

No.20-231/2004-AS-I(Vol-10)
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications
(Access Services-I Cell)
1203, Sanchar Bhawan, New Delhi-1.

10th May, 2010

To,

M/s. ByCell Telecommunications India Pvt. Ltd.,
249, Ground Floor, Okhla Industrial Estate Phase-III,
New Delhi -110020.
(Kind Attn.: Alexandre Louzine, CEO)

Subject: Rejection of the applications dated 31.01.2006 of M/s. ByCell Telecommunications India Pvt. Ltd. for grant of UAS licences in 5 service areas – regarding.

This has reference to this office letter of even no. dated 31.03.2010 where the 5 Letters of Intent (LOIs) of even number dated 27.02.2008 issued to M/s. ByCell Telecommunications India Pvt. Ltd. for grant of UAS licences for Assam, Bihar, Orissa, West Bengal and North East service areas, were withdrawn as the security clearance & all the FIPB approvals granted to the company had been withdrawn.

Whereas, the above withdrawal of LOIs was subject to final outcome of Writ Petition (Civil) No. 8989 of 2009 before Hon'ble High Court of Delhi in the matter of M/s ByCell Telecommunications India Pvt. Ltd Vs UOI.

Whereas, the Hon'ble High Court of Delhi in its judgement dated 16.04.2010 has dismissed the said Writ Petition (Civil) alongwith observation that *"This Court is satisfied that there was material available with the Respondents to justify the withdrawal of the security clearance by the MHA granted earlier to ByCell."*

Therefore, the undersigned is directed to convey that in continuation of withdrawal of the said LOIs, the applications dated 31.01.2006 of M/s. ByCell Telecommunications India Pvt. Ltd. for grant of UAS licences for Assam, Bihar, Orissa, West Bengal and North East service areas are hereby rejected in the interest of the security of the State.

The above rejection of the applications dated 31.01.2006 of M/s. ByCell Telecommunications India Pvt. Ltd. for grant of UAS licences in the said 5 service areas shall be subject to ultimate result of the Writ Petition (Civil) No. 2399 of 2010 before Hon'ble High Court of Delhi in the matter of M/s ByCell Telecommunications India Pvt. Ltd Vs UOI.


(R.K. Gupta)
Director (AS-I)

Copy in continuation of this office letter of even number dated 31.03.10 to:

1. Wireless Advisor/ DDG (AS-II)/ DDG (LF)/ DDG (Security)/ DDG(WPF), DOT.
2. Secretary, TRAI.
3. Director (IT) – with a request to upload the information on DOT's website.

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