

Details of orders issued from O/o CGCA (April,2022 to December,2022.

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Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitori, New Delhi-110047

No: 50-1/Maintenance of BGs

Dated 25.05.2022

To,

All Pr. CCA's/CCA's/Jt. CCA

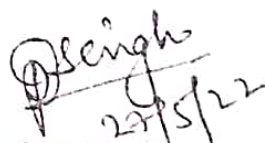
Sub: Half Yearly review of Bank Guarantees in respect of Licenses whose assessment is carried out at CCA offices.

Ref: (1) LFP Wing, DoT HQ OM No. 1-9/2019-LFP-I dated 08.10.2021
(2) DoT HQ Letter No. 1-6/2001/LF(Vol. II) dated 24.09.2008(copy enclosed)
(3) DOT OM No. 24-1/2018-LFP-I dated 26.04.2022(copy enclosed)

This is regarding half yearly review of Bank Guarantees in respect of Licenses. DoT HQ vide OM No. 1-9/2019-LFP-I dated 08.10.2021 issued modalities for implementation of procedure for rationalization of Bank Guarantees pursuant to the amendment in the License Agreement wherein it is intimated that concerned CCAs carrying out the LF assessment of decentralized licenses shall be responsible for custody & maintenance of all PBGs & FBGs for those licenses. Also CCAs will carry out six monthly review of FBGs for decentralized licenses.

In this regard DoT HQ letter(s) referred at Serial No 2 (point B.11.2) & Serial No. 3 may be considered for half yearly review of decentralized licenses at CCA level.

This issues with the approval of Competent authority


Pratima Singh
Dy. CGCA (Revenue)

Copy to:-

- 1 PS to CGCA
- 2 PS to Addl CGCA
- 3 PS to Sr. Jt. CGCA (Revenue)
- 4 DDG(LFP), DoT HQ

Government of India
Ministry of Communications
(Licensing Finance Policy Wing)
Sanchar Bhawan, Ashoka Road, New Delhi.

Dated: 26/04/2022

No:24-1/2018-LFP-I

To,

Sr. JtCGCA(Revenue) ,
Dept. of Telecom Ministry of Communications,
NICF Campus, Ghitorni, New Delhi.

Subject: Regarding formula for calculation of FBG amount for License Fee (LF) and Spectrum Usage Charges (SUC) in connection with the amendment in License Agreement for rationalization of BGs.

Ref: letter No. 50-1/2021/BG Policy dated 09.12.2021

With reference to your above letter the following is clarified.

- a) FBG review for LF shall be done as per clause 21.2 of the license agreement which mentions that "the FBG shall be equivalent to 20% of the estimated sum payable of LF for two quarters and by the licensor".
- b) "Estimated sum payable of LF for two quarters" will be arrived by taking the *arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2.*
- c) FBG review for SUC also will be carried out similar to LF as per procedure outlined in a and b above.

R. Sathish Kumar
Sathish Kumar R
Director (LFP II)

Copy to :
DDG(LFA)/DDG(WPF)

Government of India
Department of Telecom
Controller General of Communication Accounts
NICF Campus, Ghitiorni New Delhi 110047
dycgcarev-dot@gov.in

No: 50-1/2022/BG Policy/VIL /Vol II

Dated 07.06.2022

To,

All Pr. CCAs/CCAs/Jt. CCA

Subject: -Regarding FBG(LF)&(SUC) in respect of M/s Vodafone Idea Ltd kept for outstanding dues during rationalization

- Ref: (1) LFP, DoT HQ Letter No. 1-17/2021/LFP dated 13.05.2021
(2) WPF, DoT HQ Letter no. 1000/04/2021- WR dated 01.11.2021
(3) LFP wing letter no. 24-1/16/2016-LFP-I dated 14.10.2021
(4) AS wing FNo. AS-25/1/2017-AS-V-Part-(1) dated 27.10.2021

Kindly refer to this office letter No: 50-1/2021/BG-Policy/Vil Dated 17.12.2021 regarding rationalization of PBG and FBG of M/s. Vodafone Idea based on amendment in License Agreement for rationalization of BGs.

2. The LFP wing/DoT vide letter No. 1-17/2021/LFP dated 13.05.2021 submitted that Vi has made payment from Q2 to Q4 of F.Y. 2021-22, as per self assessment through payment and adjustment of encashed Bank Guarantees and also issued instructions for release of BGs withheld as per LFP/DoT HQ letter dated 15.12.2021. The Bank Guarantees retained as per WPF wing letter No. 1000/04/2021/WR dated 01.11.2021 should continue to be retained.

3. Therefore all Pr. CCAs & CCAs offices are hereby requested to release the existing FBG(s) worth Rs.877,41,85,741/- mentioned in the column No 10 of Annexure A subject to:

- (A) Physical Possession of Valid FBG(LF) & (SUC).
- (B) There is no Court case in respect of that FBG.
- (C) The FBG pertains to LF and SUC only


4. CCA Offices are also requested to release the existing FBGs in respect of LF and SUC by taking into consideration, the orders issued by WPF wing vide letter no. 1000/04/2021- WR dated 01.11.2021, LFP wing letter no. 24-1/16/2016-LFP-I dated 14.10.2021 and AS wing FNo. AS-25/1/2017-AS-V-Part-(1) dated 27.10.2021 that contains the list of BGs which are under litigation, Corporate Insolvency Resolution Process (CIRP) etc.

5. It is requested to release BGs immediately mentioned in Column NO. 10 of Annexure A by considering the above mentioned points and Original FBG(s) along with its amendments mentioned in Column No. 9 of Annexure A may please be

sent to this office for safe custody. The same may be ignored if already sent.
Report on the same may be intimated to this office

This issues with the approval of CGCA.

