



DIGITAL  
LIFE

RJIL/TRAI/2019-20/404  
1<sup>st</sup> November 2019

To,

**Shri Syed Tausif Abbas,  
Advisor (Networks, Spectrum and Licensing),  
Telecom Regulatory Authority of India,  
Mahanagar Doorsanchar Bhawan,  
Jawaharlal Nehru Marg,  
New Delhi - 110002**

**Subject: Comments on TRAI's Consultation paper on 'Reforming the Guidelines for Transfer/Merger of Telecom Licenses' dated 19<sup>th</sup> September 2019 (Consultation Paper No.14/2019).**

Dear Sir,

Please find attached comments of Reliance Jio Infocomm Limited on the issues raised in the Consultation Paper on 'Reforming the Guidelines for Transfer/Merger of Telecom Licenses' dated 19<sup>th</sup> September 2019 (Consultation Paper No.14/2019).

Thanking You,

Yours sincerely,  
For **Reliance Jio Infocomm Limited**,

  
**Kapoor Singh Guliani**  
Authorised Signatory



Encl.: As above.

## Reliance Jio Infocomm Limited's Comments on TRAI's Consultation Paper on "Reforming the Guidelines for Transfer/Merger of Telecom Licenses"

1. At the outset we welcome Authority's initiative to solicit feedback and comments on consultation paper on "Reforming the Guidelines for Transfer/Merger of Telecom Licenses" ('CP'). We have been supportive of the efforts taken by the Authority and the Government in developing and evolving a balanced policy framework for mergers and acquisition in the telecom space. The current framework facilitates M&A activity in the sector while ensuring an effective competition in the sector.
2. We have few comments/inputs for clauses in current 'Guidelines for Transfer/Merger of various categories of Telecommunication service Licenses/authorization under Unified License ('UL') on compromises, arrangements and amalgamation of the companies, 2014' and its subsequent amendments ('Guidelines'). Please find below our response to specific questions raised in the CP.

**Q1. What reforms are required to be made in the existing guidelines on Transfer/Merger of Licenses to enable simplification and fast tracking of approvals? Kindly provide clause-wise response along with detailed justification.**

1. It should be clarified in **Clause 3.g** that the condition of '*market share for access services in respective service area of the resultant entity is up to 50%*' is applicable only in cases where the transferor (acquired) company and the transferee (acquiring) company individually have market share lower than 50% in the given service area. In case, either of the transferor or the transferee have a market share higher than 50% in the given service area before the transfer/merger of licenses, same should be allowed to be maintained as market share of the merged entity; and not mandated to be reduced to 50%.
2. We suggest that the present provisions in the Guidelines, related to addressing the pending dues/demands from licensees, are adequate and should be maintained as is. This will protect the interest of the licensor and provide clarity/transparency to the merged entity in conducting their future operations.

**Q2. Whether mandatory access to MVNOs should be provisioned in the DoT M&A Guidelines to address the competition concerns? If yes, in which cases the access should be mandated and what should be the guiding principles for provision of wholesale access to MVNOs? If no, kindly provide justification.**

1. We recommend that no mandatory access to MVNOs should be provisioned in DoT Guidelines. Current policy framework which includes Guidelines, regulations around interconnection, tariff, etc. ensure an optimum level of competition in the sector; while restricting any single player from abusing its market power and hence allowing level playing field for other players. There is no additional requirement of provision such as mandatory access to MVNOs to maintain healthy



competition in the sector. With the sector consolidation in last few years, the remaining players in the telecom space have been investing aggressively to upgrade their infrastructure and maintain a competitive edge over each other.

2. The provision for TSPs to engage with MVNO is already in place in the current regulatory framework and the same may be retained. We recommend that Authority should maintain a light touch approach and not introduce any provision of mandatory access to MVNOs.

**Q3. In your view, what changes are required in the provisions of UL so as to make them unambiguous? Please provide justification.**

None

**Q4. If there are any other issues / suggestions relevant to the subject, stakeholders may submit the same with proper explanation and justification.**

None

