

**No. 1000/12/2013-WF/Auction
Government of India
Ministry of Communications & IT
Department of Telecommunications
(WPF Wing).**

Dated 02-01-2014

Subject: Amendment No.2 to NIA for Spectrum Auction scheduled in February 2014.

The NIA dated 12-12-2013, for Auction of 1800 MHz band and 900 MHz band is hereby amended and Amendment No.2 is enclosed.

S/d
Director(WF)

Auction of Spectrum in 1800MHz and 900MHz Bands

Amendment No. 2
To
Notice Inviting Applications
Dated 12th December 2013

Government of India
Ministry of Communications & Information Technology
Department of Telecommunications

2nd January 2014

1 Clause 2.3:

Para 1, Page 13

This Para is modified and may be read as:

There are no restrictions on the technology to be adopted for providing services within the scope of the service license using spectrum blocks allotted through this auction. The successful bidder shall provide details of the technology proposed to be deployed for operation of its services using spectrum blocks allotted through this auction within one month of obtaining the license, if the technology happens to be other than GSM/WCDMA/LTE. In case of change of technology, while rolling out the networks for compliance of roll out obligations, information regarding the new technology should be given at least one year before any new technology Base Station site is offered for testing. The technology should be based on standards approved by ITU/TEC or any other International Standards Organization/ bodies/ Industry.

2 Clause 2.3:

Para 1, Page 14

This Para is modified and may be read as:

If the auction determined price is more than one year old then the prevailing market rates would be determined by indexing the last auction **price** at the rate of SBI PLR.

3 3.1:

Page 14

The format of undertaking for obtaining Unified License for Access services authorization is as prescribed in the Format at 8.3.3. Format in annexure 8.3.4 is deleted.

4 Clause: 3.2 (vi):

Para (vi), Page 15

This Para is modified and may be read as:

For the purpose of this auction, a cap of 25% of the 'total spectrum assigned' in 800/900/1800/2100/2300/2500MHz bands with applicable paired band put together and 50% within a given band in each of the access service area shall apply for total spectrum holding by each operator. For the purpose of calculation of the cap in this auction, the spectrum put to auction would be included in the 'total spectrum assigned. This cap will be applicable as on the last date of application for participating in Auction. Total Spectrum assigned for unpaired and both uplink and downlink spectrum in case of paired spectrum is taken in to account.

5 Clause 3.2:

Para (viii), page 15

This Para is modified and may be read as:

For participating in auctions, the net worth requirement would be Rs. 100 Crore for each service area except for J&K and NE Service Areas, where it will be Rs. 50 Crore for each service area. The networth shall be as per guidelines for grant of Unified License. This net worth requirement is applicable in case of 'New Entrants'. This net worth requirement is to be met at the time of application for participation in the auction. The applicant shall submit a certificate to this effect signed by the Company Secretary or authorized signatory of the Company while applying for participation in Auction.

6 Clause 3.2:

Para (xii), Page 16

This Para is modified and may be read as:

Lock-in Conditions: There shall be a Lock-in period for equity of a person whose share capital is 10% or more in the bidding company/Group Bidding Entity/Associated Licensee/Nominee Company on the effective date of Unified License and whose net worth has been taken into consideration for determining the eligibility for bidding for spectrum, till completion of 3 years from the date of allotment of spectrum or till fulfilment of all the Roll-out obligations prescribed in the NIA, whichever is later. However, this is subject to revision in accordance with the Guidelines on Trading of Spectrum when issued. Further, these conditions are not applicable to existing licensees with effective date of licence as three years prior to date of allotment of spectrum as per terms and conditions of this NIA and period of license of existing operators as on date of auction shall be counted towards Lock-in period while being treated as new entrant for that service area.

7 Clause 3.6.1:

Para (iii), Page 18

This Para is modified and may be read as:

(a) The 'New Entrant' will have to fulfil following rollout obligations for non- metro service areas with the option of sharing of passive infrastructure as presently permissible:-

Phase 1: Coverage of 10% DHQs/ Towns by the end of first year from date of allotment of spectrum won in the auction process,

Phase 2: Coverage of 50% DHQs/ Towns by the end of three years from date of allotment of spectrum won in the auction process,.

Phase 3: Coverage of 10% BHQs by the end of third year from date of allotment of spectrum won in the auction process,.

Phase 4: Coverage of additional 10% BHQs (Cumulative 20% BHQs) by the end of fourth year from date of allotment of spectrum won in the auction process.