Encl: Letters under reference
Annexure A


Pratima Singh
Dy. CGCA(Revenue)

Copy to (on email)

1. M/s. Vodafone Idea Ltd w.r.t to your Email dated 23.05.2022.

Copy for information (on email)

1. PS to CGCA
2. PS to Addl. CGCA
3. Sr. Joint CGCA
4. DDF(LFP) w.r.t letter No 1-17/2021/LFP dated 13.05.2021

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitiorni, New Delhi-110047
Email: aaorev.cgca-dot@gov.in

No. 50-1/Centralized BG/ RJIO/Enhancement

Dated 22.06.2022

To,

Reliance Jio Infocomm Limited (on email)

Subject: Enhancement of Financial Bank Guarantee LF/SUC.

Sir,

In accordance with Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain FBG equal to 20% of the LF/SUC for 2 quarters and other dues not otherwise securitized.


2. I am directed to inform you that on the basis of six monthly review up to 31.03.2022 of FBG for LF/SUC for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in r/o LF and SUC needs to be enhanced from the existing value as per detail below:-

(Figures in Rupees)

S.I No	Type/Purpose	Total amount of FBGs to be required	Existing Amount of FBGs	Additional FBG to be required
1	FBG-LF	684,95,51,220	660,00,00,000	24,95,51,220
2	FBG-SUC	322,86,57,866	300,00,00,000	22,86,57,866

3. Therefore you are requested to submit fresh/ additional Bank Guarantee(s) amounting to Rs.24,95,51,220/- (Rs. Twenty four Crores, ninety five lakh, fifty one thousand two hundred twenty only) in respect of FBG-LF and Rs.22,86,57,866/- (Rs. Twenty two crores eighty six thousand fifty seven thousand eight hundred sixty six only) in respect of FBG – SUC within 15 days from the date of issue of letter.

This issues with the approval of Competent authority.


Dy. CGCA (Revenue)

Copy for information (on email)

1. Member(Finance),DoT HQ
2. CGCA
3. Advisor(F), DoT HQ
4. Addl CGCA
5. Sr. Jt. CGCA

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghilorni, New Delhi-110047

No. 50-1/Centralized BG/ TTSL/Enhancement

Dated: 25.08.2022

To,

Tata Teleservices Limited (on email)

Subject: Enhancement of Financial Bank Guarantee LF,

In accordance with Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain **FBG equal estimated sum payable of LF for two quarters will be arrived by taking the arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2** and other dues not otherwise securitized.

2. I am directed to inform you that on the basis of six monthly review (up to 31.03.2022)of FBG for LF for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in respect of LF **needs to be enhanced from the existing value as per details below:-**

S.I No	Type/Purpose	Service	Total amount of FBGs to be required	Existing Amount of FBGs	Additional FBG to be required (in Rs)
1	FBG-LF	UASL	3,49,61,390	2,00,00,000	1,49,61,390
2	FBG-LF	NLD	2,20,37,209	2,00,00,000	20,37,209
	Total		5,69,98,599	4,00,00,000	1,69,98,599

3. Therefore you are requested to submit fresh/ additional Bank Guarantee(s) amounting to **Rs.1,49,61,390/-**(Rs. One Crore, forty nine lakh, sixty one thousand three hundred ninety only) **in respect of FBG-LF(UASL)** and **Rs.20,37,209/-**(Rs.Twenty lakhthirty seven thousand two hundred nine only) **in respect of FBG - LF(NLD)** in 15 days from the date of issue of letter.

This issues with the approval of Competent authority.


25/08/22
Dy. CGCA (Revenue)

Copy for information (on email)

1. Sr. PPS to Member(Finance),DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghilorni, New Delhi-110047

No. 50-1/Centralized BG/ BHL/Enhancement

Dated: 25.08.2022

To,

Bharti Hexacom Ltd (on email)

Subject: Enhancement of Financial Bank Guarantee LF & SUC

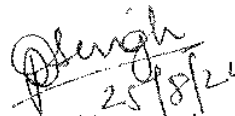
In accordance with the Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain FBG equal to estimated sum payable of LF for two quarters will be arrived by taking the arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2 and other dues not otherwise securitized.

2. I am directed to inform you that on the basis of six monthly review (up to 31.03.2022)of FBG for LF & SUC for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in respect of LF & SUC needs to be enhanced from the existing value as per details below:-

S.I No	Type/Purpose	Service	Total amount of FBGs to be required	Existing Amount of FBGs	Additional FBG to be required
1	FBG-LF	UL(Access)	38,46,49,656	32,56,72,348	5,89,77,308
2	FBG-SUC	UL(Access)	24,46,55,409	19,25,01,655	5,21,53,754
	Total		62,93,05,065	51,81,74,003	11,11,31,062

3. Therefore you are requested to submit in this office fresh/ additional Bank Guarantee(s) amounting to **Rs. 5,89,77,308 /-**(Rs. Five Crore Eighty Nine Lakh Seventy Seven Thousand Three Hundred Eight only) in respect of FBG-LF and **Rs. 5,21,53,754 /-** (Rs. Five Crore Twenty One Lakh Fifty Three Thousand Seven Hundred Fifty Four only) in respect of FBG - SUC in 15 days from the date of issue of letter.

This issues with the approval of Competent authority.


Dy. CGCA (Revenue)

Copy for information (on email)

1. Sr. PPS to Member(Finance),DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

Revised

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Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitorni, New Delhi-110047

No. 50-1/Centralized BG/ TCL/Enhancement

Dated 15.09.2022

M/s Tata Communication Ltd (on email)

Subject: Enhancement of Financial Bank Guarantee LF

In accordance with Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain FBG equal estimated sum payable of LF for two quarters will be arrived by taking the arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2 and other dues not otherwise securitized.

