

F. No. AS-21/2/2013-US (AS-V)-Part-III
Ministry of Communication and IT
Department of Telecommunications
(Access Services V)

Sanchar Bhawan, 20 Ashoka Road, New Delhi-110 001

Dated: February 05, 2016

To

M/s Vodafone Mobile Services Limited
C-48, Okhla Industrial Area, Phase II
New Delhi-110020

Subject: Provisional amalgamation of Vodafone West Limited (VWL), Vodafone Spacetel Limited (VSPL) with Vodafone Mobile Services Limited (VMSL).

References:

- (i) Your letter No. VMSL/DoT/07-13/23 dated 18.07.2013 of M/s VMSL,
- (ii) Your letter No. VMSL/DoT/04-15/01 dated 6.4.2015 of M/s VMSL,
- (iii) Your letter No. VMSL/DoT/04-15/50 dated 21.4.2015 of M/s VMSL,
- (iv) This office letter no. AS-21/2/2013-US (AS-V)-Part-III dt. 11.12.2015 and
- (v) Your letter No. VMSL/DoT/12-15/Payment dated 30.12.2015 of M/s VMSL.

Reference is invited to your letters cited above requesting transfer of licenses as mentioned in the Schedule-1 of the scheme of amalgamation/spectrum/LoIs/Authorizations and all other approvals/ permissions etc., of the Transferor companies (i.e. M/s Vodafone West Limited (M/s VWL) and M/s Vodafone Spacetel Limited (M/s VSPL) in the name of Transferee company M/s Vodafone Mobile Services Limited (VMSL).

2. Pursuant to this office letter no. AS-21/2/2013-US (AS-V)-part-III dated 11.12.2015, M/s VMSL &Ors. approached the TDSAT through Petition no. 673 of 2015 against the terms and conditions & various demands mentioned in above said letter. TDSAT in its order dated 17.12.2015 directed , inter-alia, as under:-

“... ”

Following the interim order passed by the Supreme Court, we deem it fit and proper to direct the petitioner to deposit Rs. 450 crores. The aforesaid payment will be, without prejudice to the rights, which may eventually be determined through judicial process. We accordingly direct, that as soon as the amount of Rs. 450 crores is paid, it will be imperative for the DoT to approve the merger orders forthwith.

Needless to add, that in case the petitioner eventually succeeds in having the claims set aside, it will be entitled to such rate of interest on the amount required to be deposited, as may be determined by the concerned Tribunal/Courts.

Advised

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.....”

3. Further, pursuant to letter no. F. No. AS-21/2/2013-US (AS-V)-part-III dated: 11.12.2015, interim order of TDSAT dated 17.12.2015 passed in Petition 673 of 2015 & subsequent to deposit of Rs. 450/- Crores on 30.12.2015 (Vide Account Payee Cheque, dated 29.12.2015, bearing number 931586 of Citi Bank) by M/s VMSL, approval of the competent authority is accorded as detailed below:

- (i) Provisional Transfer of following licenses held by M/s Vodafone Spacetel Limited (M/s VSpL) i.e. one of the two Transferor companies in the name of M/s Vodafone Mobile Service Limited, Transferee Company with immediate effect

S.No	Group Company	Type of Licence	Service Area/ Authorization of Access Services	Licence Agreement Nos.	Effective Date
1.	Vodafone Spacetel Limited (VSpL)	UASL	Assam	20-203/2006-ESSAR/AS-I dated 05.12.2006	05.12.2006
2.	- do-	UASL	Bihar	20-204/2006-ESSAR/AS-I dated 05.12.2006	05.12.2006
3.	- do-	UASL	Himachal Pradesh	20-207/2006-ESSAR/AS-I dated 05.12.2006	05.12.2006
4.	- do-	UASL	Jammu & Kashmir	20-208/2006-ESSAR/AS-I dated 05.12.2006	05.12.2006
5.	- do-	UASL	North East	20-213/2006-ESSAR/AS-I dated 5.12.2006	05.12.2006
6.	- do-	UASL	Orissa	20-214/2006-ESSAR/AS-I dated 5.12.2006	05.12.2006
7.	- do-	UASL	Madhya Pradesh	20-211/2007-Vodafone Essar/AS-I dtd 19.12.2007	20.03.2007
8.	- do-	PAN INDIA	ISP (Category-A)	820-1051/09-LR dated 11.12.2009	11.12.2009

- (ii) Unified Licence no 20-471/2015-AS-Idated 25/08/2015 granted to M/s Vodafone West Limited (VWL) w. e. f. 19.12.2015 shall stand cancel provisionally and all liabilities under this license including any payment due/ arising at a later date shall transfer to M/s VMSL with additional authorization under Unified Licence

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agreement no. 20-428/2014-AS-I/31 dated 21/11/2014 for authorization of access service in Gujarat service area with immediate effect.

4. Without prejudice, final approval of transfer of licenses as mentioned in Para 3 and all other approvals/permissions etc., will be subject to outcome of Petition No.673 of 2015 before the TDSAT and appeal thereof against judgment of Hon'ble TDSAT, if any. Further revision of the demands specifically provided in clause 2(b)(iv) of letter dated 11.12.2015 will be communicated separately.

Nand
05.02.16 6:28 PM
(Nand Kishor Bijaraniyan)
ADET (AS-V)
Tele: 23036416

Copy to:

1. Secretary ,TRAI
2. Sr. DDG (WPF) / Sr. DDG(TERM)/WA, DoT
3. DDG (LFA) / DDG (LFP) / DDG (CS) / DDG (DS), DoT
4. Director (AS-I) for issue of additional authorization for access services as detailed in para 3 above under UL agreement no. 20-428/2014-AS-I/31 dated 21/11/2014.
5. Director(AS-II) / Director(AS-III) / Director(AS-IV)
6. M/s Vodafone West Limited and
7. M/s Vodafone Spacetel Limited