

No: 1000/06/2016-WF (Auction)

Government of India

Ministry of Communications

Department of Telecommunications

Date: 29th August 2016

Subject: Amendment No. 1 to NIA No 1000/06/2016-WF (Auction)]
issued on 8th Aug 2016

The following amendments are hereby issued to NIA [Ref: No: 1000/06/2016-WF (Auction)] dated 8th Aug 2016) and shall form part and parcel of the NIA.

Sl. No.1

NIA Clause No.1.3 Timetable

FOR

Start of the Auction 29th September

READ

Start of the Auction 1st October

Sl. No. 2

NIA Clause No. 9.1.3 Frequency reconfiguration

FOR

- i) Notwithstanding any other provisions contained in license agreement or elsewhere, frequency reconfiguration i.e. rearrangement of spot frequencies in the same band, may be carried out by the WPC wing, DoT when it is required to improve spectral efficiency/ harmonization of a band. Frequency reconfiguration would be the sole prerogative of the government. The rearrangement of frequencies in a band may result in

Amendment No 1 to NIA – August 2016

contiguity of spectrum of a licensee as decided by government. No charges will be levied for such rearrangement of frequencies. However, if a licensee also holds administratively assigned spectrum which is non-contiguous to the spectrum held by him through auctions conducted in 2010, 2012,2013,2014,2015 and the present auction, contiguity of the administratively held spectrum with any of the spectrum acquired by him through auctions will not be permitted unless such licensee liberalises his entire administratively held spectrum in that band by paying the latest market price in accordance with the relevant guideline(s) issued for liberalisation of spectrum from time to time.

READ

- i) Notwithstanding any other provisions contained in license agreement or elsewhere, frequency reconfiguration i.e. rearrangement of spot frequencies in the same band, may be carried out by the WPC wing, DoT when it is required to improve spectral efficiency/ harmonization of a band/ proper conduct of telegraph and in public interest. Frequency reconfiguration would be the sole prerogative of the government. The rearrangement of frequencies in a band may result in contiguity of spectrum of a licensee as decided by government. No charges will be levied for such rearrangement of frequencies. However, if a licensee also holds administratively assigned spectrum which is non-contiguous to the spectrum held by him through auctions conducted in 2010, 2012,2013,2014,2015 and the present auction, contiguity of the administratively held spectrum with any of the spectrum acquired by him through auctions will not be permitted unless such licensee liberalises his entire administratively held spectrum in that band

Amendment No 1 to NIA – August 2016

by paying the latest market price in accordance with the relevant guideline(s) issued for liberalisation of spectrum from time to time.

Sl. No.3

NIA Clause 9.5

Overview of the Block sizes:

- (i) ** is appended to 1800 MHz in 5th row of the Table 9.5.
- (ii) FOR

“**The existing holder of spectrum only in 1800 MHz band, has to bid as new entrant in 900 MHz band.”

READ

“** The new entrants will have to bid for contiguous 5 MHz spectrum.”

Sl. No.4

NIA Clause 9.8.9:

Length of Clock Rounds and Extension Periods

FOR

At the initial stage, a Clock Round will be for a minimum duration of 60 minutes. The auctioneer can reduce the round duration to 30 minutes [after intimating all bidders] after 4 consecutive rounds where bidding is in less than 10 LSA- band combinations. (Round duration of next round will be restored to 60 minutes in case the bidding in subsequent round equals or exceeds 10 LSA- band combinations) and subsequently to 15 minutes [after intimating all bidders] after 4 consecutive rounds where bidding is in less than 3 LSA- band combinations. (Round duration of next round will be restored to 30 minutes in case the bidding in subsequent round equals or exceeds 3 LSA- band combinations).

READ

At the initial stage, a Clock Round will be for a duration of ninety (90) minutes each for the first five (5) rounds. Round duration of subsequent rounds will be of sixty (60) minutes each.

The auctioneer can reduce the round duration to forty five (45) minutes in case bidding is in less than ten (10) LSA- band combinations for four (4) consecutive rounds after intimating all bidders. Round duration of next round will be restored to sixty (60) minutes in case the bidding in subsequent round equals or exceeds ten (10) LSA- band combinations.

