



भारतीय दूरसंचार विनियामक प्राधिकरण
Telecom Regulatory Authority of India



Recommendations on the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023

(Response to the Back-Reference Dated 3rd July 2025
Received from Department of Telecommunications
on the Recommendations Dated 17th February 2025 of TRAI)

New Delhi, India
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Tower F, NBCC World Trade Centre, Nauroji Nagar, New Delhi-110029

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CHAPTER I: INTRODUCTION AND BACKGROUND

A. Background

- 1.1 Through the letter No. 20-1350/2024 AS-I (Vol-II) dated 26.07.2024 (**Annexure I**), the Department of Telecommunications (DoT), Ministry of Communications, Government of India sent a reference to Telecom Regulatory Authority of India (hereinafter, also referred to as "TRAI", or "the Authority") under Section 11(1)(a) of the TRAI Act, 1997 on the subject- 'Seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network as per the provisions of the Telecommunications Act 2023'. An extract of DoT's reference dated 26.07.2024 is reproduced below:

"The Telecommunications Act, 2023 has been published in the Official Gazette of India. It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act. Section 3(1)(b) of the Act provides for obtaining an authorisation by any person intending to establish, operate, maintain or expand telecommunication network, subject to such terms and conditions, including fees or charges, as may be prescribed. A background note on related aspects in this regard including relevant sections of the Telecommunications Act, 2023 that may have bearing on the terms and conditions of authorisations is attached as Annexure to this reference.

2. In this regard, under Section 11(1)(a) of the TRAI Act, 1997 (as amended), TRAI is requested to provide its recommendations within 60 days of receipt of this reference on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand

telecommunication network as per the provisions of the Telecommunications Act 2023."

- 1.2 Hereinafter, the afore-mentioned letter dated 26.07.2024 received from DoT will also be referred to as "the DoT's Reference dated 26.07.2024".
- 1.3 The background note enclosed with the DoT's Reference dated 26.07.2024 is reproduced below:

"1. Section 3(1)(a) and 3(1)(b) of the Telecommunications Act 2023 provide for authorizations to provide telecommunication services and to establish, operate, maintain or expand telecommunication network respectively. As per Section 2 of the Telecommunications Act 2023, telecommunication, telecommunication network and telecommunication service are defined as follows:

(p) "telecommunication" means transmission, emission or reception of any messages, by wire, radio, optical or other electro-magnetic systems whether or not such messages have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission or reception;

(s) "telecommunication network" means a system or series of systems of telecommunication equipment or infrastructure, including terrestrial or satellite networks or submarine networks, or a combination of such networks, used or intended to be used for providing telecommunication services, but does not include such telecommunication equipment as notified by the Central Government;

(t) "telecommunication service" means any service for telecommunication;

2. A reference dated 21.06.2024, to TRAI, has been sent for seeking its recommendations on terms and conditions, including fees or charges, for authorisation to provide telecommunication services under section 3(1)(a) of the Telecommunications Act 2023. List of the extant licenses, registrations,

and permissions being granted under the Indian Telegraph Act 1885 is provided in this reference.

3. Section 3(2) of the Telecommunications Act 2023 provides for different terms and conditions of authorisation for different types of telecommunication services and telecommunication network.

4. Section 3(5) of the Telecommunications Act 2023 provides that any authorised entity may undertake any merger, demerger or acquisition, or other forms of restructuring, subject to any law for the time being in force and any authorised entity that emerges pursuant to such process, shall comply with the terms and conditions, including fees and charges, applicable to the original authorised entity, and such other terms and conditions, as may be prescribed.

5. Section 3(6) of the Telecommunications Act 2023 provides that a licence, registration, permission, by whatever name called, granted prior to the appointed day under the Indian Telegraph Act, 1885, in respect of provision of telecommunication services shall be entitled to continue to operate under the terms and conditions and for the duration as specified under such licence or registration or permission, or to migrate to terms and conditions of the relevant authorization as may be prescribed.

6. TRAI Recommendations on 'Rationalization of Entry Fee and Bank Guarantees' dated 19.09.2023 have been received and same are under consideration of the Government. Meanwhile, a reference dated 21.06.2024, to TRAI, has been sent for seeking its recommendations on terms and conditions, including fees or charges, for authorisation to provide telecommunication services under section 3(1)(a) of the Telecommunications Act 2023.

Another reference for seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate,

maintain or expand telecommunication network under section 3(1)(b) of the Telecommunications Act 2023, is being sent along with this note.

Accordingly, the issues relating to Entry Fee and Bank Guarantees may also be revisited along with the fee or charges for different types of authorizations.

7. While formulating recommendations, TRAI may also consider following:

- i. Type, scope, and terms & conditions of each authorization to be granted under section 3(1)(a) and 3(1)(b) respectively.*
- ii. Some of the recommendations of TRAI, which are under consideration presently, like recommendations on 'DCIP', 'IXP', 'CDN', 'SESG', 'IBS (In-Building Solutions)' etc., which primarily relate to establishing telecommunication networks, and these authorised entities would provide telecommunication networks as a service to authorized entities under section 3(1)(a) only.*
- iii. Reference agreement between authorized entities establishing, operating, maintaining or expanding the telecommunication network and authorized entities providing telecommunication services.*
- iv. Latest developments in the field of telecommunications such as cloud hosted telecommunication networks being used to provide Unified Communications as a Service (UCaaS) & Communications Platform as a Service (CPaaS), virtualisation of telecommunication networks, Ground Station as a Service (GSaaS) as envisaged under the Indian Space Policy 2023, etc.*
- v. Rationalization of Entry Fee and Bank Guarantees for various authorizations in view of the provisions of the Telecommunications Act 2023.*

8. Many other Sections of the Telecommunications Act 2023 may have, either direct or indirect, linkages with the terms and conditions of the authorisation to establish, operate, maintain or expand telecommunication network. Some of these Sections of the Telecommunications Act 2023 are 4

to 9, 19 to 24, 32 to 42, 44, 45, 49, and 55. Many terms and conditions of the extant licensing and regulatory framework relates to different Sections of the Telecommunications Act 2023. Further, some of the terms and conditions may be required to be amended/ incorporated in light of certain new provisions in this Act and policy/ Act in related sectors such as Space. The possibility of reducing the number of authorisations and simplification/ merger/ rationalization of the terms and conditions to improve Ease of Doing Business, may also be examined.”

- 1.4 Thereafter, DoT, through another letter dated 17.10.2024 (**Annexure-II**), requested TRAI to consider an authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act, 2023. A relevant extract from the letter dated 17.10.2024 is reproduced below:

"1. As per the background note of the reference dated 26.07.2024 in para 7(ii), TRAI has been requested to consider its earlier recommendations on Satellite Earth Station Gateway (SESG) also, while formulating the recommendations sought vide reference dated 26.07.2024.

2. In this regard, keeping in view the increasing use of NTN (Non terrestrial networks) including satellite communication networks in provisioning of FSS (Fixed Satellite Services) including VSAT services and MSS (Mobile Satellite Services), TRAI may consider an authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act 2023 alongwith the following:

- a. Terms and conditions relating to such authorisation*
- b. Provision of assignment of spectrum for both feeder link as well as user link under such authorisation*
- c. Service area of such authorisation*

3. This authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act 2023 may be used to provide services

to entities authorised under Section 3(1)(a) of the Telecommunications Act 2023.”

- 1.5 With respect to the DoT’s Reference dated 26.07.2024 and the subsequent letter dated 17.10.2024, the Authority, on 22.10.2024, issued a consultation paper¹ on ‘the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023’ (hereinafter also referred to as “the Consultation Paper dated 22.10.2024”) for soliciting comments of stakeholders on various issues. After a detailed consultation process, the Authority, on 17.02.2025, sent its recommendations² on ‘the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023’ (hereinafter also referred to as, “the Recommendations dated 17.02.2025”) to DoT.

B. DoT’s Back-Reference Dated 03.07.2025

- 1.6 With respect to the Recommendations dated 17.02.2025, DoT, through its letter dated 03.07.2025 (**Annexure-III**) on the subject- ‘Back Reference on TRAI recommendations dated 17.02.2025 on “the Terms & Conditions of Network Authorisations to be Granted under the Telecommunications Act, 2023”’ (hereinafter, also referred to as “the Back-Reference”), informed, *inter alia*, as below:

"2. The recommendations of TRAI on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023' have been considered in the Government and the prima-facie conclusion in respect of each recommendation are given in Annexure-A.

¹The consultation paper dated 22.10.2024 is available at the following URL:
https://traigov.in/sites/default/files/2024-09/CP_11072024.pdf

² The recommendations dated 17.02.2025 are available at the following URL:
https://traigov.in/sites/default/files/2025-02/Recommendations_17022025.pdf

3. As per Section 11(1) of the TRAI Act, 1997 (as amended), such recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023', where the Government has reached a prima-facie conclusion that these recommendations may not be accepted or needs modifications, are being referred back to TRAI for its reconsideration. TRAI is requested to provide its recommendations at the earliest on receipt of this back reference".

1.7 In essence, through the Back-Reference, DoT referred back certain recommendations, which were part of the Recommendations dated 17.02.2025, and requested TRAI to provide its reconsidered recommendations in respect of such recommendations under Section 11(1) of the Telecommunications Act, 2023.

1.8 While examining the Back-Reference, the Authority observed that w.r.t. a few recommendations, where the Government had reached a *prima facie* conclusion that these recommendations may not be accepted or need modification, the basis/reason for modification/ non-acceptance had not been adequately given by DoT. Accordingly, the Authority, through a letter dated 17.07.2025 (**Annexure-IV**) requested DoT to provide further clarity and provide reasons for not accepting the recommendations or for the modification suggested.

1.9 In this regard, through a letter dated 23.07.2025 (**Annexure-V**), DoT provided its reply to the Authority's letter dated 17.07.2025. The relevant extract of DoT's letter dated 23.07.2025 is reproduced below:

*"3. ... it is submitted that the Government has already conveyed its prima-facie conclusions, along with reasons **wherever deemed necessary**, in respect of each recommendation of TRAI on Network Authorisation through the back reference letter No.: 20-1350/2025-LPA dated 03.07.2025.*

4. Further, wherever required, harmonization of the terms and conditions proposed by TRAI is to be done, by DoT, with earlier decisions of the Government or for overall rule making process to streamline the authorisation process, maintain consistency, and minimize the scope for any potential arbitrage. This approach aligns with the Government's decision in the case of Service Authorisation and aims to ensure consistency across authorisation frameworks and the rules made thereunder by the Government.

5. With regard to the financial conditions for the MNP Provider Authorisation, the Government has not rejected TRAI's recommendations but has proposed aligning them with the existing MNP license provisions. As two MNP providers are already operational with licenses valid until 2029, hence, to maintain consistency with the existing framework, the financial conditions are proposed to remain unchanged. Also, the extant policy regime of two MNP zones in the country may be continued and will be reviewed once the validity of current Licenses is about to expire. The format of Statement of Revenue for MNP Provider authorisation and the proforma for self-certificate are enclosed” [Emphasis added]

1.10 On examination of the DoT's response dated 23.07.2025, it has been observed that query-wise reply has not furnished by DoT; instead, a generalised consolidated reply has been given. It has also been observed that for certain referred back recommendations, reasons for non-acceptance/ modification have still not been provided by DoT through the letter dated 23.07.2025.

1.11 As per the TRAI Act, 1997 (as amended), the examination and response to the back-reference received from DoT is a statutory requirement where the Government comes to a *prima facie* conclusion that the recommendation

cannot be accepted or needs modifications. The basis/ reasons for such non-acceptance/ modifications are *sine qua non* for its due re-examination by the Authority. In the absence of adequate information on the basis/ reasons for the non-acceptance/ modifications, the Authority feels constrained in properly discharging its statutory duties under the TRAI Act, 1997 while responding to the back-reference. Therefore, in future, DoT is requested to give the basis/ reasons in adequate details for the proper examination and for providing the reconsidered views of the Authority on the back-reference.

C. The Present Response

- 1.12 The Authority has examined the views expressed by DoT in the Back-Reference and the letter dated 23.07.2025. Based on an analysis of the DoT's views, the Authority has arrived at the present response to the Back-Reference. The response to the Back-Reference comprises two chapters. This chapter provides an introduction and background to the subject. Chapter II provides the issue-wise response of the Authority to the DoT's views in respect of which the Government has reached a *prima facie* conclusion that such recommendations may not be accepted or may need modification.

CHAPTER II: ISSUE-WISE RESPONSE TO THE BACK-REFERENCE

- 2.1 This chapter consists of two sections viz. Section-A and Section-B. Section-A provides the response of the Authority to the views expressed by DoT in the Back-Reference in respect of the recommendations on which the Government has reached a *prima facie* conclusion that such recommendations may not be accepted or may need modification. Such recommendations have been presented sequentially, and descriptions thereon have been organized in the following manner:
- (a) First, the text of the recommendation has been reproduced, in respect of which, the Government has reached a *prima-facie* conclusion that it may not be accepted or may need modification.
 - (b) Then, the views expressed by DoT in the Back-Reference in respect of such recommendation have been reproduced.
 - (c) Thereafter, the response of the Authority based on its analysis of the matter has been provided.
- 2.2 Section-B provides the response of the Authority on the views expressed by DoT in the Back-Reference in respect of the proposed Satellite Communication Network (SCN) authorisation.

A. Recommendation-wise Response of the Authority

- 2.3 **Recommendation No. 4.1(c):** *For making any change(s) in the terms and conditions of the network authorisations emanating from these recommendations, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations.*
- 2.4 **DoT's Views on the Recommendation No. 4.1(c):** *May not be accepted as the changes in the terms and conditions of the authorisation shall be*

carried out as per the provisions of the applicable laws (TRAI Act 1997 and Telecommunication Act 2023).

2.5 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.1(c):**

2.5.1 Earlier, DoT had sent a reference dated 21.06.2024 to the Authority for seeking recommendations on the terms and conditions, including fees and charges, for authorisation to provide telecommunication services as per the provisions of the Telecommunications Act, 2023. In this regard, the Authority, issued a consultation paper on 'the Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 11.07.2024 for seeking inputs of stakeholders on a range of issues including on the broad structure of authorisations under Section 3(1) of the Telecommunications Act, 2023³. After a comprehensive consultation with stakeholders, the Authority, through the recommendations on the 'Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 18.09.2024, recommended, *inter alia*,

³ Through the consultation paper on 'the Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 11.07.2024, the Authority had raised the following questions in respect of structure of authorisations under Section 3(1) of the Telecommunications Act, 2023:

"Q1. For the purpose of granting authorisations under Section 3(1) of the Telecommunications Act, 2023, whether the Central Government should issue an authorisation to the applicant entity, as is the international practice in several countries, in place of the extant practice of the Central Government entering into a license agreement with the applicant entity? In such a case, whether any safeguards are required to protect the reasonable interests of authorized entities? Kindly provide a detailed response with justifications.

Q2. Whether it will be appropriate to grant authorisations under Section 3(1) of the Telecommunications Act, 2023 in the form of an authorisation document containing the essential aspects of the authorisation, such as service area, period of validity, scope of service, list of applicable rules, authorisation fee etc., and the terms and conditions to be included in the form of rules to be made under the Telecommunications Act, 2023 with suitable safeguards to protect the reasonable interests of the authorised entities in case of any amendment in the rules? Kindly provide a detailed response with justifications.

Q3. In case it is decided to implement the authorisation structure as proposed in the Q2 above, -

(a) Which essential aspects of authorisation should be included in authorisation documents?

(b) What should be the broad category of rules, under which, terms and conditions of various authorisations could be prescribed?

(c) Whether it would be appropriate to incorporate the information currently provided through the extant Guidelines for Grant of Unified License and Unified License for VNO, which included, inter-alia, the information on the application process for the license, eligibility conditions for obtaining the license, conditions for transfer/ Merger of the license etc., in the General Rules under the Telecommunications Act, 2023?

(d) What could be the broad topics for which the conditions may be required to be prescribed in the form of guidelines under the respective rules?

Kindly provide a detailed response with justifications.

Q4. In view of the provisions of the Telecommunications Act, 2023, what safeguards are required to be put in place to ensure the long-term regulatory stability and business continuity of the service providers, while at the same time making the authorisations and associated rules a live document dynamically aligned with the contemporary developments from time to time? Kindly provide a detailed response with justifications."

as below in respect of service authorisations under the Telecommunications Act, 2023:

"4.1 *The Authority recommends that-*

- (a) *The Central Government should grant Service Authorisation under section 3(1) of the Telecommunications Act, 2023 instead of entering into an agreement with the entity.*
- (b) *For any change(s) in the terms and conditions of the Authorisation, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations.*”(Emphasis supplied)

2.5.2 As the Authority had made the afore-mentioned recommendations on service authorisations under the Telecommunications Act, 2023 after following a comprehensive consultation with stakeholders in respect of the broad structure of authorisations under Section 3(1) of the Telecommunications Act, 2023, the Authority decided to make similar recommendations in respect of network authorisations under the Telecommunications Act, 2023 as well. Accordingly, through the Recommendations dated 17.02.2025, the Authority recommended, *inter alia*, as below:

"4.1 *The Authority recommends that-*

- (a) *The Central Government should grant network authorisations under section 3(1)(b) of the Telecommunications Act, 2023 instead of entering into an agreement with the entity.*
- (b) *Detailed terms and conditions of each network authorisation should be prescribed through the rules notified under Section 3(1)(b) of the Telecommunications Act, 2023.*
For making any change(s) in the terms and conditions of the network authorisations emanating from these recommendations, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations.
...”(Emphasis supplied)

2.5.3 Thereafter, DoT sent a back reference on 14.01.2025 to TRAI with respect to the TRAI's recommendations on 'Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 18.09.2024. Through the back reference dated 14.01.2025, DoT expressed, *inter alia*, the following *prima facie* view in respect of the TRAI's Recommendation No. 4.1 (b) of the recommendations dated 18.09.2024 [i.e. 'For any change(s) in the terms and conditions of the Authorisation, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations.']:

"May not be accepted as the changes in the terms and conditions of the authorisation shall be carried out as per the provisions of the applicable laws (TRAI Act 1997 and Telecommunications Act, 2023)"

2.5.4 The Authority examined the DoT's *prima facie* view on the Recommendation No. 4.1(b) of the recommendations dated 18.09.2024. After careful analysis, the Authority conveyed the following opinion to the Government through the response dated 28.02.2025 to the back reference:

"2.45 ... the Authority is of the considered view that the Recommendation No. 4.1(b) may be read as below:

'For making any substantive changes in the terms and conditions of the Authorisation, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations. It may not be necessary to seek recommendations of the Authority in respect of minor, routine, or procedural amendments, which are not likely to cause any substantive impact on the authorised entities.'"

2.5.5 In this regard, the following aspects are worth noting:

- (a) To encourage investment in the Indian telecom sector and to maintain the investors' confidence in the Indian telecom sector, it is important that the authorised entities are given certain degree of assurance that no substantive changes will be made to the terms and conditions of authorisations in a unilateral manner.

- (b) The transparent and comprehensive consultation process followed by TRAI for formulating its recommendations on amendments to the terms and conditions of authorisations will ensure that the reasonable interests of the authorised entities are duly protected.
- 2.5.6 Accordingly, the Authority is of the opinion that any substantive amendments in terms and conditions of authorisations should be made only after obtaining recommendations of TRAI on the matter.
- 2.5.7 Keeping the above aspects in mind, **the Authority is of the considered view that the Recommendation No. 4.1(c) of the Recommendations dated 17.02.2025 may be read as below:**
'For making any substantive changes in the terms and conditions of the network authorisations emanating from these recommendations, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations. It may not be necessary to seek recommendations of the Authority in respect of minor, routine, or procedural amendments, which are not likely to cause any substantive impact on the authorised entities.'
- 2.6 **Recommendation No. 4.1 (d):** *The Rules under Section 3(1)(b) of the Telecommunications Act, 2023 should be organized in the manner given below:*
(i) Telecommunications (Grant of Network Authorisations) Rules; and
(ii) Separate rules for each network authorisation
- 2.7 **DoT's Views on the Recommendation No. 4.1 (d):** *As per the provisions of the Telecommunications Act 2023, the structure of the Rules shall be finalized by the Government.*

- 2.8 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.1 (d):** Noted
- 2.9 **Recommendation No. 4.1 (e):** *The Telecommunications (Grant of Network Authorisations) Rules should contain terms and conditions for the grant of various network authorisations under Section 3(1)(b) of the Telecommunications Act, 2023. In this regard, the Authority recommends the terms and conditions which should be included in the Telecommunications (Grant of Network Authorisations) Rules, enclosed as Annexure-2.2.*
- 2.10 **DoT's Views on the Recommendation No. 4.1 (e):** *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework. The rules for grant of MNP authorisation may be different as it is not available on the tap. In the Grant rules, following may be included:*
"The entities which already have service authorisations and having overlap in scope with network authorisation should not be eligible to obtain this authorisation under section 3 (1) (b)."
- 2.11 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.1 (e):**
- 2.11.1 The Authority notes the view of DoT that *"terms and conditions for grant of network authorisation may be accepted in principle and harmonise the same with the network and service authorization framework"*.
- 2.11.2 The Authority also notes the view of DoT that *"rules for grant of MNP authorisation may be different as it is not available on the tap."* The

Authority is of the opinion that this view is in line with the Recommendation No. 4.12(c), through which, the Authority had recommended as below:

"The extant policy regime of two MNP zones in the country, each comprising of 11 authorised service areas (telecom circles/ Metro areas), and only one MNP Provider authorised entity in each MNP zone should be continued at present. However, in future, the Central Government may, if deemed fit, change the number of MNP zones in the country, amend the composition of authorised services areas within each MNP zone, and introduce more MNP authorised entities in each MNP zone through a competitive bidding process."
[Emphasis supplied]

- 2.11.3 The Authority further notes that DoT has proposed for the inclusion of the following provision in the Grant rules:

"The entities which already have service authorisations and having overlap in scope with network authorisation should not be eligible to obtain this authorisation under section 3(1)(b)."

- 2.11.4 The Authority concurs with the above proposal of DoT. The provision proposed by DoT is in line with the following recommendations of the Authority:

- (a) *"An authorised entity shall not be permitted to hold more than one service authorisation for a given telecommunication service in a given service area. Further, in case an authorised entity, which already holds a service authorisation in a service area under the Telecommunications Act, 2023 or a license under the Indian Telegraph Act, 1885, decides to obtain another service authorisation, whose scope of service and service area(s) encompasses the scope of service and service area(s) of the service authorisation/ license already held by such entity, in entirety, then such service authorisation/ license already held by the authorised entity shall be treated as subsumed in the new service authorisation and it shall cease to exist."* [Para 11 on the page 403 of the Recommendations on the Framework for Service Authorisations to

be Granted Under the Telecommunications Act, 2023 dated 18.09.2024]

- (b) *"An authorised entity which already holds a network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 or a license/ registration etc. under the extant regime, decides to obtain another network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 whose scope of operation includes the scope of operation under the network authorisation/ license/ registration already held by such entity, in entirety, then such network authorisation/ license/ registration already held by the authorised entity should be treated as subsumed in the new network authorisation and it should cease to exist."* [Recommendation No. 4.15(c) of the Recommendations dated 17.02.2025]

2.12 **Recommendation No. 4.1 (f):** *Each network authorisation to be granted by the Central Government under Section 3(1)(b) of the Telecommunications Act, 2023 should be in the form of an authorisation document, containing the essential elements of the network authorisation. The format for the authorisation document is included in Annexure-2.3.*

2.13 **DoT's Views on the Recommendation No. 4.1 (f):** *May be accepted in principle with the changes, as decided by the Government for the Service Authorisation.*

2.14 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.1 (f):**

2.14.1 Earlier, through the Recommendation No. 4.5(b) of the recommendations on the 'Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 18.09.2024, the Authority had recommended as below:

"Each service authorisation to be granted by the Central Government under Section 3(1)(a) of the Telecommunications Act, 2023 should be in the form of an authorisation document, containing the essential elements of the service authorisation. The format for the authorisation document is included in Annexure-2.1."

- 2.14.2 With respect to the Recommendation No. 4.5(b) of the recommendations dated 18.09.2024, DoT had expressed the following view through its back reference dated 14.01.2025 to TRAI:

"May be accepted in principle with slight modifications. Annexure-E"

- 2.14.3 At that stage, the Authority had carefully perused the Annexure-E enclosed with the DoT's back reference dated 14.01.2025, and had observed that the authorisation document proposed by DoT was largely in line with the service authorisation document recommended by TRAI through the recommendations dated 18.09.2024; however, certain terms recommended by TRAI had been removed in the authorisation document proposed by DoT through the back reference dated 14.01.2025; particularly, DoT had proposed to remove the term- 'Scope of Service' from the authorisation document. In this regard, the Authority had expressed the view that the removal of the term 'Scope of Service' will make the authorisation document incomplete and deficient, and that to ensure that all necessary terms were included in the authorisation document, the term - 'Scope of Service' should be included in the authorisation document. Accordingly, the Authority had recommended that the following term should be included in the authorisation document for each service authorisation:

'Scope of Service: Authorised Entity may provide services in accordance with the provisions of the applicable rules made under the Telecommunications Act, 2023.'

