

# Telecommunication Rules, 2054 (1997)

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2054.7.18 (3 Oct. 1997)

## Amendments:

1. Telecommunication (First Amendment) Rules, 2055.11.17  
(1999) (1 March 1999)
2. Telecommunication (Second Amendment) Rules, 2058.12.14  
2058 (2002) (27 March  
2002)
3. Telecommunication (Third Amendment) Rules, 2059.1.12  
(2002) (25 April 2002)
4. Telecommunication (Fourth Amendment) Rules, 2064.6.14  
2064 (2007) (1 Oct. 2007)

In exercise of the powers conferred by Section 61 of the Telecommunication Act, 2053 (1996), Government of Nepal has framed the following Rules.

## Chapter - 1

### Preliminary

1. **Short Title and Commencement:** (1) These Rules may be called as the "Telecommunication Rules, 2054 (1997)".

(2) These Rules shall come into force immediately.

2. **Definitions:** Unless the subject or context otherwise requires, in these Rules,-

- (a) "Act" means the Telecommunication Act, 2053 (1996).
- (b) "Inspector" means a person or body designated by the Authority to supervise or inquiry pursuant to Sub-section (2) of Section 17 of the Act.
- (c) "Committee: means the Radio Frequency Policy Determination Committee referred to in Section 49 of the Act.
- (d) "Ministry" means the Ministry of Information and Communications, Government of Nepal.

## **Chapter - 2**

### **Provisions relating to Qualifications of Chairperson and Member**

- 3. **Qualifications of Chairperson and Member:** In order to be the Chairperson and Member of the Authority, one should be a Nepalese citizen, who has obtain a Bachelor's Degree from a recognized university in a area pursuant to Sub-section (1) of Section 5 of the Act and worked at least Fifteen years in the case of Chairperson, and for at least ten years in the case of Member in the concerned area.
- 4. **Functions, Duties and Powers of the Chairperson:** The functions, duties and powers of the Chairperson shall be as follows:

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<sup>e</sup> Amended by the Second Amendment.  
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- (a) To act as the administrative head of the Authority,
  - (b) To formulate and cause to formulate annual plans and programmes of the Authority and submit at the meeting of the Authority.
  - (c) To look after and control the fund of the Authority,
  - (d) To take care of and maintain and cause to take care of and maintain the property of the Authority,
  - (e) To act as a liaison officer between the Authority and Government of Nepal and other organizations,
  - (f) To perform and cause to perform other functions delegated by the Authority under to the Act or these Rules.
5. **Remuneration, Facilities and other Conditions of Service of the Chairperson:** The remuneration, facilities and other terms of service of the Chairperson shall be as prescribed in the Bye-law to be framed under the Act and these Rules; and until the framing of the Bye-law, the remuneration, facilities and other conditions of service of the Chairperson shall be as prescribed by Government of Nepal.
6. **Meeting Allowance:** The Chairperson and Members shall obtain a meeting allowance in such sum as prescribed by the Ministry for taking part in each meeting of the Authority.

## Chapter - 3

### **Provisions relation to License**

7. **Application to be submitted for License:** (1) A person having capital, technical expertise and occupational competency as referred to

in Rule 8 and desiring to operate the telecommunication service pursuant to Sub-section (1) of Section 23 of the Act, shall, within the time-limit set forth in a public notice published by the Authority pursuant to Sub-section (1) of Section 22 of the Act, shall submit an application also setting out the matters referred to in the notice, to the Authority, accompanied thereby the financial and technical study report on the telecommunication service which he/she desires to operate and operation plan, in a format referred to in Schedule-1.

(2) Notwithstanding anything contained in Sub-rule (1), an application may be submitted at any time to the Authority in a format referred to in Schedule - 1 in order to obtain a License to operate telecommunication service prescribed by Government of Nepal by publishing a notice in the Nepal Gazette pursuant to Sub-section (2) of Section 23 of the Act.

(3) A person who is operating the telecommunication service by obtaining a License from Government of Nepal prior to the commencement of the Act pursuant to Sub-section (3) of Section 23 of the Act shall, in order to obtain the License, submit an application to the Authority in a format referred to in Schedule-2 within Six months of the date of commencement of the Act.

8. **Capital, Technical Competency and Professional Efficiency Required to Obtain License:** There shall have to be such capital, technical competency and professional efficiency as prescribed in Schedule -3 in order to obtain License pursuant to Sub-rule (1) of Rule 7.
9. **Matters to be Set Out in Financial and Technical Study Report and Operation Plan:** The applicant shall mandatorily set out, *inter*

*alia*, the following matters in the financial and technical study report and operation plan required to be submitted pursuant to Sub-rule (1) of Rule 7:

- (a) Amount required to operate the telecommunication service,
- (b) Investment capacity,
- (c) Telecommunication system, its quality standards and capacity, to be used for the telecommunication service,
- (d) If the land is to be acquired while operating the telecommunication service, that matter, and if compensation (*muwabja*) is to be provided, the amount of compensation,
- (e) If any agreement is to be made with any person or organisation, the matters of the agreement,
- (f) Mode of operation of the telecommunication service,
- (g) Amount of fees to be collected from the customers for the operation of the telecommunication service,
- (h) Other necessary matters prescribed by the Authority.

10. **Issuance of License:** (1) If an application is submitted for the License pursuant to Sub-rule (1) of Rule 7, the Authority shall examine the application and the documents accompanied with the application, and if only a person is found to be eligible to operate such telecommunication

service while so examining, the Authority shall have to determine the License fee, renewal fee and royalty by negotiations with such person and issue License to the applicant in a format referred to in Schedule -4.

