

**Government of India**  
**Ministry of Communications**  
**Department of Telecommunication**  
**(WPC Wing)**

No. L-14047/15/2018-NTG

Dated: 18.09.2019

**Office Memorandum**

**Subject:** Clarifications/ guidelines regarding import of equipment to the Service Providers sharing the active infrastructure.

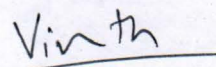
1. Vide memo. No. 20-443/2014-AS-I Pt dated 11<sup>th</sup> February, 2016 (*copy enclosed*), the Unified License (Access Service) conditions have been amended permitting the sharing of *Active infrastructure* amongst Service Providers based on the mutual agreements entered amongst them. It is stated in the above amendment that active infrastructure sharing will be limited to *antenna, feeder cable, Node B, Radio Access Network (RAN) and transmission system only*.

2. Accordingly, it has been decided that the following guidelines will be followed by the respective Regional Licensing Offices (RLOs) for granting the license to import the equipment under such sharing agreement amongst service providers:

- i. All the signatory service providers must have frequency authorization in at least one of the access service frequency bands.
- ii. It should be ensured that the sharing service providers hold spectrum in at least one of the bands supported by the equipment being imported. Such equipment should not support a frequency band in which none of the sharing service providers holds any spectrum.
- iii. The sharing partners need to submit a joint undertaking (*proforma enclosed*) that the applicant service provider is importing these equipment as per the relevant sharing agreement entered amongst them; however, the use of the imported equipment by the individual service providers will be strictly limited to the respective spectrum holdings. In case it comes to the notice of the Government that individual service provider is transmitting/ radiating in a frequency band not authorized to them, action will be taken against all the sharing service providers under the Indian Telegraph Act 1885 and relevant licenses/ authorizations.
- iv. Such import license should stipulate a condition that the service providers must not radiate in the band in which spectrum is not allotted to them.

3. The grant of import license to the applicant service provider will be subject to all other usual processes and fulfillment of the above conditions.

4. The above is issued with the approval of Member(T).



Assistant Wireless Adviser

**Enclosures:** As above

**To:** All RLOs for necessary action/ compliance

**Copy to:**

1. All TSPs/COAI/AUSPI
2. PS to Member(T)
3. PS to Wireless Advisor to Government of India
4. Sr. DWA(ASMS) for uploading in WPC website.

**UNDERTAKING FOR THE IMPORT OF EQUIPMENTS UNDER THE ACTIVE  
INFRASTRUCTURE SHARING ORDER**

We, M/s ..... (Name of the applicant service provider), have applied vide online Application Id. No..... for the grant of import license under *Active Infrastructure Sharing* arrangement permitted vide DoT memo. No. 20-443/2014-AS-I Pt dated 11<sup>th</sup> February, 2016 and entered into by the signatory TSPs hereunder vide our agreement no..... dated..... (copy enclosed) in ..... LSA. In this regard, we, jointly, undertake the following:

- i. We confirm that all the signatory service providers are having frequency authorization in at least one of the access service frequency bands.
- ii. We shall ensure that the all the sharing service providers hold spectrum in at least one of the bands supported by the equipment being imported. Such equipment does not support a frequency band in which none of the sharing service providers hold any spectrum.
- iii. We also jointly undertake that the use of the imported equipment by the individual service providers will be strictly limited to the respective spectrum holdings. We are also aware that in case it comes to the notice of the Government that individual service provider is transmitting/ radiating in a frequency band not authorized to him, action may be taken against all the sharing service providers under the Indian Telegraph Act 1885 and the relevant licenses/ authorizations.
- iv. All the signatories hereunder also undertake that we are duly authorized by our companies/ Board of Directors to submit this undertaking.

.....  
(Signature/ date, Designation, Seal of the Applicant service provider)

.....  
(Signature/ date, Designation, Seal of the Sharing service providers)

**Government of India  
Ministry of Communication & IT  
Department of Telecommunications  
(Access Services Division)**

1203, Sanchar Bhawan, Ashok Road, New Delhi-110001.

No.20-443/2014-AS-I Pt

Dated: 11<sup>th</sup> February, 2016

To,

All Unified License (Access Service) Licensees

**Subject:- Amendment in Unified License (Access Service) Agreement.**

1. In pursuance of the clause 5.1 of Unified License (Access Service) Agreement, The LICENSOR hereby amends the Unified Licence (Access Service) Agreement and the clause 33 (VI) in Part-V is appended as below:

*"Sharing of Active infrastructure amongst Service Providers based on the mutual agreements entered amongst them is permitted. Active infrastructure sharing will be limited to antenna, feeder cable, Node B, Radio Access Network (RAN) and transmission system only."*

2. This amendment shall form part and parcel of the UL (AS) Agreement and all other terms & conditions shall remain unchanged.

3. The amendment is effective with immediate effect

  
11/2/16  
(R.K.SONI)  
Director (AS-I)  
Ph.No.23036284.

Copy to,

1. Secretary, TRAI, New Delhi.
2. WA, DoT, New Delhi.
3. Sr DDG (TERM)/DDG (WPF), DoT, Delhi.
4. DDG (A/C)/(LFA)/(LFP), DoT, Delhi.
5. Director (AS-II), Director (AS-III), Director (AS-IV), Director (AS-V) for kind information please.
6. Director (IT) for uploading on website.