Phase 5: Coverage of additional 10% BHQs (Cumulative 30% BHQs) by the end of fifth year from the date of allotment of spectrum won in the auction process,.

(b) For New Entrants, the roll-out obligations for coverage in metro service areas shall be coverage of 90% of the service area within one year of the date of allotment of spectrum.

All existing Access Service licensees shall be treated as 'New Entrant' for the bidding in those frequency bands in which they do not hold spectrum at present in that particular service area.

8 Clause 3.6.1

Para (iv)(a) and (b), Page 19

- a) At least 10% of the Block Headquarters (BHQs) of the Licensed Service Area (LSA) shall be covered by the end of three years from the effective date of Licences or date of allotment of spectrum won in the auction process, whichever is later. Additional 10% of the Block Headquarters of the LSA shall be covered in each of two subsequent years i.e. at least 20% and 30% coverage of the block headquarters of the LSA has to be achieved at the end of 4th and 5th year respectively. The list of Block Headquarters (BHQs) and its Map(s) will have to be obtained by the successful bidder from the respective State Governments/Administrations/local bodies. The boundary of the Block Headquarters will be as per map/definition given by the State Government/Administration/Local Body concerned. In cases where District Headquarter/Town (DHQ/ town) happens to be BHQ also, that particular DHQ/town or BHQ would be considered as part of compliance of any one phase of rollout obligation only, as per the choice of licensee. However, all Unified Access Service Licensees who had won additional spectrum in November, 2012 auction and whose UASL has already been amended to include roll-out obligation as defined in phase 3 to phase 5 above, will not be required to undertake the additional roll-out obligation other than what has already been specified as per amendment issued in June, 2013 to their UASL in this respect.

- b) Each milestone of the rollout obligations as mentioned in the clause (iii) and clause (iv)(a) above, would be considered as separate phase of rollout obligations. Thus for a 'New Entrant', there will be five phases of rollout obligations and for the 'Existing Licensee' acquiring spectrum in this auction process, there will be three additional phases of rollout obligations, if not prescribed earlier by way of amendment to the licence consequent to acquisition of spectrum in November, 2012/March, 2013 auction.

9 Clause 3.6.1:

Para (xi)(b) and (c), Page 22

These paras are modified and may be read as:

b) At present, minimum 60 calendar days duration is prescribed for grant of SACFA clearance. While examining the compliance of rollout obligations, the maximum delay in grant of the SACFA clearance beyond the above mentioned prescribed duration shall be excluded from the duration set for each phase of rollout obligations in the clauses (iv) and (v)(a) above. For the purpose of calculating the delay in grant of SACFA clearance of individual Base Station site, the date of 'WPC acceptance number' for SACFA clearance application would be treated as the 'start date' and the date on which the SACFA clearance is granted in the online system of WPC would be considered as the 'end date'. The difference between the 'start date' and 'end date' after excluding the above mentioned prescribed period would be considered as the delay in grant of SACFA clearance for that Base Station site for the limited purpose of calculating the delay in compliance of rollout obligations. If the SACFA clearance for a particular Base Station site has been granted within prescribed duration, then for that particular site, delay would be considered as 'zero' days. The maximum delay is to be taken as per TDSAT judgement in Petition No.1 of 2011 titled as M/s Unitech and Oths. Vs. Union of India and is subject to the outcome of the appeal No.25442 of 2012 filed by the Union of India in Hon'ble Supreme Court on the above mentioned subject.

c) After working out the delay in grant of SACFA clearance as per above mentioned procedure for each Base Station site offered for coverage testing, an average of all these delays would be taken for calculating the 'average SACFA delay' on the part of licensor. For the purpose of 'average SACFA delay' calculations, delay in grant of SACFA clearance of only those Base Station sites would be considered which are registered with TERM cell for coverage testing of that particular phase of rollout obligations. This shall be applicable only subject to the outcome of the appeal No.25442 of 2012 filed by the Union of India in Hon'ble Supreme Court on the subject.

10 Clause 3.6.1:

Para (xii)(a), Page 23

This para is modified and may be read as:

Performance Bank Guarantee

- a. Performance Bank Guarantee (PBG) in prescribed format shall be submitted for the amount equal to Rs. 35.00 Crores by the 'New Entrant' and Rs. 21.00 Crores by 'Existing Licensee' per Service Area valid for a minimum period of Six years before signing the License Agreement. The validity period of PBG can be further extended by the licensor depending upon the requirement for a period not exceeding two years from the due date of expiry of the earlier PBG. The PBG is to be submitted only once either as existing licensees for an amount equal to Rs.21 crores per service area or as new entrant for an amount equal to Rs.35 crores per service

area. If the PBG has already been submitted as per terms and conditions of NIAs for auction of spectrum in November, 2012/March, 2013, no additional PBG is required.