Sl. No.5

NIA Clause 9.9: Frequency Identification Stage

Text on page 102,103

FOR

• **Non-Contiguous Spectrum**

Assignment of spectrum from the non-contiguous set will be made on the basis of Ranking and best fit to the quantum of spectrum won. This is also applicable to the above examples in respect of assignment of non-contiguous spectrum. The following methodology would be adopted by the EAS for assignment of non-contiguous spectrum.

- i) The remaining winners (i.e. after assignment to winners of contiguous spectrum) are again arranged rank wise in the ascending order (first bidder to be assigned first);
- ii) The system now gives preference to the 'Complete' frequency chunks first; exhausting all of the same before moving to the 'Partial'.
- iii) The system picks the first remaining bidder from the sorted list and looks for the equal or larger size spectrum chunk. In case of smaller

Amendment No 1 to NIA – August 2016

available chunks, the system will allocate from the largest chunk, followed by assignment of remaining through the above logic. Assignment is made

- iv) If the winner is assigned its quota completely, the system moves to the next winner or else the next chunk using the above logic is chosen
- v) The iteration runs, first exhausting all the complete blocks before moving to the partial
- vi) The loop terminates once all assignments have been made to all the winners

Frequency reconfiguration i.e. rearrangement of spot frequencies in the same band, from within the assignments made to the licensees, may be carried out, with the authorization of WPC Wing, among the licensees, only when the entire spectrum held by them is liberalized. No charges will be levied for rearrangement of frequency spots.

The Government reserves the right to change the frequency assignment at any point over the duration of the relevant licenses where this is required for harmonizing bands and promoting spectrum efficiency.

READ

- **Non-Contiguous Spectrum**

Assignment of spectrum from the non-contiguous set will be made on the basis of Ranking and best fit to the quantum of spectrum won. This is also applicable to the above examples in respect of assignment of non-contiguous spectrum. The following

Amendment No 1 to NIA – August 2016

methodology would be adopted by the EAS for assignment of non-contiguous spectrum.

- i) The remaining winners (i.e. after assignment to winners of contiguous spectrum) are again arranged rank wise in the ascending order (first bidder to be assigned first);
- ii) The system now gives preference to the ‘Complete’ frequency chunks first; exhausting all of the same before moving to the ‘Partial’.
- iii) The system picks the first remaining bidder from the sorted list and looks for the equal or larger size spectrum chunk. In case of smaller available chunks, the system will allocate from the largest chunk.
- iv) If the winner is assigned its quota completely, the system moves to the next winner or else the next chunk using the above logic is chosen
- v) The iteration runs, first exhausting all the complete blocks before moving to the partial
- vi) The loop terminates once all assignments have been made to all the winners.

Sl. No.6

NIA Clause 12.1: Annexure A: Details of Spectrum put to auction

Eligibility points per block as mentioned in Tables A1 to A7 are revised as under

Table A1:			Table A2:		
700 MHz Band.			800 MHz Band.		
Block Size:5MHz (paired)			Block Size: 1.25MHz (paired)		
	FOR	READ		FOR	READ
Name of	Eligibility	Eligibility	Name of	Eligibility	Eligibility

Amendment No 1 to NIA – August 2016

Telecom Circle / Metro LSA	Points/ Block	Points/ Block	Telecom Circle / Metro LSA	Points/ Block	Points/ Block
Andhra Pradesh	3105	3000	Andhra Pradesh	291	300
Assam	291	300	Bihar	60	60
Bihar	641	600	Delhi	641	600
Delhi	3105	3000	Gujarat	291	300
Gujarat	3105	3000	Haryana	27	30
Haryana	641	600	Himachal Pradesh	10	10
Himachal Pradesh	132	150	Karnataka	291	300
Jammu & Kashmir	132	150	Kerala	132	150
Karnataka	3105	3000	Kolkata	132	150
Kerala	1411	1500	Madhya Pradesh	291	300
Kolkata	1411	1500	Maharashtra	641	600
Madhya Pradesh	1411	1500	Mumbai	641	600
Maharashtra	3105	3000	Odisha	27	30
Mumbai	3105	3000	Punjab	60	60
North East	132	150	Rajasthan	132	150
Odisha	291	300	Tamil Nadu	291	300
Punjab	1411	1500	Uttar Pradesh (East)	132	150
Rajasthan	1411	1500	Uttar Pradesh (West)	132	150
Tamil Nadu	3105	3000	West Bengal	60	60
Uttar Pradesh (East)	1411	1500			

