

MINISTRY OF COMMUNICATIONS**(Department of Telecommunications)****NOTIFICATION**

New Delhi, the 23rd June, 2026

G.S.R. 510(E).— Whereas a draft of the Telecommunications (Migration) Rules, 2025 was published, as required sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), *vide* notification of the Ministry of Communications, Department of Telecommunications number G.S.R. 689(E), dated the 19th September, 2025 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 19th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public:

And whereas, copies of the said Official Gazette were made available to the public on the 19th September, 2025:

And whereas, comments and suggestions so received in respect of the said draft rules have been considered by the Central Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (d) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Telecommunications Act, 2023 (44 of 2023);
- (b) “applicant” means a licensee submitting an application under rule 4;
- (c) “authorisation rules” means the following rules made under sub-section (1) of section 3 of the Act for the relevant authorisation, namely:—
 - (i) Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026;
 - (ii) Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026;
 - (iii) Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026; and
 - (iv) Telecommunications (Authorisation for Telecommunication Network) Rules, 2026;
- (d) “overlapping authorisation” means the authorisation held by an applicant, the scope and service area or network area of which would be covered in its entirety within the scope and service area or network area of the authorisation in respect of which an application for migration is submitted under these rules;
- (e) “letter of intent” means the letter issued under sub-rule (1) of rule 5;
- (f) “license” means a license, registration or permission as referred to in sub-section (6) of section 3 of the Act, and the expression “licensee” shall be construed accordingly;
- (g) “migration” means migration as referred to in sub-section (6) of section 3 of the Act; and
- (h) “portal” means the portal referred to in rule 9.

(2) Words and expressions used in these rules and not defined herein but defined in the Act or rules made thereunder shall have the meanings respectively assigned to them in the Act or the said rules.

3. Eligibility.—A licensee who fulfils the requirement of continued adherence to eligibility conditions under the authorisation rules shall be eligible to apply for migration.

4. Application.—(1) An applicant seeking migration shall submit an application, in such form and manner and accompanied by such documents as specified on the portal, and shall pay such non-refundable processing fee as is applicable to the relevant authorisation under the authorisation rules.

(2) The application for migration shall be subject to the following conditions, namely:—

- (a) The scope and the service area or network area of the relevant authorisation includes the scope and the service area or network area of the license to which the application pertains.
- (b) If the applicant is a network service operator licensee who seeks to migrate any of the licenses specified in the definition of the expression “network service operator licensee” in the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026, the application shall be for migration to such terms and conditions of the relevant authorisation as are applicable to a network service operator:

Provided that, if the applicant is a network service operator licensee holding a license for providing public mobile radio trunking services, such licensee shall apply for migration as per the terms and conditions of the authorisation for providing public mobile radio trunking services under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026.

- (c) If the applicant is a virtual network operator licensee who seeks to migrate any of the licenses specified in the definition of the expression “virtual network operator licensee” in the Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026, the application shall be for migration to such terms and conditions of the relevant authorisation as are applicable to a virtual network operator:

Provided that, if the applicant is a virtual network operator licensee holding a license for providing public mobile radio trunking services, such licensee shall apply for migration as per the terms and conditions of the authorisation for providing public mobile radio trunking services under the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2026.

- (d) If the applicant holds any overlapping authorisation, it shall relinquish such existing overlapping authorisation as required under these rules.

(3) If the applicant seeks to migrate a license that has a definite validity period, the application under sub-rule (1) shall be made at least twelve months prior to the expiry of such license:

Provided that where the validity period of such license is less than twelve months on the date of notification of these rules, the applicant shall submit such application within ninety days of notification of these rules or prior to the expiry of the license, whichever is earlier.

(4) If an applicant seeking to migrate holds a license that does not have any definite validity period, it shall submit the application under sub-rule (1) at least twelve months prior to the expiry of the period of five years from the appointed day for clause (b) of sub-section (6) of section 3 of the Act.

