

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF
INDIA AND THE GOVERNMENT OF THE ISLAMIC
REPUBLIC OF PAKISTAN REGARDING
TELECOMMUNICATION
Islamabad, 1 October 1977**

The Government of the Republic of INDIA

AND

The Government of the Islamic Republic of PAKISTAN,

DESIRING to continue the existing telecommunication services between the two countries, as in force pursuant to the Telecommunication Agreement² dated the 14th day of September, 1974, and

FURTHER desiring to improve such services by establishing satellite communications between the two countries

HAVE AGREED as follows :

Article I

ESTABLISHMENT OF TELECOMMUNICATION SERVICES

1. Satellite communications shall be established to supplement the existing terrestrial links within two months of the coming into force of this Agreement.
2. The telecommunication services between India and Pakistan, except to the extent indicated hereinafter, shall be governed by the "Telegraph Regulations(Geneva-1973)"and the "Telephone Regulations (Geneva-1973)" and the "International Telecommunication Convention (Malaga-Torremolinos-1973)", as amended from time to time.
3. The technical and operational aspects of the telecommunication services shall be decided by mutual consent of the Telecommunication Administrations of the Government of India

1. Came into force on 1 October 1977.

2. IBTA Vol. 8 Doc. No. 537.

and the Government of Pakistan by mutual discussions or by service correspondence as may be deemed necessary from time to time.

Article II

TELECOMMUNICATION SERVICES

1. The arrangements for operation of the following telecommunication services have been agreed upon :

(a) Public Telegram Service :

- (i) The classes of telgrams accepted between India and Pakistan shall be as listed in the Annexure No. 1 to this Agreement. Besides all classes of obligatory telegrams as defined in Article 4 of the Telegraph Regulations (Geneva-1973) Urgent Private, Urgent Press and Ordinary Press Telegrams will be accepted. Private and Press Telegrams shall be accepted in plain language.
- (ii) Press Telegrams will be accepted only from authorised and duly registered representatives of newspapers, periodical publications, News Agencies or Bureau and Press Services of Diplomatic Missions.
- (iii) The International Telegraph Offices will be opened for International Service all the 24 hours of the day. Delivery of all ordinary telegrams in India will be during 0600 to 2200 hours (Indian Standard Time). The delivery in Pakistan will be during 0600 to 2200 hours (Pakistan Standard Time).
- (iv) There shall be no transfer Account Service between India and Pakistan.

(b) Telephone Service :

The following classes of calls as defined in CCITT Recommendations (Geneva-1973) shall be accepted :

Distress (Emergency) Calls

Government Calls

Service Calls

Private Calls

(c) Telex Service :

The following classes of telex calls shall be accepted :

- (a) Safety of life Telex Calls (SVH)
 - (b) Government Telex Calls
 - (c) Service Telex Calls
 - (d) Ordinary Private Telex Calls
 - (e) Requests for information
2. Arrangements for introduction of other types of services, viz. private wire leased services, facsimile, date transmission services and T.V. relays may be made as and when felt necessary after mutual consultations between telecommunication administrations of the two countries.

Article III

TRANSIT SERVICES

Each Administration may facilitate traffic of third countries to transit its network for services to the other at accounting rates and division, to be agreed upon through consultations among the participating administrations for the concerned service.

Article IV

ACCOUNTING RATES

1. The accounting rates and their divisions have been agreed upon for the different services and have been shown in Annexure II to this Agreement.
2. These rates may be revised and accounting rates for new services which are introduced after the coming into force of this Agreement may be fixed by prior mutual consultation and agreement of the operating administrations.

Article V

ACCOUNTING PROCEDURE FOR TELECOMMUNICATIONS

1. The Government of India and the Government of Pakistan shall establish separate monthly accounts for traffic passed on terrestrial and satellite links showing all the amounts owed and forward them to the other Government concerned. The accounts shall be in the form as mutually agreed upon by the two sides.
2. The accounts shall be sent as promptly as possible but in any case before the end of the third month following the month to which they relate.