- 2.14.4 It is noteworthy that the format for the network authorisation document recommended by the Authority through the Recommendations dated

17.02.2025 is analogous to the format for the service authorisation document recommended by the Authority through the Recommendations dated 18.09.2024. Considering the above, **the Authority recommends that the following term should be included in the authorisation document for each network authorisation:**

'Scope of Authorisation: Authorised Entity may establish, operate, maintain or expand telecommunication network in accordance with the provisions of the applicable rules made under the Telecommunications Act, 2023.'

2.15 **Recommendation No. 4.3 (a):** *The Authority recommends the following in respect of Infrastructure Provider (IP) Authorisation:*

(a) Main scope of IP Authorisation: To provide dark fibres, right of way, duct space, towers, and in-building solution (IBS) to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023

2.16 **DoT's Views on the Recommendation No.4.3(a):**

May be accepted subject to the clarification from TRAI in respect of:

- (i) inclusion of IBS under the scope of IP Authorisation, as in the TRAI's recommendations itself under para 2.47(b), it has been noted by TRAI that the skill sets needed for IBS are not available with IP-I companies*
- (ii) providing services to authorised entities under Section 3(1)(b) also.*

2.17 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.3 (a):**

2.17.1 Through the Recommendation No. 4.3(a) of the Recommendations dated 17.02.2025, the Authority had recommended that the main scope of Infrastructure Provider (IP) Authorisation should be to provide dark fibres, right of way, duct space, towers, and in-building solution (IBS) to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023. In this regard, through the Back-Reference dated 03.07.2025, DoT has

expressed a *prima facie* view that the said recommendation may be accepted subject to certain clarifications. In this regard, the clarifications of the Authority on the matter are given below:

(a) Clarification to the first query of DoT w.r.t the inclusion of IBS under the scope of IP Authorisation:

2.17.2 The Authority, through para No. 2.57 and 2.58 of the Recommendations dated 17.02.2025, had stated as below:

"2.57 Further, the Authority examined the comments of stakeholders in respect of the scope of the IP Authorisation. ... a few stakeholders have suggested that the scope may be enhanced to include passive in-building solution (IBS) and other active elements, ...

2.58 In the following section of these recommendations on IBS, the Authority has recommended that the deployment of IBS should be exempted from the requirement of obtaining a network authorisation. Accordingly, the Authority is of the view that IP authorised entities may also be permitted to provide IBS to the eligible authorised entities."

2.17.3 In this context, the Authority examined the DoT's view that *"in the TRAI's recommendations itself under para 2.47 (b), it has been noted by TRAI that the skill sets needed for IBS are not available with IP-I companies."* It appears that DoT has misread para 2.47(b) of the Recommendations dated 17.02.2025. For a ready reference, para 2.47(b) of the Recommendations dated 17.02.2025 is reproduced below:

"(b) The main activities of IP-I companies are (i) acquiring land or building on lease or rent, (ii) establishing towers, (iii) managing the powering infrastructure at the tower site, and (iv) onboarding tenants (telecom service providers) on the tower sites. Clearly, the skill sets needed for performing such activities are significantly different from the skill sets needed for establishing and maintaining active telecommunication equipment (such as telecommunication access network, Wi-Fi system, transmission links, and

IBS) under the DCIP Authorization (as recommended by TRAI in August 2023). Essentially, the operational focus and capabilities required for IP-I would be significantly different from those for DCIP.”

2.17.4 It may be seen from the above that through the para 2.47(b) of the Recommendations dated 17.02.2025, the Authority had neither expressed nor alluded that the skill sets needed for IBS are not available with IP-I companies. The Authority is of the view that there is a significant operational adjacency between establishing IBS, and the existing scope of IP-I registered companies (establishing and maintaining the assets such as dark fiber, right of way, duct space and tower). As Infrastructure Providers already provide dark fibers and duct space in the country, Infrastructure Providers would have no difficulty in establishing IBS (consisting of telecommunication cables, optical fiber equipment, and distributed antenna systems).

2.17.5 In view of the above, the Authority is of the considered view that IBS should also be included under the scope of Infrastructure Provider (IP) authorisation under the Telecommunications Act, 2023. Accordingly, **the Authority reiterates the Recommendation No. 4.3(a).**

(b) Clarification to the second query w.r.t the provision of services to authorised entities under Section 3(1)(b):

2.17.6 Through the Back-Reference dated 03.07.2025, DoT has sought a clarification regarding IP authorised entities “*providing service to authorised entities under Section 3(1)(b) also*”.

2.17.7 In this regard, it may be noted that the Authority has recommended as below under the heading ‘Sharing of Infrastructure’ as a part of operating conditions for IP Authorisation (page No. 265 of the Recommendations dated 17.02.2025):

“(a) Authorised Entity is allowed to share its passive infrastructure such as

building, tower, electrical equipment including battery and power plant, dark fiber, duct space, Right of Way, etc. with all types of network authorised entities.

- (c) *Authorised Entity is allowed to share its IBS with all types of eligible network authorised entities as per the scope of their authorisations.”*

2.17.8 It may be seen from the above that IP authorised entities may share their passive infrastructure with the authorised entities under Section 3(1)(b) of the Telecommunications Act, 2023. They may also share their IBS with the authorised entities under Section 3(1)(b) as per the scope of their authorisations. Importantly, the provision of passive infrastructure and IBS by IP authorised entities to network authorised entities would be of the nature of sharing at mutually agreed commercial terms.

2.18 **Recommendation No. 4.3 (c) and (d):** *The Authority recommends the following in respect of Infrastructure Provider (IP) Authorisation:*

“ ...

- (c) *The detailed terms and conditions for IP Authorisation have been included in Annexure-2.4.*
- (d) *The terms and conditions for the grant of IP Authorisation have been included in Annexure-2.2.”*

2.19 **DoT’s Views on the Recommendation No.4.3 (c) and (d):**

- (c) *May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.*
- (d) *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.*

- 2.20 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.3 (c) and (d):** Noted
- 2.21 **Recommendation No. 4.4 (c)(iv):** *DCIP authorised entities shall not provide end-to-end bandwidth using transmission systems to any authorised entity, or any user, or for their captive use.*
- 2.22 **DoT's Views on the Recommendation No. 4.4(c)(iv):** *May be accepted partially to the extent that the DCIP shall not provide bandwidth to any user. However, since the transmission links are already included in the scope of DCIP authorisation, to remain consistent with (i) of this recommendation and to connect the active and passive infrastructure of DCIP with the network of the authorized entity, it is proposed that DCIP may provide end-to-end bandwidth to any authorised entity under Section 3(1)(a), who is using the active and passive infrastructure of the DCIP. Further, DCIP may also be able to use such transmission links for establishing networks permitted under the scope of this authorisation.*
- 2.23 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.4(c)(iv):**
- 2.23.1 Earlier, through a reference dated 11.08.2022, DoT had requested TRAI to provide recommendations on the terms and conditions of a new category of license namely 'Telecom Infrastructure License' (TIL) with scope to establish, maintain and work all equipment for wireline access, radio access and transmission links except the core equipment and holding of spectrum. In this regard, TRAI issued a consultation paper⁴ on 'Introduction of Digital Connectivity Infrastructure Provider (DCIP) Authorization under Unified License (UL)' dated 09.02.2023 for seeking inputs of stakeholders on a broad

⁴ The consultation paper is available at the following URL:
https://traigov.in/sites/default/files/2024-09/Consultation_Paper_09022023.pdf

range of issues on the subject matter. After consultation with stakeholders, TRAI sent its recommendations⁵ on 'Introduction of Digital Connectivity Infrastructure Provider (DCIP) Authorization under Unified License (UL)' dated 08.08.2023 to DoT.

- 2.23.2 In the said recommendations dated 08.08.2023, TRAI examined the issue related to permitting the proposed DCIP licensees to provide 'end-to-end bandwidth using transmission systems to any customer or to any eligible service provider'. In the para 2.33 of the said recommendations dated 08.08.2023, TRAI mentioned that *"[s]ome stakeholders have submitted that if end-to-end bandwidth provisioning is allowed to DCIPs there will be License Fee (LF) arbitrage between them and NLD players as NLD players will be required to pay 8% LF, while DCIPs will not be paying any LF."*
- 2.23.3 Considering the comments of stakeholders and its own analysis, TRAI, through the said recommendations dated 08.08.2023, recommended for creation of a new category of Licence by the name 'Digital Connectivity Infrastructure Provider (DCIP) License' with the scope *"to own, establish, maintain, and work all such apparatus, appliance, instrument, equipment, and system which are required for establishing all Wireline Access Network, Radio Access Network (RAN), Wi-Fi systems, and Transmission Links."* In the said recommendations, the Authority recommended, *inter alia*, that *"[t]he scope of DCIP authorization does not include provisioning of end-to-end bandwidth using transmission systems to any customer or for its own use."*
- 2.23.4 Through the Reference dated 26.07.2024, DoT requested TRAI to provide recommendations on various network authorisations including DCIP authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.

⁵ The recommendations are available at the following URL:
https://traai.gov.in/sites/default/files/2024-09/Recommendations_08082023_1.pdf

After a comprehensive consultation process with stakeholders, TRAI, through the Recommendations dated 17.02.2025, recommended that "[t]he Central government should introduce Digital Connectivity Infrastructure Provider (DCIP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023." Through the Recommendation No. 4.4.(c)(iv), the Authority recommended that "[t]he Authorised Entity will not be permitted to provide end-to-end bandwidth to any authorised entity, or any user, or for its captive use."

2.23.5 It may be noted that in telecommunications, a leased circuit⁶ is a tool to provide "end-to-end bandwidth". The intent of the Authority, through the Recommendation No. 4.4(c)(iv), was to disallow the DCIP authorised entity from providing leased circuits to any authorised entity, or any user, or for its captive use considering the fact that the provision of a leased circuit to a service provider, end user, or for its captive use is essentially, a 'telecommunication service' [which may be provided only by an eligible service authorised entity under Section 3(1)(a) of the Telecommunications Act, 2023].

2.23.6 Having considered the context and rationale of the Recommendation No. 4.4(c)(iv), the Authority proceeds to examine the views expressed by DoT on the Recommendation No. 4.4(c)(iv).

2.23.7 With respect to the TRAI's Recommendation No. 4.4(c)(iv), DoT has provided the following views:

- (a) View#1: DCIP may provide end-to-end bandwidth to any authorised entity under Section 3(1)(a), who is using the active and passive infrastructure of the DCIP.

⁶ The extant Unified License has the following definition of the term 'leased Circuit':
"LEASED CIRCUIT: Leased circuit is defined as point to point non-switched physical connections/ transmission bandwidth including virtual private network (VPN) using circuit or packet switched technology."
Source: <https://dot.gov.in/sites/default/files/Compendium-UL-AGREEMENT%20updated%20up%20to%2031032024.pdf?download=1>

- (b) View#2: DCIP may also be able to use such transmission links for establishing networks permitted under the scope of this authorisation.

2.23.8 An analysis in respect of the above views of DoT is presented below.

2.23.9 Through the Recommendations dated 17.02.2025, TRAI has recommended, *inter alia*, that the DCIP authorised entity may provide transmission links to the eligible entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023. For the purpose of the DCIP authorisation, TRAI has defined the term 'transmission link' as "*the transmission system required for connecting the access network with the core network of the entity to whom the Authorised Entity is providing the access network*".

2.23.10 In telecommunications, the term 'transmission link' has an expansive meaning. In general, the term 'transmission link'⁷ refers to a medium required to transport information, such as messages, from one node to another in telecommunication networks. For DCIP authorised entities, TRAI, through the Recommendations dated 17.02.2025, permitted a restricted scope of the term 'transmission link'. TRAI recommended that a DCIP authorised entity can (only) provide transmission links for connecting its access network with the core network of the service authorised entity to whom it is providing its access network.

2.23.11 In case the DCIP authorised entity is permitted to provide any other type of transmission link or "end-to-end bandwidth" to a service authorised entity, it would, essentially, be of the nature of a leased circuit⁸. As mentioned above, the provision of a leased circuit is a 'telecommunication service' and is

⁷ Source: <https://www.sciencedirect.com/topics/computer-science/transmission-link#:~:text=In%20subject%20area:%20Computer%20Science,on:%20Computer%20Science%20Review%2C%202022>

⁸ TRAI, through the Telecommunication Tariff Order 1999 dated 09.03.1999 has defined the term leased circuit as below: "*Leased Circuits*" mean telecommunication facilities leased to subscribers or service providers to provide for technology transparent transmission capacity between network termination points which the user can control as part of the leased circuit provision and which may also include systems allowing flexible use of leased circuit bandwidth.

permitted to be provided only by a service authorised entity under Section 3(1)(a) of the Telecommunications Act, 2023.

2.23.12 Based on the foregoing analysis, it may be concluded that in case a DCIP authorised entity is permitted to “*provide end-to-end bandwidth to any authorised entity under Section 3(1)(a), who is using the active and passive infrastructure of the DCIP*” as proposed by DoT through the view#1, the DCIP authorised entity would become eligible to also provide leased circuits to the service authorised entity, which would be impermissible for the DCIP authorisation under Section 3(1)(b) of the Telecommunications Act, 2023. Accordingly, **the Authority reiterates its recommendation that the DCIP authorised entities shall not provide end-to-end bandwidth using transmission systems to any authorised entity.**

2.23.13 Further, with respect to the TRAI’s Recommendation No. 4.4(c)(iv) [i.e. “*DCIP authorised entities shall not provide end-to-end bandwidth using transmission systems to any authorised entities, or any user, or for their captive use.*”] the Authority examined the view#2 of DoT i.e., “*DCIP may also be able to use such transmission links for establishing networks permitted under the scope of this authorisation*”.

2.23.14 As mentioned earlier, the intent of the Authority, through the Recommendation No. 4.4(c)(iv), was to disallow DCIP authorised entities from providing leased circuits⁹ for its captive use. As far as the issue related to permitting DCIP authorised entities to use transmission links for establishing networks permitted under the scope of the DCIP authorisation is concerned, the Authority is of the view that such a permission is an inherent part of the permission to establish networks [viz. wireline access network, radio access network (RAN), Wi-Fi systems and in-building solutions (IBS)] permitted under the scope of the DCIP authorisation.

⁹ In telecommunications, a leased circuit is essentially a tool to ensure end-to-end bandwidth.

Considering the fact that the elements of the radio access network are quite disaggregated, TRAI, through the Recommendations dated 17.02.2025, has already recommended that "[t]he Authorised Entity may install transmission links to connect to its own Baseband Unit (BBU), Radio Unit (RU) and antenna." [Item No. 5(4) under the scope of DCIP authorisation on page No. 269 of the Recommendations dated 17.02.2025]

2.23.15 The Authority is of the view that to provide abundant clarity on the subject, it would be worthwhile to replace the text of the item No. 5(4) under the scope of DCIP Authorisation on page No. 269 of the Recommendations dated 17.02.2025 [i.e. '*The Authorised Entity may install transmission links to connect to its own Baseband Unit (BBU), Radio Unit (RU) and antenna*'].] with the following text:

'The Authorised Entity may install transmission links for establishing networks permitted under the scope of this authorisation.'

2.23.16 In light of the above, **the Authority is of the considered view that the item No. 5(4) under the scope of the DCIP authorisation on page No. 269 of the Recommendations dated 17.02.2025 may be read as below:**

'The Authorised Entity may install transmission links for establishing networks permitted under the scope of this authorisation.'

2.23.17 Having recommended the above amendment, there would be no requirement for making any amendment in the Recommendation No. 4.4 (c)(iv). **Accordingly, the Authority reiterates the Recommendation No. 4.4 (c)(iv).**

2.24 **Recommendation No. 4.4(d):** *The detailed terms and conditions for DCIP Authorisation have been included in Annexure-2.4.*

- 2.25 **DoT's Views on the Recommendation No. 4.4(d):** *May be accepted in principle, with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.*
- 2.26 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.4(d):** Noted
- 2.27 **Recommendation No. 4.4(e):** *The terms and conditions for the grant of DCIP Authorisation have been included in Annexure-2.2.*
- 2.28 **DoT's Views on the Recommendation No. 4.4(e):** *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.*
- 2.29 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.4(e):** Noted
- 2.30 **Recommendation No. 4.5:** *The Authority recommends that any person, without network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 should be permitted to establish, operate, maintain, and expand telecommunication network (not being a wireless telecommunication network) within the limits of a single building, compound or estate, provided that no part of such telecommunication network passes over or under a public road.*
- 2.31 **DoT's Views on the Recommendation No. 4.5:** *May be accepted. Already exempted under Rule 472 of Indian Telegraph Rules and as per the Telecommunications Act 2023, under section 3(4).*

- 2.32 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.5:** Noted
- 2.33 **Recommendation No. 4.6(a):** *The Authority recommends that-*
(a) *The following telecommunication equipment should be included within the ambit of in-building solution (IBS):*
(i) *Distributed antenna system (DAS) comprising of antennas, radio frequency (RF) couplers, RF splitters, RF combiners, RF repeaters and RF feeder cables and other accessories for setting up DAS*
(ii) *Telecommunication cables such as coaxial cable, optical fiber cable (OFC) and ethernet cables*
(iii) *Optical fiber equipment comprising of Master Optical Units (MOU), Remote Optical Units (ROU), Fiber Distribution Units, Optical Networking Units (ONU), Optical Line Terminals (OLT), and Fiber Access Terminals (FAT).*
- 2.34 **DoT's Views on the Recommendation No. 4.6(a):** *(i)-(iii) May be accepted in alignment with the Government's view on recommendations relating to Rating of Buildings.*
- 2.35 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.6(a):** Noted
- 2.36 **Recommendation No. 4.6(b):** *The property manager should be permitted to establish, operate, maintain, and expand in-building solution (IBS) within the limits of a single building, compound, or estate, managed by it. For this purpose, there should be no requirement of obtaining any authorisation from the Central Government under Section 3(1)(b) of the Telecommunications Act, 2023. Here, the term "property manager" means the person who is either the owner of the property or has any legal right to control or manage the property.*

2.37 **DoT's Views on the Recommendation No. 4.6(b):** *May not be accepted keeping in view the following concerns related to IBS as well as in-line with the earlier decision of the Government on IBS in 'Rating of Building' Recommendations:*

- (i) The telecom equipment used in IBS may degrade the performance of existing networks to which it is connected.*
- (ii) The safety of the end users and public may be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS may exceed prescribed standards.*
- (iii) Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.*
- (iv) To work properly, the IBS needs to be designed and installed as per the strict technical specifications. So, the critical components of IBS should be MTCTE certified by TEC.*

The similar concerns, as noted above, have also been expressed by TRAI in its recommendations in para 2.95 and 2.96. Further, permitting property manager to establish IBS infrastructure without authorisation may lead to difficulty in ensuring compliances of the recommendations 4.6 (c) & (f). Further, they may be permitted to install Enabling Telecommunication Infrastructure (ETI) as defined below:

Enabling Telecommunication Infrastructure (ETI) (e.g. Entrance Facilities (EF)/ Lead-in conduits, underground conduits/ pipes to FDF/ MDF room, Fibre Distribution Frame (FDF) Main Distribution Frame (MDF)/ Equipment Room (ER), Telecommunication Room (TR), duct space, feeder cable, wired transmission links (but not wireless), optical fiber, OLTs, etc., which need to be provisioned during and after construction of the building but before grant of occupancy cum completion certificate, for provisioning of the telecommunications services inside the building.

Accordingly, the property manager should get the IBS established from an IP or DCIP or TSP. Alternatively, the property manager, subject to eligibility, may obtain appropriate authorisation to establish, operate, maintain, and expand IBS.

2.38 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.6(b):**

2.38.1 Before proceeding to examine the DoT's views on the Recommendation No. 4.6(b), it would be worthwhile to understand the context and rationale of the Recommendation No. 4.6(b). In this regard, the following points are noteworthy:

- (a) Through the Reference dated 26.07.2024, DoT requested TRAI to provide recommendations, *inter alia*, in respect of In-building Solution (IBS) under the Telecommunications Act, 2023. In this regard, the Authority, through the Consultation Paper dated 22.10.2024, made, *inter alia*, the following observations:

"2.35 *The Authority notes that Section 472 of the Indian Telegraph Rules, 1951 provides as below:*

"Any person may without a licence establish, maintain and work a telegraph (not being a wireless telegraph) within the limits of a single building, compound or estate: Provided that no telegraph line pertaining to the telegraph shall pass over or under a public road."

2.36 *It is worth mentioning that, through the Recommendations on 'the Framework for Service Authorisations to be Granted Under the telecommunications Act, 2023' dated 18.09.2024, the Authority has recommended, inter alia, as below:*

"The Authority recommends that any person may, without a service authorisation, establish, operate, maintain, or expand telecommunication network (not being a wireless telecommunication network) within the limits of a single building, compound or estate, provided that no part of such telecommunication network should pass over or under a public road."

2.37 *In the present consultation process, the Authority intends to recommend a similar provision in respect of network authorisations under the Telecommunications Act, 2023, i.e., any person, without a*

network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 should be permitted to establish, operate, maintain, or expand telecommunication network (not being a wireless telecommunication network) within the limits of a single building, compound or estate, provided that no part of such telecommunication network passes over or under a public road.

2.38 While establishment, operation, maintenance, or expansion of wireline telecommunication network within the limits of a single building, compound or estate, provided that no part of such telecommunication network passes over or under a public road is envisaged to be recommended on network authorisation-exempt basis, it requires to be examined as to whether there is a need to also introduce an enabling framework for permitting property managers to establish, operate, maintain or expand in-building solution (IBS), keeping the fact in mind that IBS is, generally, deployed at the stage of development of the property alongwith the wireline digital communication infrastructure.”

- (b) Based on the above observations, the Authority, through the Consultation Paper dated 22.10.2024, solicited comments from stakeholders on, *inter alia*, the following question:

Q4(b): *"Whether there is a need to introduce a new authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 for establishing, operating, maintaining or expanding in-building solution (IBS) by any property manager within the limits of a single building, compound or estate controlled, owned, or managed by it? If yes, what should be the eligibility conditions, area of operation, validity period of authorisation, scope, and terms & conditions (general, technical, operational, security etc.) of such an authorisation? Please provide a detailed response with justifications."*

- (c) In the consultation process, stakeholders expressed “*a unanimous opinion that there is no need to introduce a new authorisation under Section 3(1)(b) of the Telecommunication Act, 2023 for establishing, operating, maintaining, or expanding in-building solution (IBS) by any property manager within the limits of a single building, compound or estate controlled, owned, or managed by it.*” [Para 2.76 of the Recommendations dated 17.02.2025]
- (d) The Authority examined the framework for the establishment of IBS in other countries and observed, *inter alia*, as below:
- (i) The Design Guidelines for Distributed Antenna Systems (DAS)¹⁰, issued by Australian Media and Telecommunications Association (AMTA) in 2024, provide that a building owner may establish the in-building coverage solution including DAS, however, the operation of the in-building coverage solution including DAS and carrier equipment solution will only be carried out by a licensed carrier (licensed entity). [Para 2.76 of the Recommendations dated 17.02.2025]
 - (ii) The Commission Implementing Regulation of European Union (EU) envisages, *inter alia*, a permit-exempt deployment regime for small area wireless access points including DAS.
- (e) The Authority, perused the Addendum to Model Building Bye Laws, 2016 issued by Ministry of Housing and Urban Affairs (MoHUA), Government of India in March 2022 and observed that “*the development of a common telecom infrastructure (CTI) inside facilities like multi-storey residential building, commercial buildings, complexes etc. is a stated public policy goal in India. CTI comprises both wireline and wireless telecommunication equipment and infrastructure. IBS*

¹⁰ Generally, IBS comprises a distributed antenna system (DAS) and telecommunications cables. DAS is a network of antennas that are strategically placed throughout a building or area to improve cellular mobile coverage and capacity.

including DAS is an integral part of CTI." [Para 2.89 to 2.91 of the Recommendations dated 17.02.2025]

- (f) Based on the afore-mentioned observations, the Authority examined the matter relating to the regulatory framework for IBS under the Telecommunications Act, 2023, and made the following inferences in para 2.92 and 2.93 of the Recommendations dated 17.02.2025:

"2.93 The Authority is cognizant of the fact that IBS is, generally, deployed alongwith the wireline telecommunication infrastructure at the stage of the development of the property. Therefore, an enabling framework for the deployment of IBS including DAS would facilitate property managers¹¹ to conceptualize, design and deploy full-scale CTI (wireline, as well as wireless) inside facilities like multi-storey residential buildings, commercial buildings, complexes etc. With the help of CTI developed by property managers, telecommunication service providers would be able to provide seamless digital connectivity inside such buildings. Clearly, an enabling framework for the deployment of IBS by property managers would serve a significant public interest.