2. I am directed to inform you that on the basis of six monthly review up to 31.03.2022 of FBG for LF for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in r/o LF needs to be enhanced from the existing value as per detail below:-

(Figures in Rupees)

S. No.	Type of License	Total Amount of FBGs to be required to be submitted @ CGGA after Half Yearly review	Existing Amount of FBGs with CGCA	Existing Amount of FBGs with CCA Mumbai	Additional FBGs to be required
1	UL ISP A	7,40,73,762		1000000	7,30,73,762
2	UL NLD	5,95,84,430	1,50,00,000		4,45,84,430
Total		35,60,84,024	31,25,40,000	3,28,11,000	

3. Therefore you are requested to submit fresh/ additional Bank Guarantee(s) amounting to **Rs 7,30,73,762** /-(Seven Crore Thirty lakh Seventy Three thousand Seven Hundred Sixty Two only) in r/o UL-ISP A and **Rs. 4,45,84,430/-** (Rs. Four Crore Forty Five Lakh Eighty Four Thousand Four Hundred Thirty Only) in r/o UL-NLD Services in 15 days from the date of issue of letter.

This issues with the approval of Competent authority.

Plingh
18/9/22
Dy. CGCA (Revenue)

Copy for information (on email)

1. Sr. PPS to Member(Finance), DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitiorni, New Delhi-110047

No. 50-1/Centralized BG/ TCL/Enhancement

Dated 25.11.2022

To,

M/s Tata Communication Ltd (on email)

Subject: Enhancement of Financial Bank Guarantee LF

Ref: (1) O/o CGCA Letter No. 50-1/Centralized BG/ TCL/Enhancement dated 15.09.2022

(2) TCL Email dated 07.11.2022

Kindly refer to your Email dated 07.11.2022 wherein following points are submitted by TCL in respect of Enhancement of Financial Bank Guarantee of LF

(a) Additional amount of FBG has been enhanced by another 10% of total amount of FBGs required


(b) At present UL-NLD and UL-ISP licenses have been migrated from stand alone license NLD and ISP licenses respectively and FBGs of these stand alone licenses are still with DoT. TCL requested to consider of FBGs of stand alone licenses also while doing half yearly review.

2. I am directed to inform you that 10% additional of total amount of FBGs is on the basis of LFP wing letter NO.24-1/2018-LFP-1 dated 26.04.2022(copy enclosed). In respect of Point (b), your request was considered by the competent authority, so LF payable and FBGs of stand alone NLD, ISP was also taken into consideration with UL-NLD and UL-ISP. FBG in r/o LF needs to be enhanced from the existing value as per detail below:-

S. No.	Type of License	Total Amount of FBGs to be required after Half Yearly review	Existing Amount of FBGs with CGCA	Existing Amount of FBGs with CCA Mumbai	Additional FBGs to be required
1	ISP IT A Category			3,13,11,000	
2	UL ISP A			10,00,000	
3	UL ISP A (After up gradation of license)	11,24,69,694		3,28,11,000	7,96,58,694

3. Therefore you are requested to submit fresh/ additional Bank Guarantee(s) amounting to Rs 7,96,58,694/- (Seven Crore ninety six lakhs fifty eight thousand six Hundred ninety four only) in r/o UL- ISP A and it is also requested to submit amendment of FBG NLD, ISP in the format of UL (NLD & ISP) within 15 days from the date of issue of letter.

This issues with the approval of Competent authority.


25/11/22
Dy. CGCA (Revenue)

Enclosures

1. LFP wing letter dated 26.04.2022
2. Calculation sheet

Copy for information (on email)

1. Sr. PPS to Member(Finance), DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

**Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
Ghitorni, NICF Campus, New Delhi – 110 047**

F. No. 50-2/Clarification/Tamil Nadu Circle

Dated : 04.10.2022

To

Pr. CCA Tamilnadu
238, RK Mutt Road
RK Nagar Telephone Exchange
7th Floor, Mandaveli
Chennai-600 028

Sub : Clarifications received from DoT on issues related to LF Assessment-reg.

Ref:1.Pr. CCA, Tamilnadu letter no. PCCA/TN/LF-I/2022-23/Assmt dated 17.08.2022.

2.LFP wing letter no. LFP-10/11/2022-LFP-II dated 15.09.2022 and 23.09.22.

3.Director(Accounts-I) letter no. 40-6/TA-II/Monthly A/cs/2022-23/6694 dated 09.06.22

With regards to the subject mentioned above, kindly find the enclosed letters received from LFP.wing cited under reference 2 and 3 for information and taking necessary action.

It is requested to follow the instructions issued by LFP wing vide para (b) of letter dated 15.09.22 while carrying out the LF assessment.

The case of Amalgamation of M/s Limras Eronet Broadband Service Pvt. Ltd. with M/s Blue Lotus Support Service Pvt. Ltd. has been taken up by LFP wing with DS wing and clarifications in this regard will be provided in due course.

Apart from the above, clarifications issued by LFP wing vide letter dated 15.09.22 and 23.09.22 may be followed in respect of remaining issues.

This issues with the approval of Competent Authority.

Encl: As above

Pengh
4/10/22
Dy. CGCA
(Revenue)

Copy to (through email) for information:

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. PS to Advisor (F)
4. PS to Addl.CGCA
5. PS to Sr. Jt.CGCA
6. PS to DDG(LFP) w.r.t. letter no. LFP-10/11/2022-LFP-II dated 15.09.2022 and 23.09.22.

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
Ghitorni, NICF Campus, New Delhi - 110 047

F. No. 50-2/Clarification/Tamil Nadu Circle

Dated : 04.10.2022

To
All Pr. CCAs/CCAs

Sub : Clarifications received from DoT on issues related to LF Assessment-reg.

Ref: 1. LFP wing letter no. LFP-10/11/2022-LFP-II dated 15.09.2022 and 23.09.22.