(2) If, while conducting examination pursuant to Sub-rule (1), more than one person having submitted application are found to be eligible to operate such telecommunication service, the Authority shall give all of those persons a notice to make bids on License fee, renewal fee and royalty, and issue License to the person who makes the highest bid in such bidding pursuant to Sub-rule (1).

(3) The Authority shall, while issuing License pursuant to Sub-rule (2), have to issue License to the person who undertakes to pay the highest amount in calculating the License fee which the applicant undertakes to pay, the fee payable for the first renewal of the License and the royalty undertaken to be paid during the period of the License.

(4) The License fee, License renewal fee and minimum amount of royalty required to be undertaken for the License to be issued pursuant to Sub-rules (1) and (2) shall be as set forth in the notice published by the Authority pursuant to Sub-section (1) of Section 22 of the Act.

(5) If an application is submitted for License pursuant to Sub-rule (2) of Rule 7, the Authority shall make an inquiry of the application and the documents accompanied with the application, <sup>•</sup>and if it deems appropriate upon making inquiry to issue a License to such person shall issue the License pursuant to Sub-rule (1).

(6) If any application is submitted for License pursuant to Sub-rule (3) of Rule 7, the Authority shall conduct necessary examination in

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<sup>•</sup> Amended by the First Amendment.  
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that regard and issue License to the applicant in a format as referred to in Schedule-5.

(7) Other procedures to be followed while issuing the License pursuant to this Rule shall be as prescribed by the Authority.

11. **License Fees:** (1) The License fees to be charged for the License to be issued pursuant to Sub-rules (5) and (6) of Rule 10 shall be as follows:

(a) The fees as prescribed in Schedule-6, for the License to be issued pursuant to Sub-rule (5) of Rule 10,

•(b) The fees as prescribed in Schedule-6(a), for the License to be issued pursuant to Sub-rule (6) of Rule 10.

•(2) The Licensee shall pay the License fee pursuant to these Rules either in lump sum or on an installment basis as prescribed by the Authority, within the period of the License.

## Chapter - 4

### **Renewal, Amendment and Transfer of License**

12. **Validity and Renewal of License:** (1) Subject to Sub-section (1) of Section 25 of the Act the validity of a License shall be as follows:

(a) Five years validity for a License to be issued pursuant to Sub-rule (5) of Rule 10,

(b) Period as prescribed in the License to be issued pursuant to Sub-rules (1), (2) and (6) of Rule 10.

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• Amended by the First Amendment.  
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❶(2) The Licensee who intends to renew the License shall submit an application to the Authority, accompanied with the renewal fee which he/she has undertaken for the License obtained pursuant to Sub-rules (1) and (2) of Rule 10, the renewal fee as prescribed in Schedule - 7 for the renewal of the License obtained pursuant to Sub-rule (5) and (6) of Rule 10, ❶Three months in advance of the expiry of the validity period of the License.

❶(3) A Licensee who does not renew the License within the time limit referred to in Sub-rule (2) submits an application, setting out the appropriate reasons for failure to renew the License, to the Authority for the renewal of the License within the time frame of License, and if the reasons are found to be appropriate, the Authority may renew the License upon charging an additional fee at the rate of Fifteen percent of the renewal fee.

(4) A Licensee who fails to renew License even within the time limit referred to in Sub-rule (3), such License shall not be renewed.

13. **License may be Amended:** (1) The Licensee who deems it necessary to amend any matter mentioned in a License shall submit an application to the Authority in a format as referred to in Schedule-8, setting out the reasons for such amendment.

(2) If any application is received pursuant to Sub-rule (1), the Authority shall make necessary inquiry and in making inquiry the reasons given for amendment to the License are found appropriate and proper, and if the basic matters contained in the License are not to be

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❶ Amended by the First Amendment.  
❶ Amended by the Fourth Amendment.  
❶ Amended by the Fourth Amendment.



altered, shall amend the License upon charging Fifteen thousand rupees as a fee.

14. **Sale or Transfer of License:** (1) A person who desires to give or receive a License by conveying the title by way of sale or otherwise shall have to make a joint application to the Authority in a format referred to in Schedule -9 for approval, setting out the mutually settled terms and restrictions.

(2) If an application is received pursuant to Sub-rule (1), the Authority shall make necessary inquiry and upon making inquiry if it deems necessary to obtain additional information or description, the Authority may request for additional description or information from the applicant.

(3) If it deems appropriate on the basis of the application and the documents attached with the application received under Sub-rule (1) as well as the additional information or description requested pursuant to Sub-rule (2), the Authority shall transfer of title to the License by way of sale or otherwise, issue approval to transfer the License by way of sale or otherwise upon charging Five percent of the License fees from the applicants.

## Chapter - 5

### **Terms to be Abided by Licensee**

15. **Terms to be Abided by Licensee:** (1) The Licensee shall have to abide by the following terms, in addition to the terms set forth in the Act and these Rules:-

- (a) To provide telecommunication service to the customers by using machine and equipment on telecommunication of the quality standard specified by the Authority.
- (b) To operate telecommunication service in accordance with the minimum standard specified by the Authority from time to time.
- (c) Not to use the telecommunication machine and equipment installed by another Licensee without the consent of such Licensee.
- (d) Not to distribute telecommunication lines through electric poles as far as possible, and even if the lines are to be so distributed, to distribute them by obtaining approval of the concerned body and only in a manner that it is safe from the electricity.
- (e) <sup>∞</sup> .....
- (f) To provide the telecommunication service in conformity with the agreement made with the customer, while distributing the telecommunication service to the customer.
- (g) To operate telecommunication service by using only the frequency specified in the License for the telecommunication service in which frequency is used.

