

Guidelines for Captive Non-Public Network

Pursuant to the recommendations of the Telecom Regulatory Authority of India on "Auction of Spectrum in frequency bands identified for IMT/5G" dated April 11, 2022, recommending options for setting up of Captive Non-Public Network ("CNPN"), the Department of Telecommunications ("DoT") has issued the below mentioned guidelines.

Guidelines for CNPN License ("CNPN Guidelines")

As per the CNPN Guidelines, CNPN can be set up in the following manner:

1. **Telecom Service Providers ("TSPs") Setting up CNPNs:** TSPs with Access Service authorisation may provide private networks as a service to an enterprise by using network resources over its public land mobile network ("PLMN"). Further, they may establish isolated CNPN for enterprises using international mobile telecommunications ("IMT") spectrum acquired by them. Accordingly, amendments to unified license and unified access service license ("UASL") to the above-mentioned effect have been issued.
2. **Enterprises setting up CNPNs:** Enterprises setting up CNPNs may obtain the spectrum on lease from TSPs or directly from DoT and establish their own isolated network. To enable the same, a license under Section 4 of the Indian Telegraph Act, 1885 may be issued by the DoT in line with the broad guidelines detailed below.
 - (a) **Eligibility:** An applicant must be an Indian Company and an occupant of the geographical area(s)/property(ies) on which such CNPNs will be established. Further, the net worth of the applicant may not be less than INR 100 crores to seek direct assignment of spectrum.
 - (b) **Scope:** The CNPN licensee ("**Licensee**") may establish indoor/within premise isolated CNPNs for own use within the area of operations of license. The Licensee is prohibited from using the CNPN license for providing commercial telecommunication services.
 - (c) **Area of Operation:** The CNPN license will be valid within such locations in India where the Licensee is an occupant of the geographical area(s)/ property(ies) on which such CNPN is to be established.
 - (d) **General Conditions:** Some of the general conditions of CNPN license include: (i) the application for the CNPN license is to be made online through the Saral Sanchar portal; (ii) the CNPN license will be valid for 10 years; and (iii) a unique license number will be issued to each licensee, which is to be used by the Licensee to apply for the spectrum.
 - (e) **Fees:** Applicant will only have to pay one-time non-refundable application processing fee of INR 50,000.
 - (f) **Security Conditions:** The Licensee is required to follow relevant network security conditions and instructions regarding the procurement of telecom equipment from trusted sources.

- (g) **Spectrum for CNPN License:** The leasing of spectrum for CNPN licensee will be governed by the Guidelines of Spectrum to CNPN Licensees dated June 27, 2022, issued by the DoT.

Guidelines for Leasing of Spectrum to CNPN (“Spectrum Guidelines”)

As per the Spectrum Guidelines, the enterprises setting up CNPN Private Captive Networks may obtain the spectrum on lease from TSPs having access service in the following manner:

- (a) TSPs with access service authorisation will be allowed to lease auction acquired/ liberalized IMT spectrum to Licensees.
- (b) Licensees may obtain IMT spectrum from one or more TSPs on mutually agreed terms and conditions.
- (c) TSPs are required to submit the details of spectrum band(s), quantum of spectrum in each band, period of lease, geographic area of lease, geo-coordinates of the logical perimeter of the premises and use of spectrum, to DoT on the Saral Sanchar portal, within 15 days of entering into leasing agreements with licensees.
- (d) The Licensees are required to obtain online SACFA clearance and ensure that no interference is caused to any public network or any other licensed user of spectrum, while using the leased spectrum.
- (e) The revenue earned by a TSP through the spectrum leasing will form part its Adjusted Gross Revenue.

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