2. Director(Accounts-I) letter no. 40-6/TA-II/Monthly A/CS/2022-23/6694 dated 09.06.2022

Kindly find the enclosed letters cited under reference received from LFP wing wherein DoT HQ has issued the following clarifications on issues related to LF assessment:

1. Levy of LF on Revenue Earned from Pure Internet Services:

LFP wing vide letter dated 15.09.22 has already issued clarification for the procedure to be followed in case of assessment of UL ISP licenses until final judgment is received in CA 220/2021. The same has already been communicated to all Pr. CCAs/CCAs vide this office letter dated 19.09.22. [Copy enclosed]

2. Levy of LF on Revenue Earned from Non Telecom Activities:

LFP wing has intimated that LFP vide order no 31-01/2013-LF I dated 09-05-2013, it has been clarified that all non-telecom revenue is included in AGR. The order also clearly states that it supersedes any orders issued earlier on the subject. The same has been reiterated vide order no 24-1/2016/LFP-I dated 01.06.2016. The same has been upheld by the Hon'ble Supreme Court in the judgment dated 24.10.2019 in CA NOS.6328-6399 OF 2015. Assessments are to be done accordingly.

3. Refund of excess amount of LF paid by licensee after release of Bank Guarantees:


LFP wing vide letter dated 23.09.22 has intimated that "In cases of expiry/surrender/termination of the license, wherever surplus License fees has been determined after the completion of no dues process by O/o CGCA, the same is to be refunded to the licensee. The accounting procedure for the same has been clarified to O/o CGCA vide 40-6/TA-II/Monthly A/CS/2022-23 vide letter No. dated 09/06/2022". [Copy enclosed]

4. Treatment of terminated licensees whose bank guarantees have been encashed:

A report from O/o CGCA on the subject of "Recovery of Outstanding Dues of Decentralized licensees" has been received on 12/9/2022 and the same is being examined. Instructions on this matter will be provided in due course.

This issues with the approval of Competent Authority.

Encl: As above


Dy. CGCA
(Revenue)

Copy to (through email) for information:

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. PS to Advisor (F)
4. PS to Addl.CGCA
5. PS to Sr. Jt.CGCA
6. PS to DDG(LFP) w.r.t. letter no. LFP-10/11/2022-LFP-II dated 15.09.2022 and 23.09.22

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitori, New Delhi-110047

No. 50-1/Centralized BG/ BAL/Enhancement

Dated: 10.10.2022

To,

Bharti Airtel Ltd (on email)

Subject: Enhancement of Financial Bank Guarantee LF and SUC

In accordance with the Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain FBG equal estimated sum payable of LF for two quarters will be arrived by taking the arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2 and other dues not otherwise securitized.

2. I am directed to inform you that on the basis of six monthly review (up to 31.03.2022)of FBG for LF and SUC for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in respect of LF and SUC needs to be enhanced from the existing value as per details below:-

S.I No	Type/Purpose	Service	Total amount of FBGs to be required	Existing Amount of FBGs	Additional FBG to be required
1	FBG-LF	UL(Access), Delhi, Kolkata, AP, HP, Punjab , Karnataka, Tamil Nadu, Gujarat, Haryana, Kerala, MP, MH, Mumbai, UP(W), NLD,ILD,ISP,VSAT UASL UP(E), Bihar, J&K, , Orissa, WB, Assam NLD, ILD	623,38,16,483	554,61,54,345	68,76,62,138
2	FBG-SUC	UL(Access), Delhi, Kolkata, AP, HP, Punjab , Karnataka, Tamil Nadu, Gujarat, Haryana, Kerala, MP, MH, Mumbai, UP(W), ,VSAT	279,56,62,659	231,63,60,551	47,93,02,108

		UASL UP(E), Bihar, J&K, Orissa, WB, Assam			
	Total		902,94,79,142	786,25,14,896	116,69,64,246

3. Therefore you are requested to submit fresh/ additional Bank Guarantee(s) amounting to Rs. 68,76,62,138/- (Rs Sixty Eight Crores Seventy Six Lakhs Sixty Two Thousand One Hundred Thirty Eight only) in respect of FBG-LF and Rs. 47,93,02,108/- (Rs. Forty Seven Crores Ninety Three Lakhs Two Thousand One Hundred Eight only) in respect of FBG -SUC in 15 days from the date of issue of letter.

The case of Videocon in respect of its BG maintenance by BAL is under consideration and clarification is sought from DoT HQ. Further additional BGs in respect of VTL will be sought separately, if required.

This issues with the approval of Competent authority.

P Singh
10/10/22
Dy. CGCA (Revenue)

Copy for information (on email)

1. Sr. PPS to Member(Finance), DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

Government of India
Department of Telecom
Controller General of Communication Accounts
NICF Campus, Ghitori New Delhi 110047

No: 50-1/Centralized BG/VIL/Enhancement

Dated 18.10.2022

To,

All Pr. CCA's/CCA's

Subject: Regarding FBG (LF & SUC) in respect of M/s Vodafone Idea Ltd for half yearly review and BGs under litigation.

Ref: 1 AS Wing letter AS-25/1/2017-AS-V-Part(1) dated 27.10.2021

2 AS Wing letter No. AS-25-1/2017-AS-V-Part 1 Dated 21.09.2022

3. WPF Wing letter No. 1000/04/2021-WR dated 01.11.2021

Kindly refer to this office letter No: 50-1/2022/BG-Policy/ViL/Vol/II Dated 07.06.2022 regarding release of FBGs of M/s. Vodafone Idea.

2. AS wing vide letter No. AS-25-1/2017-AS-V-Part 1 Dated 21.09.2022 intimated that Financial Penalty of Rs. 600 Crores was imposed on Idea Cellular Ltd for violation of License conditions and which is under before the Hon'ble TDSAT in Telecom Petition No. 440 of 2013. It is also intimated that vide Hon'ble TDSAT order dated 10.12.2013 suitable amount of Bank Guarantee may be retained to securitize the above Financial penalty in respect of TP No. 440 of 2013.

