the Circle. Inter circle/metro district transmission facilities will continue to be supplied by Department of Telecom.

The policy will be reviewed after five years. International voice telephone service including transmission facilities will continue to be supplied by existing supplier i.e. VSNL.

Public/non-public supply

(i) to (v) - Not applicable.

6. Does your regime make distinctions between suppliers of public switched and non-public basic telecommunications? If so, how?

There is no concept of non-public basic telecommunications.

7. What basic telecommunications do your regulations require explicitly or in effect, to be made available to the public generally?

Basic telecommunication services being supplied at present by Department of Telecom are required to be supplied to those who ask for these on defined terms subject to technical feasibility. After competition is introduced for voice telephone service, private operators would be required to supply voice telephone service to the public on terms and conditions to be specified in the licence agreement.

8. What basic telecommunications do your regulations permit to be supplied on a non-public basis (i.e. not required to be made available to the public generally)?

See answer 6 above.

9. What obligations or responsibilities are incurred by status as a public basic telecommunications supplier and under what conditions? E.g. What kinds of "common carrier" like obligations are imposed (e.g. with regard to universal service), and on whom?

The obligations and responsibilities of DoT as a supplier of public basic telecommunications are Governed by the Indian Telegraph Act and Indian Telegraph Rules. Some of the obligations of private voice telephone service supplier are as follows:

The competing voice telephone service supplier shall provide the service in the service area to any individual or legal person without any discrimination. The private operator shall provide 10 per cent of Direct Exchange Lines as village public telephones. The private voice telephone service supplier shall not charge for the service more than what is charged by the DoT.

10. What, if any, restrictions are there on organising and offering a private network by a telecommunications supplier?

Private networks are licenced by the Director General, Telecom. to provide intra-organizational communication or to provide communication among a closed user group. PSTN connectivity is not permitted. PSPDN connectivity is however permitted.

11. Is the operation of public pay-phones reserved to monopoly or exclusive suppliers?

See answer to B.3.

PART III

Regulatory Issues

In responding to the questions in this section, participants are asked to provide specific references to the source or status of the measures concerned (e.g. where possible, a citation of the law, regulation, rule, guideline, decision or decree).

Relationship between regulatory and operational functions

1. Do any basic telecommunications suppliers become involved, directly or indirectly, in making regulatory policy? enforcement of regulations? in formulating standards or enforcing standards?

At present basic telephone services are provided by DoT. However, competition is in the process of being introduced for supply of voice telephone service. Details of terms and conditions for the private suppliers have been given in the tender document. A Telecom Regulatory Authority is proposed to be established who will be responsible for the following:

1. Fixation of Tariff.
2. Ensure technical compatibility among different service providers.
3. Revenue sharing arrangement between different service providers.
4. Protecting consumer interest, particularly in respect of:

- (a) time to contact
 - (b) time to repair
 - (c) frequency of break downs
 - (d) call completion rates
 - (e) fair billing administration
 5. Resolving disputes between service providers.
 6. Spelling out/ensuring compliance of time frames for making available local and DoT long distance circuits between service providers.
 7. Facilitating competition and promoting efficiency in the sector as also facilitating growth and innovations in services.
 8. Protection of national security interest.
 9. Ensuring compliance of licence conditions by all operators and service providers and the stated overall pricing policy.
 10. Ensuring effective compliance of universal service obligations.
 11. Rendering advice to the Government in the national context on technology options, service provision aspects and other allied matters concerned with telecom industry in general.
 12. Any other matter referred to by the Government.
2. Is your regulatory authority (or authorities) also responsible for formulating standards? for enforcing standards?

The proposed Regulatory authority will not have jurisdiction on standard-setting. It will, however, be responsible for enforcing standards.

3. How many levels of government (e.g. national, regional, state local) have responsibility for regulation affecting basic telecommunications? Please identify and describe relevant levels of government authority. Are there any procedures enabling suppliers to resolve questions or disputes they may have or to appeal a decision with the regulatory body concerned? If so, please describe.

Central Government has responsibility and authority for regulations affecting telecommunications. There are no private suppliers of basic telecommunications at present excepting franchisees of public call offices and DID EPABXs in multi-storeyed buildings who operate them on specified terms and conditions. However, private operators will be permitted to provide voice telephone service very soon (see answer at A (i), Part II). A Telecom Regulatory body is proposed to be set up which will have responsibilities as enumerated in Answer 1.