11 Clause 3.6.2:

Para (i) Page 23

This para stand deleted.

12 Clause No. 3.6.3: Resources Transfer:

This para is added and may be read as:

The Resources, coverage test certificates issued to existing licensees as a part of compliance to roll-out obligations and the service authorisations already granted to existing licences whose licences are expiring in 2014 and are treated as new entrant, will be transferred to the respective authorisations for Access Services under Unified Licence for that service areas.

13 Clause 4.2.3(d):

Para (d), Page 30

This para is modified and may be read as:

d) Networth and Paid Up Equity Capital

- For participating in auction, the net worth requirement would be Rs. 100 Crore for each service area except for J&K and NE Service Areas, where it will be Rs. 50 Crore for each service area. This net worth requirement is applicable in case of 'New Entrants'. This net worth requirement is to be met at the time of application for participation in the auction.
- For participation in the auction for allotment of spectrum, net worth of those promoters having at least 10% paid up equity holding in the applicant company **can** also be taken into consideration
- The Applicant Company shall have a minimum paid up equity capital equal to one tenth of net worth prescribed above and shall submit a certificate to this effect (signed by the Company Secretary or authorized signatory of the Company) while applying for participation in the auction of spectrum.
- Additional networth requirement for obtaining UL will have to be met at the time of making application for UL.

14 Clause 5.3.2:

Last Para, Page 44

This clause is modified and may be read as:

It may be noted that for a Service Area, the Total of the Current Holding of Spectrum in all bands and the Total Spectrum for which the bidder is submitting the bid for a Service Area should not exceed the cap which is mentioned in the Table 5-C above. Total Spectrum Assigned for unpaired and both sides of spectrum in case of paired spectrum is taken into account.

15 Clause 5.4.5 Activity Rules:

Para 1, Page 50

This para is modified (“in each of the bands” is deleted) and may be read as:

The participation of the bidders in the auction would be restricted by their net worth requirement which is to be met at the time of application for participation in the auction. The net worth requirement would be Rs. 100 Crore for each Service Areas except for Jammu & Kashmir and North-East where the same will be Rs. 50 Crores each. This net worth requirement is applicable in case of bidders categorized as “New Entrants” only.

16 Table 5-F: Price Increments:

Page 68

This Table is modified and may be read as:

Amendment to the Price Increment (Table 5-F) of the NIA to be considered revised as below:

Table 5-F – Proportionate Price Increment rule for e-auction of Spectrum in 1800MHz and 900MHz Band.	
Excess Demand (In MHz)	Price Increment as a Percentage of previous Clock Round Price
Less than ZERO (Negative)	0%
From ZERO up to 1 MHz	1%
Greater than 1 up to 2 MHz	2%
Greater than 2 up to 3 MHz	3%
Greater than 3 up to 4 MHz	4%
Greater than 4 up to 5 MHz	5%
Greater than 5 up to 6 MHz	6%

Greater than 6 up to 7 MHz	7%
Greater than 7 up to 8 MHz	8%
Greater than 8 up to 9 MHz	9%
More than 9 MHz	10%

**** All price increments will be in Rs. Crore, rounded down to two decimal places. Therefore, throughout the Auction all prices will be in Rs. Crore with at most two decimal places**

17 Clause 6: Application Instructions:

Para 1, Page 72

This para is modified and may be read as:

Applications must be submitted in hard copy, to be received between 10:00am (Indian Standard Time) on 3rd January 2014 and 5:00pm (Indian Standard Time) on 15th January 2014, during office hours, at the following address:

Joint Wireless Adviser
Department of Telecommunications
Room no 604, Sanchar Bhawan,
20 Ashoka Road, New Delhi – 110 001.