3. In principle, an account shall be considered as accepted without the need for specific notification of acceptance to the Government which sent it.
4. Nevertheless, both the Governments shall have the right to enquire about the data in question during the period of two months, after the receipt of the account, but only to the extent necessary to bring the differences within limits specified in para 6 below.
5. However, to avoid repetition of errors which are too small to entail a revision of the accounts, either of the Government may draw the attention of the other Government which has prepared the monthly accounts, to obvious errors and the latter Government must take action on this information as soon as practicable to avoid similar errors occurring in the future.
6. A revision which has begun shall be stopped following the exchange of observations between the two Administrations, as soon as difference is brought down to a sum not exceeding the maximum specified below. The limits apply to the services separately as shown hereunder :

(i) FOR TELEGRAM SERVICES

Amount of the account of the creditor	Maximum difference
(a) Less than 2500 Gold Francs	(a) 25 Gold Francs.
(b) From 2500 to 100,000 Gold Francs.	(b) 1% of the sum of the creditor's account.
(c) More than 100,000 Gold Francs	(c) 1% of the first 100,000 Gold Francs and 0.5% of the remainder of the creditor's account.

(ii) FOR TELEPHONE AND TELEX SERVICES :

Amount of the Account	Difference Exceeding
(a) Less than 10,000 Gold Francs	(a) 100 Gold Francs
(b) from 10,000 to 300,000 Gold Francs	(b) 1% of the sum of the account
(c) More than 300,000 Gold Francs	(c) 3000 Gold Francs.

Article VI

PAYMENT OF BALANCE OF ACCOUNTS

1. A quarterly settlement statement showing the balance from the monthly accounts for the period to which it relates shall be prepared as quickly as possible by the creditor administration and be sent in duplicate to the debtor Administration which, after verification, shall return one of the copies endorsed with its acceptance.
2. The payment of the balance due on account shall not be delayed pending settlement of any query on that account. Adjustments which are later agreed shall be included in the subsequent account.
3. Payments shall be affected as promptly as possible but in no case later than six weeks after the day on which the quarterly settlement statement is received by the debtor administration. Beyond this period the creditor Administration shall have the right to charge interest at the rate of 6 percent per annum, reckoned from the day following the date of expiration of the said period.
4. The balance of the communication accounts shall be drawn up in Gold Francs.
5. The payment of balances of telecommunication accounts shall be made in United State of America Dollars. The method of conversion into such currency shall be as follows :

“The amount of the payment in US Dollars shall be equivalent in value to the balance of the account. The amount which is equivalent in value to the balance of the account shall be determined by the relationship in effect on the day before payment between the value of the Gold Francs and the Gold par Value of the US Dollars approved by the International Monetary Fund. In case a Central rate of the US Dollar has been established under the International Monetary Fund Executive Board decision subsequent to the approval given by the International Monetary Fund to the gold par value the gold value of the central rate shall be used in determining the equivalent value.”
6. The amounts due to India shall be credited by bank transfer to the accounts of the Indian Posts and Telegraphs Department in respect of traffic passed on the terrestrial links and to the Indian Overseas Communications Service in respect of traffic passed on satellite links, in the State Bank of India, New York Branch. The amount due to Pakistan shall be credited by bank transfer to the

account of Pakistan Telegraph and Telephone Department in the National Bank of Pakistan, New York Branch.

7. The payment charges imposed in the debtor country (taxes, clearing charges, commission etc.) shall be borne by the debtor. The charges imposed in the creditor country, including payment charges imposed by bank, shall be borne by the creditor.
8. If between the time the remittance (cheque, etc.) is effected and the time the creditor receives it, a variation occurs in the equivalent value of the US Dollars and if the difference resulting from such variation exceeds 5% of the amount due as calculated following such variation, the total difference shall be shared equally between debtor and creditor.
9. If there should be a radical change in the International Monetary System, which invalidates or makes in appropriate one or more of the foregoing paragraphs, India and Pakistan shall be free to adopt, by a separate mutual agreement, different procedure for the payment of balances of accounts pending a revision to Appendix I to the Telegraph Regulations (Geneva-1973) and Appendix I to the Telephone Regulations (Geneva-1973).

Article VII

SETTLEMENT OF DIFFERENCES AND DISPUTES

1. A Committee of Technical experts of both countries will meet whenever deemed necessary to discuss and to resolve, to the maximum possible extent, all outstanding problems relating to the operational matters and the settlement of accounts.
2. Any question which arises between the Parties concerning the interpretation or application of this Agreement or the existence of any fact, which if established might constitute breach of this Agreement, shall first be examined by the above mentioned Committee of the Technical Experts which will endeavour to resolve the difference by Agreement.
3. If the Committee of Experts is unable to reach agreement on any question, then a difference will be deemed to have arisen which shall be resolved through bilateral discussions between the two Governments.

