



**BANGLADESH TELECOMMUNICATION
REGULATORY COMMISSION**

BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

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REGULATORY AND LICENSING GUIDELINES

FOR

CELLULAR MOBILE SERVICES

IN

BANGLADESH

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Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh

1. INTRODUCTION

- 1.01 The Government has authorized the Bangladesh Telecommunication Regulatory Commission (BTRC/Commission) to issue the approved Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh. As such the Commission has been empowered by the Government under Section 36 of the Bangladesh Telecommunication Regulation Act, 2001 (hereinafter referred to as the 'BTRA, 2001' or the 'Act, 2001') (as amended) to issue Licenses for the operation and provisioning of respective telecommunication services.
- 1.02 Having given due consideration to the principles of transparency, fairness, non-discrimination, and all other relevant principles, the Commission has decided to issue this Regulatory and Licensing Guidelines for those applicants who are eligible and intend to provide Cellular Mobile Services in Bangladesh.
- 1.03 The Act, 2001 specifically provides, under Section 35 and 55, that the establishment, operation, or use of telecommunication systems including radio apparatus and providing telecommunication services in Bangladesh without a License is an offence, punishable with imprisonment or a fine, or both. The Act also provides for exclusive right and authority of the Commission in determining any and all issues in relation to assignment of spectrum and issuance of Radio Communications Apparatus License and any other related matters.
- 1.04 These Guidelines may be withdrawn, revised, updated, or amended from time to time, according to Section 34 of the Act, 2001 to take into consideration various factors including, but not limited to, any threat to public health, national security and statutory or Court orders.
- 1.05 At present, there are separate Cellular Mobile Phone Operator Licenses and guidelines for 2G, 3G, and 4G/LTE services in Bangladesh. 5G (IMT 2020) technology will provide possibilities for many new emerging services in different verticals. The telecommunications sector, industries, government and non-government organizations and the society as a whole are required to be prepared to adopt 5G technologies and beyond. 5G will enable new technologies such as eMBB (enhanced Mobile Broad-Band), mMTC

(massive machine type communication), IoT (Internet of Things), AI (Artificial Intelligence), Cloud Computing etc.

- 1.06 Due to the evolution of 5G technology and rapid development in the cellular mobile phone sector, the Government has decided to issue a single license irrespective of specific technology which would make the license more accommodative and futuristic. Perusing the directives/instructions of the Government, cellular mobile operators are allowed technology-neutrality for the utilization of spectrum. Under this circumstances, technology based separate Cellular Mobile Phone Operator Licenses may be redundant. Therefore, Government has decided to issue a single license including existing (2G, 3G, 4G/LTE) and future technologies (5G and beyond) as **“Cellular Mobile Services Operator License.”**
- 1.07 These Guidelines are approved by the Government and shall come into effect from the date of issuance by the Commission.

2. OBJECTIVES

- 2.01 These Guidelines are intended to unify the following Guidelines-

- (i) Regulatory & Licensing Guidelines for Renewal of Cellular Mobile Phone Operator License (No. BTRC/LL/Mobile/License Renewal (342)/2009-563, dated: 11-09-2011);
- (ii) Regulatory and Licensing Guidelines for 3G Cellular Mobile Phone Services (No. BTRC/LL/3G Guidelines (394) Part-1/2012-148, dated: 14-02-2013);
- (iii) Regulatory and Licensing Guidelines for 4G/LTE Cellular Mobile Phone Services, (No. 14.32.0000.007.51.081.17.1592, dated: 04-12-2017);

and also to include the necessary terms and conditions to introduce 5G and beyond technologies in unified guidelines termed as **“Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh”**.

- 2.02 These Guidelines are intended to provide an overview of the licensing and regulatory framework for providing and operating Cellular Mobile Services in Bangladesh.
- 2.03 These Guidelines are intended for new applicant(s) and for existing Cellular Mobile Operator License holders who wish to provide Cellular Mobile Services in Bangladesh, wherein the subscribers will be allowed to use their equipment by connecting as fixed (over the air interface), nomadic or mobile.
- 2.04 These Guidelines have been introduced taking into account the objectives of the Government to facilitate the technology neutral Cellular Mobile Services in Bangladesh.
- 2.05 These Guidelines will permit to build, own, maintain and operate Cellular Mobile Network which meets the ITU, 3GPP, IETF, IEEE or any other standards approved by the Government/Commission.
- 2.06 The overall objectives of these Guidelines are to contribute to sustainable development towards better and affordable Cellular Mobile Telecommunication services.


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3. TITLE

These Guidelines are to be termed as “Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh” and the Licenses issued through these Guidelines to be termed as “**Cellular Mobile Services Operator License**” and “**Radio Communications Apparatus License for Cellular Mobile Services**”.

4. AVAILABILITY OF THE LICENSING GUIDELINES

These Guidelines are available on the BTRC website: www.btrc.gov.bd for information only.

5. ISSUANCE OF LICENSE

The Commission will issue a single License approved by the Government for providing cellular mobile services in Bangladesh as described in these Guidelines. This License shall unify 2G, 3G, 4G/LTE Licenses as well as shall include the terms and conditions compatible for 5G and beyond cellular mobile applications.

6. GENERIC FORM OF LICENSE

The Generic forms of “Cellular Mobile Services Operator License” and “Radio Communications Apparatus License for Cellular Mobile Services” based on these Guidelines are appended as Appendix-1 and Appendix-2 respectively.

7. ELIGIBILITY

- 7.01 Existing Cellular Mobile Phone Services Operator(s) in Bangladesh permitted to utilize their spectrum as technology neutral basis, will be authorized for providing 5G and beyond cellular mobile services.
- 7.02 For the development, operation, and rollout of Cellular Mobile Services, 100% of FDI (Foreign Direct Investment) or Foreign Partnership or Joint Venture or investment from NRB (Non-Resident Bangladeshi) is permitted.

8. SCOPE FOR THE NEW ENTRANT

If the Government allows new entrant(s) for providing Cellular Mobile Services, new Guidelines and License shall be issued, subject to the prior approval of the Government and the Commission. The terms and conditions including fees and charges of these Guidelines shall be binding on the new entrant and shall be included in the new guideline as appropriate.

9. SCOPE OF THE LICENSEE

- 9.01 The Licensee may install its applicable systems anywhere in Bangladesh for the purpose of providing the services as described in Clause No. 12 of these Guidelines.
- 9.02 The Licensee shall provide Cellular Mobile Services including the mandatory emergency services throughout Bangladesh as described in these Guidelines.

- 9.03 The Licensee may provide optional services incidental to Cellular Mobile services as approved by the Commission.
- 9.04 The License does not authorize any activities or Telecommunication Services which the Government may prohibit by Decisions/Regulations.
- 9.05 The Licensee shall not provide any Telecommunication Service or install, maintain or operate any Telecommunication System that is not authorized in these Licenses, except pursuant to a separate license or other proper authorization from the Commission.
- 9.06 The Licensee shall provide domestic inter-operator Telecommunication Services and International Long Distance Telecommunication Services only through the Telecommunication Systems duly licensed by the Commission for the purpose.
- 9.07 The Licensee shall take prior approval from the Commission when it wishes to begin to offer a new category of Licensed Services. In its application, the Licensee shall describe the new category of Licensed Services and the expected date of commencement. The Commission, where deemed necessary, may intervene for supervision of such services.
- 9.08 The Licensee shall comply with the provisions of the Act, 2001, the Wireless Telegraphy Act, 1933 and the Telegraph Act, 1885 and any other laws for the time being in force. The Licensee shall also comply with the Rules/Regulations/Policies/Directives/Guidelines/Instructions/Orders/Circulars/Decision etc. issued from time to time by the Commission.

10. DURATION OF LICENSE

- 10.01 This “Cellular Mobile Services Operator License” shall be effective from the date of issuance and shall be valid for fifteen years. However, activities under 2G Cellular Mobile Phone Operator License (Renewed), 3G Cellular Mobile Phone Services Operator License and 4G/LTE Cellular Mobile Phone Services Operator License will remain valid until the date of issuance of these Licenses under these Guidelines. Besides, the assignment of spectrum under 2G, 3G and 4G/LTE licences, which has been awarded in 2011, 2013 and 2018 will remain valid until the date of 10/11/2026, 11/09/2028 and 18/02/2033 respectively, while terms and conditions of these Guidelines to be applicable for those assignments of spectrums.
- 10.02 Renewal of 11.6 MHz spectrum in 2020, spectrum assignment in Auction-2021 and Auction-2022 shall remain valid until the date of 19/12/2030, 10/11/2026 and 18/02/2033 respectively. The assigned spectrum may be renewed subject to the approval of the Commission.



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- 10.03 If the Licensee wishes to renew the term of this License at the expiry of the initial term or any renewal term, it shall apply to the Commission in written form at least 06 (Six) months prior to the expiry of the current term.
- 10.04 The Licensee shall make payment of necessary fees and charges, and shall comply with the terms and conditions, as may be specified herein and/or by the Government under the Act, 2001 prior to each renewal application.

11. LEGAL REQUIREMENTS

The legal statutes governing the telecommunication industry in Bangladesh which will be applicable to all applicants and Licensees are given below (including but not limited to):

- (i) The Bangladesh Telecommunication Regulation Act, 2001 (as amended).
- (ii) The Wireless Telegraphy Act, 1933 and The Telegraph Act, 1885, for matters which are not covered by the Bangladesh Telecommunication Regulation Act, 2001 (as amended).
- (iii) Bangladesh Telecommunication Regulatory (License) Regulations, 2022.
- (iv) The Bangladesh Telecommunication Regulatory Commission (Interconnection) Regulations, 2004 (as amended).
- (v) Any Act, Ordinance, Rule(s), Regulation(s), Notification(s), etc. related to Telecommunications as applicable for the licensee.
- (vi) The Rules/Regulations/Guidelines/Directives /Orders and Decisions issued under the Act, 2001.
- (vii) Judgments and orders passed by the court of competent jurisdiction.

12. SYSTEMS AND SERVICES

- 12.01 Subject to the BTRA, 2001, the technical and operational systems shall comprise broadly the combination of telecommunication apparatus(e.g. switching system, transmission apparatus, terminal apparatus etc.) including the wireless/wired network, core network, transmission network between the core network and the distribution network/access network through different transmission media (e.g. microwave, cable, co-axial, optical fiber etc.) to provide Cellular Mobile Services including 5G Services and beyond. The systems as described above shall include the Switching Centers, Access Network Controllers, Radio Access Points, Signaling Points/ Signaling Transfer Points, Media and Resource Servers, Data Communication Systems, Different Related Database Systems, Centralized Operation, and Maintenance Centre (OMC), Customer Service Centre, Billing System, Transmission System, Power Supply System etc. and other related apparatus shall be installed within the country.
- 12.02 However, the operator, upon prior approval from the Commission, can secure infrastructure and service by connecting with offshore infrastructure or platform for services such as, and not limited to, cloud-based environment, storage, backup and

recovery management, analytic and high-performance computing, web hosting, software and applications through API etc.

- 12.03 The systems including offshore platforms shall have Lawful interception (LI) and be LI compliant.
- 12.04 The end-user shall be connected to the nearby BTS/Small cells through access and millimeter-wave frequency. Establishment and deployment of Small Cells shall be the responsibility of the Licensee. The Licensee can use optical fiber or wireless solution to establish Small Cells (Femtocell/Picocell/IBS/any other indoor office or home solution/Micro cell solution etc.) for providing indoor/outdoor coverage. However, for the deployment of optical fiber, the licensee shall follow respective guidelines/instruction from the Commission.
- 12.05 Technical characteristics of the equipment used under the license shall have to be in conformity with the IMT/ IMT Advanced/*IMT for 2020 and beyond* standards as per ITU radio regulations and recommendations.
- 12.06 The systems shall be compatible with NEIR (National Equipment Identity Register), TMS (Telecom Monitoring System), CBVMP (Central Biometric Verification Monitoring Platform), MNP (Mobile Network Portability) system and any such regulatory tool, auditing tool or technical platforms. Moreover, the systems shall have the provisions to detect and deactivate the illegal call termination following the BTRC provided directives.
- 12.07 The licensee shall install security systems in the network which standard is fixed by ITU, 3GPP, IEEE, ETSI, GSMA or any other competent authority/body.
- 12.08 The licensee shall install appropriate protection system in the network to protect against all kinds of cyber threats or any unauthorized interception of communication carried on the Licensed System. The technical characteristics of the telecommunication equipment used under this license shall be in compliance with ITU/ GSMA/NIST cyber security/ telecommunication security Standards/ Guidelines/ Regulations/ Recommendations.
- 12.09 The Licensee is authorized to provide Cellular Mobile Services including the following services through its Telecommunication systems:
- (i) Cellular Mobile Services which include 2G/3G/4G/5G or IMT for 2020 and beyond technologies.
 - (ii) Intra-Operator Domestic Voice and Video Calls.
 - (iii) Inter-Operator Domestic Voice and Video Calls.
 - (iv) International Long- Distance Voice and Video Calls.
 - (v) International Roaming Services.
 - (vi) Domestic and International SMS/ EMS/VMS services.
 - (vii) Internet of Things (IoT), Machine to Machine (M2M) and B2B services.
 - (viii) Mobile Broadband/Internet.
 - (ix) Fixed Wireless Access Service.
 - (x) enhanced Mobile Broadband Service (eMBB).


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- (xi) massive Machine Type Communication services (mMTC).
 - (xii) ultra-Reliable and Low Latency Communications (uRLLC) service.
 - (xiii) Value Added Services (compatible with 2G, 3G, 4G/LTE, 5G and beyond) as per Regulatory Guidelines for Issuance of Registration Certificate for Providing Telecommunication Value Added Services (TVAS) in Bangladesh.
 - (xiv) Any other compatible services related to the license as approved by the Commission.
- 12.10 Before introducing new services and new technologies, permission shall be taken from the Commission.
- 12.11 The licensee shall establish cellular mobile network which must be compatible to serve intelligent transportation systems, smart city, smart home, smart grid, and any other mission critical services standardized by IEEE, 3GPP, ETSI and ITU which are included in the *IMT for 2020 and beyond* standards. The licensee shall have to abide by all relevant directives/ instructions/ licensing guidelines from the Commission for sharing of facility.
- 12.12 The Licensee shall design and maintain its cellular mobile telecommunication network(s) in accordance with any directions given by the Commission and shall comply with interoperability and other technical standards issued by the Commission.
- 12.13 The Licensee shall not connect to the Systems, any equipment or system that does not comply with the national standards for telecommunication apparatus set by the Commission.
- 12.14 The Licensee shall notify the Commission and the affected customers at least 30 (thirty) days prior to discontinuation of any service.

13. FEES AND CHARGES

- 13.01 Following non-refundable fees and charges shall be applicable to the Licensees. The fees are excluding of fees, charges, VAT, and taxes imposed by any other competent authority of the Government:

1.	Annual License Fee	BDT 10 (ten) Crore
2.	Revenue Sharing	5.5% (Five and a half percent) of annual audited gross revenue.
3.	Annual Spectrum Fee	As mentioned in Radio Communications Apparatus License for Cellular Mobile Services.
4.	Social Obligation Fund	1.0% (one percent) of annual audited gross revenue.

- 13.02 **Annual License Fee:** The licensee shall pay the annual license fee (under the Cellular Mobile Service Operator License) to the Commission for every year in advance a sum of BDT 10 (ten) crore only in the form of a pay order or bank draft issued from any scheduled bank of Bangladesh on each anniversary of the date of the License.
- 13.03 **Revenue Sharing:** A sum equivalent to 5.5% (five and a half percent) of the annual audited gross revenue shall be paid by the licensee to the Commission on a quarterly basis within

the first 10 (ten) Gregorian calendar days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year. If there has been any underpayment, the balance must be paid within 90 (ninety) Gregorian calendar days of the financial year-end of the Licensee. In the event of any overpayment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission.

13.04 Annual Spectrum Fee: The licensee shall pay annual spectrum fees and charges to the commission as mentioned in Radio Communications Apparatus License for Cellular Mobile Services.

13.05 Social Obligation Fund: A sum equivalent to 1% (one percent) of the annual audited gross revenue shall be paid on a quarterly basis as social obligation within the first 10 (ten) Gregorian calendar days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year and if there has been any underpayment, the balance must be paid within 90 (ninety) Gregorian calendar days of the financial year-end of the Licensee. In the event of any overpayment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission. The percentage of subscription to Social Obligation Fund (SOF) may be changed from time to time by the Government.