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<sup>∞</sup> Deleted by the First Amendment.  
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- (h) If the telecommunication service provided to the customer suffers disorder due to any reason, to repair and maintain it free of cost in conformity with the standards prescribed by the Authority.
- (i) To publish materials on telecommunication, including telephone directory for the convenience and information of the customers.
- (j) To operate the telecommunication service in conformity with the minimum standards prescribed by the International Telecommunication Union (I.T.U.) regarding the operation of the telecommunication service.

(2) The terms other than pursuant to Sub-rule (1) required to be abided by the Licensee in operating the telecommunication service shall be as prescribed in the License.

## **Chapter - 6**

### **Inspection, Report and Implementation**

- 16. **Inspection or Inquiry may be Conducted:** If it deems necessary the Authority may conduct or cause to conduct inspection or inquiry in regard to the acts and actions carried out by the Licensee or the telecommunication service provided by the Licensee.
- 17. **Procedure to be Followed to Conduct Inspection or Inquiry:** (1) While conducting inspection or inquiry in connection with acts and actions carried out by the Licensee or the telecommunication service provided by the Licensee pursuant to the Act or these Rules, the

Inspector shall, except otherwise specifically indicated and ordered the Authority to conduct inspection or inquiry, have to conduct inspection or inquiry on the following matters subject to the prevailing law:

- (a) Whether or not the Licensee has operated the telecommunication service by using the machine and equipment relating to telecommunication in harmony with the quality standards determined by the Authority,
- (b) Whether or not the telecommunication service has been operated in conformity with the minimum standards as prescribed by the Authority,
- (c) Whether or not the Licensee has collected the service charge as approved by the Authority,
- (d) Whether or not the acts and actions have been carried out by the Licensee in conformity with the terms and conditions to be abided pursuant to the Act or these Rules.

18. **Powers of Inspector:** The Inspector shall have the following powers in the course of inspection or inquiry pursuant to Rule 17:-

- (a) To enter into the place where the telecommunication system is being used,
- (b) To demand any description or information from the Licensee,
- (c) To examine the quality standards of the telecommunication service provided by the Licensee

to the customers and of the telecommunication system used in operating such service,

- (d) To take statements from anyone who-so-ever involved in the operation of the telecommunication service,
- (e) To issue an order relating to the operation of the telecommunication service, if it appears appropriate to issue such an order to the Licensee, while conducting inspection or inquiry,
- (f) To carry out such other functions as are required in regard to inspection or inquiry.

<sup>+</sup>18A. **Authority to be Informed:** If an Inspector has issued an order pursuant to Clause (e) of Rule 18 to the Licensee, such information shall be forwarded to the Authority within Three days.

19. **To Follow the Order of an Inspector:** (1) If an Inspector issues an order to the Licensee in the course or inspection or inquiry pursuant to <sup>⓪</sup>Rule 17, it shall be the duty of the concerned Licensee to carry out the functions as referred to in such order.

(2) A person who is not satisfied with the order issued by the Inspector pursuant to Sub-rule (1) may file a complaint with the Authority within Thirty days and decision of the Authority in regard to the complaint shall be final.

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<sup>+</sup> Inserted by the First Amendment.

<sup>⓪</sup> Amended by the Second Amendment.

20. **To Furnish Report:** (1) After conducting inspection or inquiry pursuant to Rule 17, the inspector shall furnish a detailed report on inspection or inquiry to the Authority <sup>+</sup>within Ten days.

(2) The report to be furnished pursuant to Sub-rule (1) shall set out, *inter alia*, the following matters:-

- (a) The matter inspected or inquired in regard to the acts and actions carried out by the Licensee or the telecommunication service provided by the Licensee,
- (b) If any technical examination has been performed in the course of inspection or inquiry, the matter as to which telecommunication system has been tested,
- (c) Separate description as to whether or not the Licensee has abided the terms and conditions to be abided by pursuant to the Act or these Rules,
- (d) If the Licensee has not abided by the terms and conditions, the reasons thereof not so abided,
- (e) If an order has been issued in the course of inspection or inquiry to the Licensee to carry out any act immediately, the matters and reasons thereof.

21. **Implementation of Report:** (1) Upon receiving a report referred to in Rule 20, the Authority shall conduct necessary inquiry in that regard; and upon an inquiry, if it appears necessary to obtain additional information, the Authority may order the concerned Licensee to submit description or documents, require to appear before it and record the statement or carry out such other acts as it may deem appropriate.

(2) Upon an inquiry pursuant to Sub-rule (1), if the Authority deems it proper to issue an order to the Licensee in regard to the acts and actions carried out by the Licensee or the telecommunication service provided by the Licensee, it shall provide a reasonable period of time to carry out acts, and it shall be the duty of the concerned Licensee to carry out such acts in due course of time.