Amendment No 1 to NIA – August 2016

Uttar Pradesh (West)	1411	1500				
West Bengal	641	600				
Table A3:				Table A4:		
900 MHz Band				1800 MHz Band		
Block Size: 0.2 MHz (paired)				Block Size: 0.2MHz(paired)		
	FOR	READ (No change)			FOR	READ
Name of Telecom Circle / Metro LSA	Eligibility Points/Block	Eligibility Points/Block		Name of Telecom Circle / Metro LSA	Eligibility Points/Block	Eligibility Points/Block
Bihar	60	60		Andhra Pradesh	27	24
Gujarat	60	60		Assam	3	4
Uttar Pradesh (East)	60	60		Bihar	10	12
Uttar Pradesh (West)	60	60		Delhi	27	40
				Gujarat	27	24
				Haryana	3	4
				Himachal Pradesh	1	2
				Jammu & Kashmir	1	1
				Karnataka	27	40
				Kerala	10	24
				Kolkata	10	12
				Madhya Pradesh	10	12

Amendment No 1 to NIA – August 2016

Maharashtra	27	40
Mumbai	27	40
North East	1	1
Odisha	3	4
Punjab	10	12
Rajasthan	10	12
Uttar Pradesh (East)	10	12
Uttar Pradesh (West)	10	12
West Bengal	3	4

Table A5: 2100 MHz Band			Table A6: 2300 MHz Band.			
Block Size: 5 MHz (paired)			Block Size: 10 MHz (unpaired)			
	FOR	READ		FOR	READ	
Name of Telecom Circle / Metro LSA	Eligibility Points/Block	Eligibility Points/Block	Name of Telecom Circle / Metro LSA	Eligibility Points/Block	Eligibility Points/Block	Points/Block
Andhra Pradesh	641	600	Andhra Pradesh	291		300
Assam	132	100	Assam	10		10
Bihar	291	300	Bihar	27		30
Delhi	1411	1000	Delhi	641		600
Gujarat	641	600	Gujarat	291		300

Amendment No 1 to NIA – August 2016

Haryana	132	100	Himachal Pradesh	3	3
Himachal Pradesh	60	50	Karnataka	641	600
Jammu & Kashmir	27	25	Kerala	60	60
Karnataka	1411	1000	Kolkata	132	150
Kerala	641	600	Madhya Pradesh	27	30
Kolkata	291	300	Maharashtra	291	300
Madhya Pradesh	291	300	Mumbai	641	600
Maharashtra	1411	1000	North East	3	3
Mumbai	1411	1000	Odisha	27	30
North East	27	25	Tamil Nadu	641	600
Odisha	132	100	West Bengal	27	30
Punjab	291	300			
Rajasthan	291	300			
Tamil Nadu	1411	1500			
Uttar Pradesh (East)	291	300			
Uttar Pradesh (West)	291	300			
West Bengal	132	100			

Table A7: 2500 MHz Band.		
Block Size: 10 MHz (unpaired)		
	FOR	READ

Amendment No 1 to NIA – August 2016

Name of Telecom Circle / Metro LSA	Eligibility Points/Block	Eligibility Points/Block
Andhra Pradesh	291	300
Assam	10	10
Bihar	27	30
Delhi	641	600
Gujarat	291	300
Haryana	27	30
Himachal Pradesh	3	3
Jammu & Kashmir	3	3
Karnataka	641	600
Kerala	60	60
Kolkata	132	150
Madhya Pradesh	27	30
Maharashtra	291	300
Mumbai	641	600
North East	3	3
Odisha	27	30
Punjab	132	150
Rajasthan	27	30
Tamil Nadu	641	600
Uttar Pradesh (East)	60	60
Uttar Pradesh (West)	60	60
West Bengal	27	30

Sl. No.7

NIA Clause 12.1 Annexure A: Details of Spectrum put to auction

Assam. Spectrum available for auction in 1800 MHz as given in Annexure A – Table A4, Page 120. This may be read as 19.8 MHz instead of 18 MHz.