18 Clause 8.3: Application Checklist:

Point number 11 and 15, Page 77 and 78

This table is modified (point number 11, “for each auction” is deleted and point 15 is renumbered as 14) and may be read as:

Application Checklist

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

Sl. No	Particulars	Please Tick	Page No of Application Document
1.	Completed Application Form	<input type="checkbox"/>	
2.	Completed annexure to the application form	<input type="checkbox"/>	
3.	Certified copy of Certificate of Registration along with Articles of Association and Memorandum of Association. Company Secretary to certify the copy (in case the Applicant is not an Indian company, copies of the incorporation documents of the Company have to be certified by a Company Secretary registered in India)	<input type="checkbox"/>	
4.	Self certification from the Company Secretary of his/ her name and membership number	<input type="checkbox"/>	
5.	Certificate from Company Secretary certifying details of Promoters/Partners/Shareholders in the Company and breakdown of the equity of the Company	<input type="checkbox"/>	
6.	Certificate from Company Secretary certifying the paid up Capital	<input type="checkbox"/>	
7.	Certificate from Company Secretary certifying the net worth	<input type="checkbox"/>	
8.	Certified copy of approval of Government of India for terms of Foreign Collaboration or copy of application submitted to SIA/Government in this regard with proof of Submission (if applicable) <i>(Copy to be certified by the Company Secretary)</i>	<input type="checkbox"/>	
9.	Bank Guarantee from a Scheduled Bank (for the Earnest Money Deposit)	<input type="checkbox"/>	
10.	Power of Attorney by Resolution of Board of Directors that the person signing the Application is an authorized signatory <i>(Copy to be certified by Company Secretary and duly stamped and notarized)</i>	<input type="checkbox"/>	
11.	Non-refundable application fee of Rs. 100,000/- for each auction payable to Pay and Accounts Officer (HQ), DoT, New Delhi.	<input type="checkbox"/>	
	<i>In case of Associated Licensees:</i>		
12.	Joint undertaking(s) to nominate the Group Bidding Entity	<input type="checkbox"/>	
13.	Certificates from Company Secretary on ownership details of each of the Associated Licensees establishing the shareholding of the Common Parent in each of the Associated Licensees <ul style="list-style-type: none"> ▪ In case of step-down subsidiaries, the shareholding details at each level have to be submitted, clearly establishing the direct/ indirect shareholding of the Common Parent in the Associated Licensees. ▪ In the case that any of the Associated Licensee is a listed Company, attach the stock exchange filing establishing the Common Parent as the promoter of the Company 	<input type="checkbox"/>	
	<i>In case of Prospective New Entrants:</i>		
14.	Undertaking confirming that, if the Applicant is successful in winning spectrum in any service area, it shall acquire a Unified Licence through an Indian company registered under the Companies Act 2013 or any previous Companies Law (in which the Applicant shall hold at least 26% equity) in advance of starting commercial operations	<input type="checkbox"/>	

19 Clause 8.3.1 to the Application format:

Point 14(a) to the Application format prescribed in Clause 8.3.1 stands deleted

Note ix to the Application format prescribed in Clause 8.3.1 stands deleted

Para 6, Page 80

This clause is modified and may be read as:

- a) Networth and Paid up capital of the applicant Company may be provided as detailed below:
 - I. Networth (As on date).....
 - II. Networth (As on last audited statement).....
 - III. Paid Up capital (**As on date**).....
 - IV. **Paid Up capital (As on last audited statement)**.....
- b) Details of Promoters/ Partners/ Shareholders in the Company:

S. No	Name of Promoter/ Partner/ Shareholder	Indian/ Foreign	Equity Percentage	Net Worth (As on date)	Net Worth (As per last audited statement)	Paid-up capital	Whether it is to be counted for calculating the networth towards the eligibility for bidding(Yes/No)

Note: 1. Also provide combined net worth of any promoter that holds more than 10% in the Company (actual break-up to be provided; certificate from the Company Secretary or authorised signatory of each of such promoter to be provided).

2. Complete break-up of 100% of equity must be given. Individual equity holding up to 5% of the total equity can be clubbed but Indian and Foreign equity must be separate.

3. Details of Networth, both as on the date of application and also as on the date of last audited financial statement but not older than one year from the date of application, need to be provided. However, only the Networth, as on date of application, would be counted for deciding the eligibility of the applicant company.

