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भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

BSNL/64-28/07-BB/prepaid/Genl - IV

Dt :4-7-2011

To

**The CGM,
All Telecom Circle/ Metro Districts**

Subject: Clarification and amendment for the guidelines of prepaid IPTV services– reg

Ref : (1) IPTV Franchisee agreement signed between BSNL and IPTV Franchisee
(2) BSNL/64-28/07-BB/Prepaid/Gen-IV dated 7.2.2011
(3) BSNL/64-28/07-BB/Prepaid/Gen-IV dated 20.06.2011

Kindly refer to the clause 4.3.6 of the IPTV Franchisee agreement(1) , wherein it was given that “ *All such taxes/levies shall be a pass-through item and shall be billed to and collected from the customer and paid to the respective statutory bodies by BSNL*”. In view of this clause recently a clarification was issued for the clause 4.3.6 of the IPTV Franchisee agreement vide the letter mention at (3). Further in view of this clause the prepaid guidelines issued vide (2) above is clarified that statutory levies and/or taxes mentioned at point 2 (f) , 5.2 ,6(a) and 7(b) are inclusive of licensee fee and state taxes .

Also the point 5.5 and point 7(b) of the above referred prepaid IPTV guideline are modified as under:

Point 5.5 : “All the taxes and duties charged from the customer by the franchisee shall be remitted to concerned authorities by BSNL by collecting the same from the Franchisee . If BSNL is required to pay these in any eventuality, franchisee will remit the amount for which it is liable along with interest and penalties levied on it, to BSNL along with requisite data, as demanded by authorities within three days of the demand made. In case of any liability on BSNL arising on account of the franchisee , the same will have to be shouldered by the franchisee. “

Point 7(b) : “ The license fee charged on BSNL for the IPTV services by the government (presently licensee fee applicable is @ of 6%) shall be paid by the franchisee to BSNL along with the payment of 10% revenue share for the Broadcast services with applicable statutory levies and/or taxes at the time of collecting the PINs for recharge coupons. State Taxes i.e Entertainment Tax etc shall be levied and paid to the nodal officer along other statutory levies and/or taxes. In turn nodal officer shall submit the collected statutory taxes& levies to concerned authorities as per the state taxes and all procedures like filing of returns etc shall be complied as per the provisions of concerned state taxes. In case of any liability on BSNL on this account, the same will have to be shouldered entirely by the franchisee. If BSNL is required to pay these in any eventuality, franchisee will remit the same amount to BSNL along with requisite data, as demanded by authorities within three days of the demand “.

It is requested that the reconciliation of the pervious and current accounts may be done in observance with the above clarifications. This is for your kind information and necessary action at your end please

Sd/-
(A K Jain)
Sr. GM (NWP-BB),CFA

Copy for kind information to :

- (1) The Broadband coordinator , All Telecom Circles / Metro Districts for information and n/a pl
 - (2) GM(FIN) , CFA, BSNL CO for kind information please .
 - (3) M/s Aksh / M/s SDPL for information and n/a .
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