13.06 Revenue Sharing of International Phone Calls

13.06.01 For International Incoming Calls: The revenue from international incoming calls shall be shared as per provisions of relevant Guidelines (i.e., IGW and ICX) and/or as directed by the Commission from time to time.

13.06.02 For International Outgoing Calls: The revenue from international outgoing calls shall be shared as per provisions of relevant Guidelines (i.e., IGW and ICX) and/or as directed by the Commission from time to time.

13.07 Delay in Payment of Fees and Charges

The annual license fee and the amount of revenue to be shared have to be paid within due date. The amount due may be paid till 60 (sixty) days after the due date, in which event, the licensee shall make the payment with late fee at the rate of 15% per annum as compensation to the Commission. On exhaustion of the 60 (sixty) days as mentioned above, if the failure continues, the license may be cancelled. However, the principal amount shall have to be calculated and paid along with late fee till the date of actual payment or the date of cancellation of the license, whichever is earlier.

13.08 Upon prior approval of the Government, the Licensees may be exempted from paying fees and charges for a specific period of time while introducing a new generation of technology.

13.09 The Licensee shall annually submit to the Commission audited financial statements in support of its calculations of annual fees payable pursuant to Clause No. 13.01-13.06.


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- 13.10 The Commission reserves the right to periodically review and adjust the fees and charges as detailed above are subjected to the prior approval of the Government.

14. ROLLOUT OBLIGATIONS

- 14.01 In order to materialize Governments plan to build Smart Bangladesh and to make 'Vision 2041' a reality during the first year after the issuance of the License under these Guidelines the Licensee shall establish its cellular mobile network including provisions of telecom services based on the demand from the customers i.e. government, enterprises and citizens. However, from the second year onwards the Licensee must have the capability to provide the list of services mentioned in clause 12.09 including mission critical services like smart city, smart home, intelligent transportation systems, smart grid, or any other useful new applications using eMBB, uRLLC, mMTC, IoT and any new telecommunication services based on important use cases and demand from the public and private sector of Bangladesh.
- 14.02 Subject to the prior approval of the Government, BTRC may issue directives/ instructions containing roll-out target in consultation with the licensees for the utilization of particular frequency band, deployment of new services and technologies considering the service scope, network development and overall advancement of the use cases as and when required along with Performance Bank Guarantee, if required. The terms and conditions of any such directive/instruction shall be treated as an integral part of these Guidelines and Licenses.

15. SPECTRUM ASSIGNMENT

- 15.01 The Licensee shall obtain a separate License for Radio System Operation and Radio Communication Apparatus License from the Commission upon payment of prescribed fees.
- 15.02 The assigned spectrum is technology-neutral which can be used/deployed for any cellular mobile technologies and its evolution as defined/recommended by ITU.
- 15.03 The assigned spectrum will be inclusive of guard bands to avoid interference with adjacent operating frequency bands.
- 15.04 Upon termination/cancellation of this license, the assignment of spectrum shall be treated as cancelled.
- 15.05 The Licensee may apply to the Commission for microwave frequency for backhaul connectivity and in case of availability and following its frequency assignment procedure, the Commission will consider the assignment of such frequency.
- 15.06 Calculation of the annual spectrum charge will be done as mentioned in Radio Communications Apparatus License for Cellular Mobile Services. The Commission with prior approval of the Government reserves the right to make any change in the charges or levies including spectrum pricing formula from time to time and the Licensee shall abide by the decision of the Commission.

- 15.07 If any rearrangement in the assignment within the band is required in the future, the Commission shall consult with the affected Licensees before deciding such rearrangement.
- 15.08 Assigned frequency and radio apparatus or any right there with, wholly or partly, are not transferable by any means whatsoever, and, therefore, cannot be sold, let, pledged, hypothecated, mortgaged, charged or encumbered or in any other manner transferred by the Licensee to any person or institution or company or organization subject to the issues enshrined in Section 55 and 37(2) (jha) of the Act, 2001. Any such charge, transfer, hypothecation, pledge or encumbrance of these equipment and any agreement, power of attorney or any other document executed in connection with such desired transaction shall be void *ab initio* and, hence, shall be without lawful authority and of no legal effect. This provision shall survive termination or cancellation of the License or frequency assigned howsoever caused.
- 15.09 The Licensee shall not import/purchase any telecommunication/radio apparatus for its network without taking prior permission from the Commission.
- 15.10 The Commission reserves the right and authority to cancel or revoke the assignment of the frequency, fully or partially, without prejudice to the right and authority to take any other lawful action by giving prior notice to the licensee, for any of the following reasons:
- (i) National Security or National Interest;
 - (ii) Non-compliance or violation of any conditions of the Guidelines;
 - (iii) Non-payment of any dues where the Licensee has failed to pay within the time period specified by the Commission in the final notice unless the matter is pending for any judicial adjudication with interim order;
 - (iv) Any other reasonable cause deemed to the Commission fit and proper within the scope of the BTRA, 2001.
- 15.11 Depending on the ecosystem, national interest, change in radio regulation published by ITU, industry consultation, the Commission reserves the right to make changes in its frequency allocation plan.

16. TARIFF AND CHARGE

The Licensee shall follow directives from the commission related to tariff, fees and charges. All such directives shall be considered as integral part of these Guidelines.

17. QUALITY OF SERVICE AND CELL PLANNING

17.01 Quality of Service

17.01.01 The Licensee shall have the obligation to ensure the quality of services Regulations/Directives/ Instructions/Orders/Guidelines issued by the Commission from time to time. All such Regulations/Directives/ Instructions/Orders/Guidelines shall be considered as integral part of these Guidelines.


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17.01.02 The Licensee may be exempted from its QoS obligation in case of force majeure such as natural or man-made disasters, and any other factors which are beyond the scope of the Licensees provided that it promptly notifies the Commission and other applicable Licensees of the facts and circumstances. It shall take immediate measures to restore compliance with the QoS standards.

17.02 Cell Planning

17.02.01 In order to cell planning, the licensee shall follow the ITU-R/3GPP standards for IMT/IMT Advanced/ *IMT for 2020 and beyond*.

17.02.02 The licensees shall establish their cellular mobile network in compatible with ITU-R recommendations or its subsequent version, where the usage scenarios includes but not limited to enhanced mobile broadband, ultra-reliable and low latency communications and massive machine type communications. The licensee shall establish cellular mobile network which must be compatible to serve intelligent transportation systems, smart cities, IoT, M2M, B2B, smart home and smart grids.

17.02.03 In order to deliver IoT based value-added services as mentioned in ITU-R/ITU-T recommendations for 4G/5G and beyond radio access technologies, the licensee shall install sufficient number of eNodeB/macro cell/micro cell/picocell/hotspot/small cell etc. at outdoor sites and hotspot/small cell etc. at indoor sites.

17.02.04 The Licensee shall also coordinate and agree with other licensees on the technical measures to be taken to minimize mutual interference between them.

18. SHARING OF FACILITIES

18.01 The Licensee shall comply with the provisions of the Rules/Regulations/Policies/Licensing conditions/Directives/Guidelines/Instructions/Orders/Circulars/Decisions issued by the Commission from time to time regarding the sharing of Telecommunication System/Infrastructure/Installation etc.

18.02 The timeline for request and response from the NTTN operators to provide fiber optic connectivity to/from the cellular mobile tower/installations shall follow related instruction/guidelines from the Commission.

18.03 For the construction of new mobile towers or for tower sharing, respective licensing guideline for Tower Sharing shall be followed. The detail modality and condition including timeline for response shall be in accordance with the SLA approved by BTRC for tower sharing.

18.04 The licensees may be allowed to access the common infrastructure (Government facilities, Transports, Electric pole, Lamp Posts, Street Cabinets, Advertising signboard, public

buildings etc.) to deploy small cells (Femtocell/Pico cell/IBS/any other indoor office or home solution/Micro cell solution) for providing indoor/outdoor coverage.

- 18.05 Amending current infrastructure sharing guidelines, the Commission may allow active infrastructure sharing for the licensee. In this regard, the licensee shall have to abide by the provisions of the active infrastructure sharing guidelines to be issued by the Commission.

19. NUMBERING PLAN

- 19.01 The Cellular mobile operator shall continue using numbers already allocated to them. However, in case of new requirement, the operators shall apply to the Commission for new allocation with reference to the National Numbering Plan.
- 19.02 The Licensee shall comply with the national numbering plan and allocation and assignment of numbers issued by the Commission.
- 19.03 All of the number blocks and short codes are national resources.
- 19.04 Allocation of a number does not confer ownership of the number to the customer. However, the allocation conveys ongoing right of use. A three-months notice period is required to withdraw or to change allocated numbers with permission from the Commission.
- 19.05 The Licensee shall get the allocation of signaling point codes for its exchanges where the SS7 signaling system will be used.
- 19.06 For the machine-to-machine communication (e.g., IoT based services) different numbering plan will be issued by the commission.

20. INTERNATIONAL ROAMING

Cellular Mobile Services Operators shall put in their best efforts to enter into the necessary agreement with foreign operators in order to enable and provide international roaming services with affordable price/tariff to its subscribers. The international roaming and tariff services shall be in accordance with the regulations, directives or decisions of the Commission.

21. MOBILE NUMBER PORTABILITY (MNP)

- 21.01 The Licensee shall comply, at its own cost, with any requirements and guidelines issued by the Commission on MNP.
- 21.02 The Licensee shall comply with BTRC's framework, arrangements and requirements in relation to MNP, including all relevant codes of practice, directions and notifications which the Commission may issue from time to time.



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- 21.03 The Licensee shall be connected to MNP operator to ensure MNP services to its subscribers.

22. SIGNIFICANT MARKET POWER (SMP)

- 22.01 The Licensee emerging with Significant Market Power (SMP) shall not abuse its dominant position through anticompetitive conduct.
- 22.02 The Licensee shall have to abide by the provisions of the regulations issued by the Government/Commission regarding SMP.
- 22.03 The Commission may issue any Order/Decision/Directives on declared SMP operator to ensure healthy competitive telecom environment according to the provisions and market definition as in SMP regulations.

23. ANTI-COMPETITIVE CONDUCT, UNFAIR COMPETITION AND DISCRIMINATION

- 23.01 **Anti-Competitive Conduct:** The Licensee shall not engage in anti-competitive conduct which in the view of the Commission inhibits or impedes fair competition including exploiting a position of dominance such as to unreasonably restrict competition.
- 23.02 **Unfair Competition:** The Licensee, on its own or through a third party, shall not engage in any practice which unfairly restricts or is likely to restrict existing competition in the national telecommunications industry or which deters or restricts or is likely to deter or restrict new Licensees into the national telecommunications industry.
- 23.03 **Discrimination:** The Licensee shall not discriminate or create any inconvenience to any person, group or class of persons.
- 23.04 All financial transactions (in local and foreign currency) in relation to the License shall be through Scheduled Bank(s) mentioned in the Bangladesh Bank Order, 1972. The Licensee shall inform the Commission of the details of the accounts in operation.

24. INTERCONNECTION

The licensee shall follow the provisions of the Act, 2001 and/ or policy, regulation, guidelines, directives, instructions, etc. issued from the Commission pertinent to interconnection.

25. COMPLIANCE AND MONITORING

- 25.01 **Regulatory tools:** The licensee shall comply with the existing (CBVMP, NEIR, TMS etc.) and future regulatory tools implemented and/or instructed by the Commission.
- 25.02 **Call Records:** The Licensee shall preserve the Call Detailed Record (CDR), Transaction Detailed Record (TDR), system logs or audit trails related to CDR changes, network traffic data, IN dump, HLR dump, QoS and KPI reports with base data, official correspondence

with BTRC, statements/reports etc. for a period of 2 (two) years for scrutiny or as directed by the commission or required by NTMC under the law. The Licensee shall also preserve third party VAS/CP logs of activation/deactivation and service usage for the same period. In case of deletion of call records after 2 (two) years as mentioned above, the Licensee shall keep particular CDR if instructed by the Commission & law enforcement agencies and that shall be kept as it is. In addition to maintain call records mentioned above, the Licensee shall also record/store data session logs/info along with IP address for 6 months for scrutiny by or as directed by the Commission. The Licensee does not require permission to delete records which have not been instructed to retain.

- 25.03 Telecommunication Monitoring System (TMS):** The licensee shall provide all required connectivity and information to the TMS established by the Commission. The Commission shall decide the modality of connectivity, types of information, and standard operating procedure of TMS from time to time. The TMS shall be considered as an automated regulatory and compliance monitoring tool.

25.04 Monitoring System

25.04.01 The Commission may direct the licensee to take necessary technical measures to identify and monitor illegal call termination. The Commission may direct the Cellular Mobile Services Operator Licensees to submit the relevant information to the Commission from time to time. Following the instruction of the Commission, the Licensee shall implement self-regulatory mechanism to detect and deactivate its subscriptions engaged in illegal call termination or origination.

25.04.02 The Licensee shall keep required provision against cyber threats/attacks in its systems and network and shall take applicable measures to protect its infrastructure from possible cyber threats.

25.04.03 The licensee shall cooperate with designated national CERT regarding new and emerging threats as well as incident management of national magnitude.

25.04.04 The licensee shall abide by Cyber Security Order/Decision/Guidelines/Directives/Instructions issued by the Government/Commission that are compatible with any internationally recognized cyber security/risk management framework/guidelines.

25.05 LI Compliance

25.05.01 The Licensee shall have to connect with the online and offline LI compliance system of NTMC. The Licensee shall comply and provide an appropriate system to provide any appropriate data to the LI system of NTMC .

25.05.02 The licensee shall provide access to CDR/ IPDR/ PDR/ ETSAF /Customer information/ Retailer information/ Call & Radio Location information/ Recharge


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Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

information and any other appropriate requirement as stated by NTMC and according to applicable law and regulation.

25.05.03 The Licensee shall have the obligation, if so directed by NTMC in accordance with the Act, 2001 or by the Commission, to identify and immediately provide information to the Commission/LEA/NTMC regarding the persons who are threat to the national security. For this purpose, the Licensee shall have the required technology in its systems.

25.06 **Fraud Management:** The Licensee shall formulate, install and implement an effective Telecom Fraud Management system/process proactively to combat all possible types of fraudulent activities as appropriate. The Licensee shall follow related directives issued by the Commission from time to time.

25.07 **Information and Inspection**

25.07.01 The Commission or its authorized representatives shall have the right to enter and inspect all the offices, installations, facilities and premises of the Licensee. The Licensee shall provide all information and shall demonstrate any applicable services and systems as required by the Commission during such inspection.

25.07.02 The Commission or any of its official representatives may take copies of records, documents and other information related to the Licensee's business. The Licensee shall promptly deliver any information or documents to the Commission upon request.

25.08 **Reports**

25.08.01 The Licensee shall furnish all required information as directed by the Commission from time to time. The format and frequency of submission shall be decided by the Commission.

25.08.02 The Licensee shall publish Annual Report in accordance with the International Financial Reporting Standards (IFRS), the Companies Act 1994, the Securities and Exchange Rules 2000, relevant guidelines issued by the Bangladesh Securities and Exchange Commission, Financial Reporting Act, 2015 and other appropriate laws in Bangladesh, as applicable. In addition, the Licensee shall submit to the Commission at least 3(Three) hard copies and a soft copy (scanned PDF) of the audited financial report that will contain the financial statements presenting the financial position & performance of the Licensee. If the commission requires any additional information, then it will be furnished based on relevancy & availability.

25.08.03 The Licensee shall furnish report(s) to the Commission on a quarterly basis the number and percentage of mobile devices in terms of technology usage or smart phone/ feature phone being registered with its network. The Licensee shall also be required to furnish any report on the basis of the criteria set by the Commission.

26. CHANGES IN THE SHARE CAPITAL

- 26.01 The Licensee shall seek written approval of the Commission before making any change in its direct ownership and direct shareholding. Any change in the direct ownership and direct shareholding shall not be valid or effective without prior written approval of the Commission.
- 26.02 In case of merger/amalgamation with any other entity, the Licensee shall take prior written approval of the Commission.
- 26.03 The terms and conditions including fees and charges imposed by the Government/ Commission regarding changes in its direct ownership and direct shareholding structure and merger/ amalgamation shall be binding on the Licensee.