Revenue Section O/o CGCA calculated the requisite additional BG enhancement during half yearly review. Also, the BGs for Vodafone Idea have been categorized into the BGs for rationalization. BGs for TP No. 38/2021; BGs for TP440/2013. Details are as under:

S. No.	Subject	Amount
1.	Annexure A: Details of bank guarantees whose orders issued for release by this office letter dated 07.06.2022 but retained by CCA's due to Clarification in respect of MWA & MWB, Litigation, Outstanding Dues	250,49,88,535
2	Annexure B: Details of FBGs whose orders issued for release on 07.06.22 is to be retained for FBG(SUC) on the basis of Half yearly review	5,85,56,700
3	Annexure C: Details of FBG(s) in respect of FBG(SUC) on the basis of Half yearly review	168,57,43,364
4	Annexure D: Details of FBG(s) in respect of FBG(LF) on the basis of Half yearly review	332,48,29,166
5	Annexure E: Details of BG(s) retained in respect AS Wing letter dated 27.10.2021, Para B, TP No. 440 of 2013	617,08,84,275
6.	Annexure F: Details of BG(s) retained in CCAs in respect of WPF Letter dated 01.11.2021, TP NO. 38 of 2021	864,37,74,470
	Total (3 to 6)	1982,52,31,275

3. Therefore all Pr. CCAs & CCAs offices are hereby requested to retain the existing FBG(s) worth Rs. 250,49,88,535/- mentioned in Annexure A for litigation as per AS Wing letter dated 27.10.2021. It is also requested to retain BGs mentioned in Annexure B of Rs.5,85,56,700 for Half yearly review in respect of FBG(SUC). BGs mentioned in Annexure B pertains to FBG(LF). In this regard it is requested to send amendment to BGs mentioned in Annexure B for SUC Purpose. Details of FBGs in Annexure C, Annexure D is kept for LF and SUC respectively on the basis of Half yearly review.

4. CCA Offices are also requested to immediately send above BGs(mentioned in annexure A & B) to this office for safe custody, the same may be ignored if already sent.

This issues with the approval of CGCA.

Encl.: Annexure A, B,C,D,E F

P Singh
18/10/22
Dy. CGCA(Revenue)

Copy through email for information please:-

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. Sr. PPS to Adv(F)
4. Sr. PPS to Addl CGCA
5. Sr. Jt. CGCA (Revenue Section)
6. DDG(AS Wing)
7. DDG(LFP Wing)
8. M/s Vodafone Idea Ltd, It is requested to keep all FBGs mentioned in Annexure A & B alive for future and also to send amendment to BGs mentioned in Annexure B for SUC Purpose.

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
Ghitorni, NICF Campus, New Delhi – 110 047

CORRIGENDUM

Dated : 18.10.2022

To

All Pr. CCAs/CCAs

Sub : Clarifications received from DoT on issues related to LF Assessment-reg.

Kindly refer to this office letter no. 50-2/Clarification/Tamil Nadu Circle dated 04.10.2019 on the subject cited above. In this regard, the following is hereby clarified in respect of point 2 and other points shall remain unchanged:

Existing	Amended
Point 2: Levy of LF on Revenue Earned from Non Telecom Activities LFP wing has intimated that LFP vide order no 31-01/2013-LF I dated 09-05-2013, it has been clarified that all non-telecom revenue is included in AGR. The order also clearly states that it supersedes any orders issued earlier on the subject. The same has been reiterated vide order no 24-1/2016/LFP-I dated 01.06.2016. The same has been upheld by the Hon'ble Supreme Court in the judgment dated 24.10.2019 in CA NOS.6328-6399 OF 2015. Assessments are to be done accordingly.	Point 2: Levy of LF on Revenue Earned from Non Telecom Activities LFP wing has intimated that LFP vide order no 31-01/2013-LF I dated 09-05-2013, it has been clarified that all non-telecom revenue is included in AGR. The order also clearly states that it supersedes any orders issued earlier on the subject. The same has been reiterated vide order no 24-1/2016/LFP-I dated 01.06.2016. The same has been upheld by the Hon'ble Supreme Court in the judgment dated 24.10.2019 in CA NOS.6328-6399 OF 2015. Assessments are to be done accordingly. This is applicable to the period prior to Telecom Reforms i.e. till September 2021.

This issues with the approval of Competent Authority.

P. Singh
18/10/22
Dy. CGCA
(Revenue)

Copy to (through email) for information:

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. PS to Advisor (F)
4. PS to Addl.CGCA
5. PS to Sr. Jt.CGCA
6. PS to DDG(LFP) w.r.t. letter no. LFP-10/11/2022-LFP-II dated 15.09.2022 and 23.09.22

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
Ghitorni, NICF Campus, New Delhi – 110 047

F. No: 50-3/SUC/Representation/TSPs/2022-23

Dated : 26.10.2022

To

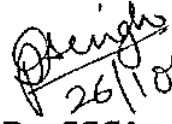
All Pr. CCAs/CCAs

Sub: Clarification on Process for resolution of representations/appeals against SUC assessment-reg.

**Ref: 1. WPF wing letter no. 1022/01/2021-WR dated 22.09.22
2. WPF wing letter no. 1000-56/2004-WFD dated 06.02.2013
3. WPF wing amendment letter no. 1000-56/2004-WFD dated 17.05.2017**

Kindly find the enclosed letter cited under reference 1 above regarding the process for resolution of representations relating to SUC for compliance. The appeals against SUC assessment carried out CCA offices are to be disposed off in accordance with the delegation vide letters mentioned in reference 2 and 3 above (copies enclosed). In case where the appeals against the SUC assessments are referred to DoT, the para-wise comments may invariably be enclosed along with it.

This issues with the approval of Addl. CGCA.


26/10/22
Dy. CGCA
(Revenue)

Copy to (through email) for information:

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. PS to Advisor (F)
4. PS to Addl.CGCA
5. PS to Sr. Jt.CGCA
6. DDG (WPF), DOT - it is requested to kindly provide the complete compendium of all orders issued by WPF wing, DoT HQ relating to SUC Assessment to this office to circulate the same to all Pr. CCAs/CCAs.

