

Government of India
Ministry of Communications
Department of Telecommunications
Wireless Planning & Coordination (WPC) Wing
Sanchar Bhawan, 20, Ashoka Road, New Delhi – 110001.

No: L-14006/02/2022-NTG

Date: 27.06.2022

Sub: Guidelines for leasing of spectrum to Captive Non-Public Network Licensee

1. Background:

(1) National Digital Communications Policy, 2018 aims to ensure a holistic approach towards emerging digital technologies such as Artificial Intelligence, Robotics, Internet of Things, Mobile Edge Computing (MEC), Machine to Machine (M2M) communication etc. to catalyse the fourth industrial revolution (Industry 4.0).

(2) Private Captive Networks can play a key role in automation and industry 4.0 by providing secure, ultra-reliable, low latency and high throughput communication using advanced technologies.

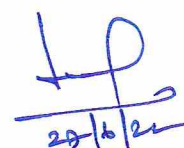
(3) Considering that the capabilities of IMT/5G technologies can be effectively leveraged for increasing productivity of enterprises and ushering in new and emergent technologies such as Industry 4.0, Artificial Intelligence, Internet of Things and M2M, enterprises need to be provided with suitable access to the radio frequency spectrum necessary for this purpose.

(4) TRAI in its recommendations on "Auction of Spectrum in frequency bands identified for IMT/5G" dated 11.04.2022 has recommended leasing of spectrum to captive networks.

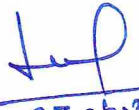
2. Leasing of Spectrum to CNPN Licensee: After considering the TRAI recommendations, the Government has decided that enterprises setting up Captive Private Networks may obtain the spectrum on lease from Telecom Service Providers (TSPs) having Access Service as follows:

(1) TSPs with Access Service License shall be allowed to lease auction acquired/ liberalised IMT spectrum to CNPN licensees.

(2) CNPN Licensees can obtain IMT spectrum from one or more TSPs on mutually agreed terms and conditions.


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- (3) TSPs shall submit the details of spectrum band(s), quantum of spectrum in each band, period of lease, geographic area of lease, geo-coordinates of the logical perimeter of the defined premises and use of spectrum to DoT on Saral Sanchar portal, within 15 days of entering into leasing agreements with CNPN licensees.
- (4) After entering into spectrum leasing agreement and prior to starting the operations, the CNPN licensees shall obtain online SACFA (Standing Advisory Committee on Frequency Allocation) clearance and import certificate as applicable.
- (5) Parties to the leasing agreement shall ensure that, while using the leased spectrum, no interference is caused to any public network or any other licensed user of spectrum.
- (6) The revenue earned by a TSP through the spectrum leasing shall form part its Gross Revenue.
- (7) Terms and conditions of CNPN license shall be governed by the Guidelines for CNPN license dated 27th June 2022 and CNPN license agreement.
- (8) Relevant amendments to UL and UASL have been issued on 27.06.2022.


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