2.94 In light of the foregoing discussion and considering the fact that many countries have kept the deployment of DAS inside buildings outside the purview of stringent regulations, the Authority is of the view that the establishment, maintenance and expansion of IBS by property managers may be exempted from the requirement of obtaining authorisation from the Central Government in the public interest."

- (g) In light of the afore-mentioned analysis, the Authority, through the Recommendation No. 4.6(b) of the Recommendations dated 17.02.2025, recommended as below:

¹¹ In the Rating of Properties for Digital Connectivity Regulations, 2024 dated 25.10.2024, the Authority has defined the term 'property manager' as below:
"property manager" means the person who is either the owner of the property to be rated for digital connectivity or has any legal right to control or manage the property;

"The property manager should be permitted to establish, operate, maintain, and expand in-building solution (IBS) within the limits of a single building, compound, or estate, managed by it. For this purpose, there should be no requirement of obtaining any authorisation from the Central Government under Section 3(1)(b) of the Telecommunications Act, 2023. Here, the term "property manager" means the person who is either the owner of the property or has any legal right to control or manage the property."

2.38.2 With a view to ensure that the proposed authorisation-exempt regime in respect of IBS for property managers yields the intended positive outcomes, the Authority made the following observations in para 2.94 to 2.96 of the Recommendations dated 17.02.2025:

"2.94 Further, the Authority is of the view that to derive full benefits of IBS deployed by property managers, property managers should provide access to IBS to all eligible telecommunication service providers and DCIPs on fair and non-discriminatory manner. Besides, a condition should be imposed on all relevant telecom service providers and DCIPs prohibiting them to enter into any exclusive contract for right of way with property managers.

2.95 The Authority is of the view that it would be necessary that the IBS deployed by property managers meets the following conditions:

- (a) Any telecom equipment used in IBS should not degrade the performance of existing networks to which it is connected.*
- (b) The safety of the end users and public should not be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS should not exceed prescribed standards.*
- (c) Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.*

2.96 In order to ensure that the conditions mentioned above are fully met, the Authority is of the view that the critical components of IBS should

be Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) certified from Telecom Engineering Centre (TEC), DoT.”

2.38.3 Accordingly, the Authority, through the Recommendations dated 17.02.2025, made Recommendation No. 4.6 (c), (d), (e), (f) & (g) on the afore-mentioned aspects as below:

“

- (c) A property manager should provide access to the IBS established by it in its property to the eligible service authorised entities and DCIP authorised entities in fair and non-discriminatory manner.*
- (d) Telecom Engineering Centre (TEC), Department of Telecommunications, should issue guidelines for design, installation, maintenance and operation of IBS equipment.*
- (e) Telecom Engineering Centre (TEC), Department of Telecommunications, should identify critical components of IBS and bring such components under Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) regime.*
- (f) Once the Central Government introduces the regime of MTCTE certification, any IBS equipment established by the property managers should be mandatorily MTCTE certified from TEC.*
- (g) A condition must be imposed on all relevant service authorised entities and DCIP authorised entities prohibiting them to enter into any exclusive contract for right of way with property managers.”*

2.38.4 Having described the context and rationale of the Recommendation No. 4.6(b), the Authority proceeds to examine the DoT’s views on the Recommendation No. 4.6(b).

2.38.5 DoT has expressed a *prima facie* view that the Recommendation No. 4.6(b) may not be accepted. In support of its view, it has cited the following five concerns against the Recommendation No. 4.6(b):

- C1. *The telecom equipment used in IBS may degrade the performance of existing networks to which it is connected.*
- C2. *The safety of the end users and public may be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS may exceed prescribed standards.*
- C3. *Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.*
- C4. *To work properly, the IBS needs to be designed and installed as per the strict technical specifications. So, the critical components of IBS should be MTCTE certified by TEC.*
- C5. *Permitting property manager to establish IBS infrastructure without authorisation may lead to difficulty in ensuring compliances of the recommendations 4.6 (c) & (f).*

2.38.6 An analysis w.r.t. the afore-mentioned concerns of DoT is given below:

(1) Analysis w.r.t. the concerns C1, C2 and C3 of DoT

2.38.7 For a ready reference, the concerns C1, C2 and C3 of DoT in respect of the Recommendation No. 4.6 (b) are reproduced below:

- C1. *The telecom equipment used in IBS may degrade the performance of existing networks to which it is connected.*
- C2. *The safety of the end users and public may be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS may exceed prescribed standards.*
- C3. *Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.*

2.38.8 With respect to the above concerns of DoT, the following aspects are noteworthy:

- (a) In 2017, DoT notified rules on Mandatory Testing and Certification of Telecommunication Equipment (MTCTE)¹². As per these rules, any telegraph which is used or capable of being used with any telegraph established, maintained or worked under the license granted by the Central Government in accordance with the provisions of Section 4 of the Indian Telegraph Act, 1885, shall have to undergo prior mandatory testing and certification. The objectives of MTCTE are as below:
- (i) that any telecom equipment does not degrade performance of existing network to which it is connected;
 - (ii) safety of the end-users;
 - (iii) protection of users and general public by ensuring that radio frequency emissions from telecom equipment do not exceed prescribed standards;
 - (iv) that telecom equipment complies with the relevant national and international regulatory standards and requirements.
- (b) Clearly, the concerns C1, C2 and C3 of DoT may be addressed if the telecommunication equipment used in IBS is brought under the framework of MTCTE. While making the Recommendation No. 4.6(b), the Authority was cognizant of this aspect. As a matter of fact, the Authority made the following observations in para 2.95 of the Recommendations dated 17.02.2025:

¹² On 05.09.2017, DoT notified Indian Telegraph (Amendment) Rules through a gazette notification [GSR 1131(E)] on 'Testing and Certification of Telegraph', and mandated, *inter alia*, the following:

- (a) Any telegraph which is used or capable of being used with any telegraph established, maintained, or worked under the license granted by the Central Government in accordance with the provisions of section 4 of the Indian Telegraph Act, 1885 shall have to undergo prior mandatory testing and certification in respect of parameters as determined by the telegraph authority from time to time.
- (b) The telegraph authority may by notification in the Official Gazette exempt certain category or categories of telegraph from such mandatory testing.
- (c) It shall be the responsibility of the Original Equipment Manufacturer (OEM) in India for getting the mandatory testing and certification done before sale of equipment in India.
- (d) It shall be the responsibility of the person importing telegraph for sale in India or the foreign OEM to offer the telegraph for testing and certification by the telegraph authority or its designated body before sale.
- (e) Any person licensed or permitted to establish, maintain or work a telegraph under the said Act shall, on detection of use of uncertified telegraph by a user, ensure its removal by the user or, in case of his failure in such removal, withdrawal of service or connectivity to network within seven days of its detection and all such cases shall be brought to the notice of the telegraph authority in each week.
- (f) No telegraph in respect of which mandatory certification is required, shall be used by the licenses in its network unless it is certified.

Source: MTCTE Portal: TEC Online Certification Portal

"2.95 The Authority is of the view that it would be necessary that the IBS deployed by property managers meets the following conditions:

(a) Any telecom equipment used in IBS should not degrade the performance of existing networks to which it is connected.

(b) The safety of the end users and public should not be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS should not exceed prescribed standards.

(c) Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.

- (c) Considering the above, the Authority, through the Recommendation No. 4.6(e), recommended that "*Telecom Engineering Centre (TEC), Department of Telecommunications, should identify critical components of IBS and bring such components under Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) regime.*"

2.38.9 Based on the above discussion, it is clear that the implementation of the Recommendation No. 4.6(e) by DoT would resolve the concerns C1, C2 and C3 of DoT.

(2) Analysis w.r.t. the concern C4 of DoT

2.38.10 The concern C4 of DoT is reproduced below:

C4. *To work properly, the IBS needs to be designed and installed as per the strict technical specifications. So, the critical components of IBS should be MTCTE certified by TEC.*

2.38.11 While making the Recommendation No. 4.6(b), the Authority was cognizant of the need for the design and installation of IBS to conform to strict technical specifications. Accordingly, through the Recommendation No. 4.6(d), the Authority recommended that "*Telecom Engineering Centre (TEC),*

Department of Telecommunications, should issue guidelines for design, installation, maintenance and operation of IBS equipment.”

- 2.38.12 Clearly, the implementation of the Recommendation No. 4.6(d) and 4.6(e) would resolve the concern C4 of DoT.

(3) Analysis w.r.t. the concern C5 of DoT

- 2.38.13 The concern C5 of DoT is reproduced below:

C5. *Permitting property manager to establish IBS infrastructure without authorisation may lead to difficulty in ensuring compliances of the recommendations 4.6(c) & (f).*

- 2.38.14 For a ready reference, the Recommendation No. 4.6(c) and 4.6(f) of the Recommendations dated 17.02.2025 are reproduced below:

(c) A property manager should provide access to the IBS established by it in its property to the eligible service authorised entities and DCIP authorised entities in fair and non-discriminatory manner.

(f) Once the Central Government introduces the regime of MTCTE certification, any IBS equipment established by the property managers should be mandatorily MTCTE certified from TEC.

- 2.38.15 To ensure the implementation of Recommendation No. 4.6(c), the Authority, through the Recommendation No. 4.6(g), has already recommended as below:

“(g) A condition must be imposed on all relevant service authorised entities and DCIP authorised entities prohibiting them to enter into any exclusive contract for right of way with property managers.”

- 2.38.16 The Recommendation No. 4.6(g) would adequately address the concerns of DoT related to fair and non-discriminatory access to IBS without bringing the

establishment, operation, maintenance, and expansion of IBS by property managers under authorisation regime.

2.38.17 As far as the implementation of the Recommendation No. 4.6(f) is concerned, the Authority is of the view that in case the Recommendation No. 4.6(e) [i.e., "*Telecom Engineering Centre (TEC), Department of Telecommunications, should identify critical components of IBS and bring such components under Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) regime.*"] is accepted and implemented by the Government, the Recommendation No. 4.6(f) would automatically get implemented as all critical components of IBS produced in India or imported in India would be MTCTE certified.

2.38.18 Considering the above, it may be seen that all the concerns (C1, C2, C3, C4 and C5) of DoT in respect of the Recommendation No. 4.6 (b) would be completely resolved if the Recommendation No. 4.6 is implemented in totality.

2.38.19 According to Ericsson, people spend 90% of their time indoors¹³ and over 80% of mobile data is consumed inside.¹⁴ Therefore, the importance of a robust mobile network coverage inside buildings cannot be over-emphasized. Densification of the urban landscape and the usage of higher frequencies of spectrum together have posed a challenge to the provisioning of robust telecom coverage and adequate capacity inside buildings. In this context, the in-building solution (IBS) has emerged as a telecommunications solution to address the problem of poor mobile network coverage and insufficient capacity inside buildings. IBS is used to extend and distribute cellular signals of mobile operators within a building with high quality mobile communication

¹³ Source: <https://www.ericsson.com/en/blog/2023/7/5-ways-indoor-5g-will-change-life>

¹⁴ Source: <https://www.ericsson.com/en/small-cells/indoor-coverage#:~:text=Ericsson's%20indoor%20small%20cells%20are,operators%20within%20the%20same%20Dot>

for indoor environments such as offices, shopping malls, hospitals etc.¹⁵ The IBS is, generally, deployed at the stage of the development of the property. By implication, property managers are best suited for deploying IBS inside building, compound or estate managed by them. With the help of IBS developed by property managers, telecom service providers would be able to provide seamless digital connectivity inside buildings. Accordingly, it is imperative that the establishment, operation, maintenance, and expansion of IBS inside building is prioritised. While the country today has a significantly large number of residential buildings, commercial buildings, and shopping complexes, the IBS has not been deployed in most of them. Such buildings continue to suffer from poor mobile network coverage and insufficient data capacity. As a result, hardships are being faced by the people residing in such buildings and by the people visiting to such buildings.

2.38.20 At this stage, it is worth mentioning that while access service providers are already permitted to deploy IBS inside buildings, there has been negligible deployment of IBS inside buildings by access service providers in the country till date.

2.38.21 In case the Government does not accept the recommendation of the Authority to authorisation-exempt the establishment, operation, maintenance, and expansion of IBS by property managers, it would result in a situation where the establishment of the IBS inside buildings would not be prioritized and would remain to be neglected. In that event, the problem of deficient network coverage and degraded quality of service in large building spaces would continue to fester.

2.38.22 Keeping the above aspects in mind, the Authority is of the view that the Recommendation No. 4.6 (b) does not require any review. Accordingly, **the Authority reiterates the Recommendation No. 4.6 (b).**

¹⁵ Source: <https://ieeexplore.ieee.org/document/8261887>

- 2.39 **Recommendation No. 4.6(c):** *A property manager should provide access to the IBS established by it in its property to the eligible service authorised entities and DCIP authorised entities in fair and non-discriminatory manner.*
- 2.40 **DoT's Views on the Recommendation No. 4.6(c):** *In view of the decision on (b) above, it will not be applicable for property manager. However, it will be applicable for authorised entities having permission to establish IBS.*
- 2.41 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.6(c):**
- 2.41.1 As mentioned in the response of TRAI w.r.t. DoT's views on the Recommendation No. 4.6(b) above, the Recommendation No. 4.6(c) can be well implemented in conjunction with the Recommendation No. 4.6(g) i.e. *"A condition must be imposed on all relevant service authorised entities and DCIP authorised entities prohibiting them to enter into any exclusive contract for right of way with property managers."* Accordingly, **the Authority reiterates the Recommendation No. 4.6(c).**
- 2.42 **Recommendation No. 4.6(d):** *Telecom Engineering Centre (TEC), Department of Telecommunications, should issue guidelines for design, installation, maintenance and operation of IBS equipment.*
- 2.43 **DoT's Views on the Recommendation No. 4.6(d):** *In view of the decision on (b) above, it may not be required. The authorized entities can have their own guidelines for design, installation, maintenance and operation of IBS equipment. However, TEC may notify the standards for IBS infrastructure.*

2.44 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.6(d):**

2.44.1 As mentioned in the response of TRAI w.r.t. DoT's views on the Recommendation No. 4.6(b) above, the Recommendation No. 4.6(d) will address the concern C4 of DoT that *"To work properly, the IBS needs to be designed and installed as per the strict technical specifications."* Besides for the wider implementation of the IBS in facilities such as multi-storey residential building, commercial buildings, shopping complexes, the establishment of IBS should not be restricted to only authorised entities. Hence, it would be imperative that the Central Government issues necessary guidelines for design, installation, maintenance, and operation of IBS equipment. Accordingly, **the Authority reiterates the Recommendation No. 4.6(d).**

2.45 **Recommendation No. 4.6(f):** *Once the Central Government introduces the regime of MTCTE certification, any IBS equipment established by the property managers should be mandatorily MTCTE certified from TEC.*

2.46 **DoT's Views on the Recommendation No. 4.6(f):** *In view of decision on (b) above, it will not be applicable for property manager. However, it will be applicable for authorised entities having permission to establish IBS.*

2.47 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.6(f):**

2.47.1 As mentioned in the response of TRAI w.r.t. DoT's views on the Recommendation No. 4.6(b) above, the implementation of the Recommendation No. 4.6(f) will address the concerns of DoT in respect of the Recommendation No. 4.6(b). Accordingly, **the Authority reiterates the Recommendation No. 4.6(f).**

- 2.48 **Recommendation No. 4.7:** *The Authority recommends that -*
- (a) *The establishment, operation, maintenance, and expansion of Content Delivery Networks (CDNs) should be authorisation-exempt under Section 3(3) of the Telecommunications Act, 2023.*
 - (b) *With a view to provide necessary safeguards, the authorisation-exemption to CDNs should be subject to the following provisions:*
 - (i) *The mutual agreement between any entity authorised under Section 3(1) of the Telecommunications Act, 2023 and any CDN provider shall be fair, non-discriminatory, and compliant to net neutrality objectives.*
 - (ii) *Central Government and TRAI may seek information related to such agreements from the concerned entities authorised under Section 3(1) of the Telecommunications Act, 2023, whenever a situation warrants so in the public interest.*

2.49 **DoT's Views on the Recommendation No. 4.7:** *Content Delivery Networks (CDNs) may be considered for authorisation under Section 3(1)(b) as the interconnectivity between telecom service providers and CDNs can influence both the overall quality of service and network resilience. Therefore, it is important to introduce appropriate regulations for CDNs to ensure adherence to minimum QoS standards and to maintain the robustness and reliability of the network infrastructure.*

2.50 Further, in the Annexure-A to the Back-Reference dated 03.07.2025, DoT has expressed the following view in respect of the Recommendation No. 4.7:

"5.1 TRAI has recommended that Content Delivery Networks (CDNs) should be authorisation exempt under Section 3(3) of the Telecommunications Act, 2023.

5.2 The Government noted that in the recommendations dated 18.11.2022, TRAI had earlier drawn a conclusion that there should not be any licensing framework for CDN providers; however, with a view to address the concerns relating to potential anti-competitive practices by CDNs, and any

discriminatory treatment amongst telecom service providers, TRAI had recommended that CDN providers should be registered with DoT through a simple online registration process. TRAI had also acknowledged the concerns of net neutrality arising out of arrangements between telecom service providers and CDNs.

5.3 Accordingly, the Government is of the prima-facie view that a light-touch regulatory framework for CDNs may be introduced under Section 3 (1) (b) as the interconnectivity between telecom service providers and CDNs can influence both the overall quality of service and network resilience. Therefore, it is important to introduce appropriate regulations for CDNs to ensure adherence to minimum QoS standards and to maintain the robustness and reliability of the network infrastructure. "

2.51 Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.7:

2.51.1 Before proceeding to examine the DoT's views on the Recommendation No. 4.7, it would be worthwhile to understand the context and rationale of the Recommendation No. 4.7. In this regard, the following points are noteworthy:

(a) In 2018, the Government of India released National Digital Communication Policy (NDCP)-2018. One of the goals of the NDCP-2018 is "[e]stablishing India as a global hub for cloud computing, content hosting and delivery, and data communication systems and services." The NDCP-2018 has envisaged, *inter alia*, the following strategy to meet the afore-mentioned policy goal:

"i. Evolving enabling regulatory frameworks and incentives for promoting the establishment of International Data Centres, Content Delivery Networks and independent interconnect exchanges in India."
(Emphasis supplied)

(b) Considering the afore-mentioned strategy of the NDCP-2018, TRAI, in 2021, issued a consultation paper on 'Regulatory Framework for Promoting Data Economy Through Establishment of Data Centres, Content Delivery Networks, and Interconnect Exchanges in India' dated 16.12.2021 for the consultation with stakeholders. After following the stakeholders' consultation, TRAI sent its recommendations on 'Regulatory Framework for Promoting Data Economy Through Establishment of Data Centres, Content Delivery Networks, and Interconnect Exchanges in India' dated 18.11.2022 to DoT. The salient points of the afore-mentioned recommendations dated 18.11.2022 in respect of CDNs are given below:

- (i) TRAI recommended that there should not be any licensing framework for CDN providers with a view to support the expansion of the CDN market in the country.
- (ii) While making the above recommendation, TRAI noted the concerns related to the potential for anti-competitive and non-discriminatory practices in arrangements between CDN providers and telecom service providers (TSPs). To address such concerns, TRAI felt a need for the disclosure of the arrangements between TSPs and CDNs. To enable the regulatory entities (DoT and TRAI) to call for the information related to arrangements between TSPs and CDNs, TRAI recommended that CDN providers should be registered with DoT through a simple online registration process.
- (iii) In the draft guidelines for the registration of CDN providers, TRAI recommended, *inter alia*, as below:

"8. The Content Delivery Network (CDN) Provider registered company shall submit a copy of an agreement entered into with the telecom service providers to the DoT and TRAI within 15 days of signing of such agreement.

9. Content Delivery Network (CDN) Provider registered company shall offer delivery of content to Service Providers and users in a non-discriminatory manner."

- (c) Through the Reference dated 26.07.2024, DoT requested TRAI to consider, *inter alia*, some of its previous recommendations, which were under consideration of DoT at that time, including those on CDNs. In this regard, TRAI issued a consultation paper on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023' dated 22.10.2024. Through the consultation paper, TRAI solicited inputs of stakeholders on the following question:

"Q5. Whether there is a need to make any changes in the eligibility conditions, area of operation, validity period of authorisation, scope, and terms & conditions (general, technical, operational, security etc.) of the Content Delivery Network (CDN) authorisation, as recommended by TRAI on 18.11.2022? If yes, what changes should be made in the eligibility conditions, area of operation, validity period of authorisation, scope, and terms & conditions (general, technical, operational, security etc.) of the CDN authorisation? Kindly provide a detailed response with justification."

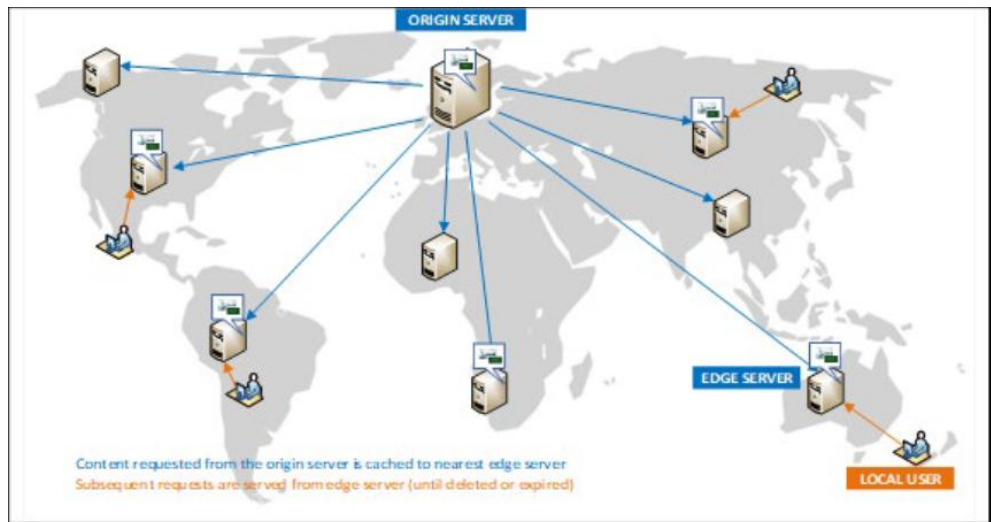
- (d) In the consultation process, many stakeholders opined that CDNs should not be regulated under the Telecommunication Act, 2023. They contended that TRAI could use its existing powers to ask telecom service providers to furnish information on their agreements with CDNs; TRAI does not need to regulate CDNs to obtain this information.
- (e) While reviewing the recommendation of 2022 that "*CDN providers should be registered with DoT through a simple online registration process.*", the Authority noted that the afore-mentioned recommendation was made primarily to address the concerns related to the potential for anti-competitive and non-discriminatory practices in arrangements between CDN providers and TSPs. In this regard, in the Recommendations dated 17.02.2025, the Authority arrived at a conclusion that it would still be possible to address such concerns by

mandating that (i) the mutual agreement between any entity authorised under Section 3(1) of the Telecommunications Act, 2023 and any CDN provider shall be fair, non-discriminatory, and compliant to net neutrality objectives, and (ii) Central Government and TRAI may seek information related to such agreements from the concerned entities authorised under Section 3(1) of the Telecommunications Act, 2023, whenever a situation warrants so in the public interest.

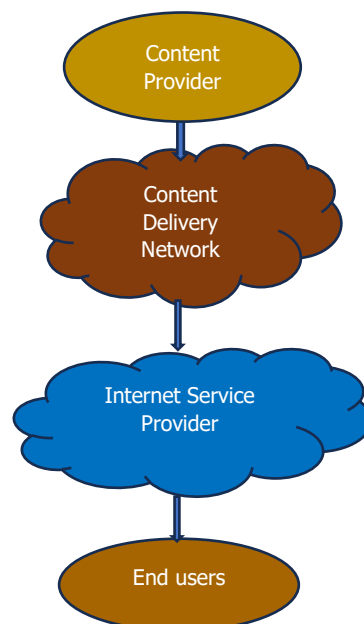
- 2.51.2 In short, while making the Recommendation dated 17.02.2025, the Authority was of the view that no useful purpose would be served by bringing the establishment, operation, maintenance and expansion of CDNs under the network authorisation framework if the concerns relating to potential anti-competitive practices, and discriminatory treatment among telecom service providers could be addressed. To address such concerns, the Authority recommended necessary safeguards through the Recommendation No. 4.7(b).
- 2.51.3 Having described the rationale of the Recommendation No. 4.7, the Authority proceeds to examine the DoT's views on the Recommendation No. 4.7.
- 2.51.4 In respect of the Recommendation No. 4.7, DoT has expressed a concern that the interconnectivity between telecom service providers and CDNs can influence both the overall quality of service and network resilience. To address this concern, DoT has expressed a *prima facie* view that CDNs need to be regulated.
- 2.51.5 While examining the DoT's views on the Recommendation No. 4.7, the Authority took note of the following aspects:
- (a) In the internet ecosystem, "web content", or more generally, "content" refers to any text, image, audio, video, or code that users interact with

on websites. The web content is hosted on web servers which are connected to the internet through the connectivity provided by internet service providers (ISPs). The entities which own and control the access of web content on internet are often referred to as “content providers”.

