

Government of India
Ministry of Communications & IT
Department of Telecommunications
Sanchar Bhavan, 20 - Ashoka Road, New Delhi - 110001

No. 842-725/2005-VAS/39

Dated

16th March 2006.

To

All Cellular Mobile Telephone Services Licensee(s) in Metro/ Telecom Circle Service Areas to whom CMTS licenses issued prior to 2001

Subject:- Amendments in Cellular Mobile Telephone Service Licence Agreement for Metro/ Telecom Circle Service Areas issued prior to 2001.

The undersigned has been directed to convey the approval of the competent authority for the amendment in respect of CMTS Licence Agreement with immediate effect as per details in the enclosed Annexure.

2. The other terms and conditions of the existing CMTS Licence and amendments thereon shall remain unchanged.

Encl. - ANNEXURE

(A.S. Verma)
Director (VAS-II)
For and on behalf of President of India

Copy to :

1. Secretary, TRAI
2. Sr. DDG (TEC)
3. Sr. DDG (LF)
4. DDG (BS)
5. COAI
6. AUSPI

ANNEXURE

Sl. No.	Clauses mentioned in amendment dated 6 th February 2006	Clauses amended to be read as
1.	<p>9. The merger of Indian companies may be permitted as long as competition is not compromised as defined below:</p> <p>“No single company/ legal person, either directly or through its associates, shall have substantial equity holding in more than one LICENSEE Company in the same service area for the Access Services namely; Basic, Cellular and Unified Access Service. ‘Substantial equity’ herein will mean ‘an equity of 10% or more’. A promoter company/ Legal person cannot have stakes in more than one LICENSEE Company for the same service area”.</p> <p>Note : above clause shall not be applicable to CMTS Licensees existing as on 11.11.2003, and in case one of them migrates to UASL it shall not be necessary to surrender the other License. Further, Basic and Cellular Licensees existing as on 11.11.2003, shall not be eligible for a new UASL in the same service area either directly or through it’s associates. Further, any legal entity having substantial equity in existing Basic / Cellular licensees shall not be eligible for new UASL.</p>	<p>9. (i) Merger of Indian companies may be permitted as long as competition is not compromised as defined in condition 9.(ii) (c).</p> <p>9. (ii) The Licensee shall also ensure that :</p> <p>(a) Any changes in share holding shall be subject to all applicable statutory permissions.</p> <p>(b) The licensee shall also ensure that no single company/legal person, either directly or through its associates, shall have substantial equity holding in more than one licensee company in the same service area for the same service. ‘Substantial equity’ herein will mean ‘an equity of 10% or more’. A promoter Company/ Legal person cannot have stakes in more than one licensee company for the same service area.</p> <p>(c) Management control of the licensee company shall remain in Indian Hands.</p>

**Government of India
Ministry of Communications & IT
Department of Telecommunications
Sanchar Bhavan, 20 - Ashoka Road, New Delhi - 110001**

No. 842-725/2005-VAS/40

Dated 16th March 2006.

To

All Cellular Mobile Telephone Services Licensee(s) to whom CMTS licenses issued in 2001 or thereafter

Subject:- Amendments in Cellular Mobile Telephone Service Licence Agreement for Metro/ Telecom Circle Service Areas issued in 2001 or thereafter.

The undersigned has been directed to convey the approval of the competent authority for the amendment in respect of CMTS Licence Agreement with immediate effect as per details in the enclosed Annexure.

2. The other terms and conditions of the existing CMTS Licence and amendments thereon shall remain unchanged.

Encl. - ANNEXURE

(A.S. Verma)
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ANNEXURE

Sl. No.	Clauses mentioned in amendment dated 6th February 2006	Clauses amended to be read as
1.	<p>1.3 The merger of Indian companies may be permitted as long as competition is not compromised as defined below:</p> <p>“No single company/ legal person, either directly or through its associates, shall have substantial equity holding in more than one LICENSEE Company in the same service area for the Access Services namely; Basic, Cellular and Unified Access Service. ‘Substantial equity’ herein will mean ‘an equity of 10% or more’. A promoter company/ Legal person cannot have stakes in more than one LICENSEE Company for the same service area”.</p> <p>Note : above clause(1.3) shall not be applicable to CMTS Licensees existing as on 11.11.2003, and in case one of them migrates to UASL it shall not be necessary to surrender the other Licence. Further, Basic and Cellular Licensees existing as on 11.11.2003, shall not be eligible for a new UASL in the same service area either directly or through it’s associates. Further, any legal entity having substantial equity in existing Basic / Cellular licensees shall not be eligible for new UASL.</p>	<p>1.3 The merger of Indian companies may be permitted as long as competition is not compromised as defined in condition 1.4 (ii).</p>

2.	1.4 The LICENSEE shall also ensure that any change in share holding shall be subject to all necessary statutory requirements.	1.4 The LICENSEE shall also ensure that: (i) Any changes in share holding shall be subject to all applicable statutory permissions. (ii) No single company/legal person, either directly or through its associates, shall have substantial equity holding in more than one licensee company in the same service area for the same service. 'Substantial equity' herein will mean 'an equity of 10% or more'. A promoter company/legal person cannot have stakes in more than one licensee company for the same service area. (iii) Management control of the LICENSEE Company shall remain in Indian Hands.
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