

Government of India
Ministry of Communications & Information Technology
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001
(Carrier Services Cell)

No: 18-05/2009-CS-I

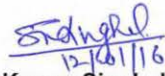
Date: 12.01.2016

Subject: Amendment to Terms and Conditions for Other Service Provider (OSP) Category.

The undersigned is directed to convey the approval of competent authority for amendment of the Policy for Other Service Provider (OSP). The following have been incorporated in the OSP registration Policy of this Department dated 5th August, 2008 (as amended from time to time) through this amendment:-

- (i) **Limited Liability Partnership (LLP) Firms registered under LLP Act, 2008 have been included in the current OSP registration Policy for registration under OSP category.**
- (ii) **Companies registered under Indian Companies Act-2013, as amended from time to time, are also entitled for registration under OSP category, in addition to the companies registered under Indian Companies Act-1956.**

2. As a consequence, suitable clause(s) have been amended / appended in the respective Chapters of the OSP Policy contained in this Department's letter No.18-2/2008-CS-I dated 5th August, 2008 (as amended from time to time) as detailed in **Annexure-I** attached along with.


(Sandeep Kumar Singh)
Director (CS-I)

Enclosure: Annexure- I as mentioned above.

To

Heads of all TERM Cells of DoT

Copy to:-

1. Sr. DDG (TERM HQ) / DDG (AS-I) / DDG (Security) / DDG (LFP) / DDG (DS), DoT, New Delhi.
2. DDG (TERM), Nehru Place, New Delhi for implementation of the amendment(s) in the Online OSP Registration Software.
3. Director (IT), DoT, Sanchar Bhawan – for uploading the circular on the OSP related webpage.

Annexure-I

The following clause(s) are amended / appended in the respective Chapters of the Terms and Conditions of Other Service Provider (OSP) Category contained in this Department's letter No.18-2/2008-CS-I dated 5th August, 2008.

(i) Replacement of the word "Company" with "Company / LLP" in the OSP registration Policy document, and amendments issued from time to time except in clause- (e) of Chapter-I, where the definition of Company is given.

(ii) In clause 1 of Chapter-I, the following paragraph shall be added-

" 'LLP' means a firm incorporated and registered under Limited Liability Partnership Act-2008 in India."

(iii) Clause- 2(i) of Chapter –II, shall be-

"The entities entitled for OSP registration must be either a company registered under Indian Companies Act- 1956 or Indian Companies Act- 2013, as amended from time to time OR a 'LLP' registered under LLP Act- 2008, as amended from time to time."

(iv) Clause- 2 (iii) of Chapter-II, shall be-

"Documents required to be submitted

(A) Mandatory Documents:

Sl. No.	Documents required to be submitted in case of Company.	Documents required to be submitted in case of LLP
1	Certificate of Incorporation issued by Registrar of Companies	Certificate of Incorporation issued by Registration Authority of LLPs
2	Memorandum and Article of Association	Copy of Agreement among all the partners of LLP
3	Board Resolution or Power of Attorney authorising the authorized signatory with attested signature	Resolution passed by designated partners or all the partners authorizing the authorized signatory with attested signature or as per provisions of LLP agreement / LLP Act
4	A note on the nature of business / activities of the proposed OSP	A note on the nature of business / activities of the proposed OSP

- (B) Documents required to be submitted, if actual information is different from mandatory documents:

Sl. No.	Documents required to be submitted in case of Company	Documents required to be submitted in case of LLP
1	List of present Directors of the company	List of present Designated partners and all the partners of the LLP
2	Present shareholding pattern of the company indicating equity details (Indian equity and Foreign equity)	Present shareholding pattern of the LLP indicating equity/ contribution details of all the partners (Indian equity and Foreign equity)

- (C) (i) All the documents must be certified with seal by either company secretary or one of the Directors of the company or statutory auditors or public notary in case of company.
- (ii) All the documents must be certified with seal by either designated partners or all the partners or statutory auditors or public notary in case of LLP.
- (iii) The LLP Firm shall intimate to the Department within 30 days, if there is any change in the designated partners, authorised signatory, and/or Agreement of LLP.”
- (v) A clause is appended in Chapter-VI between clause 1(2) and clause 1(3) in the current OSP registration Policy of DoT:
- “(3) The designated partners under the Limited Liability Partnership (LLP) shall be liable for ensuring compliances with telecom regulations and penalties that may be imposed for any regulatory contravention under the terms and conditions of OSP registration.”
