

No.1000-56/2004-WFD
Government of India
Ministry of Communications and IT
Department of Telecommunication
(WPF Wing)

Dated - 6th February , 2012

OFFICE MEMORANDUM

Sub:- Decentralization of Assessment of Spectrum Usage Charges (SUC) to CCA Offices

The approval of the competent authority is hereby conveyed for decentralization of Assessment of Spectrum Usage Charges (SUC) to CCA Offices. The following guidelines are hereby issued in this regard;-

1. **Date of Decentralization**- The work of assessment of spectrum usage charges is delegated to the CCA Offices with effect from FY 2012-13.
2. **AGR for the purpose of SUC** :- The AGR as defined in the license agreement may be considered for the assessment of SUC which is quoted below:

" The Licensee shall pay spectrum charges in addition to the License Fees on revenue share basis as notified separately from time to time by the WPC Wing. However, while calculating " AGR" for limited purpose of levying spectrum charges based on revenue share, revenue from wire line subscribers shall not be taken into account."

The AGR amended from time to time by DoT shall be considered for assessment of SUC.

3. **Methodology/procedure**- The following procedure for completion of the assessment of spectrum usage charges may be followed -
 - i) AGR will be finalized by LF wing of DoT till further order. Copy of Finalized AGR along with calculation sheet shall be sent by LF wing of DoT directly to the O/o concerned CCA with a copy to WPF Wing.
 - ii) Considering the finalized AGR, final assessment for SUC will be done considering all aspect in respect of SUC payable as per orders issued from time to time.
 - iii) Annual assessment shall be done as per License agreement and orders issued from time to time in this regard.

- iv) Assessment of SUC shall be done separately for Main Radio Spectrum and Backhaul (MWA & MWB), since the rate of spectrum and allocation of spectrum are done separately. Licensees have been requested vide this office letter No.1018/2007-08/WFD-Vol-III dt 21-03-2011 to submit the detail of quantum of Main Radio spectrum and Back haul along with quarterly AGR statement at the time of quarterly payment of SUC .
- v) In case of quarterly short payment/delayed payment, demand shall be raised immediately along with interest /penalty applicable.

4. **Verification of documents:-** The o/o CCA shall verify the documents submitted by the Licensees or call for any document from the Licensees to establish the correctness of the due spectrum usage charges from the Licensees as per License agreement.

5. **Assessing Authority and Grievance redressal-**

- i) Assessment shall be done by the following officers till further order in this regard.

Annual SUC due	Assessing Authority
Upto 50 Cr	Jt CCA
Above 50 Cr	CCA

- ii) Any issue against the demand raised shall be represented before the next higher authority as mentioned below-

Assessing Authority	Representation before
Jt CCA	CCA of the concerned office
CCA	Sr DDG (WPF), DoT HQ

6. **Time limit for completion of Assessment of SUC-**

- i) Provisional Assessment shall be completed within 3 month from date of submission of Audited AGR by the Licensee to the Concerned O/o CCA.
- ii) Final Assessment shall be completed Within 3 Month from date of receiving of Finalized AGR from LF Wing.

7. Quantum of spectrum allocated to the service providers and the rate for Spectrum usage charges prescribed by WPC Wing have already been communicated to all the CCAs vide this office letter No. No.1000-56/2004-WFDdt 11-02-2011.Change in quantum of spectrum allocated to the Licensees and the rates applicable for spectrum usage charges shall be

communicated by this wing from time to time. Information in this regard will also be available online on WPF Module @ <http://www.dotrevenue.gov.in> .

The receipt of this O .M. may kindly be acknowledged.

Sanjay Kumar
06/02/13
(Sanjay Kumar)
Director (WR)
T.No. 23036770

To

All PCs C A/ Cs CA

Copy for information to:-

1. PPs to Secretary, DoT,
2. PPs to All Members of Telecom. Commission, DoT.
3. Wireless Advisor.
4. Chief Vigilance Officer, DoT.
5. DGP&T, Audit, Delhi.
6. DG, NICF.
7. DDG (TPF & Accounts)
8. DDG (LF-I)
9. DDG (LF-II)
- ✓ 10. Director (IT) for uploading the order.

Please place the order
on DoT website

M. K. Singh
7/2/13

ADG (IT-2)

20/02 (35)/13
7/2/13