27. TRANSFER, ASSIGNMENT AND PLEDGE AS SECURITY

- 27.01 This License and any right accrued thereafter shall not be transferred without the permission of the Commission, wholly or partly, and as such, transfer, if any shall be void.
- 27.02 By any means the License shall not be assigned or pledged as security when taking loans. The Licensee/operator with a view to collecting fund may with prior permission of the Commission take loan from any third party against its property and assets upon furnishing security provided that does not affect the customer services.
- 27.03 The Licensee shall not subcontract out any part of the Services or the System without prior approval of the Commission. The Licensee may appoint agents or independent contractors or sub-contractors to carry out works or provide services which enable the Licensee to discharge its duties and obligations under this License provided that the Licensee shall be liable for any act, omission, default, neglect or otherwise of the agents and independent contractors or sub-contractors in carrying out any such works or providing any such services.
- 27.04 The License granted under the Act, 2001 and Rules shall be personal to the Licensee and shall not be assigned, sub-licensed to, transferred directly or indirectly or held on trust for any person, without the prior written approval of the Commission.

28. TECHNICAL AND FINANCIAL AUDIT

- 28.01 The Commission may take initiative for annual technical and financial audit of the Licensee at any time. The audit team authorized by the Commission shall have the right to Audit technical and financial position of Licensee anytime up to 2 (two) years preceding to the commission of the audit. The Licensee shall comply and shall furnish all relevant information and documents for the period up to two years preceding to the commission of an Audit. The Licensee shall preserve all the relevant data/information for technical and financial audit accordingly. The Commission will issue directives to the licensee in this regard.


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Bangladesh Telecommunication
Regulatory Commission

28.02 The audit team authorized by the Commission shall have the access to the computerized accounting system for the purpose of the Audit as and when deemed necessary by the Commission.

29. EMERGENCY SERVICES

29.01 Emergency Crisis Management:

29.01.01 The Licensee shall have an organized emergency crisis management team to take necessary action(s) to save telecom and other related infrastructure.

29.01.02 The Licensee shall have obligation to send/transmit early warning message to its subscribers of disastrous/crisis areas as directed by the Commission.

29.01.03 The Commission may direct the licensee from time to time regarding emergency crisis management.

29.02 **Access to Emergency Services:** The Licensee shall ensure that all its customers are able to contact emergency services, as defined by related government policies, without any charge at any time. The Licensee shall comply with any other requirements of the Commission regarding emergency services.

29.03 National Emergency

29.03.01 The Licensee shall facilitate and cooperate with all relevant government bodies, departments and official agencies for the provision of the services in the event of national emergency or in matters relating to national security.

29.03.02 The operator, responsible for the operation of mobile towers (Tower Sharing Operator, MNO) shall keep enough provision of power and all other required logistics where possible so that the tower can be kept operational in the event of natural disasters including flood, earthquake etc.

29.03.03 In the event of any war or war situation, internal national disorder (including strikes/hartals), urgent state affairs or situations demanding national security, the Government may use equipment and the Systems used by the Licensee for its network.

29.03.04 In case of national emergency, declared by the President, the Government may suspend any particular activity of or a particular service provided by the Licensee. For public interest, the Government may take over the possession of the Licensee's installations along with its employees to operate the Systems during the period of such emergency.

30. REGISTRATION OF SUBSCRIBER

30.01 The Licensee shall be liable for registration of all subscribers in a proper way as decided by the Commission from time to time. The Commission reserves the right to take necessary

actions according to the Guidelines and the provisions of the Act, 2001 for non-compliance of this condition and may impose fine for non-compliance .

- 30.02 The Licensee shall be responsible if it fails to adopt appropriate measures for mandatory Biometric SIM /e-SIM/RUIM / Service Connection Registration and for prevention of false SIM/e-SIM/RUIM/Service Connection registration as directed by the Commission from time to time.
- 30.03 The Licensee shall be responsible for any type of non-compliance in the SIM/RUIM/e-SIM/Service Connection registration process and shall, therefore, take all necessary measures to ensure that their vendor/retailer/agent are in compliance of the same.

31. INITIAL PUBLIC OFFER (IPO)

- 31.01 Each Licensee may float its share to Initial Public Offer (IPO) as per the rules and regulations of the Security Exchange Commission of Bangladesh and in accordance with other prevailing laws of Bangladesh.
- 31.02 No permission will be required from the Commission for transfer of shares in Secondary Market after floating IPOs .

32. ACCOUNTS

- 32.01 The Licensee shall maintain accounts and other records, in accordance with acceptable accounting practices. The Licensee shall at all times, maintain full and accurate books of accounts and other records reflecting all financial matters, in accordance with the sound and acceptable accounting practices.
- 32.02 The Licensee shall submit certified copies of its financial records and yearly audited accounts to the Commission. The Commission shall have the access to originals of such records and accounts as and when required.
- 32.03 The Licensee shall provide an auditing facility that can be accessed by the Commission to verify the reported services revenues.

33. SUBSCRIBER CONFIDENTIALITY

- 33.01 The Licensee shall maintain confidentiality in respect of all information provided by the subscriber except disclosure in the following situations:
- (i) where the disclosure of the information is necessary for the purposes of detecting, preventing or investigating crime in which case disclosure should only be made to persons authorized by the Commission or Law Enforcement Agencies (LEA).
 - (ii) where disclosure is deemed necessary by the Commission or other national security agencies and law enforcement agencies, where such disclosure should only be made to persons authorized by the Commission or Law Enforcement Agencies (LEA).
and

- (iii) where disclosure is ordered by a court of competent jurisdiction or so provided by law.
- 33.02 Further, the Licensee may only use any information provided by a subscriber for the following purposes:
- (i) internal planning, provisioning and billing for Services;
 - (ii) facilitating interconnection and inter-operability between Licensees;
 - (iii) other purposes approved by the Commission or permitted by any applicable law(s) of the land.

34. COMPLAINTS AND CONSUMER PROTECTION

- 34.01 The Licensee shall prepare a customer charter of rights that sets out the minimum standards of service to the customers/subscribers of the Licensee and gives guidance to the employees of the Licensee in their dealings with customers and subscribers. This charter shall be prominently displayed at all premises of the Licensee, and a copy shall be provided to customers upon request.
- 34.02 The Licensee shall publish information about the Services it provides in a form which is easily available to consumers. This shall cover inter alia a description of the Services, the pricing plans, terms and conditions, procedures for billing, bill enquiries, complaints, and all other relevant information relating to the provision of the Services and other telecommunications equipment.
- 34.03 The Licensee shall inform subscribers of all its obligations under this Guideline and in particular highlight to its subscribers the Licensee's obligations of confidentiality and specific use of information.
- 34.04 The Licensee shall operate a consumer-friendly system which will allow subscribers to lodge complaints to the Licensee in the event of a breach of any of the terms and conditions of these Guideline.
- 34.05 The Licensee shall submit to the Commission and make publicly available at the end of the Licensee's financial year or upon demanded by the Commission, a report indicating the number of complaints received from subscribers, the nature of such complaints and the steps taken by the Licensee to address those complaints. The Licensee shall prepare the report in a format prescribed or approved by the Commission.
- 34.06 In the event that the Licensee intends to terminate all or part of the Services, the Licensee shall notify the Commission in writing promptly and in any case at least 30 (thirty) days prior to the intended date of termination of the Service, and provide such information and assistance the Commission may require to ensure that the interests of its customers and the public are adequately safeguarded.

- 34.07 These Guidelines shall promptly attend the complaints of the subscriber and shall maintain records of complaints for 2 (two) years and their resolution and shall make those available for inspection by the Commission as and when necessary.
- 34.08 The Licensee shall build up a management information system for customer services.
- 34.09 The Licensee shall put into effect a mechanism to settle probable complaints, objections and disputes with the subscribers which shall be informed to the Commission.
- 34.10 Any decision of the Commission in respect to ensure the consumers' protection shall be binding on the Cellular Mobile Services Operator Licensee. The consumer charter shall provide commitments by the Licensee to consumers in respect to the standard and quality of the Licensed service. The Licensee shall also establish and maintain substantial number of Consumer Complaint Centre/Customer Care Centre to provide quality services to its Customers/Subscribers as envisaged in Section 59 of the Act, 2001.
- 34.11 The Licensee shall comply with the respective national privacy law and its other requirements required by the Act, the Rules, Regulations and Conditions issued by the commission or any competent authority.

35. COMMUNICATION WITH THE LICENSEE

The Licensee shall maintain on file with the Commission a current address for the Licensee, including telephone number, fax number and email address, and the name and title of a contact person, for the purpose of receiving communications from the Commission. Any notice or other communication to the Licensee permitted under this License may be given by hand delivering the same, or by mail, facsimile, or electronic mail addressed to the Licensee at its most recent address on file with the Commission.

36. CODE OF COMMERCIAL PRACTICE

The Licensee shall publish a code of commercial practices approved by the Commission. The code of practice shall include, at a minimum provision covering the following issues:

- 36.01 A commitment to take steps to remedy service interruptions as soon as reasonably possible and to provide reasonable credits to customers for lengthy outages;
- 36.02 Protection of the privacy of information transmitted over the Licensed System;
- 36.03 Maintenance by Licensee of the confidentiality of customer information;
- 36.04 Procedures for resolving disputes between Licensee and customers; and
- 36.05 Availability to customers of information concerning their accounts with the Licensee; and
- 36.06 Commitment by the Licensee to customers in respect of standard and quality of Licensed Services.



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Regulatory Commission

37. HARASSING, OFFENSIVE, UNSOLICITED OR UNLAWFUL COMMUNICATION

The Licensee shall take all reasonable steps to track and locate and prevent the source of harassing, unsolicited, offensive, fraudulent or unlawful communication. For that purpose:

- 37.01 Any customer of the Licensee may request (the Requesting Customer) the Commission or other duly authorized authority in Bangladesh to authorize the Licensee to monitor calls to the Requesting customer's mobile handset or device;
- 37.02 The Commission or other duly authorized authority in Bangladesh may direct a Licensee to monitor communication to and from a customer's telephone;
- 37.03 The Licensee shall provide to the Commission the information resulting from the monitoring of the communication to and from a customer's telephone, including the identification number or details of the parties that are the source of harassing, offensive fraudulent or unlawful communication and the dates of occurrence of such calls and their frequency;
- 37.04 The Commission may direct the Licensee to undertake appropriate action to protect the public from harassing, offensive, fraudulent or unlawful communication. Such direction may require the Licensee to co-operate fully with and/or provide relevant information to such other parties identified as being competent authorities by the Commission in its direction; and
- 37.05 The Licensee shall, at the request of the Commission, terminate service to any customer that is the source of harassing, offensive or illegal communication.

38. EMPLOYMENT REGULATION

- 38.01 The Licensee shall submit their HR/Employment Services Regulation to the Commission within 6(six) months of issuance of License. The Commission may seek information from time to time and issue instructions as per laws in this regard which shall be binding to all of the Licensees.
- 38.02 (i) No Licensee shall employ more than 1% (one percent) of Foreign Nationals as its employee.

(ii) The Licensee shall appoint at least 50% (fifty percent) of each of the top two-tier management posts from the Bangladeshi nationals. This provision may be relaxed by the Commission for a particular operator and for a specified period of time. (The top two tiers shall be considered as CXO (e.g., CEO, CFO, CTO etc.) and his/her direct repartees, and their equivalent designation.)

39. FORCE MAJEURE

Notwithstanding anything to the contained in these Guidelines, if the Licensee shall be rendered unable to carry out the whole or any part of its obligations under these Guidelines for any reason beyond the control of the Licensee, including but not limited, to acts of God, strikes, war, riots, etc., then the performance of the obligations of the Licensee as it is

affected by such cause shall be excused during the continuance of any inability so caused provided that the Licensee has taken all appropriate precautions and reasonable measures to fulfill its obligation and that it shall within 14 (fourteen) days of its first occurrence notify to the Commission the same and cause of such inability and its efforts to remove such cause and remedy its consequences.

40. HEALTH AND ENVIRONMENTAL HAZARDS

- 40.01 The Licensee shall ensure the use of energy efficient, environmentally friendly network equipment (Green Telecom) and also ensure proper safety for health hazard issues nearer to their BTS and other locations of installations.
- 40.02 The Licensee shall ensure the use of green technology (in terms of renewable energy, low power consumption etc.) in at least 5% (five percent) of its Access Nodes (e.g., BTS) within 5 (five) years and at least 10% (ten percent) of the same within 10 (ten) years after the date of issuance of the license. However, earlier expansion of the same is encouraged.
- 40.03 The Licensee shall have obligation to stop all types of radiation which are harmful to the environment and public health. The Licensee shall follow the standard exposure limit as set by the Commission and shall comply with the directives/instructions/guidelines/decisions regarding health and environmental hazards issued by the Commission from time to time.
- 40.04 The Licensee shall take proper and adequate safety measures for the safeguarding of life and property in connection with all installations, equipment and apparatus operated or used, including safeguarding against exposure to any electrical or radiation hazard emanating from the installations, equipment or apparatus operated or used under this
- 40.05 The licensee shall comply with the safety standards and specifications as may from time to time be prescribed by the Authority and any directions of the Authority in relation to any safety matter.

41. SOCIAL OBLIGATION FUND (SOF)

The Licensee shall have obligation to contribute in social obligation fund according to the Act, 2001. The amount of the contribution is mentioned in Clause 13.05 of these Guidelines. The social obligation fund will be operated as per the provisions of the Act, 2001 and the Rules made or promulgated thereunder.

42. CORPORATE SOCIAL RESPONSIBILITIES (CSR)

The Commission encourages the Licensees to carryout Corporate Social Responsibilities. The licensees shall inform the Commission regarding their activities on a yearly basis.

43. INTELLECTUAL PROPERTY RIGHTS (IPR)

The Licensee shall not violate any Intellectual Property Rights of any person, body or associations and shall be held responsible for any such violation under the relevant laws of the land.

44. DISPUTE RESOLUTION

If any dispute arises between the Licensees or between the Licensees and subscribers, the parties shall first attempt to resolve the differences in an amicable manner. If a settlement is not reached, then the matter shall be referred to the Commission for resolution and the decision of the Commission shall be binding upon the parties.

45. AMENDMENTS

Any change in any terms in the Guidelines/ Licenses shall be in accordance with the Section-39 of the Act, 2001.

46. COMPLIANCE WITH LAW

46.01 These Guidelines are subjected to the terms and conditions contained herein and to the Act, Rules and Regulations. In the event of any conflict or inconsistency between the provisions of these Guidelines, and the provisions of the Act, Rules or Regulations, the provisions of the Act, Rules and Regulations shall prevail.

46.02 The Licensee shall establish, maintain and operate its Licensed System, and shall provide the Licensed Services, in compliance with the license, guidelines and the laws of Bangladesh.

47. VIOLATIONS OF THE LICENSE

If the Commission determines that the Licensee has violated a provision of these Guidelines or the Act, Rules or Regulations conditions of these Guidelines or any other order or instructions or directives of the Commission, the Commission may by order impose one or more sanctions provided in the Act, the Rules and Regulations issued thereunder.

48. TERMINATION OF THE LICENSE

The License shall remain in force, until it is terminated by one of the following events:

48.01 The term of the License expires without renewal;

48.02 The Licensee agrees to the termination of the license as per these Guidelines; or

48.03 The License is suspended or terminated in accordance with the Act, Rules or Regulations, or the provisions of these Guidelines.

49. SUSPENSION, CANCELLATION AND FINES

49.01 The Commission may take necessary actions to suspend or cancel the License according to the provision of section-46 of the Act, 2001.



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Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

- 49.02 The Commission may impose fine under Sections 63(3), 64(3), 65 or any other relevant provision(s) of the Act, 2001 for violation of any condition of these Guidelines.

50. IMPACT OF SUSPENSION AND CANCELLATION OF LICENSE

- 50.01 In the event of suspension of the License under provisions of the Act, 2001 the Commission may, in accordance with the Rules engage any competent administrator by examining the financial position, profit and loss of the licensee.
- 50.02 Cancellation or suspension of License for any reasons whatsoever shall not prejudice any other legal rights or remedies of the Commission conferred by the Act, 2001 or any applicable law or the License. Cancellation shall not relieve the Licensee from any obligations accrued and due under any law or these Guidelines.

