

No. 20-1333/2022-AS-I

Dated 27th June, 2022

Sub: Guidelines for Captive Non-Public Network (CNPN) License

1. Background:

(1) National Digital Communications Policy, 2018 aims to ensure a holistic approach towards emerging digital technologies such as Artificial Intelligence, Robotics, Internet of Things, Mobile Edge Computing (MEC), Machine to Machine (M2M) communication etc. to catalyse the fourth industrial revolution (Industry 4.0).

(2) Private Captive Networks can play a key role in automation and industry 4.0 by providing secure, ultra-reliable, low latency and high throughput communication using advanced technologies.

(3) TRAI in its recommendations on "Auction of Spectrum in frequency bands identified for IMT/5G" dated 11.04.2022 had recommended four options for setting up of Captive Wireless Private Network (*hereinafter referred to as "Captive Non-Public Network (CNPN)"*) in India.

2. Setting up Captive Non-Public Networks: After considering the TRAI recommendations, the Government has decided to enable setting up of Captive Non-Public Networks in India as follows:

(1) Telecom Service Providers (TSPs) with Access Service License may provide private networks as a service to an enterprise by using network resources (such as through network slicing) over its PLMN public network.

(2) TSPs with Access Service License may establish isolated Captive Non-Public Network for the enterprises using IMT spectrum acquired by them.

(3) Enterprises setting up Private Captive Networks may obtain the spectrum on lease from TSPs and establish their own isolated network.

(4) Enterprises setting up Private Captive Networks may obtain the spectrum directly from DoT and establish their own isolated network.

To operationalize these decisions, present guidelines are being issued.

3. TSPs setting up CNPNs:

- (1) TSPs with Access Service License shall be allowed to provide CNPN as a service to an enterprise by using network resources (such as through network slicing) over its PLMN public network.
- (2) TSPs with Access Service License shall be allowed to establish isolated CNPN for enterprises using IMT spectrum acquired by them.
- (3) Amendments to Unified License (UL) and Unified Access Service License (UASL) to these effect have been issued on 27th June, 2022.

4. Enterprises setting up CNPNs: To enable enterprises to establish CNPN, Government shall issue License under Section 4 of the Indian Telegraph Act, 1885. The broad guidelines for grant of CNPN license are detailed below.

(1) Eligibility:

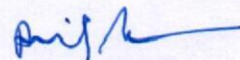
- (a) An applicant must be an Indian company registered under the Companies Act, 2013.
- (b) The applicant shall be the occupant of the geographical area(s)/ property(ies) (either owned or leased) on which such Captive Non-Public Network(s) will be established.
- (c) For seeking direct assignment of spectrum from the Government, the networth of the applicant shall not be less than Rs 100 Cr.

(2) Scope of the License:

- (a) CNPN Licensee may establish indoor/ within premise isolated Captive Non-Public Network(s) for own use within the area of operations of license.
- (b) CNPN license cannot be used for providing commercial telecommunication services.

(3) Area of operation of License:

- (a) CNPN license shall be valid within such locations in the country where CNPN licensee is occupant of the geographical area(s)/ property (ies) (either owned or leased) on which such Captive Non-Public Network(s) to be established.



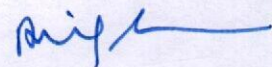
- (b) CNPN licensee having operations at more than one location will require only one CNPN license. As and when the CNPN licensee decides to establish a new CNPN at another location, geo-coordinates of such location shall be updated on Saral Sanchar Portal before applying for spectrum.

(4) General conditions:

- (a) The applicant shall submit the application for grant of CNPN license at online portal www.saralsanchar.gov.in. Specimen application form is at Annexure-I.
- (b) The License shall be valid for 10 years. The Licensee may apply for renewal of the License, which shall be processed as per extant policy.
- (c) A unique license number shall be issued to each CNPN licensee, which shall be used by CNPN licensee to apply for spectrum.
- (d) CNPN licensee shall deploy network elements as per TEC standards, wherever mandatory, or as per relevant standards set by International Standardization bodies.
- (e) CNPN licensee shall not connect its network to public networks in any manner. The public networks include but are not limited to PSTN, PLMN, GMPCS and Internet.
- (f) All the network elements of CNPN, including core network, shall be established within the area of operation of the license.
- (g) Licensee can connect its CNPNs established at multiple locations through leased lines obtained from the licensed TSPs.
- (h) CNPN licensee shall follow the extant guidelines on FDI policy issued by the Government from time to time.
- (i) If at any time, any averments made or information furnished for obtaining the license is found incorrect, the application and the license, if granted thereto on the basis of such application, may invite penalties and/or cancellation as may be deemed fit by the licensor.

(5) Fees:

- (a) CNPN Licensee shall not be required to pay any Entry Fee and License Fee.



(b) Applicant will have to pay one-time non-refundable application processing fee of Rs. 50,000.

