

Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001
(Access Services Wing)

No.20-271/2010 AS-I (Vol.-IV)

Dated: 19.01.2022

To

All MNP Licensees

Subject: Amendment in MNP License Agreement for change in FDI in Telecom sector.

As per the Condition 13.1 of Part-II of MNP License Agreement, The Licensor reserves the right to modify at any time the terms and conditions of the License, if in the opinion of the Licensor it is necessary or expedient to do so in public interest or in the interest of the security of the State or for the proper conduct of the SERVICE. In pursuance of this condition, the Licensor hereby amends/appends the following in the MNP License Agreement:


S. No.	Existing Clause	Amended Clause
1.	<p>PART-II, COMMERCIAL CONDITIONS, Ownership of the Licensee Company 9.1 FDI upto 100% with 49% under automatic route and beyond 49% through Government route subject to observance of licensing and security conditions by the Bidder Company as well as investors as notified by the DoT from time to time.</p>	<p>PART-II, COMMERCIAL CONDITIONS, Ownership of the Licensee Company 9.1 FDI upto 100% under automatic route subject to observance of licensing and security conditions by Bidder Company as well as investors as notified by the DoT from time to time Notwithstanding with the above provision, foreign investment shall be subject to following conditions: 9.1(i) An entity of a country, which shares land border with India or where the beneficial owner of an investment into India is situated in or is a citizen of any such country, can invest only under the Government route. 9.1(ii) In the event of the transfer of ownership of any existing or future FDI in an entity in India, directly or indirectly, resulting in the beneficial ownership falling within the restriction/purview of the clause no. 9.1(i) above, such subsequent change in beneficial</p>

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	<p>9.2 Both direct and indirect foreign investment in the Bidding Company shall be counted for the purpose of calculating total FDI.</p> <p>9.3 The Bidder Company/ Indian Promoters/Investment Companies including their holding companies shall comply with the relevant provisions of extant FDI policy of the Government of India. While approving the investment proposals, the Government will take into account security concerns.</p> <p>9.4 FDI shall be subject to the laws of India and not the laws of the foreign country/ countries. The Bidder Company shall comply with the relevant provisions of the extant FDI policy of the Government of India and such modifications to the policy as may be issued from time to time.</p> <p>9.5 The words, mentioned hereinabove, such as FDI, foreign equity, investment companies etc. shall have the same meaning as defined by the Department of Investment & Industrial Policy (DIPP) in its extant FDI Policy.</p>	<p>ownership will also require Government approval.</p> <p>9.2 Both direct and indirect foreign investment in the Bidding Company shall be counted for the purpose of calculating total FDI.</p> <p>9.3 The Bidder Company/ Indian Promoters/ Investment Companies including their holding companies shall comply relevant provisions of extant FDI policy of the Government. While approving the investment proposals, the Government may take into accounts security concerns.</p> <p>9.4 FDI shall be subject to laws of India and not the laws of the foreign country/countries. The Licensee shall comply with the relevant provisions of FDI policy of the Government and such modifications to the policy as may be issued from time to time.</p> <p>9.5 The words, mentioned hereinabove, such as FDI, foreign equity, investment companies, etc., shall have the same meaning as defined by Department for Promotion of Industry and Internal Trade (DPIIT) in its FDI Policy.</p>
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2. This amendment comes into effect with immediate effect.

3. This amendment shall be part and parcel of the MNP License Agreement and other Terms & Conditions remain unchanged.


(Anil Kumar Gehlot)
Director (AS-I)

For and on behalf of the President of India
Ph. No. 23036864

Copy to:

1. Secretary (TRAI).
2. DGT, DoT (HQ)/ CGCA.
3. Advisor (Economics)/ Wireless Advisor/ Sr. DDG (TEC).
4. DDG (CS)/DDG (DS)/DDG (Satellite)/DDG (LFP)/ DDG (LFA)/ DDG (FIPP)/ DDG (SPPI)/ DDG (SA)/ DDG (WPF)/ DDG (A/C).
5. All Directors of AS Wing.
6. Director (IT) may kindly arrange to upload this letter on the website of DoT.