4. Certificate from Company Secretary or authorised signatory should be given in respect of above details.

5. Applicant Company should clearly indicate in the last column, as to whether it wants a particular promoter’s networth to be taken into consideration towards counting the eligibility for bidding for spectrum auction.

c) Equity Details

Indian _____
 Foreign _____
Total _____

20 Clause 8.3.1.1:

Page 85

This clause is modified (Service areas of Mumbai and Kolkata are added) and may be read as:

Sr. No.	Service Area	Existing Licensee	New Entrant	Details of Telecom Service Licenses held by the Applicant in the Service Area* UAS/ CMTS/ / UL(AS)/UL/ ISP
1	West Bengal	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Andhra Pradesh	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Assam	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Bihar	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Gujarat	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Haryana	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

7	Himachal Pradesh	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Jammu & Kashmir	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9	Karnataka	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10	Kerala	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11	Madhya Pradesh	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12	Maharashtra	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
13	North East	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
14	Orissa	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

15	Punjab	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
16	Rajasthan	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
17	Tamilnadu (including Chennai)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
18	Tamilnadu (excluding Chennai)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
19	Chennai	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
20	Uttar Pradesh (West)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
21	Uttar Pradesh (East)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
22	Delhi	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

23	Mumbai	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
24	Kolkata	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

21 Clause 8.3.2.1: PROFORMA FOR FINANCIAL BANK GUARANTEE:

This Format is added and may be read as:

PROFORMA FOR FINANCIAL BANK GUARANTEE

(Deferred annual payment due against the bid amount for Spectrum)

To
The President of India

In consideration of the President of India (hereinafter called 'THE AUTHORITY') having agreed to assign spectrum to M/s _____ (hereinafter called 'THE SUCCESSFUL BIDDER') _____ in _____ Service Area (Name of Service Area) on the terms and conditions contained in the Notice Inviting Applications(NIA) dated 28th September 2012 and amendments thereof (collectively the NIA), which inter-alia provides for production of a Bank Guarantee to the extent of Rs. _____ (in words _____) under provisions of NIA by way of security for payment of the said Deferred annual payment due against the bid amount for Spectrum required to be paid by the SUCCESSFUL BIDDER. We _____ (indicate the name and address and other particulars of the Bank) (hereinafter referred to as 'the Bank') at the request of the SUCCESSFUL BIDDER hereby irrevocably and unconditionally guarantee to the Authority that the SUCCESSFUL BIDDER shall pay the Deferred annual payment due against the bid amount for Spectrum to the Authority.

2. We, the Bank hereby undertake to pay the Authority an amount not exceeding Rs.....(Rupees.....only) against any loss or damage caused to or suffered by or would be caused to or suffered by the Authority by reason of any failure of the SUCCESSFUL BIDDER to extend the validity of the guarantee or give a fresh guarantee in lieu of existing one in terms of the NIA, pay all the above mentioned amount or any part thereof within the periods stipulated in the NIA.

3. We, the Bank, hereby further undertake to pay as primary obligor and not merely as surety to pay such sum not exceeding Rs. _____ (Rupees _____ Only) to the Authority immediately on demand and without demur stating that the amount claimed is due by way of failure of the SUCCESSFUL BIDDER to the said Deferred annual payment due against the bid amount for Spectrum.

4. WE, THE BANK, DO HEREBY DECLARE AND AGREE that the decision of the Authority as to whether SUCCESSFUL BIDDER has failed to pay the said Deferred annual payment due against the bid amount for Spectrum payable to the Authority by the Bank hereunder shall be final and binding on us.

5. WE, THE BANK, DO HEREBY DECLARE AND AGREE that the

- (a) First Guarantee herein contained shall remain in full force and effect for a period of three Years which shall further be renewed annually at least one month prior to the date of expiry of validity from the date hereof and that it shall continue to be enforceable till all the dues of the Authority

in terms of NIA have been fully paid and its claims satisfied or discharged or till Authority satisfies that the terms and conditions of the said NIA have been fully and properly carried out by the said SUCCESSFUL BIDDER and accordingly discharged this guarantee.

- (b) The Authority shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of the terms and conditions of the said Licence or to extend time of performance of any obligations by the said SUCCESSFUL BIDDER from time to time or to postpone for any time or from time to time any of the powers exercisable by the Authority against the said SUCCESSFUL BIDDER and to forbear or to enforce any of the terms and conditions relating to the said Licence and we shall not be relieved from our liability by reason of any variation or extension being granted to the said SUCCESSFUL BIDDER or forbearance act or omission on the part of the Authority or any indulgence by the Authority to the said SUCCESSFUL BIDDER or to give such matter or thing whatsoever which under the law relating to sureties would but for this provision, have effect of so relieving us.
- (c) Any claim which we have against the SUCCESSFUL BIDDER shall be subject and subordinate to the prior payment and performance in full of all the obligations of us hereunder and we will not without prior written consent of the Authority exercise any legal right or remedy of any kind in respect of any such payment or performance so long as the obligations of us hereunder remains owing and outstanding.
- (d) This Guarantee shall be irrevocable and the obligations of us herein shall not be conditional of any prior notice by us or by the SUCCESSFUL BIDDER.