51. DISCLAIMER

Questions or requests for clarification on the contents of these Guidelines may be raised. The Commission reserves the right not to reply to questions. However, to the extent that it does, it will publish/reply the question and the answer in written or at the BTRC website www.btrc.gov.bd unless confidentiality has been requested which shall be binding to the operators.

52. MISCELLANEOUS

- 52.01 If not mentioned in the particular clause, the currency exchange rate shall be the foreign currency selling rate of Bangladesh Bank on the day preceding the date of payment
- 52.02 The Government/Commission has considerations to enter into Unified Licensing Regime. In this regard, the Licensee shall follow Directives/Guidelines/Instructions/etc. as approved by the Commission from time to time.
- 52.03 The Licensee shall follow the Code of Practice as approved by the Commission from time to time.
- 52.04 The Licensee shall follow the terms and conditions of the instruction/order/directive /decision of the Commission for using the ISM band to provide Wi-Fi services.
- 52.05 The Licensee shall take prior written permission for formation of any company/joint venture entity/partnership entity in Bangladesh for providing any type of telecom related services. The Licensee shall also have to take prior written permission for holding share in or being a partner of the existing entity who is providing any telecom service in Bangladesh.
- 52.06 The Commission and/or any other Government departments shall not be liable for any loss, damage, claim, charge, expense which may be incurred as a result of or in relation to the activities of the License, its employees, agents or authorized representatives.

52.07 The Licensee shall not disclose the directives/ instructions of the Commission to public in matters relating to National Security.

52.08 The Licensee shall not discriminate against any other authorized telecom operators/service providers beyond the order or instructions of the commission and shall abide by all instructions/ directions/regulations in this respect.

52.09 None of the provisions of these Guidelines shall be deemed to have been waived by any act of or acquiescence on the part of the Commission, but only by an instrument in writing signed/issued by the Commission. No waiver of any provision of these Guidelines shall be construed as a waiver of any other provision or of the same provision on another occasion.

52.10 Unless repugnant to the context–

- (i) all headings are for convenience only and shall not affect the interpretation of the provisions of these Guidelines;
- (ii) the words importing the singular or plural shall be deemed to include the plural or singular respectively;
- (iii) any expression in masculine gender shall denote both genders;
- (iv) any reference in these Guidelines to a person shall be deemed to include natural and legal persons;
- (v) all references to legislation or Guidelines or directions issued by the Commission shall include all amendments made from time to time;
- (vi) the term ‘or’ shall include ‘and’ but not vice versa;
- (vii) any reference in these Guidelines to “writing” or “written” includes a reference to official facsimile transmission, official e-mail, or comparable means of communication;
- (viii) references to Clauses, Sub-Clauses, Appendix and Schedule of Licenses are to Clauses, Sub-Clauses, Appendix and Schedule to these Guidelines, respectively.

52.11 The Guidelines shall be integral part of the Cellular Mobile Services Operator License and vice-versa. These Guidelines shall replace the Regulatory and Licensing Guidelines for Renewal of Cellular Mobile Phone Operator License, Regulatory and Licensing Guidelines for 3G Cellular Mobile Phone Services, Regulatory and Licensing Guidelines for 4G/LTE Cellular Mobile Phone Services Operator License.

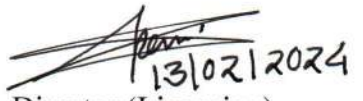
52.12 Unless a different intention appears, the provision in the clause 52.11 shall not–

- (i) revive anything not in force or existing at the time at which the Cellular Mobile Services Operator Guidelines and License issued thereunder take effect; or

(ii) affect the operation of Cellular Mobile Services Licenses or anything duly done or suffered thereunder; or

(iii) affect any obligation, liability, or dues acquired, accrued or incurred under the then Cellular Mobile Services Licenses.

52.13 The Guidelines are issued with the approval of the appropriate authority.


Director (Licensing)
Legal and Licensing Division
BTRC
Shazeda Parvin
Director (Licensing)
Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

APPENDIX-1

[Generic Form of Cellular Mobile Services Operator License]



**BANGLADESH TELECOMMUNICATION
REGULATORY COMMISSION**

BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

CELLULAR MOBILE SERVICES OPERATOR LICENSE

ISSUED

TO

.....

UNDER

THE BANGLADESH TELECOMMUNICATION REGULATION ACT, 2001

ON THE

..... DAY OF 20.....



BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION

BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

CELLULAR MOBILE SERVICES OPERATOR LICENSE

LICENSE NO:		DATE			
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In Exercise of the Powers under section 36 of the

Bangladesh Telecommunication Regulation Act, 2001 (Act No. XVIII of 2001)

BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION
is pleased to issue this License in favour of

.....
represented by its CHAIRMAN/MD/CEO having registered office at

.....
as a
CELLULAR MOBILE SERVICES OPERATOR

in Bangladesh
whereby it is authorized
to establish, maintain and operate the Cellular Mobile Phone Systems and to provide services as specified
in this License
ON NON-EXCLUSIVE BASIS
under the terms and conditions given in the following pages of License
including the schedules annexed hereto.


Shazeda Parvin
Director (Licensing)
Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

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 Legal & Licensing Division
 Bangladesh Telecommunication
 Regulatory Commission



BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION

BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

No:.....

Date: - -20...

CELLULAR MOBILE SERVICES OPERATOR LICENSE

(Issued under section 36 of the Bangladesh Telecommunication Regulation Act, 2001)

Whereas in pursuance of the “Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh” (No-----, Date: __-__-20.....), Bangladesh Telecommunication Regulatory Commission (“BTRC” or “Commission”) requires to issue the License by unifying 2G, 3G, 4G/LTE, 5G and beyond Cellular Mobile Services Operator Licenses for Cellular Mobile Systems and Services in Bangladesh.

And whereas by application dated, the Chairman/CEO/MD/CTO has prayed for a License to operate Cellular Mobile Services in Bangladesh.

Now, therefore, the Commission does hereby issue -

LICENSE

To

.....represented by its Chairman/CEO/MD/CTO having its registered office at the Licensee to establish, operate and maintain Cellular Mobile Services throughout Bangladesh and provide Cellular Mobile Services to subscribers, subject to the terms and conditions laid down hereinafter.

1. INTERPRETATIONS, DEFINITIONS AND ABBREVIATIONS

The interpretations and definitions of the terms used in this document are annexed herewith as Schedule-1 of this License.

2. SCOPE

- 2.01 The Licensee may install its applicable systems anywhere in Bangladesh for the purpose of providing the services as described in Clause No. 5 of this License.
- 2.02 The Licensee shall provide Cellular Mobile Services including the mandatory emergency services throughout Bangladesh as described in these Guidelines.
- 2.03 The Licensee may provide optional services incidental to Cellular Mobile services as approved by the Commission.
- 2.04 The License does not authorize any activities or Telecommunication Services which the Government may by Decisions/ Regulations prohibit;
- 2.05 The Licensee shall not provide any Telecommunication Service or install, maintain or operate any Telecommunication System that is not authorized in this License, except pursuant to a separate License or other proper authorization from the Commission.
- 2.06 The Licensee shall provide domestic inter-operator Telecommunication Services and International Long Distance Telecommunication Services only through the Telecommunication Systems duly licensed by the Commission for the purpose.
- 2.07 The Licensee shall take prior approval from the Commission when it wishes to begin to offer a new category of Licensed Services. In its application, the Licensee shall describe the new category of Licensed Services and the expected date of commencement. The Commission, where deemed necessary, may intervene for supervision of such services.
- 2.08 The Licensee shall comply with the provisions of the Act, 2001, the Wireless Telegraphy Act, 1933 and the Telegraph Act, 1885 and any other laws for the time being in force. The Licensee shall also comply with the Rules/Regulations/Policies/Directives/Guidelines/Instructions/Orders/Circulars/Decision etc. issued from time to time by the Commission

3. DURATION OF LICENSE

- (i) The duration of the License shall initially be up to the date of ----- . Upon expiry of the initial term, the License may be renewed for subsequent terms, each of 15 (fifteen) years in duration, subject to the approval from the Government.
- (ii) If the Licensee wishes to renew the term of this License at the expiry of the initial term or any renewal term, it shall apply to the Commission in written at least 06 (Six) months prior to the expiry of the current term.


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(iii) The Licensee shall make payment of necessary fees and charges, and shall comply with the terms and conditions, as may be specified herein and/or by the Government under the Act, 2001 prior to each renewal application.

4. LEGAL REQUIREMENTS

The legal statutes governing the telecommunication industry in Bangladesh which will be applicable to all applicants and Licensees are given below (including but not limited to):

- (i) The Bangladesh Telecommunication Regulation Act, 2001 (as amended).
- (ii) The Wireless Telegraphy Act, 1933 and The Telegraph Act, 1885, for matters which are not covered by the Bangladesh Telecommunication Regulation Act, 2001 (as amended).
- (iii) Bangladesh Telecommunication Regulatory (License) Regulations, 2022.
- (iv) The Bangladesh Telecommunication Regulatory Commission (Interconnection) Regulations, 2004 (as amended).
- (v) Any Act, Ordinance, Rule(s), Regulation(s), Notification(s), etc. related to Telecommunications as applicable for the Licensee.
- (vi) The Rules/Regulations/Guidelines/Directives /Orders and Decisions issued under the Act, 2001.
- (vii) Judgments and orders passed by the court of competent jurisdiction.

5. SYSTEMS AND SERVICES

- 5.01 Subject to the BTRA, 2001, the technical and operational systems shall comprise broadly the combination of telecommunication apparatus (e.g. switching system, transmission apparatus, terminal apparatus etc.) including the wireless/wired network, core network, transmission network between the core network and the distribution network/access network through different transmission media (e.g. microwave, cable, co-axial, optical fiber etc.) to provide Cellular Mobile Services including 5G Services and beyond. The systems as described above shall include the Switching Centers, Access Network Controllers, Radio Access Points, Signaling Points/ Signaling Transfer Points, Media and Resource Servers, Data Communication Systems, Different Related Database Systems, Centralized Operation, and Maintenance Centre (OMC), Customer Service Centre, Billing System, Transmission System, Power Supply System etc. and other related apparatus shall be installed within the country.
- 5.02 However, the operator, upon prior approval from the Commission can secure Infrastructure and service by connecting with offshore infrastructure or platform for services such as and not limited to cloud-based environment, storage, backup and recovery management, analytic and high-performance computing, web hosting, software and applications through API etc.

- 5.03 The systems including offshore platforms shall have Lawful interception (LI) and be LI compliant.
- 5.04 The end-user shall be connected to the nearby BTS/Small cells through access and millimeter-wave frequency. Establishment and deployment of Small Cells shall be the responsibility of the Licensee. The Licensee can use optical fiber or wireless solution to establish Small Cells (Femtocell/Picocell/IBS/any other indoor office or home solution/Micro cell solution etc.) for providing indoor/outdoor coverage. However, for the deployment of optical fiber, the licensee shall follow respective guidelines/instruction from the Commission.
- 5.05 Technical characteristics of the equipment used under the license shall have to be in conformity with the IMT/ IMT Advanced/*IMT for 2020 and beyond* standards as per ITU radio regulations and recommendations.
- 5.06 The systems shall be compatible with NEIR (National Equipment Identity Register), TMS (Telecom Monitoring System), CBVMP (Central Biometric Verification Monitoring Platform), MNP (Mobile Network Portability) system and any such regulatory tool, auditing tool or technical platforms. Moreover, the systems shall have the provisions to detect and deactivate the illegal call termination following the BTRC provided directives.
- 5.07 The Licensee shall install security systems in the network which standard is fixed by ITU, 3GPP, IEEE, ETSI, GSMA or any other competent authority/body.
- 5.08 The Licensee shall install appropriate protection system in the network to protect against all kinds of cyber threats or any unauthorized interception of communication carried on the Licensed System. The technical characteristics of the telecommunication equipment used under this License shall be in compliance with ITU/ GSMA/NIST cyber security/ telecommunication security Standards/ Guidelines/ Regulations/ Recommendations.
- 5.09 The Licensee is authorized to provide Cellular Mobile Services including the following services through its Telecommunication systems:
- (i) Cellular Mobile Services which include 2G/3G/4G/5G or IMT for 2020 and beyond technologies.
 - (ii) Intra-Operator Domestic Voice and Video Calls.
 - (iii) Inter-Operator Domestic Voice and Video Calls.
 - (iv) International Long- Distance Voice and Video Calls.
 - (v) International Roaming Services.
 - (vi) Domestic and International SMS/ EMS/VMS services.
 - (vii) Internet of Things (IoT), Machine to Machine (M2M) and B2B services.
 - (viii) Mobile Broadband/Internet.
 - (ix) Fixed Wireless Access Service.
 - (x) enhanced Mobile Broadband Service (eMBB).
 - (xi) massive Machine Type Communication services (mMTC).
 - (xii) ultra-Reliable and Low Latency Communications (uRLLC) service.
 - (xiii) Value Added Services (compatible with 2G, 3G, 4G/LTE, 5G and beyond) as per Regulatory Guidelines for Issuance of Registration Certificate for Providing

Telecommunication Value Added Services (TVAS) in Bangladesh.

- (xiv) Any other compatible services related to the License as approved by the Commission.
- 5.10 Before introducing new services and new technologies, permission shall be taken from the Commission.
- 5.11 The Licensee shall establish cellular mobile network which must be compatible to serve intelligent transportation systems, smart city, smart home, smart grid, and any other mission critical services standardized by IEEE, 3GPP, ETSI and ITU which are included in the *IMT for 2020 and beyond* standards. The Licensee shall have to abide by all relevant directives/ instructions/ licensing guidelines from the Commission for facility sharing.
- 5.12 The Licensee shall design and maintain its cellular mobile telecommunication network(s) in accordance with any directions given by the Commission and shall comply with interoperability and other technical standards issued by the Commission.
- 5.13 The Licensee shall not connect to the Systems, any equipment or system that does not comply with the national standards for telecommunication apparatus set by the Commission.
- 5.14 The Licensee shall notify the Commission and the affected customers at least 30 (thirty) days prior to discontinuation of any service.

6. FEES AND CHARGES

- 6.01 Following non-refundable fees and charges shall be applicable to the Licensees. The fees are excluding of fees, charges, VAT, and taxes imposed by any other competent authority of the Government:

1.	Annual License Fee	BDT 10 (ten) Crore
2.	Revenue Sharing	5.5% (Five and a half percent) of annual audited gross revenue.
3.	Annual Spectrum Fee	As mentioned in Radio Communications Apparatus License for Cellular Mobile Services.
4.	Social Obligation Fund	1.0% (one percent) of annual audited gross revenue.

- 6.02 **Annual License Fee:** The Licensee shall pay the annual license fee (under the Cellular Mobile Service Operator License) to the Commission for every year in advance a sum of BDT 10 (ten) crore only in the form of a pay order or bank draft issued from any scheduled bank of Bangladesh on each anniversary of the date of the License.
- 6.03 **Revenue Sharing:** A sum equivalent to 5.5% (five and a half percent) of the annual audited gross revenue shall be paid by the Licensee to the Commission on a quarterly basis within the first 10 (ten) Gregorian calendar days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year. If there has been any underpayment, the balance must be paid within 90 (ninety) Gregorian calendar days of the financial year-end of the Licensee. In the event of

any overpayment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission.

6.04 **Annual Spectrum Fee:** The Licensee shall pay annual spectrum fees and charges to the commission as mentioned in Radio Communications Apparatus License for Cellular Mobile Services.

6.05 **Social Obligation Fund:** A sum equivalent to 1% (one percent) of the annual audited gross revenue shall be paid on a quarterly basis as social obligation within the first 10 (ten) Gregorian calendar days at the end of each quarter. The total variable component shall be reconciled on an annual basis based on the Licensee's audited accounts for that year and if there has been any under payment, the balance must be paid within 90 (ninety) Gregorian calendar days of the financial year-end of the Licensee. In the event of any over payment by the Licensee, the Licensee may set off the excess amount against quarterly payments in the next year with prior permission from the Commission. The percentage of subscription to Social Obligation Fund (SOF) may be changed from time to time by the Government.

