

**Government of India**  
**Ministry of Communications & Information Technology**  
**Department of Telecommunications**  
**Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110001**  
**( LR Cell )**

**No.820-1/2003-LR**

**Dated 9.6.2003**

To

All Licensees of Internet Service (including Internet Telephony)  
(As per the List Enclosed)

**Subject:       Amendment of license with regard to transfer/assignment of license.**

It has been decided to amend the clause relating to transfer/assignment of license so as to permit transfer of license at any point of time subject to certain conditions. The amended clause is as given in the Annexure.

Kindly acknowledge receipt.

**( Ritu Pande )**  
**Asst Director General (LR-I)**

**Encl; As above**

Copy to :

- (i)     DDG (VAS)/ DDG (BS)/ DDG (PIP)/ DDG (LF)/ Wireless Advisor
- (ii)    Secretary, Telecom. Regulatory Authority of India

**Amended clause in the Licence for Provision of Internet Service (including Internet Telephony) with regard to 'Transfer of License'.**

**Transfer of License:**

The Licensee may transfer or assign the License Agreement with prior written approval of the Licensor to be granted on fulfillment of the following conditions:-

- (i) When transfer or assignment is requested in accordance with the terms and conditions on fulfillment of procedures of Tripartite Agreement if already executed amongst the Licensor, Licensee and Lenders; or
- (ii) Whenever amalgamation or restructuring i.e. merger or demerger is sanctioned and approved by the High Court or Tribunal as per the law in force; in accordance with the provisions; more particularly of Sections 391 to 394 of Companies Act, 1956; and
- (iii) The transferee/assignee is fully eligible in accordance with eligibility criteria contained in tender conditions or in any other document for grant of fresh license in that area and shows its willingness in writing to comply with the terms and conditions of the license agreement including past and future roll out obligations; and
- (iv) All the past dues are fully paid till the date of transfer/assignment by the transferor company and thereafter the transferee company undertakes to pay all future dues inclusive of anything remained unpaid of the past period by the outgoing company.”