Frequency allotment or assignment

4. What are the procedures, requirements and criteria applied for the allotment or assignment of radio frequencies?

On receipt of Letter of Intent/Licence from the DoT for provision of a particular telecom service, the concerned applicant will apply to the Wireless Planning & Co-ordination Wing of the Ministry of Communications, for grant of a specific wireless licence under the provision of Section 4 of the Indian Telegraph Act, 1885, for the wireless usages. This licence will permit utilisation of frequency(ies) in the proper frequency band for the establishment and operation of the concerned wireless element of the telecom. service. Grant of such licence will be governed by normal rules, procedures and guidelines and will be subject to completion of necessary formalities.

The frequencies (including the associated technical parameters) are assigned taking into account the international and national frequency allocations Plans, existing/planned frequency usages, Electro Magnetic Compatibility (EMC) and other technical, regulatory and administrative aspects.

5. Do foreign telecommunications suppliers receive national treatment under these procedures and criteria?

Yes, Please also see answer to Question No. 4.

Numbering and identification codes

6. What are the procedures, requirements, and criteria used to assign numbering and identification codes?

For the public telephone network to be operated by a Licensee, numbering scheme to be adopted shall be an integral part of the National Numbering Scheme. This will mean that in an SDCA the Licensee's network will be a part of the linked numbering scheme of the SDCA and the national SDCA code will be applicable to Licensees network also.

Note: SDCA - Short Distance Charging Area : One of the several areas into which an administrative unit is divided the TELECOM AUTHORITY and declared as such for the purpose of charging for trunk calls.

7. Do foreign telecommunications suppliers receive national treatment under these procedures and criteria?

Please see answer to A(a) (iv)

Standards, type approval and equipment attachment

8. What type of mandatory standards are in place?

Some of mandatory standards for provision of voice telephone service are as under:

1. Systems and interface standards: Generally in conformity with relevant ITU standards supplemented by specific DoT standards.
2. Material standards: Generally in conformity with Bureau of Indian Standards specifications supplemented by specific DoT standards.
3. Network standards: As per specifications issued by Telecom Engineering Centre of DoT.

9. When a standard is under review or a new standard is being developed by your standards authority, is there an opportunity for public review and comment prior to its adoption? May foreigners participate in this process? May the private sector participate in the development of standards? If so, how?

Before finalizing a new standard, all the concerned parties including the manufacturers, users and others interested are consulted and their views taken note of.

10. What equipment is subject to type approval? Is self-certification allowed? Has your government concluded mutual recognition agreements for telecommunications equipment certification? Are they required for foreign produced equipment?

All equipment and systems which are an infrastructure or form an integral part of the DoT's telecom network need type approval. All equipment and systems which interface with the DoT's telecom network need interface approval.

11. How is the ability to attach terminal equipment to the network regulated? What restrictions, are there on terminal equipment that may be attached to the network?

Only interface approved terminal equipment is permitted connectivity to the network. Interface approval is given by Telecom Engineering Centre of DoT.

12. May basic telecommunications suppliers connected to the public network use their own switches?

Basic telecommunication services are presently provided by DoT only. However, with the proposed introduction of competition in the voice telephone service, the service suppliers may install their own switches.

13. Does the Government require network-based suppliers to permit the attachment of customer-supplied terminal equipment?

Yes, provided such terminal equipment has been interface approved by Telecom Engineering Centre of DoT.

Interconnection

14. In general, how is interconnection regulated in your regime? What are the regulations applied?

At present basic telecommunication services are provided by DoT. Competition is going to be introduced in the provision of voice telephone service. Interconnection of networks of competitors supplying voice telephone service will be regulated as per terms and conditions given in the tender document. (Tenders have already been floated for selecting companies who will be supplying voice telephone service to the public).

15. Do your regulations require network-based suppliers to provide interconnection for other basic telecommunications network or services suppliers? If so, please describe.

DoT as well as private service providers to be licenced for telephone service are to provide leased circuits, junctions to exchanges etc. for value added service providers, paging and cellular phone service providers, who have been licenced for such services.

16. Is interconnection between leased circuits and public data networks permitted?

Yes, it is permitted for customer's own use only.

17. What are the rules and regulations regarding the pricing of interconnection? Are interconnection charges set in relation to any principles (e.g. cost-oriented)? Is there a requirement to submit interconnection charges to a regulatory body for approval? Are these charges in the public domain? Are the same interconnection charges applied to all suppliers requesting interconnection or are they negotiated on a case-by-case basis? What requirements or obligations exist to public, make publicly available, or to supply details of interconnection agreements to regulatory authorities?

Interconnection charges for connecting the network of private operator with that of DoT have been worked out and are given in the tender document. The proposed regulatory body will have jurisdiction over interconnection charges.