6.06 **Revenue Sharing of International Phone Calls**

6.06.01 **For International Incoming Calls:** The revenue from international incoming calls shall be shared as per provisions of relevant Guidelines (i.e., IGW and ICX) and/or as directed by the Commission from time to time.

6.06.02 **For International Outgoing Calls:** The revenue from international outgoing calls shall be shared as per provisions of relevant Guidelines (i.e., IGW and ICX) and/or as directed by the Commission from time to time.

6.07 **Delay in Payment of Fees and Charges**

The annual license fee and the amount of revenue to be shared have to be paid within due date. The amount due may be paid till 60 (sixty) days after the due date, in which event, the Licensee shall make the payment with late fee at the rate of 15% per annum as compensation to the Commission. On exhaustion of the 60 (sixty) days as mentioned above, if the failure continues, the License may be cancelled. However, the principal amount shall have to be calculated and paid along with late fee till the date of actual payment or the date of cancellation of the License, whichever is earlier.

6.08 Upon prior approval of the Government, the Licensees may be exempted from paying fees and charges for a specific period of time while introducing a new generation of technology.

6.09 The Licensee shall annually submit to the Commission audited financial statements in support of its calculations of annual fees payable pursuant to Clause No. 6.01-6.06.

6.10 The Commission reserves the right to periodically review and adjust the fees and charges as detailed above are subjected to the prior approval of the Government.

7. **ROLLOUT OBLIGATIONS**

7.01 In order to materialize Governments plan to build Smart Bangladesh and to make 'Vision 2041' a reality during the first year after the issuance of the License under these Guidelines


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the Licensee shall establish its cellular mobile network including provisions of telecom services based on the demand from the customers i.e. government, enterprises and citizens. However, from the second year onwards the Licensee must have the capability to provide the list of services mentioned in clause 12.09 including mission critical services like smart city, smart home, intelligent transportation systems, smart grid, or any other useful new applications using eMBB, uRLLC, mMTC, IoT and any new telecommunication services based on important use cases and demand from the public and private sector of Bangladesh.

- 7.02 Subject to the prior approval of the Government, BTRC may issue directives/ instructions containing roll-out target in consultation with the licensees for the utilization of particular frequency band, deployment of new services and technologies considering the service scope, network development and overall advancement of the use cases as and when required along with Performance Bank Guarantee, if required. The terms and conditions of any such directive/instruction shall be treated as an integral part of these Guidelines and Licenses.

8. SPECTRUM ASSIGNMENT

- 8.01 The Licensee shall obtain a separate License for Radio System Operation and Radio Communication Apparatus License from the Commission upon payment of prescribed fees.
- 8.02 The assigned spectrum is technology-neutral which can be used/ deployed for any cellular mobile technologies and its evolution as defined/ recommended by ITU.
- 8.03 The assigned spectrum will be inclusive of guard bands to avoid interference with adjacent operating frequency bands.
- 8.04 Upon termination/cancellation of this License, the assignment of spectrum shall be treated as cancelled.
- 8.05 The Licensee may apply to the Commission for microwave frequency for backhaul connectivity and in case of availability and following its frequency assignment procedure, the Commission will consider the assignment of such frequency.
- 8.06 Calculation of the annual spectrum charge will be done as mentioned in Radio Communications Apparatus License for Cellular Mobile Services. The Commission with prior approval of the Government reserves the right to make any change in the charges or levies including spectrum pricing formula from time to time and the Licensee shall abide by the decision of the Commission.
- 8.07 If any rearrangement in the assignment within the band is required in the future, the Commission shall consult with the affected Licensees before deciding such rearrangement.
- 8.08 Assigned frequency and radio apparatus or any right there with, wholly or partly, are not transferable by any means whatsoever, and, therefore, cannot be sold, let, pledged, hypothecated, mortgaged, charged or encumbered or in any other manner transferred by the Licensee to any person or institution or company or organization subject to the issues

enshrined in Section 55 and 37(2) (jha) of the Act, 2001. Any such charge, transfer, hypothecation, pledge or encumbrance of these equipment and any agreement, power of attorney or any other document executed in connection with such desired transaction shall be void *ab initio* and, hence, shall be without lawful authority and of no legal effect. This provision shall survive termination or cancellation of the License or frequency assigned howsoever caused.

- 8.09 The Licensee shall not import/purchase any telecommunication/radio apparatus for its network without taking prior permission from the Commission.
- 8.10 The Commission reserves the right and authority to cancel or revoke the assignment of the frequency, fully or partially, without prejudice to the right and authority to take any other lawful action by giving prior notice to the Licensee, for any of the following reasons:
- (i) National Security or National Interest;
 - (ii) Non-compliance or violation of any conditions of the Guidelines;
 - (iii) Non-payment of any dues where the Licensee has failed to pay within the time period specified by the Commission in the final notice unless the matter is pending for any judicial adjudication with interim order;
 - (iv) Any other reasonable cause deemed to the Commission fit and proper within the scope of the BTRA, 2001.
- 8.11 Depending on the ecosystem, national interest, change in Radio Regulation published by ITU, industry consultation, the Commission reserves the right to make changes in its frequency allocation plan.

9. OPERATION OF LICENSED SERVICES

- 9.01 The Licensee shall ensure that the Licensed System and the Licensed Services do not cause any damage to, or interference with, any Telecommunication System or Telecommunications Services of any other Operator.
- 9.02 The Licensee shall conduct its operations and shall establish its Licensed System in a manner so that it is not a safety hazard and is not contravention of any relevant law, rule or regulation.

10. APPROVAL OF TERMINAL EQUIPMENT

The Licensee shall not install or connect, or permit the installation or connection of, any Terminal Equipment unless the Terminal Equipment is approved, or otherwise permitted by the Commission. The Licensee shall not install or connect, or permit the installation or connection of, any Terminal Equipment or type of Terminal Equipment prohibited by the Commission.


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11. DISCONTINUATION OF SERVICES

The Licensee shall not discontinue providing a category of Licensed Services in any area unless (a) the Licensee gives the Commission and affected customers at least 90 (ninety) days prior written notice of such discontinuation, and (b) BTRC's prior written approval to such discontinuation is obtained. However, services to the subscribers who have defaulted may be disconnected as per the Commission approved "Code of Conduct" and "Service Level Agreement".

12. TARIFF AND CHARGE

The Licensee shall follow directives from the commission related to tariff, fees and charges. All such directives shall be considered as integral part of these Guidelines.

13. QUALITY OF SERVICE

13.01 The Licensee shall have the obligation to ensure the quality of services Regulations/Directives/Instructions/Orders/Guidelines for QoS issued by the Commission from time to time. All such Regulations/Directives/ Instructions/Orders/Guidelines shall be considered as integral part of these Guidelines

13.02 The Licensee may be exempted from its QoS obligation in case of force majeure such as natural or man-made disasters, and any other factors which are beyond the scope of the Licensees provided that it promptly notifies the Commission and other applicable Licensees of the facts and circumstances. It shall take immediate measures to restore compliance with the QoS standards.

14. INTERNATIONAL ROAMING

Cellular Mobile Services Operators shall put in their best efforts to enter into the necessary agreement with foreign operators in order to enable and provide international roaming services with affordable price/tariff to its subscribers. The international roaming and tariff services shall be in accordance with the regulations, directives or decisions of the Commission.

15. SHARING OF FACILITIES

15.01 The Licensee shall comply with the provisions of the Rules/Regulations/Policies/Licensing conditions/Directives/Guidelines/Instructions/Orders/Circulars/Decisions issued by the Commission from time to time regarding the sharing of Telecommunication System/Infrastructure/Installation etc.

15.02 The timeline for request and response from the NTTN operators to provide fiber optic connectivity to/from the cellular mobile tower/installations shall follow related instruction/guidelines from the Commission.

- 15.03 For the construction of new mobile towers or for tower sharing, respective licensing guideline for Tower Sharing shall be followed. The detail modality and condition including timeline for response shall be in accordance with the SLA approved by BTRC for tower sharing.
- 15.04 The licensees may be allowed to access the common infrastructure (Government facilities, Transports, Electric pole, Lamp Posts, Street Cabinets, Advertising signboard, public buildings etc.) to deploy small cells (Femtocell/Pico cell/IBS/any other indoor office or home solution/Micro cell solution) for providing indoor/outdoor coverage.
- 15.05 Amending current infrastructure sharing guidelines, the Commission may allow active infrastructure sharing for the licensee. In this regard, the licensee shall have to abide by the provisions of the active infrastructure sharing guidelines to be issued by the Commission.

16. NUMBERING PLAN

- 16.01 The Cellular mobile operator shall continue using numbers already allocated to them. However, in case of new requirement, the operators shall apply to the Commission for new allocation with reference to the National Numbering Plan.
- 16.02 The Licensee shall comply with the national numbering plan and allocation and assignment of numbers issued by the Commission.
- 16.03 All of the number blocks and short codes are national resources.
- 16.04 Allocation of a number does not confer ownership of the number to the customer. However, the allocation conveys ongoing right of use. A three-months notice period is required to withdraw or to change allocated numbers with permission from the Commission.
- 16.05 The Licensee shall get the allocation of signaling point codes for its exchanges where the SS7 signaling system will be used.
- 16.06 For the machine-to-machine communication (e.g., IoT based services) different numbering plan will be issued by the commission.

17. MOBILE NUMBER PORTABILITY (MNP)

- 17.01 The Licensee shall comply, at its own cost, with any requirements and issued by the Commission on MNP.
- 17.02 The Licensee shall comply with BTRC's framework, arrangements and requirements in relation to MNP, including all relevant codes of practice, directions and notifications which the Commission may issue from time to time.


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- 17.03 The Licensee shall be connected to MNP operator to ensure MNP services to its subscribers.

18. SIGNIFICANT MARKET POWER (SMP)

- 18.01 The Licensee emerging with Significant Market Power (SMP) shall not abuse its dominant position through anticompetitive conduct.
- 18.02 The Licensee shall have to abide by the provisions of the regulations issued by the Government/Commission regarding SMP.
- 18.03 The Commission may issue any Order/Decision/Directives on declared SMP operator to ensure healthy competitive telecom environment according to the provisions and market definition as in SMP regulations.

19. ANTI-COMPETITIVE CONDUCT, UNFAIR COMPETITION AND DISCRIMINATION

- 19.01 **Anti-Competitive Conduct:** The Licensee shall not engage in anti-competitive conduct which in the view of the Commission inhibits or impedes fair competition including exploiting a position of dominance such as to unreasonably restrict competition.
- 19.02 **Unfair Competition:** The Licensee, on its own or through a third party, shall not engage in any practice which unfairly restricts or is likely to restrict existing competition in the national telecommunications industry or which deters or restricts or is likely to deter or restrict new Licensees into the national telecommunications industry.
- 19.03 **Discrimination:** The Licensee shall not discriminate or create any inconvenience to any person, group or class of persons.
- 19.04 All financial transactions (in local and foreign currency) in relation to the License shall be through Scheduled Bank(s) mentioned in the Bangladesh Bank Order, 1972. The Licensee shall inform the Commission of the details of the accounts in operation.

20. INTERCONNECTION

The Licensee shall follow the provisions of the Act, 2001 and/ or policy, regulation, guidelines, directives, instructions, etc. issued from the Commission pertinent to interconnection

21. ALTERATION OF NETWORK

The Licensee shall, within such reasonable time and in such manner as may be directed by the Commission, and at its own expense, alter the course, depth, position or mode of attachment of any apparatus forming part of its Licensed System which may cause hazard to human life/community and is deemed against the public interest. The Licensee shall provide information of its telecommunication systems whenever the Commission asks for it.

22. COMPLIANCE AND MONITORING

22.01 **Regulatory tools:** The licensee shall comply with the existing (CBVMP, NEIR, TMS etc.) and future regulatory tools implemented and/or instructed by Commission.

22.02 **Call Records:** The Licensee shall preserve the Call Detailed Record (CDR), Transaction Detailed Record (TDR), system logs or audit trails related to CDR changes, network traffic data, IN dump, HLR dump, QoS and KPI reports with base data, official correspondence with BTRC, statements/reports etc. for a period of 2 (two) years for scrutiny or as directed by the commission or required by NTMC under the law. The Licensee shall also preserve third party VAS/CP logs of activation/deactivation and service usage for the same period. In case of deletion of call records after 2 (two) years as mentioned above, the Licensee shall keep particular CDR if instructed by the Commission & law enforcement agencies and that shall be kept as it is. In addition to maintain call records mentioned above, the Licensee shall also record/store data session logs/info along with IP address for 6 months for scrutiny by or as directed by the Commission. The Licensee does not require permission to delete records which have not been instructed to retain.

22.03 **Telecommunication Monitoring System (TMS):** The Licensee shall provide all required connectivity and information to the TMS established by the Commission. The Commission shall decide the modality of connectivity, types of information, and standard operating procedure of TMS from time to time. The TMS shall be considered as an automated regulatory and compliance monitoring tool.

22.04 Monitoring System

22.04.01 The Commission may direct the Licensee to take necessary technical measures to identify and monitor illegal call termination. The Commission may direct the Cellular Mobile Services Operator Licensees to submit the relevant information to the Commission from time to time. Following the instruction of the Commission, the Licensee shall implement self-regulatory mechanism to detect and deactivate its subscriptions engaged in illegal call termination or origination.

22.04.02 The Licensee shall keep required provision against cyber threats/attacks in its systems and network and shall take applicable measures to protect its infrastructure from possible cyber threats.

22.04.03 The Licensee shall cooperate with designated national CERT regarding new and emerging threats as well as incident management of national magnitude.

22.04.04 The Licensee shall abide by Cyber Security Order/Decision/Guidelines/Directives/Instructions issued by the Government/Commission that are compatible with any internationally recognized cyber security/risk management framework/guidelines.


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22.05 LI Compliance

22.05.01 The Licensee shall have to connect with the online and offline LI compliance system of NTMC. The Licensee shall comply and provide an appropriate system to provide any appropriate data to the LI system of NTMC.

22.05.02 The Licensee shall provide access to CDR/ IPDR/ PDR/ ETSAF/Customer information/ Retailer information/ Call & Radio location information/ Recharge information and any other appropriate requirement as stated by NTMC and according to applicable law and regulation.

22.05.03 The Licensee shall have the obligation, if so directed by NTMC in accordance with the Act, 2001 or by the Commission, to identify and immediately provide information to the Commission/LEA/NTMC regarding the persons who are threat to the national security. For this purpose, the Licensee shall have the required technology in its systems.

22.06 Fraud Management: The Licensee shall formulate, install and implement an effective Telecom Fraud Management system/process proactively to combat all possible types of fraudulent activities as appropriate. The Licensee shall follow related directives issued by the Commission from time to time.

22.07 Information and Inspection

22.07.01 The Commission or its authorized representatives shall have the right to enter and inspect all the offices, installations, facilities and premises of the Licensee. The Licensee shall provide all information and shall demonstrate any applicable services and systems as required by the Commission during such inspection.

22.07.02 The Commission or any of its official representatives may take copies of records, documents and other information related to the Licensee's business. The Licensee shall promptly deliver any information or documents to the Commission upon request.

22.08 Reports

22.08.01 The Licensee shall furnish all required information as directed by the Commission from time to time. The format and frequency of submission shall be decided by the Commission.

22.08.02 The Licensee shall publish Annual Report in accordance with the International Financial Reporting Standards (IFRS), the Companies Act 1994, the Securities and Exchange Rules 2000, relevant guidelines issued by the Bangladesh Securities and Exchange Commission, Financial Reporting Act, 2015 and other appropriate laws in Bangladesh, as applicable. In addition, the Licensee shall submit to the Commission at least 3(Three) hard copies and a soft copy (scanned PDF) of the audited financial report that will contain the financial statements presenting the financial position & performance of the

Licensee. If the commission requires any additional information, then it will be furnished based on relevancy & availability.

22.08.03 The Licensee shall furnish report(s) to the Commission on a quarterly basis the number and percentage of mobile devices in terms of technology usage or smart phone/ feature phone being registered with its network. The Licensee shall also be required to furnish any report on the basis of the criteria set by the Commission.

