

PRESS RELEASE

COAI rubbishes AUSPI's claim on spectrum allotment and ask Government for probe into CDMA's entry to Mobility services

New Delhi, August 11, 2007....

Rubbishing the claim of AUSPI that GSM operators are not paying for the additional spectrum allotted to them and that there is a cap of 6.2 MHz spectrum for GSM operators, COAI, sent a letter to Mr. A Raja, Hon'ble Minister for Communication and Information Technology, requesting the Ministry to look into the serious and baseless allegation being leveled by AUSPI against the Government.

The letter stated that, **AUSPI and the CDMA operators** have, during the last few weeks, been **repeatedly hurling serious allegations against the Government** as regards the **Spectrum Policy** which has been in vogue for the last several years and is **now demanding "a high level enquiry"** into how **"additional" spectrum was given to GSM operators.**

Mr. TV Ramachandran, Director General, COAI stated that the **Government has been allotting spectrum** to the GSM operators **as per license conditions and as per the WPC guidelines as issued from time to time.**

He also pointed out that **the present method of spectrum allocations on the basis of "usage, justification, availability"** has been **practiced by the Government since many years** consistently, through several Ministers, Heads of Administration and Wireless Advisors.

He further emphasized that the **prevalent policy has the express sign off of even the CDMA lobby that participated in this exercise in 2003 to determine subscriber linked spectrum allotments and also future allocation of upto 15 MHz per GSM operator (copy attached).**

He stated that the **CDMA operators were most welcome to seek an enquiry** into the issue of allotment of additional spectrum **as the policy had been formulated in an open and transparent manner through several Ministers, Heads of Administration and Wireless Advisors and even the industry stakeholders.**

He however **requested the Minister that as the issues of spectrum and mobility were "joined at the hip" any enquiry on spectrum should first examine how the CDMA operators got into mobility services.**

In this regard, **Mr. Ramachandran referred to the 2003 Judgment of Justice D.P. Wadhwa, the then Hon'ble Chairman, TDSAT (and its only judicial member) who had held that "the grant of limited mobile and use of handsets is not legal" and had further gone on to direct that the licenses of the Fixed Service providers "shall be revoked" to the extent that they had been modified to allow limited mobility. (relevant extracts of Justice Wadhwa's judgment enclosed)**