6. We, the Bank, undertake not to revoke this Guarantee during its currency except with the previous consent of the Authority in writing.

7. Notwithstanding anything contained above, our liability, under the Guarantee shall be restricted to Rs..... and our Guarantee shall remain in force untilyear from the date hereof. Unless a demand or claim under this Guarantee is made on us in writing within this date i.e. all your rights under the Guarantee shall be forfeited and we shall be released and discharged from all liabilities thereunder.

Dated _____ day _____ for _____
(Name of the Bank)

Witness:

1.....	2.....
.....
.....
.....
.....

22 Format 8.3.3:

Page 89

This Format is modified and may be read as:

Format for an Undertaking in respect of Service Area(s) where neither the Applicant nor any of its Associated Licensees has an existing UASL/ CMTSL/ UL(AS)/Unified licence with authorisation for access service

UNDERTAKING TO OBTAIN UNIFIED LICENSE WITH AUTHORISATION OF ACCESS SERVICE IN SPECIFIED SERVICE AREA(S)/ *AUTHORISATION OF ACCESS SERVICE IN SPECIFIED SERVICE AREA(S)

We, _____ and _____, the undersigned, as Director and Authorised Signatory respectively of _____ <Name of the Applicant> (“Applicant”) hereby confirm, undertake, acknowledge and certify the following:

- (a) The Applicant desires to submit a proposal for participating in the auction for spectrum in 1800MHz and 900MHz band in compliance to DoT NIA No. **1000/2/2013-W.F./Auction**;
- (b) The applicant would abide by the ownership restrictions as prescribed in the respective licenses for existing Licensees. In respect of New Entrants, the conditions prescribed in UL shall be applicable.
- (c) That in case the Applicant is declared a Successful Bidder in the Specified Service Area (s) (namely Please indicate the names of service area(s).....), it shall apply for a Unified Licence with authorisation for access service in the Specified Service Area(s)/ authorisation for access service in the Specified Service Area(s) either directly or through one of its Associated Licensees or through a wholly-owned subsidiary of the Applicant (“Nominated Unified License Applicant”) or a company nominated by the Applicant where the Applicant has a minimum of at least 26% (“New Entrant Nominated Unified License Applicant”);
- (d) That the Nominated Applicant/ New Entrant Nominated Unified License Applicant will satisfy all the conditions required to obtain a Unified Licence with authorisation of access service in specified service area(s)/ authorisation of access service in specified service area(s) as per the “Guidelines for grant of Unified License as amended from time to time”;
- (e) That in case the application for grant of Unified Licence with authorisation of access service in specified service area(s)/ authorisation of access service in specified service area(s) of the Nominated License Applicant/ New Entrant Nominated Unified License Applicant is rejected,

the Government shall have the right to revoke the spectrum;

- (f) That in case an application for a Unified Licence with authorisation of access service in specified service area(s)/ authorisation of access service in specified service area(s) by the Nominated License Applicant /New Entrant Nominated Unified License Applicant has not been made within seven (7) days of the Applicant being declared a Successful applicant, the Government shall have the right to curtail / revoke the spectrum;
- (g) The Nominated License Applicant /New Entrant Nominated Unified License Applicant shall be responsible for the performance of the bid obligations and that the Applicant shall obtain an undertaking to this effect (“Adherence Undertaking”) from the Nominated License Applicant/ New Entrant Nominated Unified License Applicant before the Nominated License Applicant /New Entrant Nominated Unified License Applicant submits the Unified Licence/ authorisation of access service in specified service area(s) application along with a certified copy of the Adherence Undertaking.

Date:
Place

Signature and Name of the Authorised
Signatory

Company’s Seal

*To be applicable if holding Unified License with authorization for access services in other service areas or for services other than access services.

