

Government of India
Ministry of Communications & IT
Department of Telecommunications
(LR Cell)

No. 813-7/03-LR

16th April, 2004

To

All Internet Service Licensees. (including Internet Telephony)

Subject: Amendment of Clause 7.2 and Clause 7.5 of Schedule C part II of the Licence Agreement for Provision of Internet Service (including Internet Telephony)

The undersigned is directed to convey the approval of the competent authority for amendment of Clause 7.2 and Clause 7.5 of Schedule C part II of the Licence Agreement for Provision of Internet Service and the amended clauses to be read as follows:

Clause 7.2 of Schedule C Part II

The licensee may obtain the transmission link on lease from Licensed Service Providers authorized to lease such lines to the ISPs. The licensee may also establish its own transmission links within its service area for carrying traffic originated and terminated by his subscribers, as per the provisions of clause 7.5 of Schedule C Part II of the licence agreement.

Clause 7.5 of Schedule C Part II

Interconnectivity Requirements: Private ISPs shall use IP(Internet Protocol) in conjunction with Transmission Control Protocol (TCP) and shall meet the interface requirements of the Internet Access Providers such as BSNL / MTNL / VSNL to whose network, his node is connected. Some of the interfaces required are given below:-

Interface Requirements

(i) Subscriber Dial up Access

2 wire access over PSTN for modem interface.

2 wire dial up access on ISDN Basic & Primary rate interfaces

(ii) Leased Line Interface

64K, N x 64K or 2.048 Mb/s, N x 2.048 Mb/s Leased lines

Frame Relay

X.25

ATM

G. 703

Access to internet through authorized Cable Operator shall be permitted without additional licensing subject to applicable Cable Laws (The Cable Television Networks (Regulation) Act, 1995) as modified from time to time.

'Last mile' linkages shall be freely permitted within local area by fiber optics, radio communication or underground copper cable for ISPs for establishing their own last mile to their customers. In case of radio links, clearance from WPC Wing of DoT shall be required to be obtained by ISPs to avoid frequency interference. Provision of services by ISPs using last mile linkages shall be strictly as defined under clause 35 of Schedule C Part I of this licence agreement and further qualified by Clause 1.14 of Schedule C Part II of this licence agreement.

2. Acceptance of the above amendment may kindly be communicated.

(Ritu Pandey)
Asstt. Director General (LR-I)

**Last mile (With
Telephony) issued
on 16th April, 2004**

Clause 7.2 of Schedule C Part II

The licensee may obtain the transmission link on lease from Licensed Service Providers authorized to lease such lines to the ISPs. The licensee may also establish its own transmission links within its service area for carrying traffic originated and terminated by his subscribers, as per the provisions of clause 7.5 of Schedule C Part II of the licence agreement.

Clause 7.5 of Schedule C Part II

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Interface Requirements

(i) Subscriber Dial up Access

2 wire access over PSTN for modem interface.

2 wire dial up access on ISDN Basic & Primary rate interfaces

(ii) Leased Line Interface

64K, N x 64K or 2.048 Mb/s, N x 2.048 Mb/s Leased lines

Frame Relay

X.25

ATM

G. 703

Access to internet through authorized Cable Operator shall be permitted without additional licensing subject to applicable Cable Laws (The Cable Television Networks (Regulation) Act, 1995) as modified from time to time.

'Last mile' linkages shall be freely permitted within local area by fiber optics, radio communication or underground copper cable for ISPs for establishing their own last mile to their customers. In case of radio links, clearance from WPC Wing of DoT shall be required to be obtained by ISPs to avoid frequency interference. Provision of services by ISPs using last mile linkages shall be strictly as defined under clause 35 of Schedule C Part I of this licence agreement and further qualified by Clause 1.14 of Schedule C Part II of this licence agreement.

Last mile (Without telephony) issued on 16th April, 2004

Clause 7.2 of Schedule C Part II

The licensee may obtain the transmission link on lease from Licensed Service Providers authorized to lease such lines to the ISPs. The licensee may also establish its own transmission links within its service area for carrying traffic originated and terminated by his subscribers, as per the provisions of clause 7.5 of Schedule C Part II of the licence agreement.

Clause 7.5 of Schedule C Part II

Interconnectivity Requirements: Private ISPs shall use IP(Internet Protocol) in conjunction with Transmission Control Protocol (TCP) and shall meet the interface requirements of the Internet Access Providers such as BSNL / MTNL / VSNL to whose network, his node is connected. Some of the interfaces required are given below:-

Interface Requirements

(i) Subscriber Dial up Access

2 wire access over PSTN for modem interface.

2 wire dial up access on ISDN Basic & Primary rate interfaces

(ii) Leased Line Interface

64K, N x 64K or 2.048 Mb/s, N x 2.048 Mb/s Leased lines

Frame Relay

X.25

ATM

G. 703

Access to internet through authorized Cable Operator shall be permitted without additional licensing subject to applicable Cable Laws (The Cable Television Networks (Regulation) Act, 1995) as modified from time to time.

'Last mile' linkages shall be freely permitted within local area by fiber optics, radio communication or underground copper cable for ISPs for establishing their own last mile to their customers. In case of radio links, clearance from WPC Wing of DoT shall be required to be obtained by ISPs to avoid frequency interference. Provision of services by ISPs using last mile linkages shall be strictly as defined under clause 24 of Schedule C Part I of this licence agreement.

PBG Amendment (common) issued on 19th January, 2004

The clause 13.6 of Schedule 'C' Part II of the Licence Agreement has been amended to read as follows:

13.6 Performance Bank Guarantee (PBG) :

A Performance Bank Guarantee of Rs.2 crores, 20 lakhs and 3 lakhs for category 'A' service area, 'B' service area and 'C' service area respectively valid for 2 years from a scheduled bank in the prescribed format (per Schedule 'D' of the License Agreement) shall be submitted for each service area along with application for license, whose validity shall be extended from year to year without any demand from the licensor two months before the date of expiry of bank guarantee. In the event of failure to extend the validity period of Performance Bank Guarantee, it shall be taken as material breach of the terms and conditions of the license agreement whereupon the Performance Bank Guarantee will be encashed without any further notice to licensee, without prejudice to any other remedy, and the amount so encashed shall be kept as security without accrual of any interest. Provided that the licensee who commissions the service shall furnish/extend the performance bank guarantee of the reduced amount of Rs.1 crore, 10 lakhs and 2 lakhs for each of the service area for category A, B and C respectively.

Surrender of Licence (common) issued on 8th March, 2002
Clause 10.3(b), Part-II of Schedule 'C' of ISP Licence Agreement

(b)

Registered
Post