Report of the Comptroller and Auditor General of India

Sharing of Revenue by Private Telecom Service Providers upto 2014-15

Union Government (Communications and IT Sector) No. 11 of 2017

CONTENTS

Description	Paragraph	Page
Preface		xi
Executive Summary		xiii
Chapter-I: Introduction		
Revenue sharing regime and its salient features	1.1	1
Definition of Gross Revenue (GR)/Adjusted Gross Revenue (AGR) in the various licenses	1.2	3
Important specifications for reporting revenue for payment of license fee	1.3	5
Revenue share collected	1.4	6
Arrangements in DoT for collection, accounting and assessment of LF and SUC	1.5	7
Scope of Audit	1.6	7
Audit methodology	1.7	8
Audit criteria	1.8	9
Acknowledgement	1.9	9
Chapter-II: Revenue shared by M/s Bharti Airtel Limited and M/s Bharti Ho Limited		
Brief Profile of M/s Bharti Airtel Limited and M/s Bharti Hexacom Limited	2.1	11
Licences granted to M/s Bharti Airtel Limited and M/s Bharti Hexacom Limited	2.1.1	11
Spectrum allotted to BAL/BHL		12
Gross Revenue, Deduction, Adjusted Gross Revenue reported and revenue share paid by BAL/BHL	2.1.3	13
Under reporting of revenue by BAL/BHL	2.2	13
Under reporting of revenue due to netting off of revenue pertaining to Commission/ offers/ discounts to dealers/ subscribers for prepaid services	2.2.1	14
Under reporting of revenue due to netting off of waivers granted to post-paid subscribers	2.2.2	17
Under reporting of Roaming Revenue due to set-off of Inter Operator traffic (IOT) Discounts paid/credited to other Operators	2.2.3	17

Report No. 11 of 2017

Description	Paragraph	Page
Under reporting of revenue from Infrastructure sharing with other telecom operators for GR/AGR by BAL/BHL	2.2.4	18
Under reporting of revenue from Forex gain for GR/AGR by BAL/ BHL	2.2.5	20
Non consideration of Interest Income for GR/AGR.	2.2.6	22
Non Consideration of revenue accounted under Global Operations (BILGO) for AGR/GR	2.2.7	23
Non consideration of dividend income by BAL/BHL for GR/AGR	2.2.8	25
Non consideration of income from sale of Investments for AGR	2.2.9	26
Non consideration of miscellaneous income for AGR for computation of LF/SUC by BAL	2.2.10	27
Non consideration of Income from profit on sale of fixed assets for AGR for payment of revenue Share by BAL	2.2.11	28
Irregular Deduction of Bad debts written off from GR to arrive at AGR by BAL/BHL	2.2.12	29
Non consideration of revenue from sale/lease of bandwidth charges for AGR for payment of SUC	2.2.13	30
Non Consideration of revenue of erstwhile SBEL	2.2.14	31
Non consideration of revenue accounted under Infrastructure Provider (IP)-1 service for computation of revenue share by BAL	2.2.15	32
Interest on short/non-payment of LF and SUC	2.2.16	33
Disclosures in the Statement of Revenue and License fee (AGR statements)	2.3	33
Response of DoT/BAL to the audit observations	2.4	34
Chapter-III: Revenue Shared by Vodafone India Limited		
Brief profile of M/s Vodafone India Ltd	3.1	37
Licences held by Vodafone Group	3.1.1	37
Spectrum held by Vodafone Group	3.1.2	37
Gross Revenue, Deductions, Adjusted Gross Revenue reported and revenue share paid by Vodafone group:	3.1.3	38
Under reporting of revenue by Vodafone India	3.2	38

Description	Paragraph	Page
Under reporting of revenue due to 'netting off' of revenue pertaining to discounts/ margins offered to dealers & free airtime offers to subscribers	3.2.1	39
Under reporting of Roaming Revenue due to set-off of Inter Operator traffic discounts paid/credited to other Operators	3.2.2	42
Under reporting of revenue from Infrastructure sharing revenue from other telecom operators for GR/AGR by VIL & its subsidiaries	3.2.3	43
Non consideration of forex gain in GR/AGR by VIL & its subsidiaries	3.2.4	44
Interest Income not considered for revenue share by Vodafone & its subsidiaries	3.2.5	45
Income from Dividends not considered for revenue share by Vodafone	3.2.6	46
Income from profit on sale of fixed assets not considered for revenue share by Vodafone & its subsidiaries	3.2.7	47
Miscellaneous income not considered for revenue share by Vodafone & its subsidiaries	3.2.8	48
Irregular Deduction claimed for 'Bad debts written off' from GR to arrive at AGR by Vodafone & its subsidiaries	3.2.9	49
Transfer of Passive infrastructure Assets by Vodafone licensee companies to its subsidiary at Nil value	3.2.10	50
Interest on revenue share short paid	3.2.11	52
Disclosures in the Statement of Revenue and License fee (AGR statements)	3.3	52
Response of DoT/ VIL to the audit observations	3.4	53
Chapter-IV: Revenue Shared by Idea Cellular Ltd (ICL)		
Brief Profile of ICL	4.1	55
Licenses granted to Idea Cellular Limited (ICL)	4.1.1	55
Spectrum allotted to ICL	4.1.2	55
Gross Revenue (GR), Deduction, Adjusted Gross Revenue (AGR) reported and revenue share paid by ICL	4.1.3	56
Under reporting of revenue by ICL	4.2	56

