

AIRTEL, VODAFONE IDEA & TATA TELE AMONG FOUR PETITIONERS

AGR judgment: SC to hear telcos' review pleas today

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THE SUPREME Court will Thursday hear in-chamber review petitions moved by Bharti Airtel, Vodafone Idea, and other telecom companies. The companies had moved these review petitions after the apex court had, on October 24, 2019, upheld the definition of adjusted gross revenue (AGR), as decided by the Department of Telecom (DoT).

In its review petition, Bharti Airtel had said that though it was aggrieved by the entire judgment of the apex court, the company was limiting its review to the point that there was no 'conscious disregard' or 'wilful default' on part of the telco. "It is stated that Bharti Group, including the Petitioner, had already made a combined

RAILTEL ONLY NON-TELECOM FIRM TO MOVE SC

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applicable only to access service provider licence holders, and not internet service providers or long distance telephone service providers

payment of Rs 30,603 crore, which amounts to approx 85 per cent of the total demand raised," Bharti Airtel said in its review petition, claiming that the DoT was trying to enrich itself unjustifiably. Apart from Bharti Airtel, Vodafone Idea, Tata Teleservices, and Sistema Shyam Teleservices have also moved review petitions before the top court.

As of July last year, Bharti Airtel owed the government nearly Rs 22,000 crore in AGR dues, while the Vodafone Idea group owed

close to Rs 19,900 crore. Reliance Communications — which is undergoing corporate insolvency resolution process — owed nearly Rs 16,500 crore to the government in AGR dues, according to an affidavit filed by the DoT with the SC last year. Among non-telecom companies, only RailTel has moved the SC seeking a modification of the October 24 order on the limited point that it was applicable only to access service provider licence holders, and not internet service providers or long distance

telephone service providers. The case is not listed for review or hearing on Thursday.

The SC judgment on AGR has also saddled non-telecom PSUs such as GAIL, Power Grid, Delhi Metro Rail Corporation, and RailTel. Following the judgment, the DoT had written to GAIL and Power Grid, asking them to pay AGR fees of Rs 1.72 lakh crore and Rs 1.25 lakh crore, respectively. GAIL, Power Grid and other companies have denied that they owe any monies to the DoT, and said they have already paid all dues to the government.

Though the companies had also approached the DoT seeking relief, the Department has reiterated several times that any relief to non-telecom public sector undertakings aggrieved by the SC judgment must come from the apex court itself.