23. CHANGES IN THE SHARE CAPITAL

- 23.01 The Licensee shall seek written approval of the Commission before making any change in its direct ownership and direct shareholding. Any change in the direct ownership and direct shareholding shall not be valid or effective without prior written approval of the Commission.
- 23.02 In case of merger/amalgamation with any other entity, the Licensee shall take prior written approval of the Commission.
- 23.03 The terms and conditions including fees and charges imposed by the Government/ Commission regarding changes in its direct ownership and direct shareholding structure and merger/ amalgamation shall be binding on the Licensee.

24. TRANSFER, ASSIGNMENT AND PLEDGE OF LICENSE AS SECURITY

- 24.01 This License and any right accrued thereafter shall not be transferred without the permission of the Commission, wholly or partly, and as such transfer, if any shall be void.
- 24.02 By any means the License shall not be assigned or pledged as security when taking loans. The Licensee/operator with a view to collecting fund may with prior permission of the Commission take loan from any third party against its property and assets upon furnishing security provided that does not affect the customer services.
- 24.03 The Licensee shall not subcontract out any part of the Services or the System without prior approval of the Commission. The Licensee may appoint agents or independent contractors or sub-contractors to carry out works or provide services which enable the Licensee to discharge its duties and obligations under this License provided that the Licensee shall be liable for any act, omission, default, neglect or otherwise of the agents and independent contractors or sub-contractors in carrying out any such works or providing any such services.
- 24.04 The License granted under the Act, 2001 and Rules shall be personal to the Licensee and shall not be assigned, sub-licensed to, transferred directly or indirectly or held on trust for any person, without the prior written approval of the Commission.

25. TECHNICAL AND FINANCIAL AUDIT

- 25.01 The Commission may take initiative for annual technical and financial audit of the Licensee at any time. The audit team authorized by the Commission shall have the right to Audit technical and financial position of Licensee anytime up to 2 (two) years preceding to the

commission of the audit. The Licensee shall comply and shall furnish all relevant information and documents for the period up to two years preceding to the commission of an Audit. The Licensee shall preserve all the relevant data/information for technical and financial audit accordingly. The Commission will issue directives to the licensee in this regard.

- 25.02 The audit team authorized by the Commission shall have the access to the computerized accounting system for the purpose of the Audit as and when deemed necessary by the Commission.

26. EMERGENCY SERVICES

26.01 Emergency Crisis Management:

26.01.01 The Licensee shall have an organized emergency crisis management team to take necessary action(s) to save telecom and other related infrastructure.

26.01.02 The Licensee shall have obligation to send/transmit early warning message to its subscribers of disastrous/crisis areas as directed by the Commission.

26.01.03 The Commission may direct the licensee from time to time regarding emergency crisis management.

26.02 Access to Emergency Services:

The Licensee shall ensure that all its customers are able to contact emergency services, as defined by related government policies, without any charge at any time. The Licensee shall comply with any other requirements of the Commission regarding emergency services.

26.03 National Emergency

26.03.01 The Licensee shall facilitate and cooperate with all relevant government bodies, departments and official agencies for the provision of the Services in the event of national emergency or in matters relating to national security.

26.03.02 The operator, responsible for the operation of mobile towers (Tower Sharing Operator, MNO) shall keep enough provision of power and all other required logistics where possible so that the tower can be kept operational in the event of natural disasters including flood, earthquake etc.

26.03.03 In the event of any war or war situation, internal national disorder (including strikes/hartals), urgent state affairs or situations demanding national security, the Government may use equipment and the Systems used by the Licensee for its network.

26.03.04 In case of national emergency, declared by the President, the Government may suspend any particular activity of or a particular service provided by the Licensee. For

public interest, the Government may take over the possession of the Licensee's installations along with its employees to operate the Systems during the period of such emergency.

27. REGISTRATION OF SUBSCRIBER

- 27.01 The Licensee shall be liable for registration of all subscribers in a proper way as decided by the Commission from time to time. The Commission reserves the right to take necessary actions according to the Guidelines and the provisions of the Act, 2001 for non-compliance of this condition and may impose fine for non-compliance.
- 27.02 The Licensee shall be responsible if it fails to adopt appropriate measures for mandatory Biometric SIM/e-SIM/RUIM / Service Connection Registration and for prevention of false SIM/e-SIM/ RUIM / Service Connection registration as directed by the Commission from time to time.
- 27.03 The Licensee shall be responsible for any type of non-compliance in the SIM/RUIM/e-SIM/Service Connection registration process and shall, therefore, take all necessary measures to ensure that their vendor/retailer/agent are in compliance of the same.

28. INITIAL PUBLIC OFFER (IPO)

- 28.01 Each Licensee may float its share to Initial Public Offer (IPO) as per the rules and regulations of the Security Exchange Commission of Bangladesh and in accordance with other prevailing laws of Bangladesh .
- 28.02 No permission will be required from the Commission for transfer of shares in Secondary Market after floating IPOs.

29. ACCOUNTS

- 29.01 The Licensee shall maintain accounts and other records, in accordance with acceptable accounting practices. The Licensee shall at all times, maintain full and accurate books of accounts and other records reflecting all financial matters, in accordance with the sound and acceptable accounting practices.
- 29.02 The Licensee shall submit certified copies of its financial records and yearly audited accounts to the Commission. The Commission shall have the access to originals of such records and accounts as and when required.
- 29.03 The Licensee shall provide an auditing facility that can be accessed by the Commission to verify the reported services revenues.

30. SUBSCRIBER CONFIDENTIALITY

- 30.01 The Licensee shall maintain confidentiality in respect of all information provided by the subscriber except disclosure in the following situations:


Shazeda Parvin
Director (Licensing)
Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

- (i) where the disclosure of the information is necessary for the purposes of detecting, preventing or investigating crime in which case disclosure should only be made to persons authorized by the Commission or Law Enforcement Agencies (LEA),
- (ii) where disclosure is deemed necessary by the Commission or other national security agencies and law enforcement agencies, where such disclosure should only be made to persons authorized by the Commission or Law Enforcement Agencies (LEA), and
- (iii) where disclosure is ordered by a court of competent jurisdiction or so provided by law.

30.02 Further, the Licensee may only use any information provided by a subscriber for the following purposes:

- (i) internal planning, provisioning and billing for Services,
- (ii) facilitating interconnection and inter-operability between Licensee,
- (iii) other purposes approved by the Commission or permitted by any applicable law(s) of the land.

31. COMPLAINTS AND CONSUMER PROTECTION

- 31.01 The Licensee shall prepare a customer charter of rights that sets out the minimum standards of service to the customers/subscribers of the Licensee and gives guidance to the employees of the Licensee in their dealings with customers and subscribers. This charter shall be prominently displayed at all premises of the Licensee, and a copy shall be provided to customers upon request.
- 31.02 The Licensee shall publish information about the Services it provides in a form which is easily available to consumers. This shall cover inter alia a description of the Services, the pricing plans, terms and conditions, procedures for billing, bill enquiries and complaints, the provision of fault repair services and all other relevant information relating to the provision of the Services and other telecommunications equipment.
- 31.03 The Licensee shall inform subscribers of all its obligations under this License and in particular highlight to its subscribers the Licensee's obligations of confidentiality and specific use of information.
- 31.04 The Licensee shall operate a consumer-friendly system which will allow subscribers to lodge complaints to the Licensee in the event of a breach of any of the terms and conditions of this License.
- 31.05 The Licensee shall submit to the Commission and make publicly available at the end of the Licensee's financial year or upon demanded by the Commission, a report indicating the number of complaints received from subscribers, the nature of such complaints and the steps taken by the Licensee to address those complaints. The Licensee shall prepare the report in a format prescribed or approved by the Commission.

- 31.06 In the event that the Licensee intends to terminate all or part of the Services, the Licensee shall notify the Commission in writing promptly and in any case at least 30 (thirty) days prior to the intended date of termination of the Service, and provide such information and assistance the Commission may require to ensure that the interests of its customers and the public are adequately safeguarded.
- 31.07 The Licensee shall promptly attend the complaints of the subscriber and shall maintain records of complaints for 2(two) years and their resolution and shall make those available for inspection by the Commission as and when necessary.
- 31.08 The Licensee shall build up a management information system for customer services.
- 31.09 The Licensee shall put into effect a mechanism to settle probable complaints, objections and disputes with the subscribers which shall be informed to the Commission.
- 31.10 Any decision of the Commission in respect to ensure the consumers' protection shall be binding on the Cellular Mobile Services Operator Licensee. The consumer charter shall provide commitments by the Licensee to consumers in respect to the standard and quality of the Licensed service. The Licensee shall also establish and maintain substantial number of Consumer Complaint Centre/Customer Care Centre to provide quality services to its Customers/Subscribers as envisaged in Section 59 of the Act, 2001.
- 31.11 The Licensee shall comply with the respective national privacy law and its other requirements required by the Act, the Rules, Regulations and Conditions issued by the commission or any competent Authority.

32. COMMUNICATION WITH THE LICENSEE

The Licensee shall maintain on file with the Commission a current address for the Licensee, including telephone number, fax number and email address, and the name and title of a contact person, for the purpose of receiving communications from the Commission. Any notice or other communication to the Licensee permitted under this License may be given by hand delivering the same, or by mail, facsimile, or electronic mail addressed to the Licensee at its most recent address on file with the Commission.

33. CODE OF COMMERCIAL PRACTICE

The Licensee shall publish a code of commercial practices approved by the Commission. The code of practice shall include, at a minimum provision covering the following issues:

- 33.01 A commitment to take steps to remedy service interruptions as soon as reasonably possible and to provide reasonable credits to customers for lengthy outages;
- 33.02 Protection of the privacy of information transmitted over the Licensed System;
- 33.03 Maintenance by Licensee of the confidentiality of customer information;

- 33.04 Procedures for resolving disputes between Licensee and customers; and
- 33.05 Availability to customers of information concerning their accounts with the Licensee; and
- 33.06 Commitment by the Licensee to customers in respect of standard and quality of Licensed Services.

34. FORCE MAJEURE

Notwithstanding anything to the contained in this License, if the Licensee shall be rendered unable to carry out the whole or any part of its obligations under this License for any reason beyond the control of the Licensee, including but not limited, to acts of God, strikes, war, riots, etc., then the performance of the obligations of the Licensee as it is affected by such cause shall be excused during the continuance of any inability so caused provided that the Licensee has taken all appropriate precautions and reasonable measures to fulfill its obligation and that it shall within 14 (fourteen) days of its first occurrence notify to the Commission the same and cause of such inability and its efforts to remove such cause and remedy it's consequences.

35. HARASSING, OFFENSIVE, UNSOLICITED OR UNLAWFUL COMMUNICATION

The Licensee shall take all reasonable steps to track and locate and prevent the source of harassing, unsolicited, offensive, fraudulent or unlawful communication. For that purpose:

- 35.01 Any customer of the Licensee may request (the Requesting Customer) the Commission or other duly authorized authority in Bangladesh to authorize the Licensee to monitor calls to the Requesting customer's mobile handset or device;
- 35.02 The Commission or other duly authorized authority in Bangladesh may direct a Licensee to monitor communication to and from a customer's telephone;
- 35.03 The Licensee shall provide to the Commission the information resulting from the monitoring of the communication to and from a customer's telephone, including the identification number or details of the parties that are the source of harassing, offensive fraudulent or unlawful communication and the dates of occurrence of such calls and their frequency;
- 35.04 The Commission may direct the Licensee to undertake appropriate action to protect the public from harassing, offensive, fraudulent or unlawful communication. Such direction may require the Licensee to co-operate fully with and/or provide relevant information to such other parties identified as being competent authorities by the Commission in its direction; and
- 35.05 The Licensee shall, at the request of the Commission, terminate service to any customer that is the source of harassing, offensive or illegal communication.

36. EMPLOYMENT REGULATION

- 36.01 The Licensee shall submit their HR/Employment Services Regulation to the Commission within 6(six) months of issuance of License. The Commission may seek information from

time to time and issue instructions as per laws in this regard which shall be binding to all of the Licensees.

- 36.02 (i) No Licensee shall employ more than 1% (one percent) of Foreign Nationals as its employee.
- (ii) The Licensee shall appoint at least 50% (fifty percent) of each of the top two-tier management posts from the Bangladeshi nationals. This provision may be relaxed by the Commission for a particular operator and for a specified period of time. (The top two tiers shall be considered as CXO (e.g., CEO, CFO, CTO etc.) and his/her direct repartees, and their equivalent designation.)

37. HEALTH AND ENVIRONMENTAL HAZARDS

- 37.01 The Licensee shall ensure the use of energy efficient, environment friendly network equipment's (Green Telecom) and also ensure proper safety for health hazard issues near their BTS and other locations of installations.
- 37.02 The Licensee shall ensure the use of green technology (in terms of renewable energy, low power consumption etc.) in at least 5% (five percent) of its Access Nodes (e.g., BTS) within 5 (five) years and at least 10% (ten percent) of the same within 10 (ten) years after the date of issuance of the license. However, earlier expansion of the same is encouraged.
- 37.03 The Licensee shall have obligation to stop all types of radiation which are harmful to the environment and public health. The Licensee shall follow the standard exposure limit as set by the Commission and shall comply with the directives/ instructions/guidelines/ decisions regarding health and environmental hazards issued by the Commission from time to time.
- 37.04 The Licensee shall take proper and adequate safety measures for the safeguarding of life and property in connection with all installations, equipment and apparatus operated or used, including safeguarding against exposure to any electrical or radiation hazard emanating from the installations, equipment or apparatus operated or used under this License.
- 37.05 The Licensee shall comply with the safety standards and specifications as may from time to time be prescribed by the Authority and any directions of the Authority in relation to any safety matter.

38. SOCIAL OBLIGATION FUND (SOF)

The Licensee shall have obligation to contribute in social obligation fund according to the Act, 2001. The amount of the contribution is mentioned in Clause 13.04 of these Guidelines. The social obligation fund will be operated as per the provisions of the Act, 2001 and the Rules made or promulgated thereunder.


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Bangladesh Telecommunication
Regulatory Commission

39. CORPORATE SOCIAL RESPONSIBILITIES (CSR)

The Commission encourages the Licensees to carryout Corporate Social Responsibilities. The Licensees shall inform the Commission regarding their activities on a yearly basis

40. INTELLECTUAL PROPERTY RIGHTS (IPR)

The Licensee shall not violate any Intellectual Property Rights of any person, body or associations and shall be held responsible for any such violation under the relevant laws of the land.

41. DISPUTE RESOLUTION

If any dispute arises between the Licensees or between the Licensees and subscribers, the parties shall first attempt to resolve the differences in an amicable manner. If a settlement is not reached then the matter shall be referred to the Commission for resolution and the decision of the Commission thereon shall be binding upon the parties.

42. AMENDMENTS

Any change in any terms in the Guidelines/ Licenses shall be in accordance with the Section-39 of the Act, 2001.

43. COMPLIANCE WITH LAW

- 43.01 This License is subjected to the terms and conditions contained herein and to the Act, Rules and Regulations. In the event of any conflict or inconsistency between the provisions of this License, and the provisions of the Act, Rules or Regulations, the provisions of the Act, Rules and Regulations shall prevail.
- 43.02 The Licensee shall establish, maintain and operate its Licensed System, and shall provide the Licensed Services, in compliance with the License, guidelines and the laws of Bangladesh.

44. VIOLATIONS OF THE LICENSE

If the Commission determines that the Licensee has violated a provision of these Guidelines or the Act, Rules or Regulations conditions of these Guidelines or any other order or instructions or directives of the Commission, the Commission may by order impose one or more sanctions provided in the Act, the Rules and Regulations issued thereunder.

45. TERMINATION OF THE LICENSE

The License shall remain in force until it is terminated by one of the following events:

- (i) The term of the License expires without renewal;
- (ii) The Licensee agrees to the termination of this License; or
- (iii) The License is suspended or terminated in accordance with the Act, Rules or Regulations, or the provisions of this License.

46. SUSPENSION, CANCELLATION AND FINES

- 46.01 The Commission may take necessary actions to suspend or cancel the License according to the provision of section-46 of the Act, 2001.
- 46.02 The Commission may impose fine under Sections 63(3), 64(3), 65 or any other relevant provision(s) of the Act, 2001 for violation of any condition of these Guidelines.

