

No. 20-562/2017-AS-I(pt)
Government of India
Ministry of Communications
Department of Telecommunications
(Access Services Division)
1203, Sanchar Bhavan, Ashok Road, New Delhi-110001
31st August 2018

To

UL (VNO) Licensees

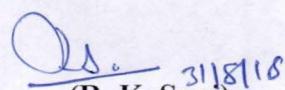
Subject: Amendment to UL (VNO) for parenting to multiple operators.

In pursuance of Condition 5.1, to the effect that the LICENSOR reserves the right to modify at any time the terms and conditions of the LICENCE, if in the opinion of the LICENSOR it is necessary or expedient to do so in public interest or in the interest of the security of the State or for the proper conduct of the telegraphs, the LICENSOR hereby amends the following in UL (VNO) agreement:

Existing Clause	Amended clause
<p>Chapter-I</p> <p>General Conditions</p> <p>1. Ownership of the licensee Company</p> <p>1.3 (ii) There would not be any restriction on the number of VNO licensees per service area. VNOs are allowed to have agreements with more than one NSO for all services other than access services and such services which need numbering and unique identity of the customers. In UL(VNO) the provision for restriction of 10% or more equity cross holding will be applicable between (i) a VNO and another NSO (other than VNO's parent NSO) and (ii) between a VNO and another VNO authorized to provide access services using the access spectrum of NSO(s) in the same service area. It would not be mandatory for a NSO to provide time bound access to its VNO, rather, it would be left to the mutual agreement between a NSO and a VNO. However, TRAI/DoT shall have right to intervene in the matter as and when required to protect the interest of consumers and telecom sector.</p>	<p>Chapter-I</p> <p>General Conditions</p> <p>1. Ownership of the licensee Company</p> <p>1.3 (ii) There would not be any restriction on the number of VNO licensees per service area. VNOs are allowed to have agreements with more than one NSO for all services other than Access service and such services which need numbering and unique identity of the customer. For wire line access services through EPABX, the connectivity of different NSOs at different EPABX is allowed, however, the connectivity with more than one NSO at a particular EPABX shall not be permitted. In UL (VNO) the provision for restriction of equity cross holding will be applicable between (i) a VNO or its promoter(s) and another NSO (other than VNO's parent NSO) or its promoter(s) and (ii) between a VNO or its promoter(s) & another VNO or its promoter(s), authorised to provide access service using the access spectrum of NSO(s) in the same service area. This restriction will not be applicable in case of VNOs parented to the same NSO. It would not be mandatory for a NSO to provide time bound access to its VNO, rather, it would be left to the mutual agreement between a NSO and a VNO. However, TRAI/DoT shall have right to intervene in the matter as and when required to protect the interest of consumers telecom sector.</p>
<p>1.6 (i) The Licensee shall have a minimum Networth equal to the sum of the networth required for each Service</p>	<p>1.6 (i) The Licensee shall have a minimum Networth equal to the sum of the Networth required for each Service opted by the Licensee as</p>

<p>opted by the Licensee as per Annexure-II. The combined minimum Networth under this license for acquiring the authorization for all the services is Rs. 10 Crore (Rupees Ten Crore only). Networth shall be as defined in the Companies Act 2013 and as amended from time to time. The networth of promoters/equity share holders shall not be counted for determining the networth of the company.</p>	<p>per Annexure-II. The combined minimum Networth under this license for acquiring the authorization for all the services is Rs. 10 Crore (Rupees Ten Crore only). Networth shall be as defined in the Companies Act 2013 and as amended from time to time and certified by Company Secretary. In case of UL(VNO) Category B authorisation, if applicant is a legal entity not covered under Companies Act, the networth shall be as certified by the Chartered Accountant/ Cost Accountant. The networth of promoters/ equity holders shall not be counted for determining the networth of the company. While counting the networth, the foreign currency shall be converted into Indian Rupees at the prevalent rate indicated by the Reserve Bank of India as on the date of application received.</p>
<p>2. Scope of License:</p> <p>2.1 This License is granted to provide Service(s) as authorized in the License Agreement and as per the scope defined in relevant chapter(s) of this License Agreement, on a non-exclusive basis in the Service Area as applicable. Services can be provided by Licensee on National Level, Telecom Circle/ Metro Area Level as specified in Annexure-II. 22 Service Areas (Telecom Circle/Metro Areas) are defined in Annexure-IV. Administration of authorized services shall be at the respective service area level for all purposes.</p>	<p>2. Scope of License:</p> <p>2.1 This License is granted to provide Service(s) as authorized in the License Agreement and as per the scope defined in relevant chapter(s) of this License Agreement, on a non-exclusive basis in the Service Area as applicable. Services can be provided by Licensee on National Level, Telecom Circle/ Metro Area Level and District Level in case of VNO Cat 'B'. 22 Service Areas (Telecom Circle/Metro Areas) are defined in Annexure-IV. Administration of authorized services shall be at the respective service area level for all purposes.</p>
<p>23. TECHNICAL CONDITIONS:</p> <p>23.1 The Licensee is permitted to set up their own network equipment viz. BTS, BSC, MSC, RSU, DSLAMs, LAN switches, if required, where there is no requirement of interconnection with other NSO(s). The VNO shall not be allowed to own/install equipment viz. GMSCs, Soft-switches and TAX. Equipment permitted to be owned /installed by VNOs shall conform to the technical standards prescribed by standardization bodies like TEC and ITU.</p>	<p>23. TECHNICAL CONDITIONS:</p> <p>23.1 The Licensee is permitted to set up their own network equipment viz. BTS, BSC, MSC, RSU, DSLAMs, LAN switches, if required, where there is no requirement of interconnection with other NSO(s). The VNO shall not be allowed to own/ install equipment viz. GMSCs, Soft-switches and TAX. Equipment permitted to be owned /installed by VNOs shall conform to the technical standards prescribed by standardization bodies like TEC and ITU. However in case of Access Services Category B only wireline equipments are allowed to be installed.</p>

2. Please acknowledge receipt.


(R. K. Soni)
Director (AS)

For and on behalf of the President of India
Ph.No.2303 6284

Copy To:

1. Secretary (TRAI)
2. Sr. DDG (TEC)/ Wireless Advisor/ Sr. DDG (DGHQ)/ Sr. DDG (LFP)/ DDG (LFA)/ DDG (Security) and DDG (WPF).
3. Advisor (Economics)/ DDG (CS)/ DDG (DS)/ DDG (A/C) for kind information please.
4. CMD, BSNL/ CMD, MTNL/ CVO.
5. AUSPI/ COAI.
6. Director (IT) may kindly arrange to upload this letter on the website of DoT.
7. All Directors of AS Division.