Report No. 11 of 2017

Description	Paragraph	Page
Under reporting of revenue due to netting off of revenue pertaining to Commission/offers/discounts to dealers/subscribers for prepaid services	4.2.1	57
Under reporting of revenue due to netting off of postpaid revenue	4.2.2	59
Netting off of roaming revenue	4.2.3	60
Non consideration of Infrastructure sharing revenue	4.2.4	61
Non consideration of revenue from Switch sharing between Idea (NLD) and Idea (LSAs) for GR/AGR	4.2.5	62
Non consideration of revenue by ICL from assets given on Indefeasible Right to Use (IRU) for inclusion in GR/AGR	4.2.6	63
Under reporting of revenue from Forex gain for GR/AGR	4.2.7	64
Under reporting of revenue in the Statement of Revenue and LF (AGR statements) though reported in the books of accounts	4.3	65
Non consideration of Interest Income for GR/AGR	4.3.1	65
Non consideration of Profit on sale of Investments for inclusion in GR/AGR	4.3.2	65
Non consideration of Miscellaneous receipts for inclusion in GR/AGR	4.3.3	66
Non consideration of Income from profit on sale of fixed assets for GR/AGR	4.3.4	67
Short /non-payment of revenue share due to other issues	4.4	67
Inadmissible deduction on account of bad debts written off	4.4.1	67
Interest on short/non-payment of LF and SUC	4.4.2	68
Non submission of details as required under Annexure III of the UAS/CMTS license agreement	4.4.3	68
Response of DoT/ICL to the audit observations	4.5	69
Chapter-V: Revenue shared by Reliance Communication Limited and Reliance Telecom Limited		
Brief profile of Reliance Communication Limited and Reliance Telecom Limited	5.1	71
Radio Frequency Spectrum held by RCL and RTL	5.1.1	71

Description	Paragraph	Page
Revenue Reported and revenue share paid by RCL and RTL	5.1.2	73
Audit findings	5.2	73
Avoidance of revenue share payment by passing on revenue earned from activities under UAS licence to ISP licence	5.2.1	73
Related expenditures netted off from Gross Revenue	5.3	80
Booking of Prepaid Revenue net of Free Air Time by RCL/RTL	5.3.1	80
Understatement of prepaid revenue of RCL due to set-off of commission/discount	5.3.2	81
Incomes not offered for revenue share	5.4	83
Interest income not offered for revenue share	5.4.1	83
Other income not offered for revenue share	5.4.2	83
Income from Forex gains	5.4.3	84
Revenue from lease of bandwidth not considered for SUC	5.4.4	85
Disclosures in the Statement of Revenue and Licence fee (AGR statements)	5.5	86
Interest on revenue share short paid	5.6	87
Response of DoT	5.7	87
Chapter-VI : Revenue Shared by Aircel Group		
Brief Profile of Aircel Group	6.1	89
Licenses granted to Aircel Group	6.1.1	89
Spectrum allotted to Aircel Group	6.1.2	89
Gross Revenue (GR), Adjusted Gross Revenue (AGR) and Revenue share paid by the Aircel Group	6.1.3	90
Under reporting of revenue by Aircel Group	6.2	90
Under reporting of prepaid revenue due to netting off of primary commission given to distributors/ dealers/franchisee	6.2.1	91
Under reporting of prepaid revenue on offers/discounts/rebates given to subscribers	6.2.2	93
Non consideration of revenue from infrastructure sharing from other telecom operators for GR/AGR	6.2.3	97

Description	Paragraph	Page
Non-consideration of forex gain in GR/AGR	6.2.4	98
Non consideration of revenue from VAS/advertisements accounted in corporate account	6.2.5	99
Under reporting of revenue in the Statements of Revenue and LF (AGR Statements) though reported in the books of accounts	6.3	100
Non consideration of Interest Income for GR/AGR	6.3.1	100
Non consideration of income from investment for GR/AGR	6.3.2	101
Non consideration of other miscellaneous income for GR/AGR	6.3.3	101
Non-inclusion of profit on sale of assets in GR/AGR for computation of revenue share	6.3.4	102
Other issues	6.4	103
Understatement of GR/AGR by the amount of "Bad debts written off	6.4.1	103
Transfer of passive infrastructure business of Aircel companies to Chennai Network Infrastructure Limited (CNIL) by means of a slump sale	6.4.2	104
Interest on short/non-payment of LF and SUC	6.5	104
Non submission of details as required under Annexure III of the UAS/CMTS license agreement	6.6	105
Response of DoT/Aircel to the audit observations	6.7	106
Chapter-VII: Revenue shared by M/s Sistema Shyam Teleservices Limited and Ms Shyam Internet Services Limited		
Brief Profile of SSTL and SISL	7.1	107
Licences granted to SSTL and SISL	7.1.1	107
Spectrum allotted to SSTL	7.1.2	108
Gross Revenue, Deduction, Adjusted Gross Revenue reported and revenue share paid by SSTL	7.1.3	109
Under reporting of revenue by SSTL	7.2	109
Under reporting of revenue due to netting off of revenue pertaining to Commission/discounts/waivers/Free Air Time	7.2.1	110
Under reporting of revenue from Forex gain for GR/AGR	7.2.2	111
Under reporting of revenue in the Statements of Revenue and LF (AGR Statements) though reported in the books of accounts.	7.3	113

Description	Paragraph	Page
Non consideration of other income in the AGR	7.3.1	113
Non consideration of certain revenue for calculation of SUC	7.3.2	114
Interest on short/non-payment of LF and SUC	7.4	115
Non-compliance to license agreement regarding norms for preparation of Annual Financial Statements by SSTL		
Response of DoT/SSTL to the audit observations	7.6	118

ANNEXURES			
Annexure No.	Chapter No.	Page No.	
2.01 to 2.18	Chapter II	119	
3.01 to 3.14	Chapter III	136	
4.01 to 4.14	Chapter IV	149	
5.01 to 5.12	Chapter V	163	
6.01 to 6.12	Chapter VI	186	
7.01 to 7.10	Chapter VII	198	
	Glossary	213	