

## **DoT's clarity on EMF audit fees to provide some relief to Telecom sector**

- ***As per DoT order, EMF audit fees to be paid @ INR 4000/test w.e.f. 20.11.2014***
- ***Excess amount already paid by TSPs to be adjusted against future tests/audits***
- ***Marks continuation in Government's approach to ease financial stress on sector***

**25<sup>th</sup> January 2023, New Delhi:** COAI, the apex industry body for the Digital Communications ecosystem in the country, deeply appreciates and lauds the Department of Telecommunications for the order issued on 18.01.2023, clarifying on the applicable fees for EMF audit tests conducted by Telecom Service Providers. DoT's order is based on the Hon'ble Telecom Disputes Settlement and Appellate Tribunal's (TDSAT) ruling passed in favor of the telecom industry dated 30.10.2018, in Petition No. 500/2014 filed by COAI and other telecom operators V/s Uol on the issue of charging the test fees in the case of EMF testing/audit conducted by field units of DoT.

The telecom operators are required to pay a testing fee for the EMF Testing/audits conducted by the field units to DoT. This amount was INR 10,000 earlier and accordingly paid by the telecom companies. Considering the ruling of TDSAT on 08.02.2019, DoT issued instructions on the issue that the pending demand of testing fees since 20.11.2014 (date on which Hon'ble TDSAT had passed interim stay in the matter), shall be revised and charged at the rate of INR 4000 per test.

**Vide its order dated 18.01.2023, DoT has provided clarity that the closed demands of the testing fees i.e., demands raised by DoT after 20.11.2014, and having been paid by the licensees in entirety, shall be revised and charged at the rate of INR 4000 per test. Also, the excess amount arising from those closed demands, if any, shall be adjusted against the pending/future testing charges.**

COAI had been strongly advocating on the issue and coordinating the same with the DoT, which has been receptive to the industry's concerns and considered the same on merit to take this favorable decision. The industry is delighted with this pro-development measure which is in the spirit of the Government's efforts towards facilitating ease-of-doing-business.

With the roll-out of 5G in place, year 2023 is a significant year for investments for the telecom industry. Amidst this, the relief in testing fees for EMF audits is a welcome step for the debt-laden sector. The DoT's order, based on the Hon'ble TDSAT decision, establishes that the government is pro-growth and cognizant of the industry's areas of concern. COAI thanks the government for continuing the legacy of progressive reforms to help ease the sector's financial burden and reinstates its commitment to work in shared collaboration and co-operation with the administration to achieve the collective vision of a connected 'Digital India'.