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
Ghitorni, NICF Campus, New Delhi – 110 047

F.No. 50-4/2019-Clarification & Rulings/CCA Rajasthan

Dated: 27.10.2022

To

CCA Rajasthan
Rajasthan Telecom circle
Sanchar Lekha Bhawan
4, Mahatma Gandhi Road
Jhalana Doongri
Jaipur-302 004

Sub: Issue of guideline/clarification in respect of deduction claimed by ISP under the head of "Revenue from Pure Internet Services"-reg.

Ref: 1. CCA Rajasthan letter no. CCA/4-8/ISP/CGCA Corr./2021-22/829 dated 29.03.22
2. LFP wing, DoT HQ letter no. LFP-10/20/2022-LFP-II dated 21.10.22[copy enclosed]

With regards to the letter cited under reference 1 wherein it was requested to issue guidelines/clarifications in respect of following deductions claimed by many ISPs under the head of "Revenue from Pure Internet Services":

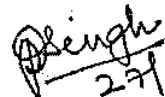
1. Installation charges
2. Network set up charges
3. Revenue from IP-I Registration

In this regard, LFP wing vide letter cited under reference 2 has intimated the following:

1. **Installation charges:** It has already been clarified vide DOT letter No 13-32/LF-II(ISPIT)2009/Part I dated 27.02.2012 that Installation charges are to be added back to AGR. [Copy enclosed]
2. **Network Setup Charges:** Matter was consulted with DS wing and it is intimated that "Network Setup charges" should be added back to AGR. Network Setup Charges is a one time charge like installation charges.
3. **Revenue from IP-I registration:** Kindly refer to para 174 of Hon'ble Supreme Court judgment in AGR case. It is clearly been stated that revenue under IP-I registration will be included in AGR. Copy of the judgment is enclosed.

This issues with the approval of Competent Authority.

Encl: As above


27/10/22
Dy. CGCA (Revenue)

Copy to (through email) for information:

1. Sr. PPS to Member(F)
2. Sr. PPS to CGCA
3. PS to Advisor (F)
4. PS to Addl.CGCA
5. PS to Sr. Jt.CGCA
6. PS to DDG(LFP) w.r.t. letter no. LFP-10/20/2022-LFP-II dated 21.10.22.
7. All Pr.CCAs/CCAs for kind information and taking necessary action accordingly

Government of India
Ministry of Communications
Department of Telecommunications
Office of Controller General of Communication Accounts
NICF Campus, Ghitorni, New Delhi-110047

No. 50-1/Centralized BG/ QTL/Enhancement

Dated .10.2022

To,

02.11.2022

M/s. Quadrant Televentures Ltd (on email)

Subject: Enhancement of Financial Bank Guarantee LF

In accordance with Amendment to clause 21.2 of the License Agreement, all Licenses have to maintain FBG equal estimated sum payable of LF for two quarters will be arrived by taking the arithmetic mean of the quarterly LF payable by the operator during last 4 quarters multiplied by 2.2 and other dues not otherwise securitized.


2. I am directed to inform you that on the basis of six monthly review up to 31.03.2022 of FBG for LF for the last four quarter i.e. 01.04.2021 to 31.03.2022 carried out on the availability of existing BGs and requirements of additional BGs, FBG in r/o LF needs to be enhanced from the existing value as per detail below:-

(Figures in Rupees)

	BG Already with CCA Punjab	FBG After Half Yearly Calculation	Additional BG Required
UL ISP	4319000	4494881	175881
UL ACCESS	67291000	929477	-66361523
Total	71610000	5424359	-66185641

3. Therefore you are requested to submit additional bank Guarantees of Rs 175881/- (One Lakh Seventy Five Thousand Eight Hundred Eighty One only) in r/o UL-ISP in 15 days from the date of issue of letter.

This issues with the approval of Competent authority.


Dy. CGCA (Revenue)

Copy for information (on email)

1. Sr. PPS to Member(Finance), DoT HQ
2. Sr. PPS to CGCA
3. Sr. PPS to Advisor(F), DoT HQ
4. PA to Addl CGCA
5. PA to Sr. Jt. CGCA

Email

Pratima Singh

Fwd: Clarifications awaited from DoT on issues related with LF Assessment.

From : Pratima Singh <dycgcarev-dot@gov.in> Wed, Nov 02, 2022 11:46 AM
Subject : Fwd: Clarifications awaited from DoT on issues related with LF Assessment. 5 attachments
To : CCA Tamilnadu <ccatn.tn@nic.in>, Dy. CCA(LF & USO), CCA-TN <dyccalfuso.ccatn@nic.in>
Cc : Manish Sinha <memberf-dot@nic.in>, cgca dot <cgca.dot@gmail.com>, SHAILENDRA KUMAR MISHRA <advisorf-dot@nic.in>, SK Mishra <addcgca-dot@gov.in>, Manoj Anand <jtcgcarev-dot@gov.in>, Manoj Anand <manoj.anand63@nic.in>, Ajay Kumar <ddglfa-dot@gov.in>, Sathish Kumar R <sathishkumar.r.dot@nic.in>, PRATIMA SINGH <pratima.singh88@gov.in>

Sir

Kindly refer to this office letter dated 04.10.22 wherein it was intimated that **the case of Amalgamation of M/s Limras Eronet Broadband Service Pvt. Ltd. with M/s Blue Lotus Support Service Pvt. Ltd. has been taken up by LFP wing with DS wing and clarifications in this regard will be provided in due course.**

In this regard, kindly find the DS wing letter dated 01.11.22 of trailing mail received from LFP wing regarding Merger/Amalgamation of M/s Limras Eronet Broadband Service Pvt. Ltd. ("Transferor Company") with M/s Blue Lotus Support Services Pvt. Ltd. for information and taking necessary action at your end.

