

BEFORE COMPETITION COMMISSION OF INDIA
7th FLOOR, HINDUSTAN TIMES BUILDING,
KASTURBA GANDHI MARG, NEW DELHI - 110001

Registration No. C-2017/ _____

In the Matter of:

Bharti Airtel Limited

Form I as per Schedule II of the Combinations Regulations and Notes to Form I pursuant to directions vide Notice no. CCI/Comb./20(1)04/2016/5988 dated 12.04.2017 in terms of sub-section (1) of Section 20 of the Act read with Regulation 8 of the Combination Regulations

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Atul Dua
Seth Dua & Associates
Solicitors & Advocates
601,6th Floor,
DLF South Court,
Saket, New Delhi 110017

Place: New Delhi
Date: 15.05.2017

Summary of the Combination

(In terms of sub-regulation (1B) of Regulation 13 of the Competition Commission of India (Procedure in Regard to the Transaction of Business Relating to Combinations) Regulations, 2011 as amended)

(a) Name of the parties to the combination

Bharti Airtel Limited ("**Airtel**") and Bharti Hexacom Limited ("**Hexacom**") (together hereinafter referred to as ("**Airtel Group**") Aircel Limited ("**Aircel**"), Aircel Cellular Limited ("**Aircel Cellular**") and Dishnet Wireless Limited ("**Dishnet**") (together hereinafter referred to as ("**Aircel Group**")

(b) Type of the combination

Airtel Group entered into 8 separate agreements with Aircel Group for transferring the Right to Use of 20 MHz in 2300 MHz band of BWA Spectrum in each of 8 licensed service areas, namely, Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, North East, Tamil Nadu, West Bengal and Orissa which was eventually transferred with the approval of the Department of Telecommunication, Government of India ("**DoT-Gol**") for 6 licensed service areas, namely, Assam, Bihar, Jammu and Kashmir, North East, Tamil Nadu and West Bengal vide letter dated 04.07.2017 (effective from 17.06.2016); for licensed service area, Odisha vide letter

dated 08.08.2016 (effective from 30.06.2016) and for Andhra Pradesh vide letter dated 16.11.2016 (effective from 16.11.2016). (hereinafter referred to as "**Spectrum Transaction**") in accordance with the Trading of Access Spectrum by Access Service Providers vide Communication No.: L-14006//05/2015-NTG dated 12.10.2015 ("**Spectrum Trading Guidelines-2015**") in force. Aircel Group has not transferred any customers to Airtel Group that can be directly attributable to the spectrum in respect of which the Right to Use has been transferred.

It may be pointed out that with the transfer of the Right to Use of the spectrum mentioned above under the Spectrum Transaction, pre and post Spectrum Transaction, at all times Airtel Group was within the Spectrum Caps prescribed by the DoT-Gol.

(c) Area of activity of the parties to the combination

Airtel Group

Airtel is a publicly traded global telecommunications corporation with operations in 17 countries across Asia and Africa. Headquartered in New Delhi, India, the company ranks amongst the top 3 telecom service providers globally in terms of number of subscribers. It has been allotted pan-

India spectrum by DoT-Gol.

Aircel Group

Aircel is a pan India operator with a presence across 22 circles. It offers voice & data services ranging from postpaid and prepaid plans, 2G and 3G services, Broadband Wireless Access (BWA), Long Term Evolution (LTE) to Value-Added-Services (VAS). Dishnet and Aircel Cellular are the subsidiaries of Aircel.

(d) Relevant market(s) to which the combination relates

Relevant Market to which the combination relates is the 8 separate markets for transferring Right to Use spectrum in 8 licensed service areas (telecom circle) namely Andhra Pradesh, Assam; Bihar; Jammu & Kashmir; North East; Odisha; Tamil Nadu; and West Bengal.