47. IMPACT OF SUSPENSION AND CANCELLATION OF LICENSE

- 47.01 In the event of suspension of the License under provisions of the Act, 2001 the Commission may, in accordance with the Rules engage any competent administrator by examining the financial position, profit and loss of the Licensee.
- 47.02 Cancellation or suspension of License for any reasons whatsoever shall not prejudice any other legal rights or remedies of the Commission conferred by the Act, 2001 or any other law for the time being in force or the License. Cancellation shall not relieve the Licensee from any obligations accrued and due under any law or this License.

48. MISCELLANEOUS

- 48.01 If not mentioned in the particular clause, the currency exchange rate shall be the foreign currency selling rate of Bangladesh Bank on the day preceding the date of payment
- 48.02 The Government/Commission has considerations to enter into Unified Licensing Regime. In this regard, the Licensee shall follow Directives/ Guidelines/Instructions/ etc. as approved by the Commission from time to time.
- 48.03 The Licensee shall follow the Code of Practice as approved by the Commission from time to time.
- 48.04 The Licensee shall follow the terms and conditions of the instruction/order/directive /decision of the Commission for using the ISM band to provide WiFi services.
- 48.05 The Licensee shall take prior written permission for formation of any company/joint venture entity/partnership entity in Bangladesh for providing any type of telecom related services. The Licensee shall also have to take prior written permission for holding share in or being a partner of the existing entity who is providing any telecom service in Bangladesh.

- 48.06 The Commission and/or any other Government departments shall not be liable for any loss, damage, claim, charge, expense which may be incurred as a result of or in relation to the activities of the License, its employees, agents or authorized representatives.
- 48.07 The Licensee shall not disclose the directives/ instructions of the Commission to public in matters relating to National Security.
- 48.08 The Licensee shall not discriminate against any other authorized telecom operators/service providers beyond the order or instructions of the commission and shall abide by all instructions/ directions/regulations in this respect.
- 48.09 None of the provisions of these Guidelines shall be deemed to have been waived by any act of or acquiescence on the part of the Commission, but only by an instrument in writing signed/issued by the Commission. No waiver of any provision of these Guidelines shall be construed as a waiver of any other provision or of the same provision on another occasion.
- 48.10 Unless repugnant to the context—
- (i) all headings are for convenience only and shall not affect the interpretation of the provisions of these Guidelines;
 - (ii) the words importing the singular or plural shall be deemed to include the plural or singular respectively;
 - (iii) any expression in masculine gender shall denote both genders;
 - (iv) any reference in these Guidelines to a person shall be deemed to include natural and legal persons;
 - (v) all references to legislation or Guidelines or directions issued by the Commission shall include all amendments made from time to time;
 - (vi) the term ‘or’ shall include ‘and’ but not vice versa;
 - (vii) any reference in these Guidelines to “writing” or “written” includes a reference to official facsimile transmission, official e-mail, or comparable means of communication;
 - (viii) references to Clauses, Sub-Clauses, Appendix and Schedule of Licenses are to Clauses, Sub-Clauses, Appendix and Schedule to these Guidelines, respectively.
- 48.11 The license shall be integral part of the Regulatory and Licensing Guidelines for Cellular Mobile Services Operator License and vice-versa. These license shall replace the Renewal of Cellular Mobile Phone Operator License, 3G Cellular Mobile Phone Services and 4G/LTE Cellular Mobile Phone Services Operator License.
- 48.12 Unless a different intention appears, the provision in the clause 48.11 shall not-

(i) revive anything not in force or existing at the time at which the Cellular Mobile Services Operator Guidelines and License issued thereunder take effect; or

(ii) affect the operation of Cellular Mobile Services Licenses or anything duly done or suffered thereunder; or

(iii) affect any obligation, liability, or dues acquired, accrued or incurred under the then Cellular Mobile Services Licenses.

48.13 The license are issued with the approval of the appropriate authority.

Director (Licensing)
Legal and Licensing Division
BTRC



Shazeda Parvin
Director (Licensing)
Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

APPENDIX-2

[Generic Form of Radio Communication Apparatus License for Cellular Mobile Services]



**BANGLADESH TELECOMMUNICATION
REGULATORY COMMISSION**

**BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207**

**RADIO COMMUNICATIONS APPARATUS LICENSE
FOR
CELLULAR MOBILE SERVICES**

ISSUED

TO

.....

UNDER

**THE BANGLADESH TELECOMMUNICATION REGULATION ACT, 2001 (AS
AMENDED)**

ON THE

..... DAY OF 20.....



BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION

BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

RADIO COMMUNICATIONS APPARATUS LICENSE FOR CELLULAR MOBILE SERVICES

LICENSE NO:

DATE:

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In Exercise of the Powers under section 55 of the
Bangladesh Telecommunication Regulation Act, 2001 (Act No. XVIII of 2001) (as amended)

BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION

is pleased to issue this License in favour of

.....
represented by its CHAIRMAN/MD/CEO having registered office at
.....

as a Cellular Mobile Services Operator in Bangladesh

whereby it is authorized to support establishment, maintenance and operation of the Cellular
Mobile Systems and Services as specified in Cellular Mobile Services Operator License
ON NON-EXCLUSIVE BASIS
under the terms and conditions given in the following pages of License including the schedules
annexed hereto.

Shazeda Parvin
Director (Licensing)
Legal & Licensing Division
Bangladesh Telecommunication
Regulatory Commission

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**BANGLADESH TELECOMMUNICATION
REGULATORY COMMISSION**
BTRC BHABAN, PLOT # E-5/A, AGARGAON ADMINISTRATIVE AREA
SHER-E BANGLA NAGAR, DHAKA-1207

No:.....

Date: - -20

**RADIO COMMUNICATIONS APPARATUS LICENSE
FOR
CELLULAR MOBILE SERVICES**

(Issued under section 55 of the Bangladesh Telecommunication Regulation Act, 2001)

Whereas in pursuance to the “Cellular Mobile Services (2G, 3G, 4G/LTE, 5G and beyond) Operator License” (No., Date:) the Bangladesh Telecommunication Regulatory Commission (Commission) require to issue License for Radio Communication Apparatus for Cellular Mobile Services (2G, 3G, 4G/LTE, 5G and beyond) hereinafter Radio Communication Apparatus License in Bangladesh.

And whereas by application dated, the Chairman/CEO/MD/CTO has prayed for a License to establish, operate and maintain Radio Communications Apparatus.

And whereas the Commission upon consideration of the application has decided to grant/award such License to the applicant.

Now, therefore, in exercise of the powers under section 55 of the Bangladesh Telecommunication Regulation Act, 2001 (as amended) Bangladesh Telecommunication Regulatory Commission is pleased to issue-

LICENSE

To

.....represented by its Chairman/CEO/MD/CTO having its registered office at.....

.....to Operate Radio Communications Apparatus for the network of Cellular Mobile Services Operator License, throughout Bangladesh subject to the terms and conditions laid down hereinbelow.

1. INTERPRETATIONS, DEFINITIONS AND ABBREVIATIONS

The interpretations and definitions of the terms used in this document are annexed herewith as Schedule-1 of this License.

2. DURATION OF LICENSE

- 2.01 This License shall be valid till ----- subject to the renewal of spectrum assignment under respective **Cellular Mobile Service Operator License**.
- 2.02 Upon expiry of the present duration of spectrum assignment under cellular mobile service operator license, the concerned spectrum may be renewed till further period subject to the approval from the Commission.
- 2.03 If the Licensee wishes to renew the term of this License at the expiry of the initial term or any renewal term, it shall apply to the Commission in written at least 06 (Six) months prior to the expiry of the current term.
- 2.04 The Licensee shall make payment of necessary fees and charges, and shall comply with the terms and conditions, as may be specified herein and/or by the Government under the Act, 2001 prior to each renewal application.

3. FEES AND CHARGES

The License shall abide by the prevailing instruction regarding payment of annual spectrum fees and charges. Commission reserves the right to revise/modify/amend the instruction from time to time with prior approval of the Government.

4. ASSIGNMENT OF SPECTRUM

- 4.01 **Access Frequency:** The access spectrum shall be assigned to the cellular mobile services operator through proper process and approval of the Commission with certain terms and conditions. The spectrum awarded and the terms and conditions of the spectrum assignment letter(s) shall be treated as an integral part of these Licenses. Moreover, the Commission shall issue a comprehensive list (*Annex-1; shall be attached while awarding the License to individual MNO*) of the access frequency which are already awarded in favor of the Licensee. This will be treated as an integral part of these licences.
- 4.02 **Microwave Link Frequency:** The microwave spectrum shall be assigned to the cellular mobile services operator through proper process and approval of the Commission with certain terms and conditions. The spectrum awarded and the terms and conditions of the spectrum assignment letter(s) shall be treated as an integral part of this License. Moreover, the Commission shall issue a comprehensive list (*Annex-2; shall be attached while awarding the License to individual MNO*) of the microwave frequency which are already awarded in favor of the Licensee. This will be treated as an integral part of these licences.

5. REASSIGNMENT OF FREQUENCY

The Licensee shall comply with the recommendations from ITU-R and any decision of the Commission to re-farm any spectrum band assigned to the Licensee as per the 'BTRA, 2001' (as amended).

6. RADIO APPARATUS

The Licensee shall operate radio communication apparatus and devices in compliance with all requirements, directions, directives, instructions, orders or decisions of the Commission pertaining to emissions, frequencies of operation, BTS/eNodeB/Small cell site clearance, technical characteristics, power and aerial characteristics.

7. USE OF SPECTRUM

The Licensee shall comply with the following terms and conditions relating to radio spectrum assigned to the Licensee:

- 7.01 The Licensee shall report to the Commission such information as may be required concerning the assigned radio spectrum and its use.
- 7.02 The Licensee shall only use the assigned radio spectrum in its own operations and it shall not lease, sub-license, allocate, assign or otherwise make available the use of the assigned radio spectrum to another Operator/ Entities.
- 7.03 The Commission shall have the right, exercisable at any time, to terminate the assignment to the Licensee if the Commission determines that the Licensee is not complying with the requirements applicable to such spectrum and which are set forth in the provisions of the Radio Communication Apparatus License for Cellular Mobile Services and Cellular Mobile Services Operator License as per the Act, 2001.
- 7.04 The Licensee shall use assigned radio spectrum in compliance with all national, regional, inter-Governmental and international arrangements in effect from time to time that are designed to reduce radio interference.
- 7.05 Spectrum assigned to the Licensee may be withdrawn if the Licensee fails to commence its Services in that spectrum within one year of the effective date.

8. CELL PLANNING

The network should be designed by following the ITU-R Recommendations and Reports specified for International Mobile Telecommunications (IMT, IMT Advanced and IMT for 2020 and beyond) with sufficient number of small cell (Picocell/Hotspot/Femtocell/etc.) in the home, office and public area to ensure the adequate network capacity. In this regard, directives for cell planning to be issued from time to time with the evolution of cellular mobile technologies.

- 8.01 In order to cell planning, the Licensee shall follow the ITU-R/3GPP standards for IMT/IMT Advanced/ *IMT for 2020 and beyond*.
- 8.02 The Licensees shall establish their cellular mobile network in compatible with ITU-R recommendations or its subsequent version, where the usage scenarios includes but not limited to enhanced mobile broadband, ultra-reliable and low latency communications and massive machine type communications. The Licensee shall establish cellular mobile network which must be compatible to serve intelligent transportation systems, smart cities, IoT, M2M, B2B, smart home and smart grids.

8.03 In order to deliver IoT based value-added services as mentioned in ITU-R/ITU-T recommendations for 4G/5G and beyond radio access technologies, the Licensee shall install sufficient number of eNodeB/macro cell/micro cell/picocell/hotspot/small cell/etc. at outdoor sites and hotspot/small cell/etc. at indoor sites.

8.04 The Licensee shall also coordinate and agree with other Licensees on the technical measures to be taken to minimize mutual interference between them.

9. HEALTH AND ENVIRONMENTAL HAZARDS

9.01 The Licensee shall ensure the use of energy efficient, environmentally friendly network equipment (Green Telecom) and also ensure proper safety for health hazard issues nearer to their BTS and other locations of installations.

9.02 The Licensee shall ensure the use of green technology (in terms of renewable energy, low power consumption, etc.) in at least 5% (five percent) of its Access Nodes (e.g., BTS) within 5 (five) years and at least 10% (ten percent) of the same within 10 (ten) years after the date of issuance of the License. However, earlier expansion of the same is encouraged.

10. MISCELLANEOUS

10.01 The Licensee shall provide information to Commission regarding the installation and uninstallation of BTS, eNodeB and similar nodes, Microwave links etc. within 30 (thirty) days of installation or uninstallation.

10.02 Assigned frequency and radio apparatus or any right therewith are not transferable wholly or partly, by any means whatsoever, and, therefore, cannot be sold, let, pledged, hypothecated, mortgaged, charged or encumbered or in any other manner transferred by the Licensee to any person or institution or Company or organization. Any such charge, transfer, hypothecation, pledge or encumbrance of these equipment and any agreement, power of attorney or any other document executed in connection with such desired transaction shall be void ab initio and, hence, shall be without lawful authority and of no legal effect.

10.03 Only equipment models or types approved by the Commission shall be used in licensed radio communications networks and systems. If the equipment model or type has not been approved, No Objection Certificate (NOC) for the use of such equipment must be obtained from the Commission, prior to import, purchase or use as applicable.

10.04 All synthesised equipment shall be programmed by the manufacturer on the assigned frequencies prior to Commissioning.

10.05 ITU-R recommendations shall generally apply to the use of radio communications equipment.

10.06 If interference or other problems result from the operation of a licensed station the Commission reserves the right to withdraw the License and to stop the operation of that station.

10.07 The Licensee shall inform the Commission, in writing, regarding any problems arising out of the use of assigned frequencies.

10.08 The Licensee shall require to co-ordinate the use of assigned frequencies with other spectrum Licensees/ users, if necessary.

- 10.09 No Objection Certificate from appropriate authority will be required if antenna height is more than the allowable limit as declared by any competent authority.
- 10.10 The coverage area of any station shall not exceed the licensed geographical area for which necessary payments are to be made to the Commission.
- 10.11 If any rearrangement in the assignment within the band is required in the future, the Commission shall consult with the affected Licensees.
- 10.12 The Commission reserves the right to dismantle any BTS, eNodeB and similar nodes or Microwave link and associated equipment with prior notice.
- 10.13 The Government/ Commission reserves the right to make any change in the charges or levies from time to time and the Licensee shall abide by the decision.
- 10.14 The Licensee shall not import/purchase any Telecommunication/Radio apparatus for its network without taking prior permission from the Commission.
- 10.15 The Licensee shall take prior permission from the Commission before installing BTS in the international border as per instructions from the Commission.
- 10.16 The Radio apparatus and Spurious Emission shall have to conform to ITU recommendation.
- 10.17 The Commission may cancel the assignment of the frequency, wholly or partly, for the reasons of National Security or National Interest or any other reasons whatsoever as the Commission deems fit and proper.
- 10.18 Out of the assigned frequency band transmission is strictly restricted to avoid interference and the Licensee shall ensure it.
- 10.19 The Commission may inspect the telecommunication installations of the Licensee without prior notice and the Licensee shall extend full co-operation and shall not cause any hindrance thereto.
- 10.20 The Licensee shall keep the necessary guard bands between the operators with mutual understanding basis among the operators. The Licensee shall also coordinate and agree with other licensees on the technical measures to be taken to minimize mutual interference between them.
- 10.21 The Commission reserves exclusive right and authority to explain or interpret any provision of this License if any confusion arises regarding the actual sense or import of any provision of this License. The explanation of the Commission shall be final and binding on the Licensee.
- 10.22 Cancellation of License for any reasons whatsoever shall not prejudice any other legal rights or remedies of the Commission conferred by the Act, 2001 or any other law for the time being in force or the License. Cancellation shall not relieve the Licensee from any obligations accrued and due under law or this License.
- 10.23 The Licensee shall comply with all terms and conditions of this License, applicable legislation including the Bangladesh Telecommunication Regulation Act, 2001 and any applicable subsidiary legislation, Government Policies, Guidelines, Directives, Instructions, Orders, Circulars, Decisions etc. issued by the Commission from time to time.
- 10.24 Violation of any of the conditions of the License shall render the License to be cancelled.