## Chapter - 7

### **Dispute relating to Telecommunication and its Settlement**

22. **Complaints may be filed to the Authority:** If a dispute arises in regard to the telecommunication service between the Licensees or between the Licensee and the customer, the aggrieved party may file a complaint also setting out reasons to the Authority.
23. **Procedures to be Followed in the event of Dispute between Licensees:** (1) If a complaint is filed to the Authority pursuant to Rule 22 following a dispute between the Licensees in regard to the telecommunication service, the Authority shall require the concerned Licensees to appear and shall have to settle the dispute through mutual discussions.
- (2) If the dispute is not settled through mutual discussions pursuant to Sub-rule (1), the Authority shall appoint an arbitration panel comprising One representative of each Licensees and One representative from the Authority.
- (3) The arbitrators appointed pursuant to Sub-rule (2) shall make producers itself to settle the dispute.

(4) The arbitrators appointed pursuant to Sub-rule (2) shall make a decision on the settlement of dispute within Fifteen days.

(5) The decision made by the arbitration pursuant to Sub-rule (4) shall be binding to the concerned Licensees.

24. **Dispute between Licensee and Customer:** (1) If a dispute arises between the Licensee and the customer in regard to the telecommunication service and a complaint is filed to the Authority pursuant to Rule 22, the Authority shall require the concerned Licensee and the customer to appear and settle the dispute through discussions.

(2) If the dispute is not settled through mutual discussions pursuant to Sub-rule (1), the Authority may issue an order to the concerned Licensee or the customer as it deems appropriate, and it shall be the duty of the concerned Licensee or customer to abide such order.

## Chapter - 8

### Miscellaneous

25. **Operation of Telecommunication Service in Rural Area:** A Licensee who has obtained License pursuant to Sub-rules (1) and (2) of Rule 10 shall invest Fifteen percent of the total investment in the development, expansion and operation of the telecommunication service in the rural area.

26. **Payment of Royalty:** A Licensee who has obtained License pursuant to Sub-rule (5) and (6) of Rule 10 shall pay the royalty in an amount at the rate of Four percent of the total income to Government of Nepal.

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• Amended by the First Amendment.  
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<sup>+</sup>**Explanation:** For the purpose of these Rules, “total annual income” means an income obtained by the Licensee by providing the telecommunication service to the consumer except the amount including deposit, service tax, value added tax, other indirect tax and an amount received from the sale of telecommunication equipment.

27. **Appellate Committee:** (1) There shall be an Appellate Committee comprising the following members for the purpose of making appeal pursuant to Section 48 of the Act:

- (a) Incumbent Judge of Court of Appeal or Special Class Officer of Nepal Judicial Service - Chairperson
- (b) Gazetted First Class Officer or Expert Officer equivalent thereof designated by Government of Nepal - Member
- (c) A person designated by Government of Nepal from amongst the officer level employees who has gained experience in the field of law Member

(2) The officer employee designated by the Ministry shall act as the Secretary of the Appellate Committee.

(3) The procedures and other provisions relating to the meetings of the Committee referred to in Sub-rule (1) shall be as determined by the Committee itself.

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<sup>+</sup> Inserted by the First Amendment.  
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28. **Procedures relating to Meetings of Committee:** (1) The Committee meetings shall be conveyed on such date, in such time and such place as determined by the Chairperson of the Committee.

(2) If more than Fifty percent members are present out of the total members of the Committee a quorum shall constitute for the meetings.

(3) The Chairperson of the Committee shall preside over the meetings of the Committee and in his/her absence the member selected from amongst the present members shall preside over the meeting.

(4) The majority opinion shall prevail on the meetings of the Committee and the person who presides over the meeting shall cast a casting vote in case of tie.

(5) The secretary of the Committee shall maintain the decisions of the meeting of the Committee authenticated by the Chairperson.

(6) The other procedures relating to the meetings of the Committee shall be as determined by the Committee itself.

29. **Modes and Procedures of Fixing and Allocating / Distributing Radio Frequency:** (1) The Committee shall, subject to the frequency allocated by the International Telecommunication Union (I.T.U.), fix and allocate radio frequency for different services.

<sup>o</sup>(2) The Authority shall, subject to the frequency fixed and allocated by the Committee pursuant to Sub-rule (1), carry out the act of prescribing and distributing the frequency to be used for the telecommunication service.

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<sup>o</sup> Amended by the First Amendment.  
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30. **Prescription of Terms and While Distributing Frequency:** (1)

The Authority shall prescribe the terms and conditions to be observed by the Licensee while using the frequency in operating the telecommunication service.

(2) The Authority shall have the powers to inquiry or monitor as to whether or not the Licensee has used the frequency in consonance with the terms and conditions as prescribed pursuant to Sub-rule (1).

(3) If it appears that the Licensee has not used the frequency in consonance with the terms and conditions upon conducting inquiry or monitoring pursuant to Sub-rule (2), the Authority shall provide a appropriate period as well as an opportunity to the Licensee to use the frequency in accordance with the terms and conditions. If the Licensee fails to use the frequency in consonance with the terms and conditions in such provided period, the Authority may prohibit the frequency to be used.

31. **Payment of Fees:** (1) The Licensee shall pay fees as prescribed by the Committee to the Authority, while using the frequency in connection with the operation of the telecommunication service.

(2) The Authority shall deposit the fees as received pursuant to Sub-rule (1) to Government of Nepal.

32. **Function of International and Multi-Purpose Coordination of Radio Frequency:** It shall be the function of the Ministry to make

coordination with the international and multipurpose coordination of radio frequency formulated by the Committee.