Sl. No.8

NIA Clause 12.2 Annexure B: Details of Spectrum holding caps

Table B1 is modified. The new table is as follows:

TABLE B1: Band –wise spectrum holding Cap & Overall spectrum holding Cap for each LSA									
Name of Telecom Circle / Metro LSA	Paired Spectrum (Total Spectrum Assigned for both sides of spectrum is taken into account)					Unpaired Spectrum		Overall Cap on Bidding for each Operator for each LSA. Total Spectrum Assigned for unpaired and both sides of spectrum in case of paired spectrum is taken into account Overall Cap for each Operator(in MHz)	
	700 MHz	800 MHz	900 MHz	1800 MHz	2100 MHz	2300 MHz	2500 MHz		
	Cap on bidding for each Operator for each LSA in respective band.								
	Band -wise Cap for each Operator (in MHz)								
Andhra Pradesh	35.00	17.50	20.20	54.80	40.00	30.00	20.00	108.75	
Assam	35.00	15.00	18.60	54.80	40.00	30.00	20.00	105.45	
Bihar	35.00	17.50	18.60	54.80	40.00	30.00	20.00	107.95	
Delhi	35.00	17.50	22.20	54.80	40.00	30.00	20.00	109.75	
Gujarat	35.00	17.50	20.20	54.80	40.00	30.00	20.00	108.75	
Haryana	35.00	17.50	18.60	54.80	40.00	20.00	20.00	102.95	
Himachal Pradesh	35.00	17.50	18.60	54.80	40.00	30.00	20.00	107.95	
Jammu & Kashmir	35.00	12.50	18.60	54.80	40.00	20.00	20.00	100.45	
Karnataka	35.00	17.50	20.20	54.80	40.00	30.00	20.00	108.75	
Kerala	35.00	17.50	18.60	54.80	40.00	30.00	20.00	107.95	
Kolkata	35.00	17.50	20.20	54.80	40.00	30.00	20.00	108.75	
Madhya Pradesh	35.00	17.50	18.60	54.80	40.00	30.00	20.00	107.95	
Maharashtra	35.00	17.50	20.20	54.80	40.00	30.00	20.00	108.75	

Amendment No 1 to NIA – August 2016

Mumbai	35.00	17.50	22.20	54.80	40.00	30.00	20.00	109.75
North East	35.00	15.00	19.40	54.80	40.00	30.00	20.00	105.85
Orissa	35.00	17.50	18.60	54.80	40.00	30.00	20.00	107.95
Punjab	35.00	17.50	21.80	54.80	40.00	20.00	20.00	104.55
Rajasthan	35.00	17.50	18.60	54.80	40.00	20.00	20.00	102.95
Tamil Nadu	35.00	17.50	20.20	59.40	40.00	30.00	20.00	111.05
Utter Pradesh (East)	35.00	17.50	18.60	54.80	40.00	20.00	20.00	102.95
Utter Pradesh (West)	35.00	17.50	18.60	54.80	40.00	20.00	20.00	102.95
West Bengal	35.00	15.00	19.40	54.80	40.00	30.00	20.00	107.10

Sl. No.9**NIA Clause 12.3: Annexure C: Details of Price Increment rule**

Tables C2-C5 are amended. The new tables are as follows:

Table C2: 800 MHz Band	
Excess Demand (In Blocks)	Price Increment as a Percentage of previous Clock Round Price
Less than ZERO (Negative)	0%
ZERO Block	0.5%
1 Block	1%
2 Blocks	1.5%
3 Blocks	2%
4 Block	2.5%
5 Blocks and greater	3%
Note: The Price Increment calculated for an LSA in a band cannot exceed the Reserve Price of the LSA in that band (Refer Table A2 of Annexure A, Section 12.1 to this NIA), which will be the maximum possible absolute price increments.	

