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TECHNOLOGY INSIGHT

India Passes Comprehensive Telecommunications Bill 2023, Addressing Privacy and
Security Concerns



ANIMESH SINHA & PARTNERS
ADVOCATES & SOLICITORS

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In a significant move, the Government of India has approved the Telecommunications Bill 2023, replacing outdated colonial-era laws to streamline regulations and enhance national security. The comprehensive bill encompasses various aspects, focusing on protecting citizens' privacy and ensuring the integrity of telecommunication services. Here are ten key provisions that will have a substantial impact on both citizens and cellular service providers:

- a. **Fraudulent SIM Acquisition:** Individuals found using another person's government ID to obtain a SIM card, including SIM card spoofing, may face imprisonment up to three years and a maximum penalty of Rs 50 lakh.
- b. **SIM Ownership Limits:** Possessing more than nine SIM cards per Aadhaar card can lead to penalties, with Rs 50,000 for the first offense and up to two lakh rupees for subsequent offenses.
- c. **Consent for Messages:** Companies must obtain prior consent from subscribers for specific messages, establish Do Not Disturb registers, and create mechanisms for reporting malware or specified messages.
- d. **Biometric Verification:** Telecom service providers must verify the identity of subscribers through verifiable biometric-based identification linked with Aadhaar cards to prevent fraudulent activities.
- e. **Spectrum Assignment:** The central government will assign spectrum to telecommunication companies exclusively through auctions.
- f. **Exceptional Spectrum Allocation:** In specific cases like national security, disaster management, and public broadcasting services, telecom spectrum will be allocated on an administrative basis.
- g. **Unauthorized Telecom Activities:** Providing telecom services without authorization or gaining unauthorized access to a telecom network is punishable with imprisonment, fines, or both.
- h. **Penalties for Unauthorized Equipment:** Possession of unauthorized telecom equipment or using unauthorized cellular networks is punishable with penalties up to ten lakh rupees.
- i. **Trusted Sources for Telecom Equipment:** Telecom companies can procure equipment only from sources identified as 'trusted' by the government to safeguard national security.
- j. **TRAI Leadership Criteria:** The Telecommunications Regulatory Authority of India (TRAI) Chairman should have at least 30 years of professional experience, and members should have a minimum of 25 years of professional experience.



D106 SF Defence Colony
New Delhi - 110024



asp@sinhapartners.com
www.sinhapartners.com



+91 11 41 046 911
+91 11 40 536 008