23 Format 8.3.4.

This clause is deleted. Please refer to 8.3.3 under clause 20 above

24 Annexure 2A

The Frequency carriers in the Service Areas of Andhra Pradesh, Mumbai and Maharashtra in 1800 MHz band are amended and may be read as:

1800 MHz band												
Details of carriers in 200 KHz block in Andhra Pradesh Service Area (in MHz)												
Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	
A		B		C		D		E		F		
1724.4	1819.4	1729.4	1824.4	1734.6	1829.6	1741.0	1836.0	1751.8	1846.8	1757.0	1852.0	
1724.6	1819.6	1729.6	1824.6	1734.8	1829.8	1741.2	1836.2	1752.0	1847.0	1757.2	1852.2	
1724.8	1819.8	1729.8	1824.8	1735.0	1830.0	1741.4	1836.4	1752.2	1847.2	1757.4	1852.4	
1725.0	1820.0	1730.0	1825.0	1735.2	1830.2	1741.6	1836.6	1752.4	1847.4	1757.6	1852.6	
1725.2	1820.2	1730.2	1825.2	1735.4	1830.4	1741.8	1836.8	1752.6	1847.6	1757.8	1852.8	
1725.4	1820.4	1730.4	1825.4	1735.6	1830.6	1742.0	1837.0	1752.8	1847.8	1758.0	1853.0	
1725.6	1820.6	1730.6	1825.6	1735.8	1830.8	1742.2	1837.2	1753.0	1848.0			
1725.8	1820.8	1730.8	1825.8	1736.0	1831.0	1742.4	1837.4	1753.2	1848.2			
1726.0	1821.0	1731.0	1826.0	1736.2	1831.2	1742.6	1837.6	1753.4	1848.4			
1726.2	1821.2	1731.2	1826.2	1736.4	1831.4	1742.8	1837.8	1753.6	1848.6			
1726.4	1821.4	1731.4	1826.4			1743.0	1838.0	1753.8	1848.8			
1726.6	1821.6	1731.6	1826.6			1743.2	1838.2	1754.0	1849.0			
1726.8	1821.8	1731.8	1826.8			1743.4	1838.4	1754.2	1849.2			
1727.0	1822.0	1732.0	1827.0			1743.6	1838.6	1754.4	1849.4			
1727.2	1822.2	1732.2	1827.2			1743.8	1838.8	1754.6	1849.6			
1727.4	1822.4	1732.4	1827.4			1744.0	1839.0	1754.8	1849.8			
1727.6	1822.6	1732.6	1827.6			1744.2	1839.2	1755.0	1850.0			
1727.8	1822.8	1732.8	1827.8			1744.4	1839.4	1755.2	1850.2			
1728.0	1823.0	1733.0	1828.0			1744.6	1839.6	1755.4	1850.4			
1728.2	1823.2	1733.2	1828.2			1744.8	1839.8	1755.6	1850.6			
1728.4	1823.4	1733.4	1828.4			1745.0	1840.0	1755.8	1850.8			
1728.6	1823.6	1733.6	1828.6			1745.2	1840.2	1756.0	1851.0			
1728.8	1823.8	1733.8	1828.8					1756.2	1851.2			
1729.0	1824.0	1734.0	1829.0					1756.4	1851.4			
1729.2	1824.2	1734.2	1829.2					1756.6	1851.6			
25		25		10		22		25		6		113

Each carrier is associated with 200 KHz bandwidth (100 KHz on both Side) i.e. Carrier 1724.4 MHz is 1724.3-to-1724.5