33. **Submission of Annual Report:** The Licensee shall submit a description of the telecommunication service and the details of incomes

and expenses audited by a recognized auditor to the Authority within Three months of the expiry of each fiscal year.

34. **Maintenance of Up-to-date Record:** The Licensee shall prepare and maintain the records on the telecommunication service as provided to the customer in an up dated manner and shall show the said records if the Inspector so requires in the course of inspection or inquiry.

☑34A. **Matters relating to the Financial Administration:** The matters relating to the Financial Administration of the Authority shall be as prescribed in the concerned Bye-laws framed by the Authority.

35. **Alter in Schedule:** Government of Nepal may alter the Schedule on the recommendation of the Authority as per necessity.

36. **Repeal and Saving:** (1) The following Rules are, hereby, repealed:-

(a) Local Telephone Rules, 2022 (1965).

(b) Telephone Communications (In-land) Rules, 2023 (1966).

(c) Telecommunication (International) Rules, 2024 (1967).

(2) The acts performed and actions carried out under the Rules referred to in Sub-rule (1) shall be deemed to have been performed and carried out pursuant to these Rules.

## Schedule - 1

(Relating to Sub-rules (1) and (2) of Rule 7)

### Application to be Submitted for Obtaining a License

To,

The Nepal Telecommunication Authority,

.....

I, hereby, submit this application setting out the following details for obtaining the License to operate the following telecommunication service:

1. Person desiring to obtain License:
  - (a) Name:
  - (b) Address:  
  
Permanent:  
  
Temporary:
2. Type of telecommunication service:
3. Required to operate telecommunication service:
  - (a) Estimated capital:
  - (b) Proposed investment:
  - (c) Source of investment:
4. In regard to telecommunication service:

- (a) Date of commencement of a work:
  - (b) Date of completion of a work:
  - (c) Projection of demand and supply of the service:
  - (d) Network expansion:
  - (e) Description of technology to be used in the network:
  - (f) Standard of service to be provided:
5. Telecommunication system's:
- (a) Manufacture:
  - (b) Country of import:
  - (c) Quality standards:
6. Frequency intended to be used:
7. Date to be provided to the customer of the telecommunication service:
8. Region to be operated the telecommunication service:
- (a) District:
  - (b) Municipality/ Village Development Committee:
  - (c) Ward Number:
9. Details of annual profit/loss etc. to be earned or incurred while operating the telecommunication service:
- (a) Approximate operation expense (cost)
  - (b) Approximate income

- (c) Account of profit and loss
- (d) Tariff rate

10. Documents to be submitted along with the application:

- (a) Copy of the Citizenship Certificate, in case of an individual wishing to obtain the License
- (b) Name of corporate body and documents of legal status, in case of a corporate body wishing to obtain the License.
- (c) Documents relating to technical competency and professional efficiency.
- (d) Work operation plan and financial and technical study report.
- (e) Matters stipulated in the public Notification published by the Authority or prescribed by Government of Nepal by a Notification published in the Nepal Gazette pursuant to the Act.

Seal of the corporate body

Applicant's:

Signature:

Name:

Address:

Date:

## Schedule - 2

(Relating to Sub-rule (3) of Rule 7)

### Application to be Submitted for Obtaining a License

To,

The Nepal Telecommunication Authority,

.....

I, hereby, submit an application to obtain the License to operate the telecommunication service pursuant to the Telecommunication Act, 2053 (1997) and the Telecommunication Rules, 2054 (1998) setting out the following details while by obtaining the License from Government of Nepal:

1. Person wishing to obtain License:
  - (a) Name:
  - (b) Address:
    - Permanent:
    - Temporary:
2. Telecommunication service being operated:
  - (a) Types:
  - (b) Date of operation:
3. Incurred in the operation of the telecommunication service,
  - (a) Proposed investment:



- (b) Source of investment:
4. Telecommunication system's:
- (a) Manufacturer:
  - (b) Country of import:
  - (c) Quality standards:
5. Frequency used:
6. Details of annual profit/loss etc. to be earned or incurred while operating the telecommunication service:
- (a) Approximate operation expenses:
  - (b) Approximate income:
  - (c) Account of Profit/Loss:
  - (d) Tariff rate:
7. Documents attached with the application:
- (a) Copy of the License obtained before:
  - (b) Other necessary documents:

Seal of corporate body

Applicant's:

Signature:

Name:

Address:

Date:

NEPAL LAW COMMISSION

## •Schedule - 3

(Relating to Rule 8)

### **Capital, Technical Competency and Profession Efficiency Required to obtain the License**

A person who desires to obtain the License to operate the telecommunication service pursuant to Sub-section (1) of Section 23 of the Telecommunication Act, 2053 (1996) and Sub-rule (1) of Rule 7 of the Telecommunication Rules, 2054 (1997) shall have the following capital and technical competency and professional efficiency pertaining to telecommunication:

(a) → Net Worth to be required:

1. Two Billion Rupees for operation of local telephone service throughout Nepal,
2. Five Hundred Million Rupees for operation of cellular telephone service throughout Nepal,
3. Five Hundred Million Rupees for operation of inland trunk service,
4. Seven Hundred Fifty Million Rupees for operation of inland and international trunk service,
5. Two billion Rupees, if a single License is to be obtained for operation of more than one telecommunication service mentioned above,

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• Amended by the First Amendment.

→ Altered by a Notification of 2065.10.17 of Nepal Gazette.

6. The capital to be required for obtaining the License to operate other telecommunication service and the telecommunication service in the particular place shall be prescribed by the Authority.