Article VIII

PAYMENT OF PAST DUES

1. Settlement of all dues pertaining to accounting under the Telecommunication Agreement of 14th September, 1974 which

have already been verified and accepted in respect of traffic for the period beginning from 15th October, 1974, shall be made by payment by the debtor to the creditor administration within 8 weeks from the date of coming into force of this Agreement.

2. Matters concerning payment of outstanding amounts relating to telecommunications dues for the period prior to that shall be discussed and settled by the representatives of the two Governments at an early date.

Article IX

MODIFICATION AND SUSPENSION OF AGREEMENT

1. This Agreement may be modified from time to time by mutual consent of the two Governments.
2. This Agreement may be suspended by either side if outstanding balances of accounts accruing under this Agreement remain unpaid for a period of one year.

Article X

DURATION OF AGREEMENT

This Agreement shall come into force on the 1st Oct., 1977, and shall remain valid for two years and shall be deemed to have been extended on a year to year basis thereafter unless otherwise determined and notified by either Government.

2. All telecommunication arrangements existing between the two countries prior to the coming into force of this Agreement will continue to be governed by the Telecommunication Agreement of 14th September, 1974.

DONE at Islamabad, this first day of October 1977 in two original copies, each in Hindi and English languages, both the texts being equally authentic and the English text being the operative one.

IN WITNESS WHEREOF the undersigned, duly authorised in that behalf by the respective Governments, have signed this Agreement.

Sd/-

K.S. BAJPAI
For the Government of the
Republic of India

Sd/-

S.A. SIDDIQUI
For the Government of the
Islamic Republic of Pakistan

ANNEXURE I

CLASSIFICATION AND CLASS FOR TELEGRAMS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDIA AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN

SECTION A

Obligatory Telegrams Classification	Class Prefixes
1. Telegrams relating to the safety of life.	1. SVH
2. (a) Government telegrams	2. (a) XFS with paid service indication "ETATPRIORITE" for Government Telegrams with priority and "ETAT" for Government without priority.
(b) Telegrams relating to the application of the United Nations Charter	(b) XFS with paid service Indication "ETATPRIORITE" NATIONS" or "ETATNATIONS" for the telegrams with and without priority respectively.
3. Telegrams concerning persons protected in time of war by the Geneva Convention of 12th August 1949	3. ROT
4. Ordinary private telegrams.	4. XF
5. Telegraph service correspondence.	5. RST, FST: XT (URGENT) T
6. Meteorological Telegrams.	6. OBS

SECTION B

OPTIONAL TELEGRAMS AND SPECIAL SERVICES :

1. Urgent private telegrams.	1. XXF with paid service indication "Urgent"
2. Urgent Press telegrams	2. XZ with paid service indication "Urgent Press".
3. Ordinary Press telegrams	3. Z with paid service indication "PRESS".
4. Telephone delivery	4. TFx (x telephone number) (paid service indication)
5. Telex delivery	5. TLXx (x telex number) (paid service indication)

NOTE :

(1) Minimum charges for all classes of telegrams shall be for 7

words, except in case of Press Telegrams for which the minimum charges will be for 14 words.

- (2) RTP (Receiver to pay) Meteorological Telegrams bearing press or other bearing messages shall not be allowed.

ANNEXURE II

SCHEDULE OF ACCOUNTING RATES AND THEIR DIVISIONS

(i) Telegrams	Rate per word (Both for terrestrial and satellite links) Division 50:50
Ordinary Telegrams	
Government Telegrams	
Telegrams relating to the applications of the United Nations Charter.	54 Gold Centimes
Paid Service Advices	
Urgent Press Telegrams	
Ordinary Press Telegrams	18 Gold Centimes
Urgent Telegrams	108 Gold Centimes
Meteorological Telegrams	28 Gold Centimes
Urgent telegrams concerning persons protected in times of war by the Geneva Convention of 12th August 1949	54 Gold Centimes
Ordinary Telegrams concerning persons protected in times of war by the Geneva Convention of 12th August 1949	14 Gold Centimes
(ii) Telephone Calls	Division 50:50
(a) Via terrestrial links	9 Gold Francs- for first 3 minutes and prorata for each additional minute for manual and semi-automatic service.
(b) Via satellite links	21 Gold Francs -do-
(iii) Telex Calls	Division 50:50
(a) Via terrestrial links	6 Gold Francs -do-
(b) Via satellite links	15 Gold Francs -do-