Competitive safeguards

18. What kinds of safeguards does your regime have against anti-competitive practices of monopolies or dominant suppliers in situations where they may compete with other firms to supply certain basic telecommunications in the domestic market? in the international market?

The proposed Regulatory Authority has to evolve suitable safeguards.

19. Do your regulations distinguish between dominant and nondominant suppliers? If so, what are the details and how are 'dominant' and non-dominant defined? Are there any safeguards concerning suppliers who have monopoly or dominant control of access to certain market or network segments?

There are no such distinctions at present, DoT/MTNL/VSNL being the only supplier. Please see answer to 18 above.

20. Is there an industry-wide antitrust policy and/or any telecommunications specific antitrust policy? What are the rules and regulations regarding mergers and acquisitions?

There is a monopolies Restrictive Trade Practices Commission Governed by MRTP Act. There is no antitrust law specific to telecommunication services.

21. Are there any safeguards concerning basic telecommunication suppliers also engaged in the manufacturing of telecommunications equipment? If so, please describe the content and working of these safeguards?

As per tender conditions, the company supplying the voice telephone service will not be allowed to engage itself in the production of telecom equipment associated with the provision of service. However, the supplier of service may participate in such businesses through other registered companies with their own identities.

Pricing-related measures

22. What is the role of the government or any related agency with regard to establishing prices (e.g. tariffs, access charges, accounting rates) or pricing policy? E.g., does the government set prices or accounting rates, directly or indirectly (e.g. price caps or rate of return controls), or do basic telecommunications suppliers determine these themselves? What requirements or obligations does the government set regarding prices charged by monopoly/dominant suppliers? or other suppliers?

Presently, prices are fixed by the Government. However, the proposed Telecom Regulatory Authority will be responsible for tariff regulations.

23. Does the government require tariff approval or notification and, if so, what are the procedures? What requirements regarding cost-accounting are put in place to ensure transparency?

Presently, tariffs are approved by the Government and are notified. Tariff will be the subject of Telecom Regulatory Authority which is proposed to be set up.

24. To what extent is the principle of non-discrimination applied in pricing policy? E.g. is a tariff package such as a volume discount targeted for a specific group allowed and, if so, what are the terms and conditions applied? Are accounting rates applied on a non-discriminatory basis between countries? If accounting rates applied in different agreements are not the same, what are the criteria used to arrive at different accounting rates? Are some of these criteria required or defined by the government?

Prices for services are required to be charged from the public on non-discriminatory basis. Accounting rate with different countries are determined as per agreement of VSNL, the monopoly supplier of international voice telephone service with the distant international service providers.

25. Do any basic telecommunications suppliers get involved in setting industry-wide tariffs?

Presently the Government of India which sets the tariffs also provide telecom services through DoT. The proposed Telecom Regulatory Authority will have jurisdiction on tariff regulations.

26. On what basis are prices (e.g. tariffs, access charges, accounting rates) determined? What concepts are applied regarding costs? Is there a general principle applied regarding allocation of costs? If cost-oriented pricing of basic telecommunications used or required by the Government? If not, do basic telecommunications suppliers use cost-oriented pricing?

The Government presently fixes tariff taking into account the costs, the value of the service, affordability to the public and the need for generating adequate resources for rapid network expansion.

27. Are there any rules specific to the pricing of a new service?

Please see answer to 26 above.

Rights of way for the construction of infrastructure

28. Are basic telecommunications services suppliers permitted to build their own infrastructure or facilities? If so, what are the procedures and criteria for authorisation to build infrastructure or facilities? What are the procedures, criteria, limitations or qualifications applied with respect to the granting of or the availability of rights of way for the construction of infrastructure or facilities?

Basic Telecommunication services are presently supplied by DoT. Competition is going to be introduced in the provision of voice telephone service. The private operator can have his own switching and long distance network within the telecom circle/metro telephone district. For building the infrastructure such power of the Government as are required will be conferred on the private operator for seeking wayleave from local authorities.

29. Is national treatment extended to foreign basic telecommunications suppliers under these procedures and criteria?

See answer to A (iv).

New telecommunications services

30. Please describe any general regulatory processes or procedures that apply to dealing with the introduction of "new" telecommunications services. Prior to any relevant regulatory procedure having been completed, is it not possible for such new services to be supplied?

The companies that will be selected for providing voice telephone service based on the tender bids will be permitted to provide services defined in the tender document. Any other services desired to be provided by the private company will have to be approved by the Director General, Telecom.

31. When a new service becomes possible or available, who determines the status of the new service (whether it is basic or value-added) and under what procedure and time frame?

The Director General, Telecom will decide whether the new service is basic or value added in a reasonable time frame.