- (b) Any user, which is permitted to access the web-content of a content provider, can access such content through its internet service provider. In case the content is hosted at a far-off location from the user, it might require a long round trip to fetch the content.
- (c) To solve the problem of long delays in fetching the content from the host server to the user, content providers often employ content delivery networks (CDNs). A content delivery network (CDN) is a network of servers linked together with the goal of delivering content of content providers as quickly and reliably as possible. CDNs place their servers near the end users to improve speed and connectivity. They make use of various techniques such as caching, load balancing, optimization, and use of security protocols etc. to improve consumer experience. The content of a content provider is stored, processed, and replicated across multiple nodes (servers) of the content delivery network, and is served to users from the ‘network edge’ i.e. a node which is closest to the user. The following figure depicts a schematic diagram of a typical CDN:



- (d) The internet service provider of the user, together with the CDN employed by the content provider, make available the desired content to the user. The following figure depicts a schematic diagram of the interconnectivity between the entities involved in the delivery of the content to the user.



- (e) For a content provider, the use of CDNs is optional. In case a content provider does not employ CDNs, its content could still be available to users through the internet. However, as indicated earlier, it might

require longer round-trips to fetch the content in case the content is hosted at far-off locations.

- (f) CDN providers operate under mutual agreements with internet service providers. The relationship between CDN providers and internet service providers is a symbiotic relationship. CDN providers interconnect with internet service providers for the onward delivery of the content of content providers to end users. Internet service providers benefit from the enhanced content delivery that CDNs provide.

2.51.6 Based on the above discussion, the role of CDN providers in the internet eco-system can be summarized as below:

- (a) CDN providers are employed by content providers for a quick and reliable delivery of their content to users. For content providers, the use of CDN providers is optional and voluntary.
- (b) CDN providers operate under mutual agreements with internet service providers in a symbiotic relationship.

2.51.7 Given the role of CDN providers in the internet eco-system, the Authority is of the view that that there appears to be no real concern that the interconnectivity between telecom service providers and CDN providers can influence the quality of service, or resilience of networks. On the contrary, CDNs, generally, improve network performance and resilience. As a matter of fact, CDNs have been in use at the global level since 1980s. However, there has been no widely documented international incidents directly attributing negative impacts on the quality of service or resilience of telecom networks specifically caused by CDNs. In India, CDNs are being extensively used for more than two decades now. Despite of them remaining outside telecommunication licensing framework till date, no issues due to the interconnectivity of telecom service providers and CDNs on the quality of service or resilience of telecom networks have come to the notice of the Authority yet.

2.51.8 In light of the foregoing discussion, there appears no need to review the recommendation that CDNs should be authorisation-exempt under Section 3(3) of the Telecommunications Act, 2023. For an effective implementation of authorisation-exempt regime for CDNs in the country, the Government may frame necessary rules under Section 3(3)¹⁶ of the Telecommunications Act, 2023. Accordingly, **the Authority reiterates the Recommendation No. 4.7(a) and (b).**

2.52 **Recommendation No. 4.8(a):** *The Central Government should introduce Internet Exchange Point (IXP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.*

2.53 **DoT's Views on the Recommendation No. 4.8(a):**

(a) May be accepted in principle subject to clarification from TRAI on technical feasibility of the detailed terms & conditions.

"The entities which already have service authorizations and having overlap in scope with network authorization should not be eligible to obtain this authorization under section 3(1)(b)" may be incorporated in grant rules."

2.54 Further, in the Annexure-A to the Back-Reference dated 03.07.2025, DoT has expressed the following view in respect of the Recommendation No. 4.8(a):

"7.1 The Government has accepted the Internet Exchange Point (IXP) Provider Authorisation subject to clarification from TRAI on technical feasibility of the detailed terms & conditions for Internet Exchange Point (IXP) Network Authorisation.

¹⁶ Section 3(3) of the Telecommunications Act, 2023 provides as below:

"The Central Government, if it determines that it is necessary in the public interest so to do, may provide exemption from the requirement of authorisation under sub-section (1), in such manner as may be prescribed." (Emphasis supplied)

Source: <https://egazette.gov.in/WriteReadData/2023/250880.pdf>

As per Condition No. 9 under the Security Conditions outlined in Section 10 of Chapter III (Terms and Conditions for Internet Exchange Point (IXP) Network Authorisation):

"The Authorised Entity shall block Internet sites/ Uniform Resource Locators (URLs)/ Uniform Resource Identifiers (URIs) and/ or specific networks subscribers, as identified and directed by the Central Government from time to time in the interest of national security or public interest."

7.2 TRAI may examine the technical feasibility related to the aforementioned security condition as Internet Exchange Points (IXPs) operate at Layer 2 (Data Link Layer) of the Open Systems Interconnection (OSI) model."

2.55 Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.8(a):

2.55.1 Through the Recommendation 4.8(a), the Authority recommended that *the Central Government should introduce Internet Exchange Point (IXP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023; the main scope of IXP authorised entity should be to provide peering and exchange of internet traffic, originated and destined within India, amongst the entities authorised to provide internet service under Section 3(1)(a) of the Telecommunications Act, 2023, and Content Delivery Networks (CDNs) located in India.*

2.55.2 Under the technical conditions for IXP Authorisation, the Authority recommended the following conditions for Network Interconnection (Page 295 of the Recommendation dated 17.02.2025):

"(6) Network Interconnection:

(a)The Authorised Entity may establish inter-connectivity with the entities authorised to provide Internet Service under Section 3(1)(a) of the Telecommunications Act, 2023, CDN providers, and other IXP authorised entities.

(b) The Authorised Entity may obtain leased bandwidth from any other entity authorised to provide such bandwidth on lease.

(c) The Authorised Entity shall use Internet Protocol (IP)¹⁷ and shall meet the interface requirements as prescribed by the Central Government to connect with other authorised entity's network. [Emphasis supplied]

2.55.3 Under the security conditions of IXP Authorisation, the Authority recommended the following conditions for blocking internet sites etc. (Page 299-300 of the Recommendation dated 17.02.2025):

"(9) The Authorised Entity shall block Internet sites/ Uniform Resource Locators (URLs)/ Uniform Resource Identifiers (URIs) and/ or specific networks subscribers, as identified and directed by the Central Government from time to time in the interest of national security or public interest."

2.55.4 In this regard, it may be noted that earlier, through the recommendations on 'Regulatory Framework for Promoting Data Economy Through Establishment of Data Centres, Content Delivery Networks, and Interconnect Exchanges in India' dated 18.11.2022, TRAI had made a similar recommendation for blocking of internet sites etc. by the entities holding IXP authorisation under Unified License (page 264 of the recommendations dated 18.11.2022):

"7.5 In the interest of national security or public interest, the Licensee shall block Internet sites/Uniform Resource Locators (URLs)/Uniform Resource Identifiers (URIs) and / or individual subscribers, as identified and directed by the Licensor from time to time."

2.55.5 In this background, the authority perused the following views of DoT in respect of the Recommendation No. 4.8 (a):

"7.1 The Government has accepted the Internet Exchange Point (IXP) Provider Authorisation subject to clarification from TRAI on technical

¹⁷ Internet Protocol (IP) resides at Layer 3 (the Network Layer) in the Open Systems Interconnection (OSI) model.

feasibility of the detailed terms & conditions for Internet Exchange Point (IXP) Network Authorisation.

As per Condition No. 9 under the Security Conditions outlined in Section 10 of Chapter III (Terms and Conditions for Internet Exchange Point (IXP) Network Authorisation):

"The Authorised Entity shall block Internet sites/ Uniform Resource Locators (URLs)/ Uniform Resource Identifiers (URIs) and/ or specific networks subscribers, as identified and directed by the Central Government from time to time in the interest of national security or public interest."

7.2 TRAI may examine the technical feasibility related to the aforementioned security condition as Internet Exchange Points (IXPs) operate at Layer 2 (Data Link Layer) of the Open Systems Interconnection (OSI) model."

2.55.6 While examining the above views of DoT, the Authority has noted that IXPs can be implemented using various technical models. The primary models include Layer 2 and Layer 3 architectures, with additional variations to accommodate different scales and requirements. A few technical models for implementing IXP are given below:

- (a) Layer 2 IXP (Switched Ethernet Fabric)¹⁸
- (b) Layer 3 IXP (Router-Based Exchange)¹⁹
- (c) Route Server Model²⁰
- (d) Route Reflector Model²¹
- (e) Hybrid Models²²

¹⁸ Participants connect to a shared Ethernet switch fabric, facilitating direct peering between networks. Each member manages its own Border Gateway Protocol (BGP) sessions with other participants.

¹⁹ In this model, the IXP operates as a central router, and all participants peer with the IXP's autonomous system (AS).

²⁰ Route servers facilitate multilateral peering by allowing participants to establish a single border gateway protocol (BGP) session with the route server, which then distributes routing information to other participants.

²¹ Similar to route servers, route reflectors assist in distributing routing information among participants.

²² Some IXPs employ a combination of the above models to balance simplicity, control, and scalability. For instance, an IXP might use a Layer 2 fabric with route servers for ease of peering, while also supporting direct bilateral sessions for participants requiring specific routing policies.

- 2.55.7 Globally, IXPs do not only interconnect with internet service providers (ISPs) but also with content delivery networks (CDNs). As per an estimate of Cisco, 72% of all internet traffic crosses content delivery networks²³. Accordingly, IXPs would ideally be the best candidate to block Internet websites, URLs, URIs, and specific networks subscribers hosted on CDNs which are peering with them. In case an IXP, on the direction of the Government, blocks certain Internet websites, URL, URIs etc. hosted on the peering CDNs, the access to such contents through the IXP would get blocked for all ISPs peering with the IXP. Keeping these aspects in mind, the Authority had recommended that IXP authorised entities should block Internet sites, URLs, URIs, and specific networks subscribers, as identified and directed by the Central Government from time to time in the interest of national security or public interest.
- 2.55.8 Now DoT has, through the Back-Reference, stated that IXPs operate at Layer 2 (Data Link Layer) of the OSI model, and has sought a clarification on the technical feasibility of blocking Internet sites, URLs, URIs etc. by IXPs.
- 2.55.9 In this regard, it is noteworthy that the technical feasibility of blocking Internet websites, URLs, URIs etc. by IXPs hinges on the technical model (Layer 2 or Layer 3) for implementing IXPs. Besides, the matter related to the blocking of websites, URLs, URIs etc. pertains to national security and public interest. Accordingly, **the Authority is of the view that DoT in consultation with Ministry of Home Affairs (MHA) and Telecom Engineering Centre (TEC) may examine the need for - as well as - the technical feasibility of blocking Internet sites, URLs, URIs, and specific networks subscribers by IXPs considering the present state of network deployed by IXPs in India and internationally. Based on such an examination, DoT may take a decision in the matter.**

²³ <https://www.wowza.com/blog/cdn-live-streaming#:~:text=As%20the%20video%20streaming%20industry,just%2056%20percent%20in%202017.>

- 2.55.10 Further, the Authority notes that in respect to the Recommendation No. 4.8(a), DoT has stated that “*The entities which already have service authorizations and having overlap in scope with network authorization should not be eligible to obtain this authorization under section 3(1)(b)*” may be incorporated in grant rules. This aspect has already been dealt with by the Authority in para No. 2.11.3 and 2.11.4 of this response.
- 2.56 **Recommendation No. 4.8(c):** *Main scope of IXP Authorisation: To provide peering and exchange of internet traffic, originated and destined within India, amongst the entities authorised to provide internet service under the Telecommunications Act, 2023, and content delivery networks (CDN) located in India*
- 2.57 **DoT’s Views on the Recommendation No. 4.8(c):** *May be accepted in the context of exchange of traffic between entities located in India*
- 2.58 **Response of TRAI w.r.t. DoT’s Views on the Recommendation No. 4.8(c):**
- 2.58.1 Through the Recommendation No. 4.8(c), the Authority had recommended that the main scope of IXP Authorisation should be “*to provide peering and exchange of internet traffic, originated and destined within India, amongst the entities authorised to provide internet service under the Telecommunications Act, 2023, and content delivery networks (CDN) located in India*”. DoT has expressed a view that this recommendation “*may be accepted in the context of exchange of traffic between entities located in India*”. The Authority notes that the observations of DoT are aligned to the Authority’s recommendation.
- 2.59 **Recommendation No. 4.8(d) and (e):**
- (d) *The detailed terms and conditions for IXP Authorisation have been included in Annexure-2.4.*

- (e) *The terms and conditions for the grant of IXP Authorisation have been included in Annexure-2.2.*

2.60 DoT's Views on the Recommendation No. 4.8(d) and (e):

- (d) *May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorization framework and convert the terms and conditions into Rules.*
- (e) *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.*

2.61 Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.8(d) and (e): Noted

2.62 Recommendation No. 4.9(d): *The baseband equipment to be installed at SESGs should be owned by the eligible service authorised entity interworking with the SESG Provider authorised entity. However, the SESG Provider authorised entity should be permitted to install the baseband equipment at its SESGs on behalf of the eligible service authorised entities.*

2.63 DoT's Views on the Recommendation No. 4.9(d): *May be accepted in principle. Further, it may be noted that SESG Provider may require that the baseband equipment be owned and operated by them in view of proprietary nature of the equipment and absence of 3GPP standards for same. Therefore, TRAI may clarify whether the baseband equipment to be installed at SESGs may also be allowed to be owned by SESG Provider authorised entities, provided that the control, visibility and management of users through such baseband equipment should be with the eligible service authorised entity only under section 3(1)(a).*

2.64 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.9(d):**

2.64.1 Before proceeding to examine the views of DoT on the Recommendation No. 4.9(d), it would be worthwhile to understand the context and rationale of the Recommendation No. 4.9(d).

2.64.2 In the year 2021, DoT had sought the recommendations of TRAI on the licensing framework for the operation of satellite gateways through its reference dated 10.09.2021. Through the reference, DoT had mentioned that "*sharing of the gateway established by the satellite constellation provider among different TSPs, wherein the service providers need only to deploy baseband systems at gateways to start harnessing the satellite capacity, may result in cost effective and optimum use of resources.*" [Emphasis supplied]

2.64.3 While providing the recommendations on 'Licensing Framework for Establishing and Operating Satellite Earth Station Gateway (SESG)' dated 29.11.2022, TRAI had examined the matter related to the installation of baseband equipment at the SESG established by the SESG licensee in detail. As baseband equipment provides control, visibility, and management of the satellite communication services being rendered to end users, TRAI had recommended that service licensees, being served by the SESG licensee, should install their own baseband equipment at the SESG established by the SESG licensee.

2.64.4 Lately, while making the Recommendations dated 17.02.2025, the matter related to the installation of baseband equipment at the SESG came up for deliberation again. In the consultation process, many stakeholders suggested for relaxing the proposed bar on the installation of the baseband equipment by SESG operators (as recommended by TRAI through the recommendations dated 29.11.2022). Based on the comments of

stakeholders and its further analysis, the Authority, to facilitate operation requirements, recommended that the baseband equipment to be installed at SESGs should be owned by the eligible service authorised entity interworking with the SESG Provider authorised entity; however, the SESG Provider authorised entity should be permitted to install the baseband equipment at its SESGs on behalf of the eligible service authorised entities.

2.64.5 Having described the context and rationale of the Recommendation No. 4.9(b), the Authority proceeds to examine the views of DoT on the Recommendation No. 4.9(b).

2.64.6 In the Back-Reference, DoT has expressed a view that "*SESG Provider may require that the baseband equipment be owned and operated by them in view of proprietary nature of the equipment and absence of 3GPP standards for same*". In this regard, DoT has requested TRAI to clarify as to "*whether the baseband equipment to be installed at SESGs may also be allowed to be owned by SESG Provider authorised entities, provided that the control, visibility and management of users through such baseband equipment should be with the eligible service authorised entity only under section 3(1)(a)*."

2.64.7 In this regard, it is important to note that the main reason - for the TRAI's recommendation that the ownership of the baseband equipment should remain with the service authorised entities - was to ensure that the service authorised entities can have the control, visibility, and management of the satellite communication services being rendered to end users.

2.64.8 In this regard, based on a careful examination of the proposal of DoT, TRAI is of the considered view that the baseband equipment to be installed at the SESG may be permitted to be owned by the SESG authorised entity if it can be ensured that the control, visibility, and management of the satellite

communication services being rendered to end users remains with the service authorised entity.

2.64.9 Considering the above, **the Authority recommends that the Recommendation No. 4.9(d) may be read as below:**

'The baseband equipment to be installed at the SESG should ordinarily be owned by the eligible service authorised entity interworking with the SESG Provider authorised entity. However, the SESG Provider authorised entity should be permitted to install the baseband equipment at its SESG on behalf of the eligible service authorised entity:

Provided that the baseband equipment to be installed at the SESG may be permitted to be owned by the SESG authorised entity as well if the control, visibility, and management of the satellite communication services being rendered to end users remains with the service authorised entity.'

2.65 **Recommendation No. 4.9(h):** *The terms and conditions for the grant of SESG Provider Authorisation have been included in Annexure-2.2.*

2.66 **DoT's Views on the Recommendation No. 4.9(h)** *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.*

2.67 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.9(h):** Noted

2.68 **Recommendation No. 4.10:** *the Authority recommends that –*

- (a) *The establishment, operation, maintenance, and expansion of the following categories of ground stations (as envisaged in the Norms, Guidelines and Procedures for Implementation of Indian Space Policy-2023 in respect of the Authorization of Space Activities (NGP) issued by IN-SPACe in May 2024) should be authorisation-exempt in the public interest in terms of Section 3(3) of the Telecommunications Act, 2023:*
- (i) *Satellite Control Centre (SCC);*
 - (ii) *Telemetry, Tracking and Command (TT&C);*
 - (iii) *Mission Control Centre (MCC);*
 - (iv) *Remote Sensing Data Reception Station;*
 - (v) *Ground Station for supporting operation of the space-based services such as Space Situational Awareness (SSA), Astronomical, space science or navigation missions etc.*
- (b) *Any entity establishing, operating, maintaining, or expanding ground stations of the categories mentioned above shall have to obtain an authorisation from the Central Government under Section 3(1) of the Telecommunications Act, 2023, if -*
- (i) *it intends to provide any telecommunication service for which an authorisation is required under Section 3(1)(a) of the Telecommunications Act, 2023; or*
 - (ii) *it intends to establish, operate, maintain, or expand any telecommunication network for which an authorisation is required under Section 3(1)(b) of the Telecommunications Act, 2023.*
- (c) *The Central Government should examine the security conditions imposed under the authorizations granted by IN-SPACe for the establishment and operation of ground stations, and if deemed necessary, consider strengthening the security requirements under the authorization.*

2.69 DoT's Views on the Recommendation No. 4.10:

- (a) and (c) *May be accepted in principle subject to the condition that GSaaS providers, exempted from the authorisation under section 3(1), shall comply*

with the provisions of the Telecommunications Act 2023 and the Rules made thereunder. Further, for exemption from the authorisation under section 3(1), the terms and conditions under section 3(3) may be prescribed. These conditions would enable them to apply for assignment of spectrum.

(b) (i) & (ii) May be accepted

2.70 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.10(a):** Noted

2.71 **Recommendation No. 4.11(i) & (j):**

(i) The detailed terms and conditions for CTN Provider Authorisation have been included in Annexure-2.4.

(j) The terms and conditions for the grant of CTN Provider Authorisation have been included in Annexure-2.2.

2.72 **DoT's Views on the Recommendation No. 4.11(i) & (j):**

(i) May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.

(j) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.

2.73 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.11(i) & (j):** Noted

2.74 **Recommendation No. 4.12:** *The Authority recommends that –*

- (a) *The Central Government should introduce Mobile Number Portability (MNP) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.*
- (b) *The scope of MNP Provider Authorisation should cover the following activities:*
 - (i) *Establishment, operation, maintenance, and expansion of a telecommunication network for providing MNP to the entities authorised to provide Access Service under the Telecommunications Act, 2023; and*
 - (ii) *Provision of location routing number (LRN) update to all entities authorised to provide Access Service, National Long Distance (NLD) Service and International Long Distance (ILD) Service under the Telecommunications Act, 2023.*
- (c) *The extant policy regime of two MNP zones in the country, each comprising of 11 authorised service areas (telecom circles/ Metro areas), and only one MNP Provider authorised entity in each MNP zone should be continued at present. However, in future, the Central Government may, if deemed fit, change the number of MNP zones in the country, amend the composition of authorised services areas within each MNP zone, and introduce more MNP authorised entities in each MNP zone through a competitive bidding process.*
- (d) *The detailed terms and conditions for MNP Provider Authorisation have been included in Annexure-2.4.*
- (e) *The terms and conditions for the grant of MNP Provider Authorisation have been included in Annexure-2.2.*

2.75 DoT's Views on the Recommendation No. 4.12:

- (a) *May be accepted. However, as two MNP providers are already working and their licenses are valid up to year 2029, so at this stage this authorisation may be relevant for migration only.*
- (b) (i) & (ii) *May be accepted in-principle however, the scope may be harmonized with extant MNP authorisation license.*

- (c) *May be accepted. However, as two MNP providers are already working and their licenses are valid up to year 2029, so it will be reviewed once their validity is about to expire. As of now, no change is required.*
- (d) *May be accepted in principle with modifications to the extent as required to harmonise the same with extant MNP authorisation license and convert the terms and conditions into Rules.*
- (e) *As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.*

2.76 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.12:** Noted

2.77 **Recommendation No. 4.13:** *Authority recommends that the following conditions should be included in the terms and conditions of the network authorisations:*

- (a) *Network authorised entities should be mandated to utilize any type of equipment and product that meet TEC standards, wherever made mandatory by the Central Government from time to time. In the absence of mandatory TEC standard, the Authorised Entity may utilize only those equipment and products which meet the relevant standards set by International standardization bodies, such as, ITU, ETSI, IEEE, ISO, IEC etc.; or set by International Fora, such as 3GPP, 3GPP2, IETF, MEF, WiMAX, Wi-Fi, IPTV, IPv6, etc. as recognized by TEC and subject to modifications/ adaptation, if any, as may be prescribed by TEC from time to time.*
- (b) *As per Section 21(f) of the Telecommunications Act, 2023, the Central Government may, if satisfied that it is necessary or expedient so to do, in the interest of national security, friendly relations with foreign States, or in the event of war, by notification take such measures as are necessary in the circumstances of the case, including issuing directions in respect of taking*

over the control and management of, or suspending the operation of, or entrusting any authority of the Central Government to manage any telecommunication network or part thereof.

(c) The network authorised entities should follow the measures notified by the Central Government under Section 21(d) of the Telecommunication Act, 2023 in respect of the procurement of telecommunication equipment only from trusted sources.

(d) The network authorised entities Entity should follow the measures prescribed by the Central Government under Section 22 of the Telecommunications Act, 2023 to protect and ensure cyber security of telecommunication networks including critical telecommunication infrastructure and telecommunication services.

2.78 DoT's Views on the Recommendation No. 4.13:

(a) May be accepted in principle with modifications to the extent as required to harmonise the same with service authorisation framework, relevant provisions of Telecom Act and convert the terms and conditions into Rules.