With regards

Dy. CGCA(Rev)
 O/o CGCA
 New Delhi-110 047.

From: "Sathish Kumar R" <sathishkumar.r.dot@nic.in>
To: "Pratima Singh" <dycgcarev-dot@gov.in>
Sent: Tuesday, November 1, 2022 11:26:26 AM
Subject: Fwd: Clarifications awaited from DoT on issues related with LF Assessment.

Madam,

Please refer to this office letter no LFP-10/11/2022-LFP-II dated 15.09.2022 ,where it was mentioned in point d that the matter regarding Amalgamation of M/s Limras Eronet Broadband Service Pvt. Ltd with With M/s Blue Lotus Support Service Pvt. Ltd has been taken up with DS wing.

Email

Pratima Singh

Re: Recommending Audit of the accounts of M/s Symbios Creations Private Limited (SCPL), UL (ISP C), FY 2019-20 & 2020-21

From : Pratima Singh <dycgcarev-dot@gov.in> Mon, Nov 21, 2022 12:15 PM
Subject : Re: Recommending Audit of the accounts of M/s Symbios Creations Private Limited (SCPL), UL (ISP C), FY 2019-20 & 2020-21 2 attachments
To : Harshvardhan Singh <ccane2-dot@gov.in>
Cc : Manish Sinha <memberf-dot@nic.in>, cgca dot <cgca.dot@gmail.com>, SHAILENDRA KUMAR MISHRA <advisorf-dot@nic.in>, SK Mishra <addcgca-dot@gov.in>, Manoj Anand <jtcgcarev-dot@gov.in>, Manoj Anand <manoj.anand63@nic.in>, Sathish Kumar R <sathishkumar.r.dot@nic.in>, PRATIMA SINGH <pratima.singh88@gov.in>

Sir

With reference to your office trailing mail, kindly find the attached LFP wing, DoT HQ letter no. LFP-10/21/2022-LFP-II dated 18.11.22 along with Terms of Reference(ToR) regarding the approval for conduction of special audit of accounts of M/s Symbios Creations Private Limited (SCPL), UL (ISP C) for the FYs 2019-20 & 2020-21.

With regards
Dy. CGCA(Rev)
O/o CGCA
New Delhi-110 047.

From: "Harshvardhan Singh" <ccane2-dot@gov.in>
To: "Manoj Anand" <jtcgcarev-dot@gov.in>
Cc: "Pratima Singh" <dycgcarev-dot@gov.in>
Sent: Friday, September 30, 2022 2:40:39 PM
Subject: Recommending Audit of the accounts of M/s Symbios Creations Private Limited (SCPL), UL (ISP C), FY 2019-20 & 2020-21

To,
Sr JtCGCA (Revenue),
O/o CGCA, DoT
NICF Campus, Ghitorni,
New Delhi-43

Respected Sir,
M/s SCPL holds a UL (ISP-C) License- DS-11/483/2018-DS-III, dated 26-07-2019 for Nagaland SSA. This office has formed an opinion that the audited accounts submitted by the licensee for the FY 2019-20 & 2020-21 are misleading. The opinion is formed on the following grounds:-

FY 2019-20

1. Revenue Reporting for only half of the Customers- In the revenue statement, Licensee booked the earnings from 1170 customers for Q-4, while the number of subscribers as on 31-03-2020 reported to TRAI was 2031. Licensee has confirmed that reporting to TRAI is based on server data (Vide Point 1 of the MoM dated 29-08-2022) which rules out errors in reporting to TRAI.

Email

Pratima Singh

Fwd: Clarifications for Assessment of License Fee in r/o PSUs after the Hon'ble Supreme Court Judgment in AGR case - regarding

From : Pratima Singh <dycgcarev-dot@gov.in>
Subject : Fwd: Clarifications for Assessment of License Fee in r/o PSUs after the Hon'ble Supreme Court Judgment in AGR case - regarding
To : ccadelhirevenue <ccadelhirevenue@gmail.com>, CCA DELHI DOT <cca.dl-dot@nic.in>
Cc : Manish Sinha <memberf-dot@nic.in>, cgca dot <cgca.dot@gmail.com>, SHAILENDRA KUMAR MISHRA <advisorf-dot@nic.in>, SK Mishra <addcgca-dot@gov.in>, Manoj Anand <jtcgcarev-dot@gov.in>, Manoj Anand <manoj.anand63@nic.in>, PRATIMA SINGH <pratima.singh88@gov.in>

Mon, Nov 21, 2022 12:14 PM

1 attachment

Sir

Kindly find the LFP wing letter no. 12-25/2019-LFP dated 10.11.22 w.r.t. clarifications for assessment of License Fee in respect of PSUs after the Hon'ble SC judgment dated 01.09.20 in AGR matter for information and taking necessary action.

With regards
 Dy. CGCA(Rev)
 O/o CGCA
 New Delhi-110 047.

From: "Sathish Kumar R" <sathishkumar.r.dot@nic.in>
To: "cgca dot" <cgca.dot@gmail.com>, "Manoj Anand" <jtcgcarev-dot@gov.in>, "Pratima Singh" <dycgcarev-dot@gov.in>, ccadelhi@gmail.com, "revenue ccadelhi" <revenue.ccadelhi@gmail.com>, "CCA Assam" <ccaassam@nic.in>, "Dr Kamal Kapoor" <cca.guj-dot@nic.in>
Cc: "SHAHNAWAZ ALAM" <ddg.lfp-dot@gov.in>, "SHAILENDRA KUMAR MISHRA" <advisorf-dot@nic.in>, "Manish Sinha" <memberf-dot@nic.in>
Sent: Thursday, November 10, 2022 12:16:28 PM
Subject: Clarifications for Assessment of License Fee in r/o PSUs after the Hon'ble Supreme Court Judgment in AGR case - regarding

