

No. AS-21/02/2017-AS-V
Government of India
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001
(Access Services Wing)

Date:14.05.2018

To,
M/s Bharti Airtel Limited
Bharti Crescent, 1,
Nelson Mandela Road,
Vasant Kunj Phase II, New Delhi-110070

Subject: Merger of M/s Telenor (India) Communication Private Limited ('Telenor India') with M/s Bharti Airtel Limited (M/s BAL)- regarding

Reference:

- (i) Letter dated 02.03.2017, 03.04.2017, 02.06.2017, 09.03.2018, 12.04.2018 and 09.05.2018 from M/s Bharti Airtel Limited;
- (ii) Letter dated 05.06.2017 and 09.03.2018 from M/s Telenor (India) Communication Private Limited
- (iii) This Office letter of even no. dated 05.07.2017 and 07.06.2017

Consequent to the sanction of the scheme of amalgamation of M/s Telenor (India) Communication Private Limited with M/s Bharti Airtel Limited by the Hon'ble National Company Law Tribunal (NCLT) vide its order dated 08.03.2018 passed in CAA- 313(PB)/2017 connected with Company Application No. CA (CAA)-81(PB) of 2017, the approval of the competent authority is accorded to take on record the merger of M/s Telenor (India) Communication Private Limited with M/s Bharti Airtel Limited.

2. All the assets of Department of Telecommunications pertaining to M/s Telenor (India) Communication Private Limited including the Unified License having authorizations for National Long Distance, International Long Distance, Internet Service Provider Category 'A' and Access Services in the licensed service areas of Andhra Pradesh, Bihar, Maharashtra, Gujarat, UP (East), UP (West) and Assam; spectrum; and any other licenses, approvals, clearances, resources etc. as approved by the NCLT in its order dated 08.03.2018 pertaining to the relevant scheme of amalgamation stand transferred to M/s Bharti Airtel Limited.

3. All the liabilities of Department of Telecommunications against M/s Telenor (India) Communication Private Limited including the liabilities of quashed licenses/spectrum granted to the Unitech Group Companies as approved by the NCLT in its order dated 08.03.2018 pertaining to the relevant scheme of amalgamation stand transferred to M/s Bharti Airtel Limited.

4. The effective date for transfer of all the assets and liabilities pertaining to Department of Telecommunication shall be as per the scheme of amalgamation approved by the NCLT vide its order dated 08.03.2018 and the same will be intimated to the DoT by the resultant entity i.e. M/s Bharti Airtel Limited immediately after filing the NCLT order with RoC.

5. The present merger is taken on record without prejudice to the rights, contentions, remedies and steps which may be taken by the Department in pursuance of any subsequent Orders, Judgments or Decisions of the Hon'ble Court's/Tribunals in the related matters of W.P. No. 184 (L) of 2013 (M/s Bharti Airtel Limited Vs Union of India) pending in the Bombay High Court, Telecom Petition No. 59 of 2016 (M/s Telenor Vs Union of India) pending in TDSAT, C.A. No. 004452-004454 of 2005 (M/s Aircel Digilink India Ltd. Vs Union of India) pending in the Hon'ble Supreme Court and any other matter or order or judgment, related to the issue/issues which may arise in dispute in Telecom Petition No. 55 of 2018, pending in the TDSAT between the Licensee and the Department and/or any subsequent Order/Direction/Judgment which may be passed in the said Telecom Petition No. 55 of 2018.


(Nand Kishor Bijaraniyan)
ADG (AS-V)

Copy to:

- (i) Secretary, TRAI
- (ii) Sr. DDG (LFP)/ Sr. DDG (DGT)/ Wireless Advisor, DoT HQ, New Delhi
- (iii) DDG (WPF)/ DDG (LFA)/ DDG (CS)/ DDG (DS) DoT HQ, New Delhi
- (iv) Director (AS-I)/ Director (AS-II)/ Director (AS-III)/ Director (AS-IV), DoT HQ, New Delhi
- (v) M/s Telenor (India) Communication Private Limited, DBS Business Centre, First Floor, World Trade Tower, Barakhamba Lane, Connaught Place, New Delhi-110001