(6) Security conditions:

(a) CNPN licensee shall follow relevant network security conditions and instructions regarding the procurement of telecom equipment from trusted sources as issued by the Government from time to time.

(b) The licensor shall have a right to inspect CNPN, lawfully intercept, and ascertain its bonafide use.

5. Spectrum for CNPN License:

(1) Leasing of spectrum from TSPs:

(a) CNPN Licensee may obtain IMT spectrum on lease from one or more than one Telecom Service Provider (TSP) having Access Service License on mutually agreed terms and conditions. CNPN licensee shall obtain spectrum for each individual geographical area/ location separately.

(b) Such leasing shall be governed by 'Guidelines for leasing of Spectrum to CNPN Licensees' dated 27th June, 2022.

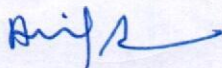
(c) Amendments to UL and UASL allowing leasing of spectrum to CNPN Licensees have been issued on 27th June, 2022.

(2) Direct assignment: Enterprises setting up CNPNs may obtain the spectrum directly from DoT and establish their own isolated network. Department of Telecom will undertake demand studies and thereafter seek TRAI recommendations for direct assignment of spectrum to such enterprises.

(3) SACFA clearance: CNPN licensee shall obtain online SACFA clearances and wireless equipment import permission prior to commencement of operations.

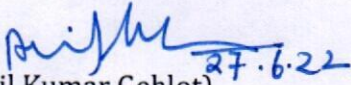
(4) Interference: It shall be the responsibility of the CNPN licensee to ensure that the radio signals are restricted indoors/ within the occupied geographical area. CNPN licensee shall not cause or allow to cause harmful interference to other authorised users of radio spectrum.

(5) EMF exposure: CNPN licensee shall comply with the instructions/ directions/ guidelines issued on EMF exposure norms from time to time.



6. For detailed terms and conditions, applicants may refer to CNPN license agreement.

7. The licensor reserves the right to modify at any time these guidelines, terms and conditions, if in the opinion of the licensor it is necessary or expedient to do so in public interest.


(Anil Kumar Gehlot) 27.6.22

Director (AS-I)

For and on behalf of the President of India

Tele No.: 011-23036864

GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS
SANCHAR BHAWAN, 20 ASHOKA ROAD, NEW DELHI-110001.

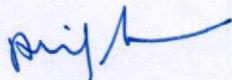
Application for grant of Captive Non-Public Network (CNPN) license

1. Name of Applicant: _____
2. Complete postal address with Telephone and E-Mail:
 - i) Corporate Office- _____
 - ii) Registered Office- _____
 - iii) Correspondence Address _____
3. Name, designation and address of authorised contact person with Telephone/E-mail- _____
4. Details of payment of processing fee: _____
(Bharatkosh Challan No.)
5. Certified copy of Certificate of Registration of the Company to be attached.
(Certificate from Company Secretary/ Statutory Auditor countersigned by Director duly authorised by the company to be attached)
6. (a) Details of Promoters/Shareholders of the Company:

S.No.	Name of Promoter/ Shareholder	Indian/Foreign	Equity %	Networth
_____	_____	_____	_____	_____

(Complete break-up of 100% of equity must be given. Equity holding upto 5% of the total equity shared among various shareholders can be clubbed but Indian and Foreign equity must be separate.)

(b) **Equity details**
Indian:
Foreign:
(i) Land Border sharing country.....
(ii) Others
Total



(Certificate from Company Secretary/ Statutory Auditor countersigned by Director duly authorised by the company to be attached)

(c) Networth of the company _____

(Certificate from Company Secretary/ Statutory Auditor countersigned by Director duly authorised by the company to be attached)

7. Certified copy of approval of Government of India for Foreign Equity
(To be applicable if FDI is from an enterprise of a country, which shares land border with India or beneficial owner of an investment into India is situated in or is a citizen of any such country)

(Certificate from Company Secretary/ Statutory Auditor countersigned by Director duly authorised by the company to be attached)

8. Address and ownership detail of location(s) where CNPN is to be established.
(Certified documents to be attached)

9. Power of Attorney by Resolution of Board of Directors that the person signing the application is authorised signatory.

10. Terms and conditions:

A. The applicant shall comply with all the terms and conditions of the CNPN guidelines and CNPN license agreement.

B. In case any information submitted in the application is found to be incomplete in any respect or if found with conditional compliance or not accompanied with the processing fee, the application shall be summarily rejected.

C. The applicant shall have to sign the License Agreement within the prescribed time limit, otherwise application shall be rejected and processing fee shall be forfeited.

D. All matters relating to the application or license if granted will be subject to jurisdiction of Courts/ Tribunal(s) in Delhi only.

I/We have read with the terms and conditions mentioned above and shall comply with all of them.

Date _____
Place _____

Digital Signature and Name of the
Authorised Signatory