(b) Technical Competency and Professional Efficiency:

- (1) Having operated local telephone service for at least Three years for the operation of local telephone service,
- (2) Having operated cellular telephone or local telephone service for at least Three years for the operation of cellular telephone service,
- (3) Having operated inland or international trunk telephone service or local telephone service for at least Three years for the operation of inland or international telephone service,
- (4) Having possessed such technical competency and professional efficiency as prescribed by the Authority for the operation of other telephone service.

Note:-

- (1) One is required to have operated at least One Hundred and Fifty Thousand telephone lines for operation of local telephone service throughout Nepal.
- (2) One is required to have operated at least One Hundred and Fifty Thousand telephone lines or Fifty Thousand telephone cellular telephone service for operation of cellular telephone service throughout Nepal.

- (3) One is required to have operated local telephone service with at least Three Hundred Thousand telephone lines or local telephone service with at least One Hundred and Fifty Thousand telephone lines as well as cellular telephone service with Fifty thousand telephone lines for operation of local telephone service and cellular telephone service.
- (4) One is required to have operated such telephone service as prescribed by the Authority for other telephone services.

NEPAL LAW COMMISSION

## Schedule - 4

(Relating to Sub-rules (1), (2) and (5) of Rule 10)

### License to be issued for Operation of the Telecommunication Service

To,

.....

This License is, hereby, issued to operate the following telecommunication service, pursuant to Sub-sections (1) and (2) of Section 23 of the Telecommunication Act, 2053 (1997) and Sub-rules (1), (2) and (5) of Rule 10 of the Telecommunication Rules, 2054 (1998).

1. Licensee's:
  - (a) Name:
  - (b) Address:
    - Permanent:
    - Temporary:
2. Type of Licensed telecommunication:
3. In regard to the telecommunication service:
  - (a) Date of operation:
  - (b) Date of completion:
4. Telecommunication system's:

- (a) Manufacturer:
  - (b) Country of import:
  - (c) Quality standards:
5. Frequency to be used:
6. Date to be provided to the customer for telecommunication service:
7. Annual amount to be paid for using the frequency:
8. Area of operation of the telecommunication service:
  - (a) District:
  - (b) Village Development Committee/ Municipality:
  - (c) Ward Number:
9. Telecommunication service is to be developed, expanded and operated in Rural area:
  - (a) District:
  - (b) Village Development Committee/ Municipality:
  - (c) Ward Number:
10. License Number:
11. Validity period of License:
12. Annual fee to be paid for the renewal of License:
13. Amount of annual royalty to be paid to Government of Nepal:

14. Amount to be paid to the Authority, if any, in on annual basis, for the development of telecommunication in the rural area:
15. Terms and conditions to be abided by the Licensee while using frequency and operating the telecommunication service:
  - (a)
  - (b)
  - (c)
  - (d)

Seal of the office

License Issuing Official's:

Signature:

Name:

Designation:

Office:

Date:



## Schedule - 5

(Relating to Sub-rule (6) of Rule 10)

### **License to be issued operation of the telecommunication service**

To,

.....

This License is, hereby, issued to operate the following telecommunication service, pursuant to Sub-section (3) of Section 23 of the Telecommunication Act, 2053 (1997) and Sub-rule (6) of Rule 10 of the Telecommunication Rules, 2054 (1998).

1. Licensee's:
  - (a) Name:
  - (b) Address:
    - Permanent:
    - Temporary:
2. Type of Licensed telecommunication:
3. Telecommunication system's:
  - (a) Manufacturer:
  - (b) Country of import:
  - (c) Quality standards:

4. Frequency to be used:
5. Annual amount to be paid for using the frequency:
6. Area of operation of the telecommunication service:
7. License Number:
8. Validity period of the License:
9. Renewal fee to be paid for the renewal of the License:
10. Amount of annual royalty to be paid to Government of Nepal:
11. Terms and conditions to be abided by the Licensee while using frequency and operating the telecommunication service:
  - (a)
  - (b)
  - (c)
  - (d)

Seal of the office

License Issuing Official's:

Signature:

Name:

Designation:

Office:

Date:

## °Schedule - 6

(Relating to Clause (a) of Sub-rule (1) of Rule 11)

### Fees for License

The following fees shall be charged for the License to be issued pursuant to Sub-rule (5) of Rule 10 of the Telecommunication Rules, 2054 (1998):

<u>S. No.</u>	<u>Type of Telecommunication service</u>	<u>Fees</u>
1.	Internet (including email)  °Provided that, a fee of Hundred Rupees shall be charged for the operation of Internet (including email) for the internal purpose of educational and health institution on the recommendation of concerned Ministries and except the Village Development Committees adjoining with <i>Kathmandu</i> Valley and Sub-metropolitan City, Municipality.	Rs. 3,00,000/-
2.	Email	Rs. 2,00,000/-
3.	Audio Text/Voice mail	Rs. 2,00,000/-
4.	Video Text	Rs. 2,00,000/-
5.	Fax mail	Rs. 2,00,000/-

° Inserted by the First Amendment.

• Inserted by a Notification of 2064.1.31 of Nepal Gazette.

6. VSAT

(a)<sup>☒</sup> .....

(b) VSAT Users

Rs. 2,50,000/-

• Provided that, a fee of Hundred Rupees shall be charged for the operation of VSAT service for the internal purpose of educational and health institution on the recommendation of concerned Ministries and except the Village Development Committees adjoining with *Kathmandu* Valley and Sub-metropolitan City, Municipality.

