

O/o CGMT
Rajasthan Telecom Circle
Sardar Patel Marg, Jaipur-302008
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No. EB/03-101/TCS RAPRDP/2011-12/17

Date July 20, 2011

To,
The Chief Secretary,
Government of Rajasthan
Secretariat Jaipur

Sub:-Regarding violation of DoT guidelines of NITs floated by various State Govt. Department
/Organizations of Govt. of Rajasthan.

Dear Sir,

With reference to above cited subject, we would like to bring it to your kind notice that many of the NIT's floated by various states Government Organizations/Department of Govt. of Rajasthan, the Bandwidth is bundled with supply of hardware/ services as turnkey project. Sometimes the bidder has to provide networking equipment/ end services and buy the required bandwidth from service providers. Such conditions are violations of the DoT licensing condition. Recently, DisCOM and RSRTC had called the tenders in which the qualifying bidder has to buy the bandwidth from service providers.

As per licensing condition for Telecom Services, the bandwidth has to be provided to the end customer and no BW can be provided through third party as it amounts to resale of Bandwidth, which is not allowed as per licensing policy.

No Telecom operator can provide hardware/software as they are licensed for Telecom services only and on the other side no Hardware / Software agency can provide telecom BW, as they are not licensed for telecom services. The clarification received from BSNL HQ in This regards also attached here with.

In view of above facts, the bid should be invited in two parts i.e. supply of Hardware/software solutions and provision of bandwidth requirement or consortium of both services be allowed, wherein the billing of BW shall be to end customer /user.

It is requested to kindly issue necessary instruction to various State Government Department/Organizations that BW should not be bundled in turnkey projects. Either separate bid for bandwidth may be kept in the NIT or bandwidth may be taken directly from BSNL at highly competitive rates.

Copy to

4349/12/11
2/8/11

(S.L. Singh)
Sr. General Manager (EB)
CGMT, Rajasthan Telecom Circle
Jaipur-302008

Encl: As above



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

BSNL/EB-II/Gold/8-9/2009.
Dated; 12 July, 2011.

Sh. S.L. Singh
Sr.G. M.(EB-Raj)
Rajasthan Telecom Circle
Jaipur.


Sub: Regarding Participation in RFP for Gold Customers.
Ref: Your office letter no. EB/03-101/TCS RAPRDP/2011-12/13 dated 08/07/2011.

Kindly refer to your office letter dated 08/07/2011 on the above subject. The following issues have been raised in your letter under reference.

That bidder should be responsible for turnkey solution including supply of last mile, bandwidth provisioning, hardware required. BSNL does not fulfill this condition as we are providing only bandwidth. Further as per CNO Cell letter no. 5-15/2006-Datacom/2340 dated 29/03/11 of BSNL CO. leased circuit should be only in the name of the end user. It has also been indicated that on one hand BSNL cannot provide bandwidth to turnkey project bidder/executor as it amounts to resale and on the other hand BSNL is not qualified for bidding directly to such Gold Customers for their turnkey projects.

The issues raised by the Circle have been examined and in this regard following is conveyed:

1. The customer may be apprised that resale of Bandwidth is not allowed by licensor, i.e. Department of Telecom. Accordingly, the tender condition may be suitably be modified so that cost of Bandwidth is asked separately in the bid.
2. Further, it is understood that this issue related to resale of bandwidth might have been brought to the notice of State Govt. department by the circle during the pre bid conference. However, if the same has not been done so far, we may inform in writing to the authorities of State Govt. As an alternate it may be suggested that the bandwidth should be provided in the name of customer and customer should make payment to the service provider directly.
3. Alternatively, as a last resort BSNL can request for the CAF and other commercial formalities be made in the name of end user only so that BSNL will raise bills in the name of customer.


Navneet Choudhan
DGM(EB-II)