(b) As per the Telecommunications Act, 2023

(c) As per the Telecommunications Act, 2023

(d) As per the Telecommunications Act, 2023

2.79 Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.13(a) to (d): Noted

2.80 Recommendation No. 4.14: *The Authority recommends that the SESG Authorised Entity may establish, operate, maintain, or expand satellite earth station gateways (SESGs) in India for all types of satellite systems for which the Central Government has given its permission.*

2.81 DoT's Views on the Recommendation No. 4.14: *May be accepted. May be aligned with decision in 4.9.*

- 2.82 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.14:** Noted
- 2.83 **Recommendation No. 4.15(a):** *The eligibility conditions for the grant of network authorisations to new applicants should also be made applicable to the existing entities which intend to migrate to the network authorisation framework under the Telecommunications Act, 2023. However, at the time of migration to the network authorisation framework, the requirement of meeting with the net-worth criteria should not be made applicable.*
- 2.84 **DoT's Views on the Recommendation No. 4.15(a):** *May be accepted in principle and harmonise the same with migration rule being framed under section 3(6).*
- 2.85 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.15(a):** Noted
- 2.86 **Recommendation No. 4.15(c):** *An authorised entity which already holds a network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 or a license/ registration etc. under the extant regime, decides to obtain another network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 whose scope of operation includes the scope of operation under the network authorisation/ license/ registration already held by such entity, in entirety, then such network authorisation/ license/ registration already held by the authorised entity should be treated as subsumed in the new network authorisation and it should cease to exist.*
- 2.87 **DoT's Views on the Recommendation No. 4.15(c):** *May be accepted with following modifications:*
"An authorised entity which already holds a network authorisation and or service authorisation under Section 3(1)(a) or 3(1)(b) of the Telecommunications Act, 2023 or a license/ registration etc. under the extant

regime, decides to obtain another network and/or service authorisation under Section 3(1)(a) and/or 3(1)(b) of the Telecommunications Act, 2023 whose scope of operation includes the scope of operation under the network authorisation/service authorisation/ license/ registration already held by such entity, in entirety, then such network authorisation/ license/ registration already held by the authorised entity should be treated as subsumed in the new network/service authorisation and the earlier one should cease to exist.”

- 2.88 **Response of TRAI w.r.t. DoT’s Views on the Recommendation No. 4.15(c):** Noted
- 2.89 **Recommendation No. 4.15(g):** *Detailed terms and conditions for the migration to network authorisations to be granted under the Telecommunications Act, 2023 have been included in Annexure-2.2.*
- 2.90 **DoT’s Views on the Recommendation No. 4.15(g):** *May be accepted in principle with modifications to the extent as required to harmonise the same with migration rules being framed under section 3(6).*
- 2.91 **Response of TRAI w.r.t. DoT’s Views on the Recommendation No. 4.15(g):** Noted
- 2.92 **Recommendation No. 4.16(a):** *There is a need for introducing Captive Non-Public Network (CNPN) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 with the scope of establishing, maintaining, operating, and expanding CNPN networks for enterprises. In case the Central Government accepts this recommendation, it may seek the recommendations of TRAI on detailed terms and conditions for such an authorisation.*

2.93 **DoT's Views on the Recommendation No. 4.16(a):** *May be accepted subject to identification of appropriate spectrum for CNPN. Further, this authorisation may be granted under Section 3(1)(a) to the eligible entities to provide CNPN as a service to users. The Government also proposes for change in the name of this authorisation to clearly differentiate this authorisation from CNPN Service authorisation recommended under Section 3(1)(a).*

2.94 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.16(a):**

2.95 The Authority takes note of the DoT's view that a new authorisation for providing CNPN as a service to users may be granted under Section 3(1)(a) of the Telecommunications Act, 2023 subject to the identification of appropriate spectrum for CNPN. The Authority has examined the views of DoT on this aspect and has made the following observations:

- (a) CNPN services have not picked up in India even after three years when the licensing framework for captive non-public network (CNPN) was introduced in the country. In this context, DoT's proposal for the introduction of a new authorisation for providing CNPN as a service to users under Section 3(1)(a) appears to be a welcome step. Essentially, DoT has proposed for introducing a new service authorisation for providing private wireless network-as-a-service to enterprises. It is expected that a well-designed regulatory framework for this purpose would encourage the adoption of Industry 4.0 in a wide range of industries such as automotives, textiles, pharmaceuticals, steel, heavy industries, and micro, small, and medium enterprises (MSMEs).
- (b) The successful adoption of the proposed private wireless network-as-a-service to enterprises would hinge on the identification of appropriate spectrum for this service segment. While identifying the frequency

range for the said service, the aspects related to the eco-system (viz. availability, maturity, and potential for development of the eco-system in the chosen frequency range) for network and devices would require to be carefully evaluated.

- (c) At the stage of both the identification of frequency spectrum, and thereafter the assignment of spectrum to the entities holding the authorisation for providing private wireless network-as-a-service to enterprises, the plurality of service providers would require to be ascertained. In other words, total quantum of frequency spectrum, block size, and the method of assignment would require to be chosen in a manner to ensure a sufficient competition in the service segment.

2.96 DoT has also proposed that the name of the new service authorisation should be distinct from the name of the already recommended authorisation for Captive Non-Public Network (CNPN) Authorisation under Section 3(1)(a). In this regard, based on a careful consideration, the Authority is of the view that the proposed service authorisation may be termed as 'Private Wireless Network-as-a-Service Authorisation', or simply, 'Private Wireless Network Service Authorisation'. DoT may, if deemed fit, seek recommendations of the Authority on the terms and conditions of the proposed Private Wireless Network Service Authorisation, and the terms and conditions for the assignment of spectrum to entities holding the proposed authorisation.

2.97 **Recommendation No. 4.16(b):** *Prima facie, there is a need for introducing Cable Landing Station (CLS) Provider Authorisation with a broad scope of providing access facilitation to the essential facilities at cable landing station, and co-location to facilitate access to the cable landing station to the eligible service authorised entities. In case the Central Government deems it fit, it may send a reference to the Authority for exploring the need for CLS Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 and the terms and conditions thereof.*

- 2.98 **DoT's Views on the Recommendation No. 4.16(b):** *May not be accepted. It is already included in the scope of Long-Distance authorisation.*
- 2.99 **Response of TRAI w.r.t. DoT's Views on the Recommendation No. 4.16(b):**
- 2.99.1 Through the Recommendation No. 4.16(b), the Authority had recommended that *prima facie* there is a need for introducing Cable Landing Station (CLS) Provider Authorisation with a broad scope of providing access facilitation to the essential facilities at cable landing station, and co-location to facilitate access to the cable landing station to the eligible service authorised entities. In the Back-Reference, DoT has expressed its *prima facie* view that this recommendation may not be accepted. In support, DoT has cited that the establishment of CLS is already included in the scope of Long-Distance authorisation.
- 2.99.2 It appears that DoT has not interpreted the Recommendation No. 4.16(b) correctly. The intent of the Authority through the Recommendation No. 4.16(b) was to begin an examination of the need for a new network authorisation under which the authorised entities could establish cable landing stations for national and international submarine cables without requiring the 'Long Distance Service Authorisation' and could provide CLS-as-a service to eligible service authorised entities in the country.
- 2.99.3 The Authority notes that, at present, only a few international long distance service providers have established cable landing stations in the country. Through the Recommendation No. 4.16(b), the Authority intended to begin an examination for the introduction of a new network authorisation for the establishment of CLSs in the country, with the expectation that the introduction of such a network authorisation under the Telecommunications Act, 2023 would attract new players and bring a further competition in the

CLS segment, and thereby, invigorate international bandwidth business as well as domestic bandwidth business segments in the country.

- 2.99.4 DoT may examine the matter related to the introduction of Cable Landing Station (CLS) Provider Authorisation in light of the above aspects and may take a final view on the matter.
- 2.100 **Recommendation No. 4.22:** *The Authority recommends the following: -*
(a) Application Processing Fee for SESG Provider Authorisation should be Rupees Ten Thousand.
(b) Entry Fee for SESG Provider Authorisation should be Rupees Ten Lakh.
(c) Entry fee should be levied only at the time of entry and not at the time of renewal of SESG Provider Authorisation.
(d) No Bank guarantee to be submitted for SESG Provider Authorisation.
- 2.101 **DoT's Views on the Recommendation No. 4.22:**
(a-d) Financial conditions may be kept same as proposed for Internet Service authorisation:
(a) Application Processing Fee- 10000
(b) Entry Fee – 10 lakhs
(c) May be accepted
(d)Initial Bank guarantee- 4 lakhs
- 2.102 **TRAI's Letter Dated 17.07.2025 Seeking Clarification from DoT:**
Please provide reasons for the following:
(i) Keeping the financial conditions for SESG Provider Authorisation same as proposed for Internet Service authorisation.
(ii) Setting initial Bank Guarantee of Rs. 4 lakhs for SESG authorisation.
- 2.103 **DoT's Response Dated 23.07.2025:** No specific comments provided by DoT

2.104 **Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.22:**

2.104.1 In paras 3.45 and 3.46 of the Recommendations dated 17.02.2025, the Authority noted that SESG provider authorisation does not involve the provision of services directly to end customers. Instead, the provision of networks under this authorisation is intended only for telecom service providers. Therefore, the Authority felt that it is appropriate not to levy any authorisation fee for SESG Provider Authorisation. Furthermore, since no authorisation fee had been recommended, the Authority had taken the view that it would be reasonable not to impose any additional requirements related to bank guarantees under SESG Provider Authorisation.

2.104.2 The Authority further notes that DoT has indicated that the financial conditions of SESG provider authorisation may be kept same as proposed for Internet Service authorisation. In case of Internet Service Authorisation, the Authority has recommended an authorisation fee of 8% of Adjusted Gross Revenue and the Bank Guarantee has been recommended to securitize the Authorisation fee and other dues not otherwise securitized. In the instant case, since no authorisation fee has been recommended for SESG provider authorisation, there is no requirement to securitize its recovery by a bank guarantee.

2.104.3 In the absence of any basis/ reasons for keeping the financial conditions of SESG Provider Authorisation same as that of Internet Service Authorisation, the Authority is unable to examine the merits of the case. In view of this, **the Authority is constrained to reiterate its earlier recommendations.**

2.105 **Recommendation No. 4.26:** *The Authority recommends the following in respect of MNP Provider Authorisation:*

- (a) *For the initial year, the amount of Bank Guarantee should be Rupees Forty Lakh.*
- (b) *For the subsequent years, the amount of Bank Guarantee should be higher of Rupees Ten Lakh or 20% of the estimated sum payable (of Authorisation fee for two quarters and other dues not otherwise securitized).*
- (c) *Bank Guarantee should be submitted to securitize the authorisation fee and other dues not otherwise securitized, to cover the violation of conditions of authorisation and to ensure the performance under authorisation/regulations including compliance of instructions issued by the Central Government/ TRAI from time to time.*

2.106 DoT's Views on the Recommendation No. 4.26:

- (a) *To be kept same as in extant license provisions*
- (b) *To be kept same as in extant license provisions*
- (c) *May be accepted only for Central Government not TRAI. Dues arising out of non-compliance of instructions issued by TRAI is not be covered under BG under authorisation. TRAI to make its own mechanism for recovery/ securitization.*

2.107 TRAI's Letter Dated 17.07.2025 Seeking Clarification from DoT:

- (a-b) *Please clarify what is meant by 'extant license provisions' and reason(s) for not accepting TRAI's Recommendations.*
- (c) *Please provide reason(s) for accepting the Recommendations only for Central Government and not for TRAI.*

2.108 DoT's Response Dated 23.07.2025:

- (a-b) *With regard to the financial conditions for the MNP Provider Authorisation, the Government has not rejected TRAI's recommendations but has proposed aligning them with the existing MNP license provisions. As two MNP providers are already operational with licenses valid until 2029, hence, to maintain consistency with the*

existing framework, the financial conditions are proposed to remain unchanged. Also, the extant policy regime of two MNP zones in the country may be continued and will be reviewed once the validity of current Licenses is about to expire.”

(c) No specific comments provided by DoT

2.109 Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.26(a) and (b):

2.109.1 The above Recommendations related to financial conditions were made by the Authority for (i) introduction of Mobile Number Portability (MNP) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 to establish, operate, maintain, or expand telecommunication network for providing MNP to other entities and (ii) for existing entities intending to migrate to the network authorisation framework under the Telecommunications Act, 2023.

2.109.2 DoT vide its Back-Reference dated 03.07.2025 has accepted the TRAI's Recommendation No. 4.12(a) regarding the introduction of MNP Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023. DoT has further mentioned that as two MNP providers are already working and their licenses are valid up to year 2029, so at this stage this authorisation may be relevant for migration only.

2.109.3 DoT vide its subsequent letter dated 23.07.2025 has stated that as two MNP providers are already operational with licenses valid until 2029, hence, to maintain consistency with the existing framework, the financial conditions are proposed to remain unchanged.

2.109.4 In this regard, it is worth mentioning that DoT has vide its letter dated 03.07.2025 accepted TRAI's Recommendation No. 4.12(a) regarding introduction of MNP Provider Authorisation and has also accepted this

authorisation for migration. However, the financial conditions for MNP Provider Authorisation, as recommended by TRAI, have apparently not been accepted by DoT till 2029. The reasons given by DoT appear contradictory to the acceptance of introduction and migration to MNP provider authorisation.

2.109.5 In view of this, **the Authority is constrained to reiterate its earlier recommendations.**

2.110 **Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.26(c):**

2.110.1 As per the TRAI Act, 1997, there are various aspects of the regulation of telecommunication services, which are directly under the domain of TRAI such as interconnection, quality of service, and tariff. On such matters, TRAI issues regulations, orders, directions etc. under the TRAI Act, 1997, which are to be complied with by the authorised entities. The extant Unified License agreement categorically specifies that the licensees shall be bound by the orders, regulations, directions etc. of TRAI as per provisions of the TRAI Act, 1997.

2.110.2 The compliance to the regulations/directions/ orders issued by TRAI is a critical component of the efficient performance of authorised entities. TRAI has formulated provisions to impose financial disincentives in case of any violation of the regulations, orders and directions issued by it. However, at present, there is no securitization mechanism to recover the amount from the licensees if they fail to pay the financial disincentives imposed by TRAI.

2.110.3 To address this, it is essential that a securitisation mechanism, such as a Bank Guarantee should be in place to cover financial dues, compliance to the authorisation conditions and to ensure performance under the authorisation

which essentially include compliance to regulations/ orders/ directions issued by TRAI.

- 2.110.4 In this regard, the Authority in its Recommendations dated 17.02.2025, recommended that a single bank guarantee should be submitted to securitize the authorisation fee and other dues not otherwise securitized, to cover the violation of terms and conditions of authorisation and to ensure the performance under authorisation/regulations including compliance of instructions issued by the Central Government/ TRAI from time to time.
- 2.110.5 The rationale for this recommendation is to promote ease of doing business by securitizing with single bank guarantee and to ensure comprehensive securitization covering both financial dues and adherence to TRAI's regulatory framework, including violation of license conditions. The Authority also feels that this is essential for executing the functions entrusted in TRAI Act. Further, considering the significant number of defaults in paying financial disincentive which weakens the enforcement of regulations/ orders/ directions issued by TRAI, the Authority feels that the securitization of financial disincentives imposed by TRAI is necessary for its enforcement. This securitization of financial dues needs to be done either by TRAI or by the Government by way of Bank Guarantee.
- 2.110.6 However, if the Department of Telecommunications does not agree with this recommendation, then DoT should stipulate submission of a separate BG with TRAI for securitising the recovery of financial disincentives imposed by TRAI. The amount of such a bank guarantee would be 20% of the recommended first-year bank guarantee (initial bank guarantee) for MNP provider authorisation.
- 2.110.7 DoT vide its letter dated 23.07.2025 has not provided reason for accepting the Recommendations only for Central Government and not for TRAI. In the

absence of any basis/reason, the Authority is unable to examine the merits of the case. In view of this, **the Authority is constrained to reiterate its earlier recommendations.**

2.111 **Recommendation No. 4.27:** *The Authority recommends the following:*

(a) The extant definitions of Gross Revenue (GR), Applicable Gross Revenue (ApGR) and Adjusted Gross Revenue (AGR) for the MNP Provider Authorisation should continue.

(b) The applicable definitions for GR, ApGR and AGR have been given under the MNP Provider Authorisation.

(c) Any further orders/instructions/clarifications on the definitions of Gross Revenue, Applicable Gross Revenue and Adjusted Gross Revenue may be issued by DOT after obtaining recommendations from TRAI.

2.112 **DoT's Views on the Recommendation No. 4.27:**

(a-b) GR, ApGR and AGR definition are proposed to be harmonized with what has been proposed in case of Main Service Authorisations in Section 3(1)(a).

(c) May not be accepted

2.113 **TRAI's Letter Dated 17.07.2025 Seeking Clarification From DoT:**

(a-b) The reasons for deviations from the TRAI's recommendation have not been mentioned. Also, please clarify what "proposal" is referred in the back reference.

(c) Reason(s) for not accepting TRAI's Recommendation not given. Please provide the same.

2.114 **DoT's Response Dated 23.07.2025:**

(a-b) Further, wherever required, harmonization of the terms and conditions proposed by TRAI is to be done, by DoT, with earlier decisions of the Government or for overall rule making process to streamline the authorisation process, maintain consistency, and minimize the scope for any potential arbitrage. This approach aligns with the Government's

decision in the case of Service Authorisation and aims to ensure consistency across authorisation frameworks and the rules made thereunder by the Government...

(c) No specific comments provided by DoT

2.115 Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.27(a) to (b):

2.115.1 TRAI, vide its Recommendations on 'the Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023' dated 18.09.2024, recommended the definitions of Gross Revenue, Applicable Gross Revenue and Adjusted Gross Revenue for Main Service Authorisations under Section 3(1)(a) of the Telecommunications Act, 2023. The Authority has also sent its response on 28.02.2025 to the back-reference dated 14.01.2025 on the Recommendations. However, the final decision of DoT is not known/ not communicated to the Authority.

2.115.2 Moreover, the harmonization proposed to be brought by DoT in the definition of GR, ApGR and AGR with Main Service Authorisations, have neither been specified in the Back-Reference dated 03.07.2025 nor in the DOT's letter dated 23.07.2025. Hence, the Authority is not aware of the changes proposed to be brought in the definitions of GR, ApGR and AGR.

2.115.3 In the absence of any basis/ reason for not accepting TRAI's Recommendations, the Authority is unable to examine the merits of the case. In view of this, **the Authority is constrained to reiterate its earlier recommendations.**

2.116 Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.27(c):

2.116.1 DoT vide letter dated 23.07.2025 has not provided reason for not accepting the TRAI's following Recommendation:

"Any further orders/instructions/clarifications on the definitions of Gross Revenue, Applicable Gross Revenue and Adjusted Gross Revenue may be issued by DOT after obtaining recommendations from TRAI."

2.116.2 In the absence of any basis/reason for not accepting TRAI's Recommendations, the Authority is unable to examine the merits of the case. In view of this, **the Authority is constrained to reiterate its earlier recommendations.**

2.117 **Recommendation No. 4.28:** *The Authority recommends that:*

(a) The MNP Provider Authorised Entity should submit a Self Certificate duly e-signed/ digitally signed, by the authorised representative of the company.

(b) The proforma for the Self-Certificate has been prescribed under MNP Provider Authorisation.

2.118 **DoT's Views on the Recommendation No. 4.28:**

(a-b) May be accepted and harmonised with the self-certificate formats for other authorisation.

2.119 **TRAI's Letter dated 17.07.2025 seeking Clarification From DoT:**

Please provide format of Self Certificate for other authorisation with which Self Certificate of MNP Provider Authorised Entity is proposed to be harmonised and reason(s) for not accepting TRAI's Recommendations.

2.120 **DoT's Response dated 23.07.2025:** *Further, wherever required, harmonization of the terms and conditions proposed by TRAI is to be done, by DoT, with earlier decisions of the Government or for overall rule making process to streamline the authorisation process, maintain consistency, and minimize the scope for any potential arbitrage. This approach aligns with the Government's decision in the case of Service Authorisation and aims to*

ensure consistency across authorisation frameworks and the rules made thereunder by the Government.....

The format of Statement of Revenue for MNP Provider authorisation and the proforma for self-certificate are enclosed as Annexure-I & II respectively for reference.

- 2.121 **Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.28:** DoT vide letter dated 23.07.2025 has provided the format of self-certificate for MNP Provider Authorisation. The Authority notes that the same is in line with TRAI's Recommendations.
- 2.122 **Recommendation No. 4.29:** *The Authority recommends that the Statement of Revenue are required to be submitted by the Authorised Entities, as per the revised Format of Statement of Revenue, specified under the MNP Provider Authorisation.*
- 2.123 **DoT's Views on the Recommendation No. 4.29:** *May be accepted in principle and harmonised with the revenue formats for other authorisations.*
- 2.124 **TRAI's Letter Dated 17.07.2025 Seeking Clarification from DoT:** *Please provide "the revenue formats for other authorisation" with which revenue formats of MNP Provider Authorisation is proposed to be harmonised and reason(s) for deviating from TRAI's Recommendations.*
- 2.125 **DoT's Response Dated 23.07.2025:** *Further, wherever required, harmonization of the terms and conditions proposed by TRAI is to be done, by DoT, with earlier decisions of the Government or for overall rule making process to streamline the authorisation process, maintain consistency, and minimize the scope for any potential arbitrage. This approach aligns with the Government's decision in the case of Service Authorisation and aims to ensure consistency across authorisation frameworks and the rules made thereunder by the Government.....*

The format of Statement of Revenue for MNP Provider authorisation and the proforma for self-certificate are enclosed as Annexure-I & II respectively for reference.

- 2.126 **Response of TRAI w.r.t. the DoT's Views on the Recommendation No. 4.29:** DoT vide letter dated 23.07.2025 has provided the format of statement of Revenue for MNP Provider Authorisation. The Authority notes that the same is in line with TRAI's Recommendations.

B. Matter Related to the proposed authorisation for satellite communication network (SCN) Provider under Section 3(1)(b)

- 2.127 This section has been organized in the following manner:
- (a) First, the text of DoT's letter dated 17.10.2024 regarding the authorisation for Satellite communication Network (SCN) has been reproduced.
 - (b) Then, a summary of the views of the Authority on the need for the authorisation for SCN, conveyed through the Recommendations dated 17.02.2025 to DoT, has been provided.
 - (c) Subsequently, the views of DoT on the SCN Authorisation, conveyed through the Back-Reference, have been reproduced.
 - (d) Thereafter, the response of the Authority based on its analysis of the matter has been provided.
- 2.128 **DoT's letter dated 17.10.2024 regarding a new authorisation for SCN provider:**
- 2.128.1 Through a letter dated 17.10.2024, DoT conveyed, *inter alia*, as below to the Authority:

"1. As per the background note of the reference dated 26.07.2024 in para 7(ii), TRAI has been requested to consider its earlier recommendations on Satellite Earth Station Gateway (SESG) also, while formulating the recommendations sought vide reference dated 26.07.2024.

2. In this regard, keeping in view the increasing use of NTN (Non terrestrial networks) including satellite communication networks in provisioning of FSS (Fixed Satellite Services) including VSAT services and MSS (Mobile Satellite Services), TRAI may consider an authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act 2023 along with the following:

- a. Terms and conditions relating to such authorisation*
- b. Provision of assignment of spectrum for both feeder link as well as user link under such authorisation*
- c. Service area of such authorisation*

3. This authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act 2023 may be used to provide services to entities authorised under Section 3(1)(a) of the Telecommunications Act 2023."

2.129 Views of the Authority on the need for the proposed SCN authorisation (conveyed through the Recommendations dated 17.02.2025):

2.129.1 In view of the request of DoT for considering an authorisation for satellite communication network under Section 3(1)(b) of the Telecommunications Act 2023, the Authority, through the Consultation Paper dated 22.10.2024, solicited comments of stakeholders on the following questions:

Q8. Whether there is a need to introduce a new authorisation for establishing, operating, maintaining or expanding satellite

communication network, which may be used to provide network as a service to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023? If yes-

- i. What should be the eligibility conditions, area of operation, validity period of authorisation, scope, and terms & conditions (general, technical, operational, security etc.) of such authorisation?*
- ii. Whether an entity holding such authorisation should be made eligible for the assignment of spectrum for both feeder link as well as user link?*

Kindly provide a detailed response with justification.

Q28. In case it is decided to introduce a new authorisation for establishing, operating, maintaining or expanding satellite communication network under Section 3(1)(b) of the Telecommunications Act, 2023, then, what should be the financial conditions for such authorisation?

2.129.2 After a comprehensive consultation with stakeholders, the Authority, through the Recommendations dated 17.02.2025, conveyed as below in respect of the need for introducing a new authorisation for SCN provider authorisation:

" ...

2.162 ...for satellite-based telecommunications, the Authority has already recommended a comprehensive regulatory framework for not only a service authorisation (Satellite-based Telecommunication Service Authorisation recommended through the recommendations dated 18.09.2024) but also a network authorisation (SESG Provider Authorisation through the present recommendations). In respect of the service authorisation, the Authority has also recommended an enabling VNO parenting framework for the provision of telecommunication services using satellite media.

...