(5) The Central Government may, on receipt of a written request from the applicant, if satisfied that there was sufficient cause for not making the application within the timelines specified under sub-rules (3) and (4), permit such application, subject to payment of such late fees as the Central Government may specify in response to such request:

Provided that no such application shall be considered if made after the expiry of the validity period of such license.

5. Approval.—(1) The Central Government, on receipt of an application for migration, after making such inquiry as it deems fit, require the applicant to furnish such information as it may call for, and may issue a letter of intent, through the portal, to such applicants that are eligible, specifying the terms and conditions, including—

- (a) migration of all licenses, the scope and the service area or network area of which are being covered in their entirety within the scope and service area or network area of the terms and conditions of the authorisation in respect of which the letter of intent is being issued;
- (b) submission of an unconditional and irrevocable undertaking to pay to the Central Government any amounts that may be determined to be pending dues for the period prior to the approval for migration;
- (c) payment of the difference in amount between the sum total of the entry fees paid in respect of licenses to be migrated, and the entry fee specified for the relevant authorisation under the authorisation rules, and submission of a guarantee for an amount equivalent to the difference in amount between the sum total of bank guarantees submitted in respect of licenses to be migrated and the bank guarantee specified for the relevant authorisation under the authorisation rules, where applicable; and
- (d) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping authorisation, if any, from the effective date of migration under sub-rule (2) of rule 5.

(2) On acceptance and compliance by the applicant with the terms and conditions of the letter of intent as provided under sub-rule (1), the Central Government may approve migration of licenses to terms and conditions of an authorisation through the portal in the form specified therein, *inter alia*, specifying—

- (a) effective date of migration;

- (b) name of telecommunication service or telecommunication network;
- (c) service area or network area; and
- (d) duration of migration.

(3) The applicant shall not be entitled to any refund of entry fee or reduction of bank guarantee if the sum total of the entry fees paid and sum total of bank guarantees provided in respect of the licenses to be migrated exceeds the entry fee and guarantee specified for the authorisation under the authorisation rules.

(4) The approval for migration to terms and conditions of the authorisation shall be for such duration as is specified for such authorisation in the authorisation rules:

Provided that on migration of mobile number portability service license to the terms and conditions of mobile number portability authorisation, the validity of such authorisation shall be only for the balance period of the validity of mobile number portability service license.

(5) If the applicant receives the approval for migration after the date of expiry of the license, the effective date of migration shall be the date immediately following the date of expiry stated in the license and in such circumstances, the license shall continue to be valid till such approval or the rejection of the application.

6. Relinquishment of overlapping authorisation.—Relinquishment of the overlapping authorisation shall become effective from the effective date of migration as specified under sub-rule (2) of rule 5.

7. Rights and liabilities to continue.—The migration pursuant to the approval under sub-rule (2) of rule 5 and any relinquishment under rule 6 shall be without prejudice to any rights and liabilities arising from the relevant licenses migrated or the overlapping authorisation relinquished, and in particular, shall not affect the following, namely:—

- (a) roll-out obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such licenses or overlapping authorisation, shall remain applicable under the terms and conditions thereof, even after the migration or relinquishment, as the case may be;
- (b) the resource provided and permission given by the Central Government with respect to the licenses migrated under sub-rule (2) of rule 5 or overlapping authorisation relinquished under rule 6 shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

Explanation.—For the purpose of clause (b), the expressions—

(a) “resource” means—

- (i) the telecommunication identifiers already allocated; or
- (ii) spectrum held by the relevant entity; or
- (iii) certificate of compliance held by the relevant entity in respect of the license or overlapping authorisation, as the case may be; and

(b) “permission” includes coverage test certificates as a part of compliance of roll-out obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the relevant entity, and other permissions including for remote access and gateways permissions.

8. Miscellaneous.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules.

9. Digital implementation.—The Central Government may, in furtherance of section 53 of the Act, notify one or more portals for digital implementation of these rules, including for publication of any form, manner, directions or guidelines to be specified under these rules.

[F. No. 24-10/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.