Amendment No 1 to NIA – August 2016

Table C3: 900 MHz Band.	
Excess Demand (In MHz)	Price Increment as a Percentage of previous Clock Round Price
Less than ZERO (Negative)	0%
From ZERO up to 5 blocks	0.5%
Greater than 5 up to 10 Blocks	1%
Greater than 10 up to 15 Blocks	1.5%
Greater than 15 up to 20 Blocks	2%
Greater than 20 up to 25 Blocks	2.5%
Greater than 25 up to 30 Blocks	3%
Greater than 30 up to 35 Blocks	3.5%
Greater than 35 up to 40 Blocks	4%
Greater than 40 up to 45 Blocks	4.5%
Greater than 45 up to 50 Blocks	5%
Greater than 50 up to 55 Blocks	5.5%
Greater than 55 up to 60 Blocks	6%
Greater than 60 Blocks	6.5%
<p>Note: The Price Increment calculated for an LSA in a band cannot exceed the Reserve Price of the LSA in that band (Refer Table A3 of Annexure A, Section 12.1 to this NIA), which will be the maximum possible absolute price increments.</p>	

Table C4: 1800 MHz Band.	
Excess Demand (In MHz)	Price Increment as a Percentage of previous Clock Round Price
Less than ZERO (Negative)	0%
From ZERO up to 5 blocks	0.5%
Greater than 5 up to 10 Blocks	1%
Greater than 10 up to 15 Blocks	1.5%
Greater than 15 up to 20 Blocks	2%
Greater than 20 up to 25 Blocks	2.5%

Amendment No 1 to NIA – August 2016

Greater than 25 up to 30 Blocks	3%
Greater than 30 up to 35 Blocks	3.5%
Greater than 35 up to 40 Blocks	4%
Greater than 40 up to 45 Blocks	4.5%
Greater than 45 up to 50 Blocks	5%
Greater than 50 up to 55 Blocks	5.5%
Greater than 55 up to 60 Blocks	6%
Greater than 60 Blocks	6.5%

Note: The Price Increment calculated for an LSA in a band cannot exceed the Reserve Price of the LSA in that band (Refer Table A4 of Annexure A, Section 12.1 to this NIA), which will be the maximum possible absolute price increments.

Table C5:**2100 MHz Band.**

Excess Demand (In Blocks)	Price Increment as a Percentage of previous Clock Round Price
Less than ZERO (Negative)	0%
ZERO	0.5%
1	1%
2	1.5%
3	2%
4	2.5%
Greater than 4	3%

Note: The Price Increment calculated for an LSA in a band cannot exceed the Reserve Price of the LSA in that band (Refer Table A5 of Annexure A, Section 12.1 to this NIA), which will be the maximum possible absolute price increments.

Sl. No.10

NIA Clause 12.5 Annexure E: Earnest Money (EMD) – Eligibility Points (EP) Table

The table at Annexure E is revised, uploaded separately along with this amendment and forms part of Amendment 1.

Sl. No.11

NIA Clause 12.6 Annexure F: Details of Carrier Frequency put to Auction

This annexure is revised, uploaded separately along with this amendment, and forms part of Amendment 1.

Sl No. 12

NIA Clause 12.9

In the end of clause 12.9 of NIA (page 145) under the subheading “Note” following sub clause “ix” is added:

“ix. In case of vacancy in the post of company secretary, an authorised signatory’s signature will suffice.”

Sl. No.13

NIA Clause 12.10 Annexure J: Format for Earnest Money Deposit

FOR

5. Notwithstanding anything contained above, our liability, under the Guarantee shall be restricted to <**Amount in figures**> and our Guarantee shall remain in force until nine months from the date hereof. Unless a demand or claim under this Guarantee is made on us in writing within this date i.e. 30th April 2017, all your rights under the Guarantee shall be forfeited and we shall be released and discharged from all liabilities there under.

READ

Amendment No 1 to NIA – August 2016

5. Notwithstanding anything contained above, our liability, under the Guarantee shall be restricted to **<Amount in figures>** and our Guarantee shall remain in force until nine months from the date hereof. Unless a demand or claim under this Guarantee is made on us in writing within this date i.e. 31st Oct 2017, all your rights under the Guarantee shall be forfeited and we shall be released and discharged from all liabilities there under.

(R.K.Pathak)

Director (WF)