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

Details of carriers in 200 KHz block in Mumbai Service Area (in MHz)																		
A		B		C		D		E		F		G		H		I		
Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	
1710.2	1805.2	1715.4	1810.4	1730.4	1825.4	1737.0	1832.0	1742.6	1837.6	1749.2	1844.2	1754.2	1849.2	1759.4	1854.4	1762.0	1857.0	
1710.4	1805.4	1715.6	1810.6	1730.6	1825.6	1737.2	1832.2	1742.8	1837.8	1749.4	1844.4	1754.4	1849.4	1759.6	1854.6	1762.2	1857.2	
1710.6	1805.6	1715.8	1810.8	1730.8	1825.8	1737.4	1832.4			1749.6	1844.6	1754.6	1849.6	1759.8	1854.8	1762.4	1857.4	
1710.8	1805.8	1716.0	1811.0	1731.0	1826.0	1737.6	1832.6			1749.8	1844.8	1754.8	1849.8	1760.0	1855.0	1762.6	1857.6	
1711.0	1806.0	1716.2	1811.2	1731.2	1826.2	1737.8	1832.8			1750.0	1845.0	1755.0	1850.0	1760.2	1855.2	1762.8	1857.8	
1711.2	1806.2	1716.4	1811.4			1738.0	1833.0			1750.2	1845.2	1755.2	1850.2	1760.4	1855.4	1763.0	1858.0	
1711.4	1806.4	1716.6	1811.6							1750.4	1845.4	1755.4	1850.4	1760.6	1855.6	1763.2	1858.2	
1711.6	1806.6	1716.8	1811.8							1750.6	1845.6	1755.6	1850.6	1760.8	1855.8	1763.4	1858.4	
1711.8	1806.8	1717.0	1812.0							1750.8	1845.8	1755.8	1850.8	1761.0	1856.0	1763.6	1858.6	
1712.0	1807.0	1717.2	1812.2							1751.0	1846.0	1756.0	1851.0			1763.8	1858.8	
1712.2	1807.2	1717.4	1812.4							1751.2	1846.2	1756.2	1851.2			1764.0	1859.0	
1712.4	1807.4	1717.6	1812.6							1751.4	1846.4	1756.4	1851.4			1764.2	1859.2	
1712.6	1807.6	1717.8	1812.8							1751.6	1846.6	1756.6	1851.6			1764.4	1859.4	
1712.8	1807.8	1718.0	1813.0							1751.8	1846.8	1756.8	1851.8			1764.6	1859.6	
1713.0	1808.0									1752.0	1847.0	1757.0	1852.0			1764.8	1859.8	
1713.2	1808.2									1752.2	1847.2	1757.2	1852.2					
1713.4	1808.4									1752.4	1847.4	1757.4	1852.4					
1713.6	1808.6									1752.6	1847.6	1757.6	1852.6					
1713.8	1808.8									1752.8	1847.8	1757.8	1852.8					
1714.0	1809.0									1753.0	1848.0	1758.0	1853.0					
1714.2	1809.2									1753.2	1848.2	1758.2	1853.2					
1714.4	1809.4									1753.4	1848.4	1758.4	1853.4					
1714.6	1809.6									1753.6	1848.6	1758.6	1853.6					
1714.8	1809.8									1753.8	1848.8	1758.8	1853.8					
1715.0	1810.0									1754.0	1849.0	1759.0	1854.0					
25		14		5		6		2		25		25		9		15		126

Each carrier is associated with 200 KHz bandwidth (100 KHz on both Side) i.e. Carrier 1724.4 MHz is 1724.3-to-1724.5

B: Spectrum will be available after November 2014

Auction of Spectrum in 1800MHz and 900MHz Bands – Amendment No.2

1800 MHz Band								
Details of carriers in 200 KHz block in Maharashtra Service Area (in MHz)								
A(Partial)		B(Partial)		C		D		
Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	Uplink	Downlink	
1710.2	1805.2	1724.6	1819.6	1759.0	1854.0	1762.0	1857.0	
1710.4	1805.4	1724.8	1819.8	1759.2	1854.2	1762.2	1857.2	
1710.6	1805.6	1725.0	1820.0	1759.4	1854.4	1762.4	1857.4	
1710.8	1805.8	1725.2	1820.2	1759.6	1854.6	1762.6	1857.6	
1711.0	1806.0	1725.4	1820.4	1759.8	1854.8	1762.8	1857.8	
1711.2	1806.2	1725.6	1820.6			1763.0	1858.0	
1711.4	1806.4	1725.8	1820.8			1763.2	1858.2	
1711.6	1806.6	1726.0	1821.0			1763.4	1858.4	
1711.8	1806.8	1726.2	1821.2			1763.6	1858.6	
1712.0	1807.0	1726.4	1821.4			1763.8	1858.8	
1712.2	1807.2	1726.6	1821.6			1764.0	1859.0	
1712.4	1807.4	1726.8	1821.8			1764.2	1859.2	
1712.6	1807.6	1727.0	1822.0			1764.4	1859.4	
1712.8	1807.8	1727.2	1822.2			1764.6	1859.6	
1713.0	1808.0	1727.4	1822.4			1764.8	1859.8	
1713.2	1808.2	1727.6	1822.6					
1713.4	1808.4	1727.8	1822.8					
1713.6	1808.6	1728.0	1823.0					
1713.8	1808.8	1728.2	1823.2					
1714.0	1809.0	1728.4	1823.4					
1714.2	1809.2	1728.6	1823.6					
1714.4	1809.4	1728.8	1823.8					
1714.6	1809.6	1729.0	1824.0					
1714.8	1809.8	1729.2	1824.2					
1715.0	1810.0	1729.4	1824.4					
25		25		5		15		70

Each carrier is associated with 200 KHz bandwidth (100 KHz on both Side)

i.e. Carrier 1724.4 MHz is 1724.3-to-1724.5

A(Partial): Entire Service Area except Nasik and Pune

B(Partial): 1724.6-1723.6/1819.6-1823.6 MHz (4.2 MHz)-Entire service area except around GMRT area of Pune city