



भारत संचार निगम लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT SANCHAR NIGAM LIMITED

(A Govt. of India Enterprise)

COMPANY'S SECRETARIAT AND LEGAL DIVISION

No. BSNL/SECTT/13-1/2021

Dated: 27/05/2021

Subject: - Clarification regarding use of Incorporation / formation date of BSNL - Action by all concerned – regarding

As all concerned are aware that BSNL took over the business of the Department of Telecom Services (DTS) and Department of Telecom Operations(DTO), of Department of Telecommunications(DOT), Government of India as going concern basis, along with all the assets and liabilities including contractual rights and obligations w.e.f. 01.10.2000. It is observed interalia on BSNL website and communications etc that the formation/incorporation date of BSNL taken/mentioned/used as 01/10/2000, being the date the BSNL took over the business of DTS & DTO of DOT

It is pertinent to mentioned that BSNL incorporated on 15.09.2000 (copy of incorporation certificate issued by Registrar of companies in this regard is attached as *Annexure A*) to take over the business of Of DTS & DTO of DOT as per main object clause 1A of Memorandum and Articles of BSNL along with the assets and liabilities including contractual rights and obligations. Accordingly the MOU between Govt. of India and BSNL was executed on 30.09,2000 for transfer of Business of DTS and DTO of DOT as going concern basis along with all assets and liabilities of DTS and DTO of DOT to BSNL w.e.f 01.10.2000.

2. Further Section 9 of the Companies Act, 2013 interalia provides that *from the date of incorporation mentioned in the certificate of incorporation, Company shall be a body corporate by the name contained in the memorandum, capable of exercising all the functions of an incorporated company under this Act and having perpetual succession with power to acquire, hold and dispose of property, both movable and immovable, tangible and intangible, to contract and to sue and be sued, by the said name.*

3. In view of forgoing particularly provisions of company Act Company/BSNL come into existence from the date of incorporation i.e. 15.09.2000. As such date of incorporation /formation of company is the date of mentioned in the certificate of incorporation of company issued by the Registrar of Companies, Ministry of Corporate Affairs (MCA). Therefore in terms of the provisions of the Companies Act the formation date of the BSNL is 15/09/2000.

4. Therefore, all concerned are requested to use/mention/refer the Incorporation / formation date of BSNL as 15/09/2000 instead of 01/10/2000 in all references wherever the same is required to be used/referred.

[J.P. Chowdhary]
CS & GM [Legal]

Encl: As above

To

1. All CGM's, BA Heads, and other Concerned for necessary action.
2. PGMs / Sr.GMs / GMs Corporate Office - for necessary action.

Copy for information to:- CMD / Director (CFA) / Director (HR)/ Director (CM) / Director (Enterprise) / Director (Finance) & CFO



समस्त षडशः

प्रारूप एक
Form 1

निगमन का प्रमाण पत्र
Certificate of Incorporation

सं०..... 55-107739 शक..... 19 22

No. 55-107739 of 2000-2001

ये एतद् द्वारा प्रमाणित करता है कि आज भारत संचार निगम लिमिटेड

कम्पनी अधिनियम 1956 (1956 का 1) के अधीन निगमित की गई है और यह कम्पनी
परिसीमित है।

I hereby Certify that BHARAT SANCHAR NIGAM LIMITED

is this day incorporated under the Companies Act, 1956 (No. 1 of 1956)
and that the Company is limited.

ये हस्ताक्षर से आज ता०..... 24 भाद्रपद, 1922 को दिया गया।

Given under my hand at..... NEW DELHI this..... FIFTEENTH

day of SEPTEMBER Two Thousand.....



(राकेश चन्दा)
कम्पनी रजिस्ट्रार
Registrar of Companies
रा. रा. क्षेत्र दिल्ली एवं हरियाणा
N.C.T. of Delhi & Haryana