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File No. L14041/06/2000-2001
Government of India
Ministry of Communications and Information Technology
Department of Telecommunications
Wireless Planning & Coordination (WPC) Wing

Dated, April 18, 2002

ORDER

Spectrum charges for MW access and backbone networks of cellular networks

In continuation to the Government of India Order Nos. L14041/06/2000-2001 dated 9 February, 2001 and 1 February, 2002 specifying spectrum charges for GSM in 900/1800 MHz band

Assignment of frequencies for MW access and MW backbone networks for cellular networks, would continue to be considered on the basis of full justification of requirements and availability of the spectrum, on case-to-case and link-to-link basis, taking into consideration the interest of the other users with a view to electromagnetic compatibility etc. The complete technical analysis and all aspects of frequency assignments, including efficient use of spectrum, will be taken into account while assigning frequencies for various MW access backbone links. There is no obligation on the part of the Government to assign frequencies for such networks. Migration to revenue sharing concept is basically to simplify the system for assignment of spectrum and in no way it should be linked to the grant of frequency assignments.

Subject to the above conditions, the spectrum charges for microwave access networks (normally in the frequency band 10 GHz and beyond) would be as given below:

- For spectrum bandwidth upto 112 MHz in any of the circles, or 224 MHz in any of the 4 metros, spectrum charges shall be levied @ 0.25% of AGR per annum; and
- For every additional 28 MHz or part thereof (if justified and assigned) in any of the circles, or 56 MHz or part thereof in any of 4 metros areas, additional spectrum charges shall be levied @ 0.05% of AGR per annum. This shall include the royalty charges for spectrum usages and licence fee for base stations in the MW access links.

For the spectrum charges for MW backbone networks to provide connectivity in the circle including spur routes, (generally below 10 GHz frequency band) would be as given below:

- For spectrum bandwidth upto 56 MHz, spectrum charges shall be levied @ 0.2% of AGR per annum; and
- For every additional 28 MHz or part thereof (if justified and assigned), additional spectrum charges shall be levied @ 0.05% of AGR per annum.

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- 4. There will include the royalty charge for spectrum usage and licence fee for the installations in the MW backbone links.
- 5. The requirements of MW access and backbone frequencies shall not be exclusive for any service provider and will be shared with other service users.
- 6. In addition, the charges for GSM spectrum (900/1800 MHz band) will continue to be levied in accordance with Government of India orders No. 1-14041/06/2000-8TR1 dated 22.9.2001 and 01.02.2002.
- 7. The above package, of spectrum charging on percentage revenue share will be available to the cellular operators on the premise that it is accepted in its entirety and simultaneously all legal proceedings, with regard to spectrum charging, instituted by them or COAI against the Government in Courts and Tribunals (TDSAT) etc shall be withdrawn. The cellular operators without prejudice should make payments of all outstanding dues of spectrum charges in accordance with the applicable Government of India orders within a month from the date of issue of this order.
- 8. This Order will come into force from the date of issue.

Acceptance of the above shall be communicated to this Ministry within seven days from the date of issue of this Order.

(U.S. — — — — — 18/1/02)
 (B. R. MAHENDRA KUMAR)
 Assistant Wireless Adviser to the Government of India

Cellular Operators Association of India, New Delhi. This refers to their Letter No. COAI/013 dated 16.01.2002.
 Cellular Operators, including BSNL, and MTNL.