7. Audio Conferencing

Rs. 50,000/-

8. Pay phone

Rs. 30,00,000/-

9. Pre-paid Calling Card

Rs. 30,00,000/-

∠10. Network Service

Rs. 25,00,000/-

▷10A. Global Mobile Personal Communication System

Rs. 15,00,000/-

≡10B. Limited Mobility Telecommunication Service without wire limited in certain area

(a) Within the area code of *Kathmandu*, *Lalitpur* and *Bhaktpur* District Code

Rs. 60,00,000/-

☒ Deleted by a Notification of 2064.8.10 of Nepal Gazette.

• Inserted by a Notification of 2064.1.31 of Nepal Gazette.

∠ Altered by a Notification of 2064.8.10 of Nepal Gazette.

▷ Inserted by a Notification of 2064.10.8 of Nepal Gazette.

≡ Inserted by a Notification of 2062.11.22 of Nepal Gazette.

- (b) Per district for the each district of *Morang, Sunsari, Dhanusa, Chitwan, Parsa, Rupandehi, Kaski, Banke and Kailali* (within area code) Rs. 3,00,000/-
- (c) Per district for other district except pursuant to Clauses (a) and (b) (within area code) Rs. 2,50,000/-
- ↔11. Radio Paging Network
- (a) Throughout Nepal Rs. 12,50,000/-
- (b) Eastern and Central Development Region (Except *Kathmandu* valley) Rs. 5,00,000/-
- (c) *Kathmandu* Valley Rs. 5,00,000/-
- (d) Western Development Region Rs. 3,00,000/-
- (e) Mid Western and Far Western Development Region Rs. 2,00,000/-
- (f) To be operated in any Village Development Committee Rs. 75,000/-
12. Trunk Mobile Radio
- (a) In *Kathmandu* Valley Rs. 5,00,000/-
- (b) In *Pokhara* and *Biratnagar* Sub-metropolitan City and *Birgunj, Bharatpur* and *Nepalgunj* Municipality Rs. 2,50,000/-
- (c) In other areas Rs. 1,25,000/-

13. For other telecommunication service, the amount as prescribed by the Ministry in a Notification of Nepal Gazette on the recommendation of the Authority.

For Video Conferencing service Rs. 1,50,000/- (as per a Notification of 2055.12.29)

↔ Note: A person who obtained a License of the VSAT Network provider and Local Data Network (for the commercial purpose) before 2064.6.18 shall be deemed as transfer into the Network Service License.

## **+Schedule – 6(a)**

(Relating to Clause (b) of Sub-rule (1) of Rule 11)

### **Fees for License**

The following fees shall be charged for the License to be issued pursuant to Sub-rule (6) of Rule 10 of the Telecommunication Rules, 2054 (1998):

S. N.	Type of Telecommunication service	Fees
1.	Internet (including email)	Rs.1,00,000/-
2.	Fax Mail	Rs. 40,000/-
3.	VAST Users	Rs. 1,00,000/-
4.	Local Data Network (for the commercial use)	Rs. 15,00,000/-
5.	Local Telephone Service	Rs. 5,00,00,000/-
6.	Internal Trunk Telephone Service	Rs. 3,50,00,000/-
7.	International Trunk Telephone Service	Rs. 6,25,00,000/-
8.	Internal Telegraph Service	Rs. 5,00,000/-
9.	International Telegraph Service	Rs. 26,00,000/-
10.	Telex Service	Rs. 31,00,000/-
11.	Lease Circuit Service	Rs. 15,50,000/-
12.	Facsimile (Tele Fax) Service	Rs. 3,00,000/-

<sup>+</sup> Inserted by the First Amendment.  
www.lawcommission.gov.np

13. Package Switching Data Service Rs. 3,00,000/-
14. For other telecommunication service, the amount as prescribed by the Ministry in a Notification of Nepal Gazette on the recommendation of the Authority

Note: Validity of the fees form serial number 5 to 13 is for Ten years.



## •Schedule - 7

(Relating to Sub-rule (2) of Rule 12)

### Fees for renewal of the License

The following fees shall be charged for renewal of the License to be issued pursuant to Sub-rules (5) and (6) of Rule 10 of the Telecommunication Rules, 2054 (1998):

<u>S. No.</u>	<u>Type of Telecommunication service</u>	<u>Fees</u>
1.	Internet (including email)  • Provided that, a fee of Ninety Rupees shall be charged for the operation of Internet (including email) for the internal purpose of educational and health institution on the recommendation of concerned Ministries and except the Village Development Committees adjoining with <i>Kathmandu</i> Valley and Sub-metropolitan City, Municipality.	Rs. 2,70,000/-
2.	Email	Rs. 1,80,000/-
3.	Audio Text/Voice mail	Rs. 1,80,000/-
4.	Video Text/Telex	Rs. 1,80,000/-
5.	Fax mail	Rs. 1,80,000/-
6.	VSAT	

• Amended by the First Amendment.

• Inserted by a Notification of 2064.1.31 of Nepal Gazette.

(a) <sup>☒</sup> .....

(b) VSAT Users Rs. 2,25,000/-

• Provided that, a fee of Ninety Rupees shall be charged for the operation of VSAT service for the internal purpose of educational and health institution on the recommendation of concerned Ministries and except the Village Development Committees adjoining with *Kathmandu* Valley and Sub-metropolitan City, Municipality.