2.171 *The Authority is of opinion that on the matter of assignment of spectrum, it would not be appropriate to treat terrestrial communication network providers and satellite communication network providers differently. Accordingly, the Authority is of the view that, at the principle level, the authorised spectrum should be granted to service authorised entities only, and not to the network authorised entities.*

2.172 *In light of the comments of stakeholders on Q8 and the foregoing analysis, the Authority is of the considered opinion that the permissible options for the delivery of satellite-based telecommunication services have been enabled through the Authority's recommendations dated 18.09.2024 in respect of Satellite-based Telecommunication Service authorisation and the present recommendations in respect of the SESG authorisation. Accordingly, the Authority is of the view that there is a no need for introducing any additional authorisation for satellite communication network under the Telecommunications Act, 2023, at this stage.* "

2.130 The views of DoT on the proposed SCN authorisation conveyed through the Back-Reference:

2.130.1 Through the Annexure-A to the Back-reference, DoT has conveyed as below in respect of the SCN Provider Authorisation:

"

4.1 *In response to the DoT's supplementary reference dated 17.10.2024 regarding authorisation for Satellite Communication Network, TRAI has noted that the existing recommendations—namely, the Satellite-based Telecommunication Service Authorisation under Section 3(1)(a) (dated 18.09.2024) and the current recommendations on SESG Authorisation—already provide sufficient options for delivering satellite-based telecommunication services. Therefore, at this stage, TRAI sees no need to*

introduce any additional authorisation for satellite communication networks under Section 3(1) (b) of the Telecommunications Act, 2023.

Further, TRAI, at the principle level, is of the view that spectrum should be assigned to only service-authorised entities and not to network-authorised entities. Further, TRAI has also noted that in matters related to spectrum assignment, terrestrial and satellite communication network providers should be treated equally.

4.2 It is pertinent to note here that the Government has not accepted the TRAI's recommendations on the Satellite-based Telecommunication Service Authorisation. Therefore, the primary basis on which TRAI concluded that there is no need to introduce an additional authorisation for satellite communication networks under Section 3(1) (b) of the Telecommunications Act, 2023, is no longer valid. Further, SCN authorisation under section 3(1) (b) will enable the relevant authorised entities under Section 3(1)(a), in mutual commercial agreement with the SCN authorised entities, to provide supplemental coverage from space using Mobile Satellite Service (MSS) spectrum bands to the users in areas with limited or no terrestrial coverage.

4.3 The concept of Supplemental Coverage from Space aims at integrating satellite and terrestrial networks to bridge wireless coverage gaps. This will allow terrestrial service providers, in partnership with satellite operators, to provide telecommunication services. The primary goal is to extend coverage to subscribers of terrestrial networks, particularly in remote, underserved, and unserved regions. This approach may enable better quality of service to users.

4.4 Absence of such SCN authorisation would either leave a gap in the regulatory framework for provisioning of telecommunication services in areas uncovered through terrestrial network or it would require each authorised entity, providing Unified service or Access service, and intending to provide

supplemental coverage services, to obtain the assignment of MSS spectrum separately and establish parallel networks. Such duplicity would be capex and opex inefficient.

4.5 In respect of TRAI's view that only service-authorised entities and not network authorised entities, should be granted spectrum, the Government is of the prima-facie view that:

- a) TRAI's earlier recommendation to introduce an Access Network Provider (ANP) authorisation, allowing spectrum acquisition and wholesale network service provision to VNOs was not accepted by the Government, considering multiple factors beyond spectrum assignment only. Since the Government did not accept these recommendations in total, it would not be appropriate on part of TRAI to interpret it as the Government was not inclined to assign spectrum to network-authorised entities. On the contrary, through supplementary reference dated 17.10.2024, the Government has sought TRAI recommendations on SCN under section 3(1)(b) of the Act including provision for assignment of spectrum for both feeder link as well as user link under such authorisation.*
- b) TRAI recommended the introduction of a Digital Connectivity Infrastructure Provider (DCIP) Authorisation with the scope to own, establish, maintain and work all such apparatus, appliance, instrument, equipment, and system which are required for establishing all wireline access network, radio access network, Wi-Fi systems and transmission links. Based on the Government's reference, TRAI recommended that spectrum should not be assigned to DCIP authorized entities. This has been used as an argument by TRAI for not assigning spectrum to network-authorised entities. It is important to underscore that telecom infrastructure (i.e. DCIP) and the telecom network (i.e. SCN) authorisation are not directly comparable. Therefore, it is both reasonable and appropriate to treat them as distinct and address them accordingly.*

4.6 Further, the Telecommunications Act, 2023 does not restrict spectrum assignment solely to entities under Section 3(1)(a), and limiting it as such may constrain future policy flexibility. Allowing the flexibility of obtaining spectrum by authorised entity either under 3(1)(a) or 3(1)(b) (Service or Network) will enable regulatory framework to meet the requirement of future network and evolving technology in this space.

4.7 Therefore, the views of TRAI in respect of SCN authorisation and spectrum assignment to entities authorised under Section 3(1)(b), as stated above, need modification.

4.8 Hence, to avoid the regulatory gap - given that the Government has not accepted the Satellite-based Telecommunication Service Authorisation under Section 3(1) (a) - the Government proposes the introduction of a Satellite Communication Network (SCN) Authorisation under Section 3(1)(b) and requests TRAI to provide terms and conditions for Satellite Communication Network (SCN) authorisation including provision of assignment of spectrum for both feeder link as well as user link under such authorisation."

2.131 Response of TRAI w.r.t. DoT's Views on the SCN Authorisation:

2.131.1 The Authority expresses concern on the non-acceptance of its recommendations on the Satellite-based Telecommunication Service Authorisation. It may be recalled that through the response dated 28.02.2025 on the DoT's Back-Reference on the Recommendations on 'the Framework for Service Authorisations to be Granted Under the Telecommunications Act, 2023', the Authority had described in detail the rationale for its recommendation for introducing Satellite-based Telecommunication Service Authorisation under the Telecommunications Act, 2023. In its response, the Authority had stated, *inter alia*, that "[c]onsidering the specialized nature of the satellite-based

telecommunication services, to attract business entities to enter the relatively underdeveloped satellite-based telecommunication service segment in the country, and to promote and preserve the business focus of such entities, the Authority recommended a separate service authorisation for satellite-based telecommunication service in the country with reasonably light financial obligations including low entry fees." Through an example, the Authority had also demonstrated that *"if the Government, hypothetically, does not accept the recommendations of TRAI to introduce Satellite-based Telecommunication Service Authorisation under Section 3(1)(a) of the Telecommunications Act, 2023, the business entities intending to provide GMPCS service in India may find it financially unviable to operate ..."*

2.131.2 The Authority notes that internationally, many new applications of satellite-based telecommunication services have emerged in the recent past. For example, satellite constellation operators, in partnership with cell phone manufacturers, have started offering Emergency SOS messaging service on cell phones using satellite. In such applications, the direct-to-device satellite connectivity is provided using Mobile Satellite Service (MSS) bands. The Authority is of the view that the Satellite-based Telecommunication Service Authorisation, recommended by the Authority, was a perfect fit for catering to such applications in India. In absence of Satellite-based Telecommunication Service Authorisation, the satellite constellation operators, intending to provide Emergency SOS messaging service using the direct-to-device satellite connectivity, may find it financially unviable to operate as they would have no option but to obtain the Unified Service Authorisation. [Entry Fee, Bank Guarantee, Minimum Equity and Minimum Networth would be significantly higher for Unified Service Authorisation *vis-a-vis* those recommended for Satellite-based Telecommunication Service Authorisation.]

2.131.3 Considering the above, the Authority is of the view that as the Government has not accepted the TRAI's recommendations on the Satellite-based

Telecommunication Service Authorisation, a regulatory gap would indeed be created in the ecosystem for satellite communications in the country.

2.131.4 DoT, through the Back-Reference, has stated that that *"the Government has not accepted the TRAI's recommendations on the Satellite-based Telecommunication Service Authorisation. Therefore, the primary basis on which TRAI concluded that there is no need to introduce an additional authorisation for satellite communication networks under Section 3(1)(b) of the Telecommunications Act, 2023, is no longer valid."*

2.131.5 The Authority does not agree with the DoT's observation that the primary basis for not recommending the introduction of the proposed SCN Authorisation was that the Authority had already recommended the Satellite-based Telecommunication Service Authorisation. The primary basis was that the Authority had, based on its analysis, concluded that *"at the principle level, the authorised spectrum should be granted to service authorised entities only, and not to network authorised entities."* If the authorised spectrum were not to be assigned under SCN Authorisation, the SCN Authorisation would essentially have become a copy of the Satellite Earth Station Gateway (SESG) Authorisation - already recommended by the Authority. In that case, the proposed SCN authorisation would have become completely infructuous.

2.131.6 Further, DoT has stated that *"to avoid the regulatory gap - given that the Government has not accepted the Satellite-based Telecommunication Service Authorisation under Section 3(1)(a) - the Government proposes the introduction of a Satellite Communication Network (SCN) Authorisation under Section 3(1)(b)".* Further, DoT has requested TRAI to provide terms and conditions for the SCN authorisation, including provision of assignment of spectrum for both feeder link as well as user link under such authorisation.

2.131.7 In this regard, the Authority has decided to initiate a fresh process of consultation with stakeholders to solicit views on terms and conditions for Satellite Communication Network (SCN) authorisation, including the provision of assignment of spectrum for both feeder link as well as user link under such authorisation. Upon the conclusion of the consultation process, the Authority would provide its recommendations on the matter to the Government.

2.131.8 In case upon the conclusion of the consultation process, the Authority recommends that the spectrum for feeder link and/ or user link should be assigned under SCN Authorisation, the Government may thereafter, if deemed fit, seek the recommendations of the Authority on the terms and conditions for the assignment of spectrum under SCN Authorisation.

ANNEXURES

Annexure-I: DoT's Letter Dated 26.07.2024

F. No. 20-1350/2024 AS-I (Vol-II)
Government of India
Ministry of Communications
Department of Telecommunications
(Licensing Policy Division)
20-Ashoka Road, New Delhi-110001

Dated: 26.07.2024

Subject: Seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network as per the provisions of the Telecommunications Act 2023 - regarding

Reference: Reference vide F. No. 20-1350/2024 AS-I (Vol-II) dated 21.06.2024 for seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to provide telecommunication services as per the provisions of the Telecommunications Act 2023 (enclosed)

The Telecommunications Act, 2023 has been published in the Official Gazette of India. It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act. Section 3(1)(b) of the Act provides for obtaining an authorisation by any person intending to establish, operate, maintain or expand telecommunication network, subject to such terms and conditions, including fees or charges, as may be prescribed. A background note on related aspects in this regard including relevant sections of the Telecommunications Act, 2023 that may have bearing on the terms and conditions of authorisations is attached as Annexure to this reference.

2. In this regard, under Section 11(1)(a) of the TRAI Act, 1997 (as amended), TRAI is requested to provide its recommendations within 60 days of receipt of this reference on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network as per the provisions of the Telecommunications Act 2023.

3. This has the approval of the competent authority.

Encl: As above

(Sunil Kumar Singhal)
Deputy Director General (LP)
Phone: 23636836

To,
The Secretary
Telecom Regulatory Authority of India
7th Floor, Tower-F,
World Trade Centre, Naroji Nagar,
New Delhi: 110029

Background Note

1. Section 3(1)(a) and 3(1)(b) of the Telecommunications Act 2023 provide for authorizations to provide telecommunication services and to establish, operate, maintain or expand telecommunication network respectively. As per Section 2 of the Telecommunications Act 2023, telecommunication, telecommunication network and telecommunication service are defined as follows:

(p) "telecommunication" means transmission, emission or reception of any messages, by wire, radio, optical or other electro-magnetic systems, whether or not such messages have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission or reception;

(s) "telecommunication network" means a system or series of systems of telecommunication equipment or infrastructure, including terrestrial or satellite networks or submarine networks, or a combination of such networks, used or intended to be used for providing telecommunication services, but does not include such telecommunication equipment as notified by the Central Government;

(t) "telecommunication service" means any service for telecommunication;

2. A reference dated 21.06.2024, to TRAI, has been sent for seeking its recommendations on terms and conditions, including fees or charges, for authorisation to provide telecommunication services under section 3(1)(a) of the Telecommunications Act 2023. List of the extant licenses, registrations, and permissions being granted under the Indian Telegraph Act 1885 is provided in this reference.
3. Section 3(2) of the Telecommunications Act 2023 provides for different terms and conditions of authorisation for different types of telecommunication services and telecommunication network.
4. Section 3(5) of the Telecommunications Act 2023 provides that any authorised entity may undertake any merger, demerger or acquisition, or other forms of restructuring, subject to any law for the time being in force and any authorised entity that emerges pursuant to such process, shall comply with the terms and conditions, including fees and charges, applicable to the original authorised entity, and such other terms and conditions, as may be prescribed.
5. Section 3(6) of the Telecommunications Act 2023 provides that a licence, registration, permission, by whatever name called, granted prior to the appointed day under the Indian Telegraph Act, 1885, in respect of provision of telecommunication services shall be entitled to continue to operate under the terms and conditions and for the duration as specified under such licence or registration or

permission, or to migrate to such terms and conditions of the relevant authorisation, as may be prescribed.

6. TRAI Recommendations on 'Rationalization of Entry Fee and Bank Guarantees' dated 19.09.2023 have been received and same are under consideration of the Government. Meanwhile, a reference dated 21.06.2024, to TRAI, has been sent for seeking its recommendations on terms and conditions, including fees or charges, for authorisation to provide telecommunication services under section 3(1)(a) of the Telecommunications Act 2023.

Another reference for seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network under section 3(1)(b) of the Telecommunications Act 2023, is being sent along with this note.

Accordingly, the issues relating to Entry Fee and Bank Guarantees may also be revisited along with the fee or charges for different types of authorizations

- 7 While formulating recommendations, TRAI may also consider following:
- i. Type, scope, and terms & conditions of each authorization to be granted under section 3(1)(a) and 3(1)(b) respectively.
 - ii. Some of the recommendations of TRAI, which are under consideration presently, like recommendations on 'DCIP', 'IXP', 'CDN', 'SESG', 'IBS (In-Building Solutions)' etc., which primarily relate to establishing telecommunication networks, and these authorised entities would provide telecommunication networks as a service to authorized entities under section 3(1)(a) only.
 - iii. Reference agreement between authorized entities establishing, operating, maintaining or expanding the telecommunication network and authorized entities providing telecommunication services.
 - iv. Latest developments in the field of telecommunications such as cloud hosted telecommunication networks being used to provide Unified Communications as a Service (UCaaS) & Communications Platform as a Service (CPaaS), virtualisation of telecommunication networks, Ground Station as a Service (GSaaS) as envisaged under the Indian Space Policy 2023, etc.
 - v. Rationalization of Entry Fee and Bank Guarantees for various authorizations in view of the provisions of the Telecommunications Act 2023.
8. Many other Sections of the Telecommunications Act 2023 may have, either direct or indirect, linkages with the terms and conditions of the authorisation to establish, operate, maintain or expand telecommunication network. Some of these Sections of the Telecommunications Act 2023 are 4 to 9, 19 to 24, 32 to 42, 44, 45, 49, and 55. Many terms and conditions of the extant licensing and regulatory framework relates to different Sections of the Telecommunications Act 2023. Further, some of the terms and conditions may be required to be amended/incorporated in light of certain new provisions in this Act and policy/Act in related sectors such as Space. The possibility of reducing the number of authorisations and simplification/merger/rationalization of the terms and conditions to improve Ease of Doing Business, may also be examined.

Annexure-II: DoT's letter Dated 17.10.2024

**F. No. 20-1350/2024 AS-I (Vol.-II)
Government of India
Ministry of Communications
Department of Telecommunications
(Licensing Policy Division)
20-Ashoka Road, New Delhi-110001**

Dated: 17.10.2024

Subject: Seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network as per the provisions of the Telecommunications Act 2023 – regarding

Reference: Reference vide F. No. 20-1350/2024 AS-I (Vol.-II) dated 26.07.2024 for seeking recommendations of TRAI on terms and conditions, including fees or charges, for authorisation to establish, operate, maintain or expand telecommunication network as per the provisions of the Telecommunications Act 2023 (enclosed)

1. As per the background note of the reference dated 26.07.2024, in para 7(ii), TRAI has been requested to consider its earlier recommendations on Satellite Earth Station Gateway (SESG) also, while formulating the recommendations sought vide reference dated 26.07.2024.
2. In this regard, keeping in view the increasing use of NTN (Non terrestrial networks) including satellite communication networks in provisioning of FSS (Fixed Satellite Services) including VSAT services and MSS (Mobile Satellite Services), TRAI may consider an authorisation for satellite communication network under section 3(1)(b) of the Telecommunications Act 2023 along with the following:
 - a. Terms and conditions relating to such authorisation
 - b. Provision of assignment of spectrum for both feeder link as well as user link under such authorisation
 - c. Service area of such authorisation
3. This authorisation for satellite communication network under section 3(1)(b) of the Telecommunications Act 2023 may be used to provide services to entities authorised under section 3(1)(a) of the Telecommunications Act 2023.

4. It is also requested to expedite the recommendations sought vide reference dated 26.07.2024 as the statutory 60 days period has already expired.
5. This issues with the approval of competent authority.

Encl: As above


17/10/24
(Sunil Kumar Singhal)
Deputy Director General (LP)
Phone: 23036836

To,
The Secretary
Telecom Regulatory Authority of India
7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi: 110029

Annexure-III: DoT's Back-Reference Dated 03.07.2025

F. No. 20-1353/2025-LPA
Government of India
Ministry of Communications
Department of Telecommunications
(Licensing Policy Wing)
20-Ashoka Road, New Delhi-110001

Dated: 03.07.2025

Subject: Back Reference on TRAI recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023'

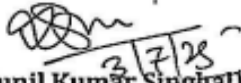
This is in reference to the TRAI recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023'.

2. The recommendations of TRAI on "the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023" have been considered in the Government and the prima-facie conclusion in respect of each recommendation are given at **Annexure-A**.

3. As per Section 11(1) of the TRAI Act, 1997 (as amended), such recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023', where the Government has reached a prima-facie conclusion that these recommendations may not be accepted or needs modification, are being referred back to TRAI for its reconsideration. TRAI is requested to provide its recommendations at the earliest on receipt of this back reference.

4. This has the approval of the competent authority.

Encl.: As Above


(Sunil Kumar Singhal)
Deputy Director General (Licensing Policy)
Phone: 23036836

To,

The Secretary
Telecom Regulatory Authority of India
7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi: 110029

Annexure-A

Prima-Facie Conclusion of the Department of Telecommunications (DoT) on TRAI's Recommendations dated 17.02.2025 on the "Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023"

1. The Government has considered TRAI's recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023' and the prima-facie conclusion in respect of each recommendation are given separately at **Annexure-I**. Such recommendations, where the Government has reached a prima-facie conclusion that these recommendations may not be accepted or need modification or need clarification, are being referred back to TRAI for its reconsideration.
2. As per the provisions of the Telecommunications Act 2023, the structure and details of the Rules shall be finalized by the Government. The terms and conditions for telecommunication network authorisations, as recommended by TRAI, may be modified to the extent as required to harmonise the same with the telecommunication network and telecommunication service authorization framework and convert the terms and conditions into Rules.
3. Additional rationale in some cases for either not accepting a recommendation or need for modification of a recommendation is mentioned as under:

4. Satellite Communication Networks (SCN) Provider Authorisation:

- 4.1 In response to the DoT's supplementary reference dated 17.10.2024 regarding authorisation for Satellite Communication Network, TRAI has noted that the existing recommendations—namely, the Satellite-based Telecommunication Service Authorisation under Section 3(1)(a) (dated 18.09.2024) and the current recommendations on SESG Authorisation—already provide sufficient options for delivering satellite-based telecommunication services. Therefore, at this stage, TRAI sees no need to introduce any additional authorisation for satellite communication networks under Section 3(1) (b) of the Telecommunications Act, 2023.

Further, TRAI, at the principle level, is of the view that spectrum should be assigned to only service-authorized entities and not to network-authorized entities. Further, TRAI has also noted that in matters related to spectrum assignment, terrestrial and satellite communication network providers should be treated equally.

- 4.2 It is pertinent to note here that the Government has not accepted the TRAI's recommendations on the Satellite-based Telecommunication Service Authorisation. Therefore, the primary basis on which TRAI concluded that there is no need to introduce an additional authorisation for satellite communication networks under Section 3(1) (b) of the Telecommunications Act, 2023, is no longer valid. Further, SCN authorisation under section 3(1) (b) will enable the relevant authorised entities under Section 3(1) (a), in mutual commercial agreement with the SCN authorised entities, to provide

supplemental coverage from space using Mobile Satellite Service (MSS) spectrum bands to the users in areas with limited or no terrestrial coverage.

4.3 The concept of Supplemental Coverage from Space aims at integrating satellite and terrestrial networks to bridge wireless coverage gaps. This will allow terrestrial service providers, in partnership with satellite operators, to provide telecommunication services. The primary goal is to extend coverage to subscribers of terrestrial networks, particularly in remote, underserved, and unserved regions. This approach may enable better quality of service to users.

4.4 Absence of such SCN authorisation would either leave a gap in the regulatory framework for provisioning of telecommunication services in areas uncovered through terrestrial network or it would require each authorised entity, providing Unified service or Access service, and intending to provide supplemental coverage services, to obtain the assignment of MSS spectrum separately and establish parallel networks. Such duplicity would be capex and opex inefficient.

4.5 In respect of TRAI's view that only service-authorized entities and not network-authorized entities, should be granted spectrum, the Government is of the prima-facie view that:

a) TRAI's earlier recommendation to introduce an Access Network Provider (ANP) authorisation, allowing spectrum acquisition and wholesale network service provision to VNOs was not accepted by the Government, considering multiple factors beyond spectrum assignment only. Since the Government did not accept these recommendations in total, it would not be appropriate on part of TRAI to interpret it as the Government was not inclined to assign spectrum to network-authorized entities. On the contrary, through supplementary reference dated 17.10.2024, the Government has sought TRAI recommendations on SCN under section 3 (1) (b) of the Act including provision for assignment of spectrum for both feeder link as well as user link under such authorisation.

b) TRAI recommended the introduction of a Digital Connectivity Infrastructure Provider (DCIP) Authorisation with the scope to own, establish, maintain and work all such apparatus, appliance, instrument, equipment, and system which are required for establishing all wireline access network, radio access network, Wi-Fi systems and transmission links. Based on the Government's reference, TRAI recommended that spectrum should not be assigned to DCIP authorized entities. This has been used as an argument by TRAI for not assigning spectrum to network-authorized entities. It is important to underscore that telecom infrastructure (i.e. DCIP) and the telecom network (i.e. SCN) authorisation are not directly comparable. Therefore, it is both reasonable and appropriate to treat them as distinct and address them accordingly.

4.6 Further, the Telecommunications Act, 2023 does not restrict spectrum assignment solely to entities under Section 3(1) (a), and limiting it as such may constrain future policy flexibility. Allowing the flexibility of obtaining spectrum by authorised entity either under 3(1) (a) or 3(1) (b) (Service or Network) will enable regulatory framework to meet the requirement of future network and evolving technology in this space.

4.7 Therefore, the views of TRAI in respect of SCN authorisation and spectrum assignment to entities authorised under Section 3(1) (b), as stated above, need modification.

4.8 Hence, to avoid the regulatory gap—given that the Government has not accepted the Satellite-based Telecommunication Service Authorisation under Section 3(1) (a)—the Government proposes the introduction of a Satellite Communication Network (SCN) Authorisation under Section 3(1) (b) and requests TRAI to provide terms and conditions for Satellite Communication Network (SCN) authorisation including provision of assignment of spectrum for both feeder link as well as user link under such authorisation.

5. Content Delivery Networks (CDNs):

5.1 TRAI has recommended that Content Delivery Networks (CDNs) should be authorisation exempt under Section 3(3) of the Telecommunications Act, 2023.

5.2 The Government noted that in the recommendations dated 18.11.2022, TRAI had earlier drawn a conclusion that there should not be any licensing framework for CDN providers; however, with a view to address the concerns relating to potential anti-competitive practices by CDNs, and any discriminatory treatment amongst telecom service providers, TRAI had recommended that CDN providers should be registered with DoT through a simple online registration process. TRAI had also acknowledged the concerns of net neutrality arising out of arrangements between telecom service providers and CDNs.

5.3 Accordingly, the Government is of the prima-facie view that a light-touch regulatory framework for CDNs may be introduced under Section 3 (1) (b) as the interconnectivity between telecom service providers and CDNs can influence both the overall quality of service and network resilience. Therefore, it is important to introduce appropriate regulations for CDNs to ensure adherence to minimum QoS standards and to maintain the robustness and reliability of the network infrastructure.

6. Captive Non-Public Network (CNPN) Provider Authorisation:

6.1 The Government has accepted the Captive Non-Public Network (CNPN) Provider Authorisation subject to identification of appropriate spectrum for CNPN. The Government is of the prima-facie view that this authorisation may be granted under Section 3 (1) (a) to the eligible entities to provide CNPN as a service to users. The Government also proposes for change in the name of this authorisation to clearly differentiate this authorisation from CNPN Service authorisation recommended under Section 3(1) (a).

