

Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001
(Data Services Cell)

File No. 820-01/2006-LR(Vol.-II) Pt-2

Dated: 27.05.2022

To

All Internet Service Providers Licensees
Granted Under Guidelines dated 24.08.2007

Subject: Amendment in Internet Service Provider (ISP) License Agreement granted as per 24.08.2007 guidelines for Adjusted Gross Revenue (AGR)–regarding.

In pursuance of Condition No. 5.1 of the Internet Service Provider Licenses granted under the guidelines dated 24.08.2007, LICENSOR hereby amends/ appends the following conditions in the said ISP License Agreements:

Existing Condition	Amended/ Appended Condition
<p>PART III FINANCIAL CONDITIONS</p> <p>18. Definition of Gross Revenue, Applicable Gross Revenue (ApGR) and Adjusted Gross Revenue (AGR):</p> <p>18.1 Gross Revenue: The Gross Revenue shall be inclusive of all types of revenue from Internet services, revenue from Internet access service, revenue from internet contents, revenue from Internet Telephony service, revenue from activation charges, revenue from sale, lease or renting of bandwidth, links, R&G cases, Turnkey projects, revenue from IPTV service, late fees, sale proceeds of terminal equipment, revenue on account of interest, dividend, value added services, supplementary services, interconnection charges, roaming charges, revenue from permissible sharing of infrastructure and any other miscellaneous revenue, without any set-off for related item of expense etc.</p>	<p>PART III FINANCIAL CONDITIONS</p> <p>18. Definition of Gross Revenue, Applicable Gross Revenue (ApGR) and Adjusted Gross Revenue (AGR):</p> <p>18.1 Gross Revenue: The Gross Revenue shall be inclusive of all types of revenue from Internet services, revenue from Internet access service, revenue from internet contents, revenue from Internet Telephony service, revenue from activation charges, revenue from sale, lease or renting of bandwidth, links, R&G cases, Turnkey projects, revenue from IPTV service, late fees, sale proceeds of terminal equipment, revenue on account of interest, dividend, value added services, supplementary services, interconnection charges, roaming charges, revenue from permissible sharing of infrastructure etc. allowing only those deductions available for pass through charges and taxes/levies as in the case of access</p>

18.1A Applicable Gross Revenue (ApGR):

ApGR shall be equal to Gross Revenue (GR) of the licensee as reduced by the items listed below:

- (i) Revenue from operations other than telecom activities/ operations.
- (ii) Revenue from activities under a license/ permission issued by Ministry of Information and Broadcasting.
- (iii) Receipts from the USO Fund.
- (iv) List of other income* to be excluded from GR to arrive at ApGR
 - a. Income from Dividend
 - b. Income from Interest
 - c. Capital Gains on account of profit of Sale of fixed assets and securities
 - d. Gains from Foreign Exchange rates fluctuations
 - e. Income from property rent
 - f. Insurance claims
 - g. Bad Debts recovered
 - h. Excess Provisions written back

*Subject to conditions given in **Annexure IX**.

18.2 Adjusted Gross Revenue (AGR):

For the purpose of arriving at the “Adjusted Gross Revenue (AGR)”, following shall be excluded from the Applicable Gross Revenue (ApGR):

- a. Charges of pass through nature paid to other telecom service provider(s) to whose network, the licensee’s network is interconnected;
- b. Roaming revenue passed on to other eligible/entitled telecom service provider, and;
- c. Goods and Service Tax (GST) paid to the Government if Applicable Gross Revenue (ApGR) had included as component of GST.

services, without any set-off for related items of expense etc.

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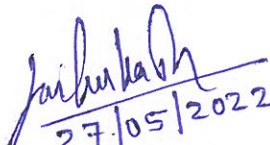
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- b. Goods and Service Tax (GST) paid to the Government if Applicable Gross Revenue (ApGR) had included as component of GST.

2. This amendment comes into effect from 01.10.2021 and will be applicable to the dues which arise from the operations of the Licensee after the said date.
3. The new Format of Statement of Revenue and License Fee for Internet Service License granted as per 24.08.2007 guidelines is enclosed.
4. This amendment shall be part and parcel of Internet Service Provider (ISP) License Agreement granted as per 24.08.2007 guidelines. All other terms and conditions shall remain unchanged.