- 10.25 The Commission may cancel the License and the Licensee shall be liable for action as per the Bangladesh Telecommunication Regulation Act, 2001 (as amended) on the following grounds including but not limited to –
- (i) that any information furnished in the Application form for obtaining the License is found incorrect/false which is mala fide,
 - (ii) that the Licensee has obtained License hiding the information as mentioned in the guidelines and the Act and the reason for not providing the information is not acceptable,
 - (iii) that the assigned frequency shall be cancelled, if it is not used within 01 (One) year from the date of assignment,
 - (iv) that required fees and charges are not paid by the Licensee as per the terms and conditions of the Radio Communication Apparatus License For Cellular Mobile Services,
 - (v) that the Licensee has disclosed or is involved with any discloser of any information to anybody/performing any illegal activities that may hamper National Security, Integrity, Sovereignty, Stability, and Harmony,
 - (vi) that National Security, Integrity, Sovereignty, Stability and Harmony is hampered by using the telecommunication infrastructure of the Licensee,
 - (vii) that the Licensee violates or purports to violate any terms and/or conditions under this License / Regulations/Directives/ Instructions/ Orders/ Circulars/ Decisions etc.
 - (viii) that the Licensee violates any conditions of the “Cellular Mobile Services Operator License”.
 - (ix) the Commission may at any time, to terminate the assignment to the Licensee if the Commission determines that the Licensee is not complying with the requirements applicable to such spectrum and which are set forth in the provisions of the Radio Communication Apparatus License for Cellular Mobile Services and or the Cellular Mobile Services Operator License;
- 10.26 This License shall be integral part of the “Regulatory and Licensing Guidelines for Cellular Mobile Services in Bangladesh, 2022” and vice-versa. These Licenses shall replace the Radio Communications Equipment License (Renewed), 3G Radio Communications Apparatus License, Radio Communications Apparatus License for Technology Neutral Spectrum, Radio Communications Apparatus License for Existing Spectrum Converted into Technology Neutral Spectrum.
- 10.27 Unless a different intention appears, the provision in the clause 10.26 shall not-
- (a) revive anything not in force or existing at the time at which the Radio Communications Apparatus License for Cellular Mobile Services issued thereunder take effect; or
 - (b) affect the operation of Licenses or anything duly done or suffered thereunder; or
 - (c) affect any obligation, liability, or dues acquired, accrued or incurred under Licenses; or

(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against Licenses; or

(e) affect any investigation, legal proceeding or remedy in respect of any such obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the Cellular Mobile Services Operator Guidelines and License had not been issued.

10.28 The terms and conditions of the 'Regulatory and Licensing Guidelines for Cellular Mobile Services' and the 'Cellular Mobile Services Operator License' will be binding to the Licensee where necessary.

10.29 This License is issued with the approval of the appropriate authority.

Signed on this day of, 20.....

for and on behalf of the

Bangladesh Telecommunication Regulatory Commission

Director
Spectrum Division
BTRC

SCHEDULE-1

INTERPRETATIONS, DEFINITIONS AND ABBREVIATIONS

Unless the context otherwise requires, the different terms and expression used in the License shall have the following meaning assigned to them.

1. **“Access Network Service Operators (ANS Operators)”** means the PSTN Operators, 2G Cellular Mobile Phone Operators, 3G Cellular Mobile Phone Services Operator, 4G/LTE Cellular Mobile Phone Services Operator, Cable Service Provider, Internet Service Providers, Broadband Wireless Access Operators and IPTSPs who have a direct access with the subscribers.
2. **“Asia Pacific Network Information Centre (APNIC)”** is the Regional Internet Registry for the Asia-Pacific region. APNIC provides number resource (IP and AS number) allocation and registration services that support the global operation of the Internet. It is a not-for-profit, membership-based organization whose members include Internet Service Providers, National Internet Registries, and similar organizations.
3. **“Act”** means the Bangladesh Telecommunication Regulation Act, 2001 (Act No. XVIII of 2001).
4. **“Applicable System”** means all the necessary engineering systems and equipment to provide Cellular Mobile Services as (2G,3G,4G/LTE,5G and beyond) per technical, operational and qualitative requirements.
5. **“Broadband Wireless Access (BWA)”** means high speed mobile wireless internet access and the subscribers will be allowed to use their equipment as fixed, nomadic or mobile.
6. **“Commission”** means the Bangladesh Telecommunication Regulatory Commission (BTRC) established under the Bangladesh Telecommunication Regulation Act, 2001.
7. **“Call Detail Record (CDR)”** is generated by all types of switches and HUB in the form of binary or any other form of file that includes all types of records of outgoing and incoming calls such as caller and called party number, origin and destination of calls, call duration, calling time, location, etc.
8. **“CDMA”** means Code Division Multiple Access which including Cellular Mobile Standard Operating CDMA Cellular Mobile Phone service or for operating or maintaining such system or service or for using radio apparatus.
9. **“Content Provider”** is the entity which provides effective and useful information to the common people and multimedia content to the users through Internet. This may include Bangladesh Election Commission, National Identity Registration Authority, E-Library services of Universities, Utility Companies, Gaming Portal, Video on Demand service etc.
10. **“Deep Packet Inspection (DPI)”** is a form of computer network packet filtering that examines the data and/or header part of a packet as it passes an inspection point, searching for non-protocol compliance, viruses, spam, intrusions or predefined criteria to decide if the packet can pass or if it needs to be routed to a different destination, or for the purpose of collecting statistical information.
11. **“Government”** means the Government of the People’s Republic of Bangladesh represented by Ministry of Posts, Telecommunications and Information Technology.
12. **“GSM”** means Global System for Mobile Communication which includes cellular mobile

standard operating GSM Cellular Mobile Phone service or for operating or maintaining such system or service or for using radio apparatus.

13. **“Grey International Telephony Services”** means involvement at any level in origination, termination, routing, modification, alteration of telecom traffic by Licensed or un Licensed operator with the intent to avoid the associated fees, taxes levied by the Regulator or GoB from time to time and/or to conceal or misreport the traffic and the associated information from the regulator for the gain of any other motives;
14. **“Interconnection”** means the visible or invisible or physical or logical linking of more than one telecommunication network in order to enable the users of one network to communicate among themselves or to communicate with the users of another network or to avail themselves of the service of the other network.
15. **“Interconnection Exchange (ICX)”** refers to switching system which provides interconnections among the existing/future telecommunication network of the operators and allows monitoring, Lawful Interception (LI) facilities and roaming number portability.
16. **“International Gateways (IGWs)”** are switching systems through which international voice traffic (VoIP and Clear Channel) is sent and received. IGW allows physical monitoring of the traffic flow.
17. **“International Internet Gateway (IIGs)”** are switching systems through which International Internet traffic is sent and received. IIG allows physical monitoring of the internet/traffic flow.
18. **“ITU”** means International Telecommunication Union.
19. **“Infrastructure”** means all telecom related equipment (Hardware and Software) including GSM Cellular Mobile equipment
20. **“Licensee/operator”** means Cellular Mobile Services Operator.
21. **“License”** means an authorization issued by the Commission under Section 36 of the Act, 2001 and Regulations issued by the Commission for Cellular Mobile Services For using 2G, 3G, 4G/LTE, 5G and beyond technology.
22. **“LI”** means Lawful Interception;
23. **“4G Cellular Mobile Phone Services”** means the International Telecommunications Union-Radio communications sector (ITU-R) specified a set of requirements for 4G standards, named the International Mobile Telecommunications Advanced (IMT-Advanced) specification, setting peak speed requirements for 4G as defined by Quality of Service (QoS) regulations published by BTRC.
24. **“5G Cellular Mobile Phone Services”** means the International Telecommunications Union Radio communications sector (ITU-R) specified a set of requirements for 5G standards, named the IMT for 2020 and beyond. 5G technologies enabling higher data rates as defined by Quality of Service (QoS) regulations published by BTRC, supporting high user density, very low latency and high reliability, human-centric communication, machine-centric communication, maintaining high quality at high mobility, enhanced multimedia services, Internet of Things, convergence of applications, ultra- accurate positioning applications, enhance massive machine type communications and massive MIMO.
25. **“Technology neutrality”** means any available and new/upcoming technology can be employed to provide cellular mobile phone services in the assigned frequency band. It is a wide goal to relax administrative constraints to allow the marketplaces to “naturally select” those systems leading to an optimal usage of radio resources.

26. **"Number Portability"** is the term used to describe capability of individuals, business and organizations to retain their existing telephone number(s) and the same quality of service when switched to another local service provider.
27. **"PSTN"** means Public Switched Telephone Network Licensed by the Commission.
28. **"Quality of Service (QoS)"** is evaluated on the basis of measures on the grade of service, calls lost due to wrong processing, bit error rate, response time, acceptable number of faults per unit subscribers served, and Mean Time to Restore (MTTR), faults carried over beyond the MTTR, etc.
29. **"Quarter"** means a period of three months of the Gregorian calendar year.
30. **"Regulation"** means regulations made or will be made in the future by the Commission under the Act, 2001.
31. **"Rules"** means all or any rules issued from time to time by the Government under the Act;
32. **"Subscriber"** means any person or legal entity that avails the service from the Licensee/operator.
33. **"SS7"** means signaling system number 7 which is an ITU-T common channel signaling protocol.
34. **"Systems"** means cellular mobile phone systems, for which the Licensee/operator is granted a License to establish, operate and maintain such system.
35. **"SIM"** means subscriber identity module;
36. **"e-SIM"** means electronic subscriber identity module.
37. **"SMP"** means significant market power as defined by the Commission;
38. **"Telecommunication"** means transmission and reception of any speech, sound, sign, signal, writing, visual image and any other intellectual expression by the way of using electricity or electro-magnetic or electro chemical or electro-mechanical energy through cable, radio, optical fiber or other electro- magnetic or electro chemical or electro-mechanical or satellite communication system.
39. **"Telecommunication Service"** means telecommunications services defined under section 2(15) of Bangladesh Telecommunication Regulation Act, 2001.
40. **"Telecommunication System"** means Telecommunications System defined under section 2(13) of Bangladesh Telecommunication Regulation Act, 2001.
41. **"Tariff"** means rates, charges payable by a subscriber/party for service provided and related conditions at which telecommunication services may be provided including rates and related conditions at which messages shall be transmitted, deposits, installation fees, rentals, free calls, usages charges and any other related fees or service charge.
42. **"Terminal Equipment"** means equipment which is directly or indirectly connected to any Network Termination Point and which is used directly by users/subscribers in order to access Telecommunications Services;
43. **"SOF"** means Social Obligation Fund as defined in the Act, 2001. any Rules/Regulations and Guidelines issued by the Government/ the Commission from time to time.

44. **“Multi Router Traffic Grapher (MRTG)”** means free software for monitoring and measuring the traffic load on network links. It allows the user to see traffic load on a network over time in graphical form.
45. **“Annual Audited Gross Revenue”** of a period for the purpose of revenue- share calculation means the total income arising out of ordinary course of the Operator’s operations minus other operators’ charges as well as charges (revenue shares) payable to third-party VAS/CP operators/ Tower Sharing operators, NTTN operators for sub-lease/Bandwidth services in that period which is netted of VAT and other applicable duties as per audited financial statements. For international outgoing calls, the allowed deductions are charges payable to international carrier (through IGW), IGW, ICX and BTRC. For local outgoing calls, the allowed deductions are charges payable to ICX and ANS operators. For outbound international roaming (out-roamer), the allowed deductions are charges payable to foreign operators and clearing houses. For data revenue, the allowed deductions are charges payable to IIG operators. For third-party VAS/CP revenue, the allowed deductions are charges (revenue shares) payable to third- party VAS/CP operators. The ordinary course of operation is defined as the combination of all services and activities for which a telecom operator has been granted the License to operate in Bangladesh.
46. **“Tower”** means all types of towers including but not limited to: a monopole, tri-pole, lattice tower, guyed tower, self-support tower, pole, mast, or other structure, which are used to support one or more telecommunication antennae for the purpose of radio telecommunications and which may be located at ground level or on the roof of a building and may include an equipment shelter containing electronic equipment and which is not staffed on a permanent basis and only requires periodic maintenance.
47. **“Small Cell”** As per ITU-R Recommendation M.1224-1.
48. **Abbreviations**
- | | | |
|-------|------------|--|
| 48.01 | ANS | - Access Network Services. |
| 48.02 | AF | - Area Factor for Access Frequency |
| 48.03 | BHCA | - Busy Hour Call Attempts |
| 48.04 | BDT | - Bangladeshi Taka |
| 48.05 | BWA | - Broadband Wireless Access |
| 48.06 | BTS | - Base Transceiver Station |
| 48.07 | BF | - Band Factor |
| 48.08 | BW | - Bandwidth |
| 48.09 | BSC | - Base Station Controller |
| 48.10 | CCS7 | - Common Channel Signaling No. 7 |
| 48.11 | CDMA | - Code Division Multiple Access |
| 48.12 | CDR | - Call Detail Record. |
| 48.13 | CSR | - Corporate Social Responsibilities |
| 48.14 | CEO | - Chief Executive Officer |
| 48.15 | CF | - Contribution Factor for Access Frequency |
| 48.16 | COMMISSION | - Bangladesh Telecommunication Regulatory Commission (BTRC). |
| 48.17 | DDF | - Digital Distribution Frame |
| 48.18 | EDGE | - Enhanced Data-Rates for GSM Evolution. |
| 48.19 | ENUM | - tElephone Number Mapping. |

48.20	EHF	- Extra High Frequency
48.21	EMS	- Extended Message Service
48.22	FDI	- Foreign Direct Investment
48.23	GOB	- Government of Bangladesh
48.24	GHz	- Gigahertz
48.25	GPRS	- General Packet Radio Service
48.26	GSM	- Global System for Mobile
48.27	HF	- High Frequency
48.28	ICX	- Interconnection Exchange.
48.29	IGW	- International Gateways.
48.30	ILDTS	- International Long Distance Telecommunication Services.
48.31	IP	- Internet Protocol.
48.32	IPO	- Initial Public Offer.
48.33	ISO	- International Organization for Standardization
48.34	ISP	- Internet Service Provider.
48.35	IX	- Internet Exchange.
48.36	ICT	- Information and Communication Technology
48.37	ITU	- International Telecommunication Union
48.38	IMEI	- International Mobile Equipment Identity
48.39	IPR	- Intellectual Property Rights
48.40	Kbps	- kilobits per second
48.41	KHz	- Kilohertz
48.42	Km	- Kilo meter
48.43	LEA	- Law Enforcing Agencies
48.44	LI	- Lawful Interception.
48.45	LAN	- Local Area Network
48.46	LF	- Low Frequency
48.47	LTE	- Long Term Evolution
48.48	MoPTIT	- Ministry of Posts, Telecommunications and Information Technology
48.49	MHz	- Megahertz
48.50	MF	- Medium Frequency
48.51	MD	- Managing Director
48.52	MSC	- Main Switching Centre
48.53	NGN	- Next Generation Network.
48.54	NMC	- National Monitoring Centre
48.55	OMC	- Operation and Maintenance Centre
48.56	POP	- Point of Presence.
48.57	POI	- Point of Interconnection.
48.58	PLMN	- Public Land Mobile Network.
48.59	PSTN	- Public Switched Telephone Network.
48.60	QoS	- Quality of Service.
48.61	RIO	- Reference Interconnection Offer
48.62	RUIM	- Removable User Identity Module
48.63	SIP	- Session Initiation Protocol.
48.64	SLA	- Service Level Agreement
48.65	STM-x	- Synchronous Transfer Mode (Fiber Channel Card)

48.66	STU	- Spectrum Tariff Unit
48.67	SIM	- Subscriber Identity Module
48.68	SMP	- Significant Market Power
48.69	SMS	- Short Message Service
48.70	SHF	- Super High Frequency
48.71	UHF	- Ultra-High Frequency
48.72	VAT	- Value Added Tax
48.73	VLF	- Very Low Frequency
48.74	VHF	- Very High Frequency
48.75	VMS	- Voice Message Service
48.76	VoIP	- Voice over Internet Protocol.
48.77	VSAT	- Very Small Aperture Terminal.
48.78	2G	- 2 nd Generation Mobile Services
48.79	3G	- 3 rd Generation Mobile Services
48.80	4G	- 4 th Generation Mobile Services
48.81	5G	- 5 th Generation Mobile Services
48.82	IMT	- International Mobile Telecommunications