

No. L-14042/01/2022-IMT
Government of India
Ministry of Communications
Department of Telecommunications
Wireless Planning & Coordination (WPC) Wing
6th floor, Sanchar Bhawan, 20, Ashoka Road, New Delhi – 110001

Dated the 10th November, 2022

OFFICE MEMORANDUM

Subject: Guidelines for Surrender of administratively assigned spectrum to Telecom Service Providers (TSPs) with Access Service Authorisation.

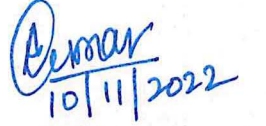
In supersession of earlier Circular No. J-14025/9(4)/98-NT/416 dated 18-09-2009 regarding Surrender of administratively assigned frequency carriers (GSM/CDMA/MW Access and MW Backbone), the Competent Authority has decided that the below guidelines would come to immediate effect with respect to surrender of administratively assigned spectrum for GSM/CDMA/MW Access and MW Backbone, for Telecom Service Providers (TSPs) with access service authorization.

1. Applicant shall submit the request for surrender of administratively assigned frequency carriers (GSM/CDMA/MW Access and MW Backbone) to DoT, not before 60 days prior and not later than 30 days prior, to the proposed date of surrender, either through physical application or e-mail to the office of Wireless Adviser or saralsanchar portal (once developed).
2. Applicant shall submit a certified proof of payment from the office of Pr.CCA/CCA of concerned LSA (where surrender is proposed) regarding payment of Spectrum Charges/Spectrum Usage Charges (SUC) up to previous quarter of date of application either on provisional/final assessment basis or self-assessment basis as the case may be. Charges, which are sub-judice, may be excluded, w.r.t proof of payment. An undertaking as per Annexure-I, should also be enclosed with the application.
3. Non-adherence to the given undertaking shall be treated as breach/violation of license agreement by the licensee and in this regard, DoT shall take necessary action as deemed fit.
4. WPC Wing shall issue the necessary letter to the applicant regarding taking surrender on record within 30 calendar days from receipt of application under intimation to the Wireless Finance (WPF) Wing of DoT, to consider the date of surrender for computation of necessary spectrum charges thereafter.

Arun
10/11/2022

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5. The surrendered carrier shall be made available for the further frequency assignments to any TSPs from the actual date of surrender as per procedure. Request of the TSP, if any, who surrendered the carrier, shall be treated as afresh.
6. The equipments covered in the surrendered carrier frequency assignment, can be utilised for the other valid frequency assignment in same/other LSA. Alternatively, the disposal of the equipments covered under the surrendered frequency assignments shall be as per extant rules/guidelines issued from time to time.


10/11/2022

(Avneesh Kumar)

Assistant Wireless Adviser to the Govt. of India

To,

All Concerned

(अवनीश कुमार)
(AVNEESH KUMAR)
सहायक बेतार सलाहकार
Assistant Wireless Advisor
दूरसंचार विभाग, भारत सरकार
Deptt. of Telecom, Govt. of India
नई दिल्ली/New Delhi

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Annexure-I

(On letter head of the TSP)

UNDERTAKING

As a part of the application no. dated to WPC Wing, regarding the surrender of administratively assigned GSM/CDMA/MWA & MWB carrier(s), I/We undertake:

1. That the licence under UL/UASLdated which is valid upto
2. That I/We have paid the necessary Spectrum Charges/Spectrum Usage Charges (SUC) (either on provisional/final assessment basis or self-assessment basis (where provisional/final assessment is not available), except for dues which are sub-judice) corresponding to the LSA of the requested carrier to be surrendered till the end of the quarter prior to the date of the application i.e., quarter ending
3. That, in case of any other demand due to revision by the DoT (i.e. finalized AGR, CAG Audits, Special Audits, any outcome of pending litigation etc.,) shall be paid by the Licencee as and when raised by the competent authority.
4. This Undertaking shall be irrevocable and the obligations of us herein shall not be conditional of any other notice by us or the Licensee. We, the licensee, undertake not to revoke this undertaking except with the previous consent of the Licensor in writing after the Licensor is satisfied on recovery of all said dues.

Date:

Place:

(Signature of Authorised Signatory)

Name:

Designation

Bumar
10/11/2022