27/05/2022

(Jai Prakash)
ADG (DS)
Tel No.:011- 23036482

Copy To:

- (1) Secretary, TRAI
- (2) DGT, DOT(HQ)/CGCA
- (3) Advisor(Economics)/ Wireless Advisor /Sr DDG (TEC)
- (4) DDG(AS)/DDG(CS)/DDG(Satellite)/DDG(LFP)/DDG(LFA)/DDG(SPPI)/DDG(SA)/
DDG (WPF)/ DDG(A/C) for kind information please.

APPENDIX-II TO ANNEXURE-II

Format of Statement of Revenue and License Fee
_____ (Name and address of operator)
ISP License No. _____
in _____ (Service Area)
Statement of Revenue and License Fee for the Quarter
.....of the financial year.....

(AMOUNT IN RUPEES)

S.N.	PARTICULARS	ACTUALS FOR THE PREVIOUS QUARTER	ACTUALS FOR THE CURRENT QUARTER	CUMULATIVE UPTO THE CURRENT QUARTER.
1.	Revenue from services			
A	Revenue from Pure Internet Service (Internet Access and Content Service):			
A1.	Post paid options:			
i.	Rentals			
ii.	Activation Charges			
iii.	Goods and Service Tax (GST)			
iv.	Service charges			
v.	Charges on account of any other value added services. Supplementary Services etc.			
vi.	Any other income/ miscellaneous receipt from post paid options.			
A2.	Pre-paid options:			
i.	Sale of pre-paid option including full value of all components charged therein.			
ii.	Any other income/ miscellaneous receipt from pre-paid options.			
B	Revenue from Internet Telephony Service:			
B1.	Post paid options:			
i.	Rentals			

ii.	Activation Charges			
iii.	Goods and Service Tax (GST)			
iv.	Service charges			
v.	Charges on account of any other value added services. Supplementary Services etc.			
vi.	Any other income/ miscellaneous receipt from post paid options.			
B2.	Pre-paid options:			
i.	Sale of pre-paid option including full value of all components charged therein.			
ii.	Any other income/ miscellaneous receipt from pre-paid options.			
C	Revenue from any other value added service			
2.	Income from trading activity (all including of Goods and Service Tax (GST))			
i	Sale of Terminal Equipments			
ii	Sale of accessories etc.			
iii	Any other income/ miscellaneous receipt from trading activity.			
3.	Income from investments			
i.	Interest income			
ii.	Dividend income			
iii.	Any other miscellaneous receipt from investments.			
4.	Non-refundable deposits from subscribers			
5.	Revenue from franchisees /resellers including all commissions and discounts etc.			

	excluding the revenues already included in IA&IB			
6.	Revenue from sharing/ leasing of infrastructure			
7.	Revenue from sale/ lease renting of bandwidth, links, R&G cases, turnkey projects etc.			
8.	Revenue from Roaming			
i.	Roaming facility revenue from own subscribers.			
ii.	Roaming revenue from own subscriber visiting other networks.			
iii.	Roaming Commission earned.			
iv.	Roaming revenue on account of visiting subscribers from other networks.			
v.	Goods and Service Tax (GST) if not included above.			
vi.	Any other income/miscellaneous receipt from roaming			
9.	Revenue from IPTV Services			
10.	Revenue from other Operators on account of provisioning of interconnection			
11.	Revenue from Operations/Activities other than Telecom Operations/Activities as well as revenue from activities under a license from Ministry of Information and Broadcasting			

12.	Miscellaneous Revenue			
AA	GROSS REVENUE OF THE Licensee COMPANY :(Add 1-12)			
BB	LESS			
1.	Revenue from operations other than telecom activities/ operations			
2	Revenue from activities under a license from Ministry of Information and Broadcasting			
3.	Receipt from USO Fund			
4.	Items of 'Other Income' as listed in Annexure- IX			
i.	Income from Dividend			
ii.	Income from Interest			
iii.	Capital Gains on account of profit of Sale of fixed assets and securities			
iv.	Gains from Foreign Exchange rates fluctuations			
v.	Income from property rent			
vi.	Insurance claims			
vi.	Bad Debts recovered			
viii.	Excess Provisions written back			
BB	Total (1+2+3+4)			
CC	APPLICABLE GROSS REVENUE (ApGR) (AA-BB)			
DD	DEDUCT:			
1.	Roaming revenue passed on to other eligible/entitled telecom service provider.			
2.	Goods and Service Tax (GST) paid to the Government			

DD	TOTAL DEDUCTIBLE REVENUE (1+2)			
EE	ADJUSTED GROSS REVENUE (CC-DD)			
	REVENUE SHARE @ ----- ----- OF ADJUSTED GROSS REVENUE			