7. Audio Conferencing Rs. 45,000/-

8. Pay phone Rs. 27,00,000/-

9. Pre-paid Calling Card Rs. 27,00,000/-

∠10. Network Service Rs. 22,50,000/-

↔11. Radio Paging Network

(a) Throughout Nepal Rs. 11,25,000/-

(b) Eastern and Central Development Region (Except *Kathmandu* valley Rs. 4,50,000/-

(c) *Kathmandu* Valley Rs. 4,50,000/-

(d) Western Development Region Rs. 2,70,000/-

☒ Deleted by a Notification of 2064.8.10 of Nepal Gazette.

• Inserted by a Notification of 2064.1.31 of Nepal Gazette.

∠ Altered by a Notification of 2064.8.10 of Nepal Gazette.

↔ Altered by a Notification of 2061.8.18 of Nepal Gazette.

(e) Mid Western and Far Western Development Region	Rs. 1,80,000/-
(f) To be operated in certain Village Development Committee	Rs. 67,500/-
12. Trunk Mobile Radio	
(a) In <i>Kathmandu</i> Valley	Rs. 4,50,000/-
(b) In <i>Pokhara</i> and <i>Biratnagar</i> Sub-metropolitan City and <i>Birgunj</i> , <i>Bharatpur</i> and <i>Nepalgunj</i> Municipality	Rs. 2,25,000/-
(c) In other areas	Rs. 1,12,500/-
13. Local Telephone Service	Rs. 4,50,00,000/-
14. Internal Trunk Telephone Service	Rs. 3,15,00,000/-
15. International Trunk Telephone Service	Rs. 5,62,50,000/-
16. Internal Telegraph Service	Rs. 4,50,000/-
17. International Telegraph Service	Rs. 23,40,000/-
18. Telex Service	Rs. 27,90,000/-
19. Lease Circuit Service	Rs. 13,95,000/-
20. Facsimile (Tele fax) Service	Rs. 2,70,000/-
21. Package Switching Data Service	Rs. 2,70,000/-

▷21A. Global Mobile Personal Communication System Rs. 14,00,000/-

≡21B. Limited Mobility Telecommunication Service without wire limited in certain area

(a) Within the area code of *Kathmandu, Lalitpur* and *Bhaktpur* District Code Rs. 54,00,000/-

(b) Per district for the each district of *Morang, Sunsari, Dhanusa, Chitwan, Parsa, Rupandehi, Kaski, Banke* and *Kailali* (within area code) Rs. 2,70,000/-

(c) Per district for other district except pursuant to Clauses (a) and (b) (within area code) Rs. 2,25,000/-

22. For other telecommunication service, the amount as prescribed by the Ministry in a Notification of Nepal Gazette on the recommendation of the Authority.

For Video Conferencing service Rs. 1,50,000/- (as per a Notification of 2055.12.29)

↔Note: A person who obtained a License of the VSAT Network provider and Local Data Network (for the commercial purpose) before 2064.6.18 shall be deemed as transfer into the Network Service License.

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▷ Inserted by a Notification of 2064.10.8 of Nepal Gazette.

≡ Inserted by a Notification of 2062.11.22 of Nepal Gazette.

↔ Inserted by a Notification of 2064.8.10 of Nepal Gazette.

## Schedule - 8

(Relating to Sub-rule (1) of Rule 13)

### Application to be submitted for amendment a License

To,

The Nepal Telecommunication Authority,

.....

As it is required to make the following amendments to the following matters mentioned in the License obtained from that Authority on ..... I, hereby, submit this application attaching alongwith the copy of the License.

1. Matters mentioned in the License:

(a)

(b)

(c)

(d)

2. Matters proposed for amendment and reasons for the amendment:

(a)

(b)

(c)

(d)

Seal of the corporate body

Applicant's:

Signature:

Name:

Date:

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## Schedule - 9

(Relating to Sub-rule (1) of Rule 14)

### Application to be submitted for issuing approval for sale or transfer of a License

To,

The Nepal Telecommunication Authority,

.....

As I desire to transfer my entitlement to the License obtained from the Authority on ....., by sale / otherwise to Mr. ...., aged ....., a resident of Ward No. .... Village Development Committee/ Municipality ..... District, due to the reason of ..... I, hereby, humbly request to obtain approval accordingly.

Seal of the corporate body

Person wishing to sell, or transfer the entitlement to, the License:

Signature:

Name:

Address:

Date:

Whereas, ..... has desired to sell/otherwise transfer entitlement of the License for operation of the telecommunication service to me as mentioned above, and I have desired to buy/otherwise receive entitlement of the License accordingly,

Now, therefore, I hereby request for approval to get the title to the License transferred to my name by sale or otherwise.

Seal of the corporate body

Person desiring to buy the License or get the title:

Signature:

Name:

Address:

Date:

Documents to be submitted along with the application :

- (a) Copy of the License,
- (b) In the case of an individual desiring to sale / buy the License, copy of the citizenship certificate,
- (c) Detail description on the reasons for desiring to sell, or transfer the title of the License.
- (d) Mutually agreed terms and conditions between the persons desiring to sale and buy the License.



- (e) The capital set aside by the person selling the License or transferring the title in any other manner for operation of the telecommunication service, technical competency, and efficiency relating to occupation.
- (f) Plans of operation on the telecommunication service of the person desiring to buy the License or otherwise transferred.
- (g) Other necessary matters.

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