7. Internet Exchange Point (IXP) Provider Authorisation:

7.1 The Government has accepted the Internet Exchange Point (IXP) Provider Authorisation subject to clarification from TRAI on technical feasibility of the detailed terms & conditions for Internet Exchange Point (IXP) Network Authorisation.

As per Condition No. 9 under the Security Conditions outlined in Section 10 of Chapter III (Terms and Conditions for Internet Exchange Point (IXP) Network Authorisation):

“The Authorised Entity shall block Internet sites/Uniform Resource Locators (URLs)/Uniform Resource Identifiers (URIs) and/or specific networks subscribers, as identified and directed by the Central Government from time to time in the interest of national security or public interest.”

- 7.2 TRAI may examine the technical feasibility related to the aforementioned security condition as Internet Exchange Points (IXPs) operate at Layer 2 (Data Link Layer) of the Open Systems Interconnection (OSI) model.

Annexure-I

**Prima-facie conclusion of the Department of Telecommunications (DoT) on TRAI's Recommendations dated
17.02.2025 on
the "Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023"**

TRAI's Recommendations	View of DoT
4.1 The Authority recommends that -	
(a) The Central Government should grant network authorisations under section 3(1)(b) of the Telecommunications Act, 2023 instead of entering into an agreement with the entity.	(a) May be accepted.
(b) Detailed terms and conditions of each network authorisation should be prescribed through the rules notified under Section 3(1)(b) of the Telecommunications Act, 2023.	(b) May be accepted.
(c) For making any change(s) in the terms and conditions of the network authorisations emanating from these recommendations, except for the reason of the interest of the security of the State, the Central Government should seek TRAI's recommendations.	(c) May not be accepted as the changes in the terms and conditions of the authorisation shall be carried out as per the provisions of the applicable laws (TRAI Act 1997 and Telecommunication Act 2023).
(d) The Rules under Section 3(1)(b) of the Telecommunications Act, 2023 should be organized in the manner given below: (i) Telecommunications (Grant of Network Authorisations) Rules; and (ii) Separate rules for each network authorisation	(d) As per the provisions of the Telecommunications Act 2023, the structure of the Rules shall be finalized by the Government.

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(e) The Telecommunications (Grant of Network Authorisations) Rules should contain terms and conditions for the grant of various network authorisations under Section 3(1)(b) of the Telecommunications Act, 2023. In this regard, the Authority recommends the terms and conditions which should be included in the Telecommunications (Grant of Network Authorisations) Rules, enclosed as Annexure-2.2.	(e) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework. The rules for grant of MNP authorisation may be different as it is not available on the tap. In the Grant rules, following may be included: <i>"The entities which already have service authorisations and having overlap in scope with network authorisation should not be eligible to obtain this authorisation under section 3 (1) (b)"</i>
(f) Each network authorisation to be granted by the Central Government under Section 3(1)(b) of the Telecommunications Act, 2023 should be in the form of an authorisation document, containing the essential elements of the network authorisation. The format for the authorisation document is included in Annexure-2.3. (Para 2.14)	(f) May be accepted in principle with the changes, as decided by the Government for the Service Authorisation.
4.2 The Authority recommends that-	
(a) The Central Government should introduce Infrastructure Provider (IP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.	(a) May be accepted.

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<p>(b) Any entity intending to establish, operate, maintain, or expand dark fibers, right of way, duct space, and towers should obtain IP Authorisation from the Central Government.</p> <p>(Para 2.50)</p>	<p>(b) May be accepted</p>
<p>4.3 The Authority recommends the following in respect of Infrastructure Provider (IP) Authorisation:</p> <p>(a) <u>Main scope of IP Authorisation:</u> To provide dark fibres, right of way, duct space, towers, and in-building solution (IBS) to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023</p> <p>(b) <u>Period of validity of IP Authorisation:</u> 20 years</p> <p>(c) The detailed terms and conditions for IP Authorisation have been included in Annexure-2.4.</p> <p>(d) The terms and conditions for the grant of IP Authorisation have been included in Annexure-2.2.</p> <p>[Para 2.60]</p>	<p>(a) May be accepted subject to the clarification from TRAI in respect of:</p> <ol style="list-style-type: none"> inclusion of IBS under the scope of IP Authorisation, as in the TRAI's recommendations itself under para 2.47 (b), it has been noted by TRAI that the skill sets needed for IBS are not available with IP-I companies . providing services to authorised entities under Section 3 (1) (b) also. <p>(b) May be accepted</p> <p>(c) May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.</p> <p>(d) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.</p>

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<p>4.4 The Authority recommends that -</p> <p>(a) The Central Government should introduce Digital Connectivity Infrastructure Provider (DCIP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.</p>	<p>(a) May be accepted</p>
<p>(b) Any entity intending to establish, operate, maintain, or expand wireline access network, radio access network (RAN), transmission links, and Wi-Fi systems should obtain DCIP Authorisation from the Central Government.</p>	<p>(b) May be accepted</p>
<p>(c) <u>Main scope of DCIP Authorisation:</u></p> <p>(i) DCIP authorised entities may provide wireline access network, radio access network (RAN), transmission links, Wi-Fi systems, and In-Building Solution (IBS) to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023.</p> <p>(ii) DCIP authorised entities may also provide dark fibers, right of way, duct space, and towers to the entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023.</p> <p>(iii) DCIP authorised entities shall not establish, operate, maintain or expand core network elements such as</p>	<p>(i) May be accepted</p> <p>(ii) May be accepted</p> <p>(iii) May be accepted</p>

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<p>Mobile Switching Center (MSC), Home Location Register (HLR), Intelligent Network (IN) etc.</p> <p>(iv) DCIP authorised entities shall not provide end-to-end bandwidth using transmission systems to any authorised entity, or any user, or for their captive use.</p> <p>(v) Spectrum shall not be assigned to DCIP authorised entities. However, for configuration, provisioning, operation and maintenance of its radio access network equipment, a DCIP authorised entity may use spectrum resources of its partnering service authorised entities.</p> <p>(vi) The usage of access spectrum of a partnering service authorised entity on a radio access network (established by the DCIP authorised entity) by any other partnering service authorised entity will be</p>	<p>(iv) May be accepted partially to the extent that the DCIP shall not provide bandwidth to any user. However, since the transmission links are already included in the scope of DCIP authorisation, to remain consistent with (i) of this recommendation and to connect the active and passive infrastructure of DCIP with the network of the authorized entity, it is proposed that DCIP may provide end-to-end bandwidth to any authorised entity under Section 3 (1) (a), who is using the active and passive infrastructure of the DCIP. Further, DCIP may also be able to use such transmission links for establishing networks permitted under the scope of this authorisation.</p> <p>(v) May be accepted</p> <p>(vi) May be accepted</p>
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permitted only if such service authorised entities have access spectrum sharing arrangement between them.	
(d) The detailed terms and conditions for DCIP Authorisation have been included in Annexure-2.4.	(d) May be accepted in principle, with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.
(e) The terms and conditions for the grant of DCIP Authorisation have been included in Annexure-2.2. [Para 2.67]	(e) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.
4.5 The Authority recommends that any person, without network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 should be permitted to establish, operate, maintain, and expand telecommunication network (not being a wireless telecommunication network) within the limits of a single building, compound or estate, provided that no part of such telecommunication network passes over or under a public road. [Para 2.77]	May be accepted Already exempted under Rule 472 of Indian Telegraph Rules and as per the Telecommunications Act 2023, under section 3(4).
4.6 The Authority recommends that- (a) The following telecommunication equipment should be included within the ambit of in-building solution (IBS):	(a)

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<p>(i) <u>Distributed antenna system (DAS)</u> comprising of antennas, radio frequency (RF) couplers, RF splitters, RF combiners, RF repeaters and RF feeder cables and other accessories for setting up DAS</p> <p>(ii) <u>Telecommunication cables</u> such as coaxial cable, optical fiber cable (OFC) and ethernet cables</p> <p>(iii) <u>Optical fiber equipment</u> comprising of Master Optical Units (MOU), Remote Optical Units (ROU), Fiber Distribution Units, Optical Networking Units (ONU), Optical Line Terminals (OLT), and Fiber Access Terminals (FAT)</p>	<p>(i)-(iii) May be accepted in alignment with the Government's view on recommendations relating to Rating of Buildings.</p>
<p>(b) The property manager should be permitted to establish, operate, maintain, and expand in-building solution (IBS) within the limits of a single building, compound, or estate, managed by it. For this purpose, there should be no requirement of obtaining any authorisation from the Central Government under Section 3(1)(b) of the Telecommunications Act, 2023. Here, the term "property manager" means the person who is either the owner of the property or has any legal right to control or manage the property.</p>	<p>(b) May not be accepted keeping in view the following concerns related to IBS as well as in-line with the earlier decision of the Government on IBS in 'Rating of Building' Recommendations:</p> <p>(i) The telecom equipment used in IBS may degrade the performance of existing networks to which it is connected.</p> <p>(ii) The safety of the end users and public may be adversely affected due to IBS. Radio frequency emissions from telecom equipment used in IBS may exceed prescribed standards.</p> <p>(iii) Telecom equipment used in IBS should comply with the relevant national and international regulatory standards and requirements.</p> <p>(iv) To work properly, the IBS needs to be designed and installed as per the strict technical</p>

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	<p>specifications. So, the critical components of IBS should be MTCTE certified by TEC.</p> <p>The similar concerns, as noted above, have also been expressed by TRAI in its recommendations in para 2.95 and 2.96. Further, permitting property manager to establish IBS infrastructure without authorisation may lead to difficulty in ensuring compliances of the recommendations 4.6 (c) & (f). Further, they may be permitted to install Enabling Telecommunication Infrastructure (ETI) as defined below:</p> <p><i>Enabling Telecommunication Infrastructure (ETI) (e.g. Entrance Facilities (EF) /Lead-in conduits, underground conduits/pipes to FDF/ MDF room, Fibre Distribution Frame (FDF) Main Distribution Frame (MDF) / Equipment Room (ER), Telecommunication Room (TR), duct space, feeder cable, wired transmission links (but not wireless), optical fiber, OLTs, etc., which need to be provisioned during and after construction of the building but before grant of occupancy cum completion certificate, for provisioning of the telecommunications services inside the building.</i></p> <p>Accordingly, the property manager should get the IBS established from an IP or DCIP or TSP. Alternatively, the property manager, subject to eligibility, may obtain appropriate authorisation to establish, operate, maintain, and expand IBS.</p>
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(c) A property manager should provide access to the IBS established by it in its property to the eligible service authorised entities and DCIP authorised entities in fair and nondiscriminatory manner.	(c) In view of the decision on (b) above, it will not be applicable for property manager. However, it will be applicable for authorised entities having permission to establish IBS.
(d) Telecom Engineering Centre (TEC), Department of Telecommunications, should issue guidelines for design, installation, maintenance and operation of IBS equipment.	(d) In view of the decision on (b) above, it may not be required. The authorized entities can have their own guidelines for design, installation, maintenance and operation of IBS equipment. However, TEC may notify the standards for IBS infrastructure
(e) Telecom Engineering Centre (TEC), Department of Telecommunications, should identify critical components of IBS and bring such components under Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) regime.	(e) May be accepted
(f) Once the Central Government introduces the regime of MTCTE certification, any IBS equipment established by the property managers should be mandatorily MTCTE certified from TEC.	(f) In view of decision on (b) above, it will not be applicable for property manager. However, it will be applicable for authorised entities having permission to establish IBS.
(g) A condition must be imposed on all relevant service authorised entities and DCIP authorised entities prohibiting them to enter into any exclusive contract for right of way with property managers. [Para 2.98]	(g) May be accepted
4.7 The Authority recommends that - (a) The establishment, operation, maintenance, and expansion of Content Delivery Networks (CDNs) should be authorisation-	(a) and (b) Content Delivery Networks (CDNs) may be considered for authorisation under Section 3 (1) (b) as the interconnectivity between telecom service providers and CDNs can influence both the overall quality of service and

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exempt under Section 3(3) of the Telecommunications Act, 2023.	network resilience. Therefore, it is important to introduce appropriate regulations for CDNs to ensure adherence to minimum QoS standards and to maintain the robustness and reliability of the network infrastructure.
(b) With a view to provide necessary safeguards, the authorisation- exemption to CDNs should be subject to the following provisions: (i) The mutual agreement between any entity authorised under Section 3(1) of the Telecommunications Act, 2023 and any CDN provider shall be fair, non-discriminatory, and compliant to net neutrality objectives. (ii) Central Government and TRAI may seek information related to such agreements from the concerned entities authorised under Section 3(1) of the Telecommunications Act, 2023, whenever a situation warrants so in the public interest. [Para 2.117]	
4.8 The Authority recommends that - (a) The Central Government should introduce Internet Exchange Point (IXP) Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.	(a) May be accepted in principle subject to clarification from TRAI on technical feasibility of the detailed terms & conditions. <i>"The entities which already have service authorizations and having overlap in scope with network authorization should not be eligible to obtain this authorization under section 3(1) (b)" may be incorporated in grant rules.</i>

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(b) Any entity intending to establish, operate, maintain, or expand Internet Exchange Points (IXPs) in India should obtain IXP Authorisation from the Central Government.	(b) May be accepted
(c) <u>Main scope of IXP Authorisation:</u> To provide peering and exchange of internet traffic, originated and destined within India, amongst the entities authorised to provide internet service under the Telecommunications Act, 2023, and content delivery networks (CDN) located in India	(c) May be accepted in the context of exchange of traffic between entities located in India.
(d) The detailed terms and conditions for IXP Authorisation have been included in Annexure-2.4.	(d) May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorization framework and convert the terms and conditions into Rules.
(e) The terms and conditions for the grant of IXP Authorisation have been included in Annexure-2.2. [Para 2.135]	(e) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.
4.9 The Authority recommends that – (a) The Central Government should introduce Satellite Earth Station Gateway (SESG) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.	(a) May be accepted
(b) Any entity intending to establish, operate, maintain, or expand satellite earth station gateway (SESG) in India should	(b) May be accepted

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be required to obtain SESG Provider Authorisation from the Central Government.	
(c) <u>Broad scope of the SESG Provider Authorisation:</u> To provide its SESG infrastructure to the entities which are authorised under Section 3(1)(a) of the Telecommunications Act, 2023 and which are permitted to use satellite media under their scope of service	(c) May be accepted
(d) The baseband equipment to be installed at SESGs should be owned by the eligible service authorised entity interworking with the SESG Provider authorised entity. However, the SESG Provider authorised entity should be permitted to <u>install</u> the baseband equipment at its SESGs <u>on behalf of</u> the eligible service authorised entities.	(d) May be accepted in principle Further, it may be noted that SESG Provider may require that the baseband equipment be owned and operated by them in view of proprietary nature of the equipment and absence of 3GPP standards for same. Therefore, TRAI may clarify whether the baseband equipment to be installed at SESGs may also be allowed to be owned by SESG Provider authorised entities, provided that the control, visibility and management of users through such baseband equipment should be with the eligible service authorised entity only under section 3(1)(a).
(e) The satellite spectrum (gateway-side spectrum as well as userside spectrum) should be assigned only to the eligible service authorised entities and not to SESG Provider authorised entities. However, for configuration and provisioning purposes, the SESG Provider authorised entity should be permitted to utilize the spectrum of its partnering service authorised entity on its SESGs. Such configuration and	(e) May be accepted

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provisioning should be done <u>on behalf</u> of the partnering service authorised entity, and the right to use of spectrum should remain with the partnering service authorised entity.	
(f) The SESG Provider authorised entity should be permitted to connect its SESGs with its points of presence (PoPs) in India through optical fiber cable (OFC) system.	(f) May be accepted
(g) The detailed terms and conditions for SESG Provider Authorisation have been included in Annexure-2.4.	(g) May be accepted
(h) The terms and conditions for the grant of SESG Provider Authorisation have been included in Annexure-2.2. [Para 2.154]	(h) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework.
4.10 the Authority recommends that – (a) The establishment, operation, maintenance, and expansion of the <u>following categories</u> of ground stations (as envisaged in the Norms, Guidelines and Procedures for Implementation of Indian Space Policy-2023 in respect of the Authorization of Space Activities (NGP) issued by IN-SPACe in May 2024)	4.10 (a) and (c) May be accepted in principle subject to the condition that GSaaS providers, exempted from the authorisation under section 3(1), shall comply with the provisions of the Telecommunications Act 2023 and the Rules made thereunder. Further, for exemption from the authorisation under section 3(1), the terms and conditions under section 3(3) may be prescribed. These conditions would enable them to apply for assignment of spectrum.

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should be authorisation-exempt in the public interest in terms of Section 3(3) of the Telecommunications Act, 2023: (i) Satellite Control Centre (SCC); (ii) Telemetry, Tracking and Command (TT&C); (iii) Mission Control Centre (MCC); (iv) Remote Sensing Data Reception Station; (v) Ground Station for supporting operation of the spacebased services such as Space Situational Awareness (SSA), Astronomical, space science or navigation missions etc.	
(b) Any entity establishing, operating, maintaining, or expanding ground stations of the categories mentioned above shall have to obtain an authorisation from the Central Government under Section 3(1) of the Telecommunications Act, 2023, if - (i) it intends to provide any telecommunication service for which an authorisation is required under Section 3(1)(a) of the Telecommunications Act, 2023; or (ii) it intends to establish, operate, maintain, or expand any telecommunication network for which an authorisation is required under Section 3(1)(b) of the Telecommunications Act, 2023.	(b) (i) & (ii) May be accepted

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<p>(c) The Central Government should examine the security conditions imposed under the authorizations granted by INSPACE for the establishment and operation of ground stations, and if deemed necessary, consider strengthening the security requirements under the authorization.</p> <p>[Para 2.184]</p>	
<p>4.11 The Authority recommends that:</p> <p>(f) The Central Government should introduce Cloud-hosted Telecom Network (CTN) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.</p>	(f) May be accepted
<p>(g) Any entity intending to establish, operate, maintain, or expand cloud-hosted telecommunication network should obtain CTN Provider Authorisation from the Central Government.</p>	(g) May be accepted
<p>(h) <u>Broad scope of CTN Provider Authorisation:</u> To provide cloud-hosted telecommunication network-as-a service (CTNaaS) to the eligible entities authorised under Section 3(1)(a) of the Telecommunications Act, 2023. Here, the term 'CTNaaS' shall cover the following activities: (i) Provision of physical infrastructure to any entity authorised under Section 3(1)(a) of the</p>	<p>(h)</p> <p>(i) May be accepted</p>

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<p>Telecommunications Act, 2023 for housing its telecommunication equipment;</p> <p>(ii) Provision of dedicated telecommunication equipment to any entity authorised under Section 3(1)(a) of the Telecommunications Act, 2023 for the use in its telecommunication network;</p> <p>(iii) Provision of virtual machine(s) to any entity authorised under Section 3(1)(a) of the Telecommunications Act, 2023 for the use in its telecommunication network; and</p> <p>(iv) Provision of telecommunication network functionality to any entity authorised under Section 3(1)(a) of the Telecommunications Act, 2023 for providing telecommunication services.</p>	<p>(ii) May be accepted</p> <p>(iii) May be accepted</p> <p>(iv) May be accepted</p>
<p>(i) The detailed terms and conditions for CTN Provider Authorisation have been included in Annexure-2.4.</p>	<p>(i) May be accepted in principle with modifications to the extent as required to harmonise the same with specific types of network and service authorisation framework and convert the terms and conditions into Rules.</p>
<p>(j) The terms and conditions for the grant of CTN Provider Authorisation have been included in Annexure-2.2.</p> <p>[Para 2.195]</p>	<p>(j) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework</p>

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<p>4.12 The Authority recommends that –</p> <p>(a) The Central Government should introduce Mobile Number Portability (MNP) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023.</p>	<p>(a) May be accepted. However, as two MNP providers are already working and their licenses are valid up to year 2029, so at this stage this authorisation may be relevant for migration only.</p>
<p>(b) The scope of MNP Provider Authorisation should cover the following activities:</p> <p>(i) Establishment, operation, maintenance, and expansion of a telecommunication network for providing MNP to the entities authorised to provide Access Service under the Telecommunications Act, 2023; and</p> <p>(ii) Provision of location routing number (LRN) update to all entities authorised to provide Access Service, National Long Distance (NLD) Service and International Long Distance (ILD) Service under the Telecommunications Act, 2023.</p>	<p>(b) (i) & (ii) May be accepted in-principle however, the scope may be harmonized with extant MNP authorisation license.</p>
<p>(c) The extant policy regime of two MNP zones in the country, each comprising of 11 authorised service areas (telecom circles/ Metro areas), and only one MNP Provider authorised entity in each MNP zone should be continued at present. However, in future, the Central Government may, if deemed fit, change the</p>	<p>(c) May be accepted. However, as two MNP providers are already working and their licenses are valid up to year 2029, so it will be reviewed once their validity is about to expire. As of now, no change is required.</p>

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<p>number of MNP zones in the country, amend the composition of authorised services areas within each MNP zone, and introduce more MNP authorised entities in each MNP zone through a competitive bidding process.</p>	
<p>(d) The detailed terms and conditions for MNP Provider Authorisation have been included in Annexure-2.4.</p>	<p>(d) May be accepted in principle with modifications to the extent as required to harmonise the same with extant MNP authorisation license and convert the terms and conditions into Rules.</p>
<p>(e) The terms and conditions for the grant of MNP Provider Authorisation have been included in Annexure-2.2. [Para 2.209]</p>	<p>(e) As per the provisions of the Telecommunications Act 2023, the details of the Rules shall be finalized by the Government. The terms and conditions for grant of network authorization may be accepted in principle and harmonise the same with the network and service authorization framework</p>
<p>4.13 Authority recommends that the following conditions should be included in the terms and conditions of the network authorisations:</p> <p>(a) Network authorised entities should be mandated to utilize any type of equipment and product that meet TEC standards, wherever made mandatory by the Central Government from time to time. In the absence of mandatory TEC standard, the Authorised Entity may utilize only those equipment and products which meet the relevant standards</p>	<p>4.13 (a) May be accepted in principle with modifications to the extent as required to harmonise the same with service authorisation framework, relevant provisions of Telecom Act and convert the terms and conditions into Rules.</p>

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<p>set by International standardization bodies, such as, ITU, ETSI, IEEE,</p> <p>ISO, IEC etc.; or set by International Fora, such as 3GPP, 3GPP2, IETF, MEF, WiMAX, Wi-Fi, IPTV, IPv6, etc. as recognized by TEC and subject to modifications/ adaptation, if any, as may be prescribed by TEC from to time.</p>	
<p>(b) As per Section 21(f) of the Telecommunications Act, 2023, the Central Government may, if satisfied that it is necessary or expedient so to do, in the interest of national security, friendly relations with foreign States, or in the event of war, by notification take such measures as are necessary in the circumstances of the case, including issuing directions in respect of taking over the control and management of, or suspending the operation of, or entrusting any authority of the Central Government to manage any telecommunication network or part thereof.</p>	<p>(b) As per the Telecommunications Act, 2023</p>
<p>(c) The network authorised entities should follow the measures notified by the Central Government under Section 21(d) of the Telecommunication Act, 2023 in respect of the procurement of telecommunication equipment only from trusted sources.</p>	<p>(c) As per the Telecommunications Act, 2023</p>

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<p>(d) The network authorised entities Entity should follow the measures prescribed by the Central Government under Section 22 of the Telecommunications Act, 2023 to protect and ensure cyber security of telecommunication networks including critical telecommunication infrastructure and telecommunication services.</p>	<p>(d) As per the Telecommunications Act, 2023</p>
<p>(e) In case of breach of any of the terms and conditions of the authorisation granted under the Telecommunications Act, 2023, the Adjudicating Officer appointed by the Central Government may, pursuant to an inquiry, impose financial penalty and/or make recommendations for the consideration of the Central Government regarding suspension, revocation, or curtailment of the duration of the authorisation.</p>	<p>(e) May be accepted</p>
<p>(f) Adjudication and appeal of any contravention or breach of the terms and conditions of the Authorisation shall be governed by the Rules on Adjudication and Appeal made under the Telecommunications Act, 2023.</p>	<p>(f) May be accepted</p>
<p>(g) The Central Government may provide for such security interest which an authorised entity may provide to lenders financing such entities on such terms and conditions of such security interest, which will be governed by the Rules notified</p>	<p>(g) May be accepted</p>

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by the Central Government under section 45 of the Telecommunications Act, 2023. [Para 2.221]	
4.14 The Authority recommends that the SESG Authorised Entity may establish, operate, maintain, or expand satellite earth station gateways (SESGs) in India for all types of satellite systems for which the Central Government has given its permission. [Para 2.223]	May be accepted. May be aligned with decision in 4.9
4.15 The Authority recommends that- (a) The eligibility conditions for the grant of network authorisations to new applicants should also be made applicable to the existing entities which intend to migrate to the network authorisation framework under the Telecommunications Act, 2023. However, at the time of migration to the network authorisation framework, the requirement of meeting with the net-worth criteria should not be made applicable.	(a) May be accepted in principle and harmonise the same with migration rule being framed under section 3(6)
(b) An authorised entity should not be permitted to hold more than one network authorisation of the same type under Section 3(1)(b) of the Telecommunication Act, 2023 or under the extant regime.	(b) May be accepted

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(c) An authorised entity which already holds a network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 or a license/ registration etc. under the extant regime, decides to obtain another network authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 whose scope of operation includes the scope of operation under the network authorisation/ license/ registration already held by such entity, in entirety, then such network authorisation/ license/ registration already held by the authorised entity should be treated as subsumed in the new network authorisation and it should cease to exist.	(c) May be accepted with following modifications: <i>"An authorised entity which already holds a network authorisation and or service authorisation under Section 3(1)(a) or 3(1)(b) of the Telecommunications Act, 2023 or a license/ registration etc. under the extant regime, decides to obtain another network and/or service authorisation under Section 3(1)(a) and/or 3(1)(b) of the Telecommunications Act, 2023 whose scope of operation includes the scope of operation under the network authorisation/service authorisation/ license/ registration already held by such entity, in entirety, then such network authorisation/ license/ registration already held by the authorised entity should be treated as subsumed in the new network/service authorisation and the earlier one should cease to exist."</i>
(d) Upon migration from IP-I Registration under the extant regime to IP Authorisation under the Telecommunications Act, 2023, the IP Authorisation should be valid for a period of 20 years from the effective date of the IP Authorisation.	(d) May be accepted
(e) Similarly, upon migration from IP-I Registration under the extant regime to DCIP Authorisation under the Telecommunications Act, 2023, the DCIP Authorisation	(e) May be accepted

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should be valid for a period of 20 years from the effective date of the DCIP Authorisation.	
(f) Upon migration from MNP Service License under the Indian Telegraph Act, 1885 to MNP Provider Authorisation under the Telecommunications Act, 2023, the MNP Provider Authorisation should be valid for the balance period of the validity of the MNP Service License.	(f) May be accepted
(g) Detailed terms and conditions for the migration to network authorisations to be granted under the Telecommunications Act, 2023 have been included in Annexure-2.2. [Para 2.246]	(g) May be accepted in principle with modifications to the extent as required to harmonise the same with migration rules being framed under section 3(6)
4.16 The Authority recommends that- (a) There is a need for introducing Captive Non-Public Network (CNPN) Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 with the scope of establishing, maintaining, operating, and expanding CNPN networks for enterprises. In case the Central Government accepts this recommendation, it may seek the recommendations of TRAI on detailed terms and conditions for such an authorisation.	4.16 (a) May be accepted subject to identification of appropriate spectrum for CNPN. Further, this authorisation may be granted under Section 3 (1) (a) to the eligible entities to provide CNPN as a service to users. The Government also proposes for change in the name of this authorisation to clearly differentiate this authorisation from CNPN Service authorisation recommended under Section 3(1) (a).