Sir/Madam,

Please find attached letter on above subject

Regards
 R.Sathish Kumar
 Director (LFP II)
 DOT Hq
 011-23372162

Email

Pratima Singh

Re: M/s Manthan Broadband Services Pvt Ltd - recommendation for termination of license

From : Pratima Singh <dycgcarev-dot@gov.in> Mon, Nov 28, 2022 04:49 PM
Subject : Re: M/s Manthan Broadband Services Pvt Ltd - recommendation for termination of license 📎 2 attachments
To : CCA ODISHA <ccaodisha.dot@nic.in>
Cc : Manoj Anand <jtcgcarev-dot@gov.in>, Manoj Anand <manoj.anand63@nic.in>, PRATIMA SINGH <pratima.singh88@gov.in>

Respected Mam/ Sir,

Kindly refer to the trailing mail wherein your office vide letter dated 09.04.21, 01.09.21 and 21.11.22 has sought necessary guidance from this office to initiate the process for cancellation of license agreement of M/s Manthan Broadband Services Pvt. Ltd owing to failure in discharging contractual obligations in accordance with license agreement.

In this regard, it is to intimate that approval of this office is not required w.r.t. recommendation for termination of license. Though, DS wing vide letter dated 10.11.20 has issued instructions in connection with recommendation for cancellation of license.

Therefore, it is requested that the instructions/guidelines contained in the DS wing, DoT HQ letter dated 10.11.20 may be followed.(copy enclosed)

With regards

Dy. CGCA(Rev)
O/o CGCA
New Delhi-110 047.

From: "CCA ODISHA" <ccaodisha.dot@nic.in>
To: "Pratima Singh" <dycgcarev-dot@gov.in>
Cc: Ifsucidishacca@gmail.com
Sent: Monday, November 21, 2022 5:11:25 PM
Subject: Re: M/s Manthan Broadband Services Pvt Ltd - recommendation for termination of license

Respected Sir/Madam

Kindly find the attachment on the subject cited above.

With regards
V. Balasubramanian
Joint Controller

Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001
(Data Services Cell)

Dated: 09/11/2020

No. 813-12/2020-DS-II

To,

All Pr.CCA/CCAs.

Subject: Streamlining the process for reporting violation cases of ISP licensee's for termination by CCA offices.

DS wing of DoT is receiving the cases against the ISPs licensees for termination from various CCAs after encashment of FBG/PBG of the ISP licensee in view of the followings:

- i. Non-renewal of FBG/PBG in due course.
- ii. Non-replenishment of FBG/PBG amount after its encashment.
- iii. Non-submission of License fee and related documents/statements.

2. However, many of these cases are received without enclosing communication/notice to the ISP licensee seeking explanation and subsequent examination for reply from ISP licensee, recommendations in the violation case with violated conditions/clauses and legally sustainable reasons along with draft show cause notice prepared with violated clauses and clear mention of established violation.

3. The above mentioned information/documents are required before processing such case, so that department can have a legally tenable/sustainable violation case before initiating any action against the licensee and to withstand the judicial scrutiny that may take subsequently in future. Further, non-availability of such documents results into avoidable correspondence and delay thereof.

3. Therefore, in order to streamline the processing the cases related to termination of license as per terms and conditions of license and avoid delays, all the CCA units are again requested to provide following document/information along with any recommendation for cancellation of License due to breach of financial condition(s) of License:

- i. Present status of PBG/FBG of the licensee.
- ii. Confirmation regarding calculation of License fee/AGR are in accordance with all legally tenable provision for calculation of AGR/License fee for the internet service providers in view of all litigation/Judgement made till date, so that any litigation may be avoided in future.
- iii. Evidences like communication/notice to the ISP licensee seeking explanation and subsequent examination for reply from ISP licensee so that department can have a legally tenable/sustainable violation case before initiating any action against the licensee and to withstand the judicial scrutiny that may happen subsequently in future.
- iv. Recommendations in the case with violated conditions/clauses and reasons for established violation.

Email

Pratima Singh

Fwd: [WARNING: ATTACHMENT UNSCANNED]Re: Clarification and guidelines regarding supporting documents required to allow deduction as per new amendments of unified licenses.

From : Pratima Singh <dycgcarev-dot@gov.in> Wed, Dec 14, 2022 01:41 PM
Subject : Fwd: [WARNING: ATTACHMENT UNSCANNED]Re: Clarification and guidelines regarding supporting documents required to allow deduction as per new amendments of unified licenses. 1 attachment
To : CCA CHHATISGARH <cca.cg-dot@nic.in>
Cc : Manoj Anand <jtcgcarev-dot@gov.in>, PRATIMA SINGH <pratima.singh88@gov.in>

Sir

With reference to your office letter dated 07.02.22 and 25.11.22 wherein it was requested to issue necessary guidelines regarding supporting documents required to allow deduction in respect of pass through nature as per amendment in Unified Licenses.

In this regard, kindly find the trailing mail received from LFP wing wherein it has been intimated that clause regarding pass through charges has been deleted from deductions of UL ISP license by amendment dated 19.5.2022. Copy of the amendment is attached herewith.

This is for kind information and taking necessary action accordingly.

With regards
Dy. CGCA(Rev)
O/o CGCA
New Delhi-110 047.

From: "Sathish Kumar R" <sathishkumar.r.dot@nic.in>
To: "Pratima Singh" <dycgcarev-dot@gov.in>
Sent: Monday, August 22, 2022 2:03:04 PM
Subject: [WARNING: ATTACHMENT UNSCANNED]Re: Clarification and guidelines regarding supporting documents required to allow deduction as per new amendments of unified licenses.

Madam,

Regarding the clarification on pass through charges it may be noted that the clause regarding pass through charges has been deleted from deductions of UL ISP license by amendment dated 19.5.2022. Copy of the amendment is enclosed

Regards
R.Sathish Kumar
Director (LFP II)