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DoT failed to fine firms for violating tower radiation rules: CAG

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NEW DELHI: The Comptroller and Auditor General has pulled up DoT's vigilance arm of for failing to impose penalty to the tune of Rs 4,300 crore on telecom operators for violating mobile tower radiation rules.

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The government auditor also flayed the Department of Telecom (DoT) for failing to act against mobile towers that violated radiation rules.

It said that the prime objectives of Telecom Enforcement, Resource and Monitoring (TERM) Cells of vigilance are curbing illegal and clandestine activities in the premises of the telecom service providers and prevent misuse of telecom networks by the vested interests.

"The performance (of TERM Cells) in testing of BTS (mobile towers) regarding EMF radiation was found not up to the mark and instances were found where EMF radiations were found above the acceptable level," the CAG said in its report tabled in Parliament today.

In April 2010, DoT had issued instructions to all telecom operators that TERM Cell will test up to 10 per cent of new mobile towers randomly at its discretion. Additionally, the BTS sites against which there are public complaints, shall also be tested by TERM Cell.

"Audit scrutiny of records regarding number of BTS tested in respect of 27 TERM Cells test checked in audit revealed that out of total available 6,86,548 numbers of BTS sites as on 31 March 2013, only 45,697 BTS sites were tested by TERM Cells during the period from November 2010 to March 2013," the CAG said.

According to mobile radiation rules, telecom companies are required to self certify their mobile towers and there is a provision to impose penalty of Rs 5 lakh for failure to comply with the norms.

All companies were asked to comply with radiation rules by May 8, 2010 and all new mobile towers installed after this date were required to be self-certified.

The auditor found self-certificates of 7,811 mobile towers installed before May 8, 2010 were not submitted for which a penalty of Rs 390.55 crore should have been imposed.

Further in case of towers installed after May 8, 2010 self-certificates were not been submitted in respect of 76,575 mobile towers for which a penalty of Rs 3,828.75 crore should have been imposed.

"However, only in five TERM Cells demand notices were issued against 3,359 BTSs out of 76,575. Moreover none of TERM cells could recover penalty for late submission of self certificates till October 2013 as required as the matter is pending before the Telecom Dispute Settlement Appellate Tribunal (TDSAT)," the CAG said.

Further the TERM Cells did not impose penalty on 1,758 towers amounting to about Rs 87.9 crore for not submitting fresh compliance certificates and Rs 23.09 crore on firms not complying with signage norms on their towers.