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(b) Prima facie, there is a need for introducing Cable Landing Station (CLS) Provider Authorisation with a broad scope of providing access facilitation to the essential facilities at cable landing station, and co-location to facilitate access to the cable landing station to the eligible service authorised entities. In case the Central Government deems it fit, it may send a reference to the Authority for exploring the need for CLS Provider Authorisation under Section 3(1)(b) of the Telecommunications Act, 2023 and the terms and conditions thereof. [Para 2.250]	(b) May not be accepted. It is already included in the scope of Long-Distance authorisation.
4.17 The Authority recommends that the Central Government should take an early decision on the TRAI's Recommendations on Ease of Doing Business in Telecom and Broadcasting Sectors dated 02.05.2023. [Para 2.259]	Noted.
4.18 The Authority recommends that the interconnection between authorised entities establishing, operating, maintaining, or expanding the telecommunication network under section 3(1)(b) of the Telecommunications Act 2023, and the authorised entities providing telecommunication services under section 3(1)(a) of the Telecommunications Act 2023 should be left to mutually agreed terms between them, at this stage. [Para 2.269]	May be accepted

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<p>4.19 The Authority recommends that:</p> <p>(a) Application Processing Fee for DCIP Authorisation should be Rupees Ten Thousand.</p> <p>(b) Entry Fee for DCIP Authorisation should be Rupees Ten Lakh.</p> <p>(c) Entry fee should be levied only at the time of entry and not at the time of renewal of DCIP Authorisation.</p> <p>(d) No Bank guarantee is required for DCIP Authorisation.</p> <p>[Para 3.15]</p>	<p>4.19(a-d) May be accepted</p>
<p>4.20 The Authority recommends that:</p> <p>(a) Application Processing Fee for IP Authorisation should be Rupees Ten Thousand.</p> <p>(b) Neither any Entry Fee nor any Bank guarantee is required for IP Authorisation. [Para 3.20]</p>	<p>May be accepted</p>
<p>4.21 The Authority recommends that:</p> <p>(a) Application Processing Fee for IXP Authorisation should be Rupees Ten Thousand.</p> <p>(b) No Entry fee should be levied for IXP Authorisation.</p> <p>(c) No Bank guarantee to be submitted for IXP Authorisation.</p> <p>[Para 3.37]</p>	<p>4.21 (a) May be accepted</p> <p>4.21 (b) May be accepted</p> <p>4.21(c) May be accepted</p>

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<p>4.22 The Authority recommends the following: -</p> <p>(a) Application Processing Fee for SESG Provider Authorisation should be Rupees Ten Thousand.</p> <p>(b) Entry Fee for SESG Provider Authorisation should be Rupees Ten Lakh.</p> <p>(c) Entry fee should be levied only at the time of entry and not at the time of renewal of SESG Provider Authorisation.</p> <p>(d) No Bank guarantee to be submitted for SESG Provider Authorisation. [Para 3.47]</p>	<p>4.22 (a-d) Financial conditions may be kept same as proposed for Internet Service authorisation:</p> <p>(a) Application Processing Fee- 10000</p> <p>(b) Entry Fee – 10 lakhs</p> <p>(c) May be accepted</p> <p>(d) Initial Bank guarantee- 4 lakhs</p>
<p>4.23 The Authority recommends that:</p> <p>(a) Application Processing Fee for Cloud Hosted Telecommunication Network Authorisation should be Rupees Ten Thousand.</p> <p>(b) Entry Fee for Cloud Hosted Telecommunication Network Authorisation should be Rupees Ten Lakh.</p> <p>(c) Entry fee should be levied only at the time of entry and not at the time of renewal of Cloud Hosted Telecommunication Network Authorisation.</p> <p>(d) No Bank Guarantee is to be submitted for Cloud-Hosted Telecommunication Network Authorisation.</p> <p>[Para 3.66]</p>	<p>4.23 (a-d) May be accepted</p>

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4.24 The Authority recommends that the Application Processing Fee for MNP Provider Authorisation should be Rupees Ten Thousand. [Para 3.73]	May be accepted
4.25 The Authority recommends that: (a) Entry Fee for MNP Provider Authorisation should be Rupees Fifty Lakh. (b) Entry Fee should be levied only at the time of entry and not at the time of renewal of MNP Provider Authorisation. [Para 3.75]	4.25 (a-b) May be accepted
4.26 The Authority recommends the following in respect of MNP Provider Authorisation: (a) For the initial year, the amount of Bank Guarantee should be Rupees Forty Lakh.	4.26 (a) To be kept same as in extant license provisions
(b) For the subsequent years, the amount of Bank Guarantee should be higher of Rupees Ten Lakh or 20% of the estimated sum payable (of Authorisation fee for two quarters and other dues not otherwise securitized).	4.26 (b) To be kept same as in extant license provisions
(c) Bank Guarantee should be submitted to securitize the authorisation fee and other dues not otherwise securitized, to cover the violation of conditions of authorisation and to ensure the performance under authorisation/regulations	(c) May be accepted only for Central Government not TRAI. Dues arising out of non-compliance of instructions issued by TRAI is not be covered under BG under authorisation. TRAI to make its own mechanism for recovery /securitization

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including compliance of instructions issued by the Central Government/ TRAI from time to time.	
(d) Bank Guarantee should be subject to the detailed provisions/ conditions that have been included in the Financial Conditions of MNP Provider Authorisation. [Para 3.79]	(d) May be accepted
4.27 The Authority recommends the following: (a) The extant definitions of Gross Revenue (GR), Applicable Gross Revenue (ApGR) and Adjusted Gross Revenue (AGR) for the MNP Provider Authorisation should continue. (b) The applicable definitions for GR, ApGR and AGR have been given under the MNP Provider Authorisation. (c) Any further orders/instructions/clarifications on the definitions of Gross Revenue, Applicable Gross Revenue and Adjusted Gross Revenue may be issued by DOT after obtaining recommendations from TRAI. (d) The rate of Authorisation Fee for MNP Provider Authorisation should be the same as the existing rate of License Fee for MNP Service License. [Para 3.84]	4.27 (a-b) GR, ApGR and AGR definition are proposed to be harmonized with what has been proposed in case of Main Service Authorisations in Section 3 (1) (a). (c) May not be accepted (d) May be accepted

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<p>4.28 The Authority recommends that:</p> <p>(a) The MNP Provider Authorised Entity should submit a SelfCertificate duly e-signed/ digitally signed, by the authorised representative of the company.</p> <p>(b) The proforma for the Self-Certificate has been prescribed under MNP Provider Authorisation.</p> <p>[Para 3.88]</p>	<p>4.28 (a-b) May be accepted and harmonised with the self-certificate formats for other authorisations.</p>
<p>4.29 the Authority recommends that the Statement of Revenue are required to be submitted by the Authorised Entities, as per the revised Format of Statement of Revenue, specified under the MNP Provider Authorisation.</p> <p>[Para 3.94]</p>	<p>4.29 May be accepted in principle and harmonised with the revenue formats for other authorisations.</p>
<p>4.30 In case of migration of the licensees of the old regime to the new authorisation framework, the Authority recommends the following:-</p> <p>(a) There should be no requirement of application processing fee</p>	<p>4.30 (a) May be accepted</p>
<p>(b) In case of migration to the new Network Authorisation, the differential Entry Fee i.e. the Entry Fee applicable for the Network Authorisation in which the Authorised Entity is getting migrated minus the Entry fee already paid by the</p>	<p>(b)May be accepted</p>

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<p>Licensee in the old regime for the Network Authorisation getting migrated shall be levied.</p>	
<p>(c) In cases where the Entry Fee already paid by the Licensees of the old regime exceeds the Entry Fee to be paid now for migration to new authorisation framework, there will be no refund of the Entry Fee.</p> <p>[Para 3.101]</p>	<p>(c)May be accepted</p>

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Annexure-IV: TRAI's Letter Dated 17.07.2025 to DoT



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार / Government of India



F. No. RG/(6)/2024-FEA-II

Dated: 17th July, 2025

To,

The Secretary,
Department of Telecommunications,
Sanchar Bhawan, 20 Ashoka Road,
New Delhi- 110001.

Sub: DOT's Back Reference on TRAI Recommendations dated 17.02.2025 – Seeking clarifications regarding.

Please refer to DOT's letter no. 20-1353/2025-LPA dated 03.07.2025 regarding Back Reference on TRAI Recommendations dated 17.02.2025 on 'The Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023'.

2. Through the said letter, DOT has communicated that TRAI's Recommendations on 'The Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023' have been considered in the Government. As per Section 11(1) of the TRAI Act, 1997 (as amended), such recommendations where Government has reached a prima-facie conclusion that these recommendations may not be accepted or needs modification are being referred back to TRAI for its reconsideration. DOT has requested TRAI to provide its recommendation on the back reference.

3. In this regard, it is observed that few of the Recommendations where Government has reached a prima-facie conclusion that these recommendations may not be accepted or needs modification, require further clarity or reason(s) for not accepting or for modification suggested. In the absence of any clear reasons, the Authority is not in a position to re-examine its Recommendation and views of the Government.

4. Accordingly, a detailed list of TRAI's Recommendations, DOT's views therein and our remarks, which require further clarifications, has been annexed to this letter. It is requested to provide your response on the same, at the earliest please.


(Atul Kumar Chaudhary)
Secretary

वर्ल्ड ट्रेड सेंटर, टावर-एफ (चौथे से सातवां तल), नौरोजी नगर, नई दिल्ली-110029
World Trade Center, Tower-F, (4th to 7th Floors), Nauroji Nagar, New Delhi-110029
Tel. : 011-20907752 / www.trai.gov.in

Annexure

Sr. No.	TRAI's Recommendation	DoT's View	Remarks
1.	<p>4.22 The Authority recommends the following: -</p> <p>(a) Application Processing Fee for SESG Provider Authorisation should be Rupees Ten Thousand.</p> <p>(b) Entry Fee for SESG Provider Authorisation should be Rupees Ten Lakh.</p> <p>(c) Entry fee should be levied only at the time of entry and not at the time of renewal of SESG Provider Authorisation.</p> <p>(d) No Bank guarantee to be submitted for SESG Provider Authorisation.</p> <p>[Para 3.47]</p>	<p>(a-d) Financial conditions may be kept same as proposed for Internet Service authorisation:</p> <p>(a) Application Processing Fee- 10000</p> <p>(b) Entry Fee – 10 lakhs</p> <p>(c) May be accepted</p> <p>(d) Initial Bank guarantee- 4 lakhs</p>	<p>Please provide reasons for the following:</p> <p>(i) Keeping the financial conditions for SESG Provider Authorisation same as proposed for Internet Service authorisation.</p> <p>(ii) Setting initial Bank Guarantee of Rs. 4 lakhs for SESG authorisation.</p>
2.	<p>4.26 The Authority recommends the following in respect of MNP Provider Authorisation:</p> <p>(a) For the initial year, the amount of Bank Guarantee should be Rupees Forty Lakh.</p> <p>(b) For the subsequent years, the amount of Bank Guarantee should be higher of Rupees Ten Lakh or 20% of the estimated sum payable (of Authorisation fee for two quarters and other dues not otherwise securitized).</p>	<p>(a) To be kept same as in extant license provisions</p> <p>(b) To be kept same as in extant license provisions</p> <p>(c) May be accepted only for Central Government not TRAI. Dues arising out of non-compliance of instructions issued by TRAI is not be</p>	<p>(a-b) Please clarify what is meant by 'extant license provisions' and reason(s) for not accepting TRAI's Recommendations.</p> <p>(c) Please provide reason(s) for accepting the Recommendations only for Central Government and not for TRAI.</p>

	<p>(c) Bank Guarantee should be submitted to securitize the authorisation fee and other dues not otherwise securitized, to cover the violation of conditions of authorisation and to ensure the performance under authorisation/regulations including compliance of instructions issued by the Central Government/ TRAI from time to time.</p> <p><i>[Para 3.79]</i></p>	covered under BG under authorisation. TRAI to make its own mechanism for recovery/ securitization	
3.	<p>4.27 The Authority recommends the following:</p> <p>(a) The extant definitions of Gross Revenue (GR), Applicable Gross Revenue (ApGR) and Adjusted Gross Revenue (AGR) for the MNP Provider Authorisation should continue.</p> <p>(b) The applicable definitions for GR, ApGR and AGR have been given under the MNP Provider Authorisation.</p> <p>(c) Any further orders/ instructions/ clarifications on the definitions of Gross Revenue, Applicable Gross Revenue and Adjusted Gross Revenue may be issued by DOT after obtaining recommendations from TRAI.</p> <p><i>[Para 3.84]</i></p>	<p>(a-b) GR, ApGR and AGR definition are proposed to be harmonized with what has been proposed in case of Main Service Authorisations in Section 3 (1) (a).</p> <p>(c) May not be accepted</p>	<p>(a-b) The reasons for deviations from the TRAI's recommendation have not been mentioned. Also, please clarify what "proposal" is referred in the back reference.</p> <p>(c) Reason(s) for not accepting TRAI's Recommendation not given. Please provide the same.</p>

4.	<p>4.28 The Authority recommends that:</p> <p>(a) The MNP Provider Authorised Entity should submit a Self Certificate duly e-signed/ digitally signed, by the authorised representative of the company.</p> <p>(b) The proforma for the Self-Certificate has been prescribed under MNP Provider Authorisation.</p> <p><i>[Para 3.88]</i></p>	<p>(a-b) May be accepted and harmonised with the self certificate formats for other authorisation.</p>	<p>Please provide format of Self Certificate for other authorisation with which Self Certificate of MNP Provider Authorised Entity is proposed to be harmonised and reason(s) for not accepting TRAI's Recommendations.</p>
5.	<p>4.29 The Authority recommends that the Statement of Revenue are required to be submitted by the Authorised Entities, as per the revised Format of Statement of Revenue, specified under the MNP Provider Authorisation.</p> <p><i>[Para 3.94]</i></p>	<p>May be accepted in principle and harmonised with the revenue formats for other authorisations.</p>	<p>Please provide "the revenue formats for other authorisation" with which revenue formats of MNP Provider Authorisation is proposed to be harmonised and reason(s) for deviating from TRAI's Recommendations.</p>

Annexure-V: DoT's Reply Letter dated 23.07.2025 to TRAI

F. No. 20-1353/2025-LPA
Government of India
Ministry of Communications
Department of Telecommunications
(Licensing Policy Wing)
20-Ashoka Road, New Delhi-110001

Dated: 23.07.2025

Subject: Clarification on Back Reference on TRAI recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023'

This is in reference to the TRAI letter No. RG/(6)/2024-FEA-II dated 17.07.2025 seeking clarification on DoT's Back Reference on TRAI recommendations dated 17.02.2025 on 'the Terms and Conditions of Network Authorisations to be Granted Under the Telecommunications Act, 2023'.

2. Through this letter, TRAI sought clarification on few of the recommendations where the Government has reached a prima-facie conclusion that these recommendations may not be accepted or needs modification. TRAI sought further clarity or reason(s) for not accepting or for modifications suggested to re-examine its recommendations and also, the views of the Government.

3. In this regard, it is submitted that the Government has already conveyed its prima-facie conclusion, along with reasons wherever deemed necessary, in respect of each recommendation of TRAI on Network Authorisation through the back reference letter No.: 20-1350/2025-LPA dated 03.07.2025.

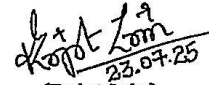
4. Further, wherever required, harmonization of the terms and conditions proposed by TRAI is to be done, by DoT, with earlier decisions of the Government or for overall rule making process to streamline the authorisation process, maintain consistency, and minimize the scope for any potential arbitrage. This approach aligns with the Government's decision in the case of Service Authorisation and aims to ensure consistency across authorisation frameworks and the rules made thereunder by the Government.

5. With regard to the financial conditions for the MNP Provider Authorisation, the Government has not rejected TRAI's recommendations but has proposed aligning them with the existing MNP license provisions. As two MNP providers are already operational with licenses valid until 2029, hence, to maintain consistency with the existing framework, the financial conditions are proposed to remain unchanged. Also, the extant policy regime of two MNP zones in the country may be continued and will be reviewed once the validity of current Licenses is about to expire. The format of Statement of Revenue for MNP Provider authorisation and the proforma for self-certificate are enclosed as Annexure-I & II respectively for reference.

6. As per the provisions of the TRAI Act (as amended), TRAI is expected to respond to the back reference within 15 days from the date of its receipt. Since the stipulated time has already lapsed, it is once again requested that TRAI provide its response at the earliest.

This has the approval of the competent authority.

Encl.: As Above



(Rajat Jain)
ADET (LPA)

Email: adet1.lpa-dot@gov.in

To,

The Secretary
Telecom Regulatory Authority of India
7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi: 110029

Annexure-I

Format of Statement of Revenue
(Name and address of authorised entity)
MNP Provider Authorisation- in -----(MNP Zone)
Statement of Revenue for the Quarter
.....of the financial year.....

(AMOUNT IN RUPEES)

S. N.	PARTICULARS	ACTUALS FOR THE CURRENT QUARTER
1	Revenue from operations	
i.	Revenue from Mobile Number Porting fees	
ii.	Revenue from Bureau/ Outsourcing/ Support services	
iii.	Sale proceeds of any software items	
iv.	Sale proceeds of any hardware items	
v.	Revenue on account of any value-added services, Supplementary Services etc.	
vi.	Access or interconnection charges	
vii.	Non-refundable deposits	
viii.	Revenue from sharing/ leasing of infrastructure	
ix.	Any other miscellaneous revenue	
2.	Exempted revenue	
A.	Revenue from Operations/activities other than Telecom operations	
B.	Revenue from activities under a license from Ministry of Information and Broadcasting	
C.	Receipt from Digital Bharat Nidhi	
D.	Items of 'Other Income' as listed in Annexure- xx	
i.	Income from Dividend	
ii.	Income from Interest	
iii.	Capital Gains on account of profit on Sale of fixed assets and securities	
iv.	Gains from Foreign Exchange rates fluctuations	
v.	Income from property rent	
vi.	Insurance claims	
vii.	Bad Debts recovered	
viii.	Excess Provisions written back	
AA	Gross Revenue of the Authorised Entity: (Add 1 and 2)	
BB	APPLICABLE GROSS REVENUE (Apgr) (AA-2)	
CC	Adjusted Gross Revenue (AGR) (equal to BB)	
DD	REVENUE SHARE	
i	Authorisation Fee @ -----OF ADJUSTED GROSS REVENUE (CC)	

Annexure-II

Self Certificate

I, aged about years son/daughter of Shri, resident of, do solemnly affirm and state as under:

2. That I amof (Name of the Authorised entity), Authorised entity of Authorisation and I am duly authorised by the resolutions dated Passed by Board of Directors of the Company to furnish self-certificate on behalf of(Name of the Authorised entity).

3. That in compliance of Condition No..... of the Authorisation No. granted by the Central Government, for payment of Authorisation fee, a payment of Rs. (Rupees is being made for the periodto The details of calculation of 'revenue' is as per **Annexure-----** (attached).

4. That the contents in para 2 & 3 and Statement made in Annexure ____ are true and correct to the best of my knowledge, based on the records of the Authorised entity.

Authorised representative

ACRONYMS

Acronym	Description
AMTA	Australian Media and Telecommunications Association
ANP	Access Network Provider
BBU	Baseband Unit
CDN	Content Delivery Network
CLS	Cable Landing Station
CNPN	Captive Non-Public Network
CPaaS	Platform as a Service
CTI	Common Telecom Infrastructure
CTN	Cloud Hosted Telecommunication Networks
DAS	Distributed Antenna System
DCIP	Digital Connectivity Infrastructure Provider
DOT	Department of Telecommunications
ER	Equipment Room
ETI	Enabling Telecommunication Infrastructure
ETSI	European Telecommunications Standards Institute
EU	European Union
FAT	Fiber Access Terminals
FDF	Fibre Distribution Frame
FSS	Fixed Satellite Services
GMPCS	Global Mobile Personal Communications by Satellite
GSaaS	Ground Station as a Service
IBS	In-Building Solutions

IEC	International Electrotechnical Commission
IEEE	Institute of Electrical and Electronics Engineers
IETF	Internet Engineering Task Force
ILD	International Long Distance
IP	Infrastructure Provider
IPTV	Internet Protocol Television
IPv6	Internet Protocol version 6
ISO	International Organization for Standardization
ITU	International Telecommunication Union
IXP	Internet Exchange Point
LF	License Fee
LRN	Location Routing Number
MCC	Mission Control Centre
MDF	Main Distribution Frame
MEF	Metro Ethernet Forum
MHA	Ministry of Home Affairs
MNP	Mobile Number Portability
MoHUA	Ministry of Housing and Urban Affairs
MOU	Master Optical Units
MSS	Mobile Satellite Services
MTCTE	Mandatory Testing and Certification of Telecommunication Equipment
NDCP	National Digital Communication Policy
NLD	National Long Distance
NTN	Non terrestrial networks

OFC	Optical Fiber Cable
OLT	Optical Line Terminals
ONU	Optical Networking Units
OSI	Open Systems Interconnection
QoS	Quality of Service
RAN	Radio Access Network
RF	Radio Frequency
ROU	Remote Optical Units
RU	Radio Unit
SCC	Satellite Control Centre
SCN	Satellite Communication Network
SESG	Satellite Earth Station Gateway
SOS	Save Our Souls
SSA	Space Situational Awareness
TEC	Telecom Engineering Centre
TIL	Telecom Infrastructure License
TR	Telecommunication Room
TRAI	Telecom Regulatory Authority of India
TSP	Telecom Service Providers
TT&C	Telemetry, Tracking and Command
UCaaS	Unified Communications as a Service
UL	Unified License
URIs	Uniform Resource Identifiers
URL	Uniform Resource Locators

VNO	Virtual Network Operator
VSAT	Very Small Aperture Terminal
Wi-Fi	Wireless Fidelity