**MINISTRY OF COMMUNICATIONS**

**(Department of Telecommunications)**

**NOTIFICATION**

New Delhi, the 23rd June, 2026

**G.S.R. 512(E).—** Whereas a draft of the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) Rules, 2025 was published, as required under sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* notification number G.S.R. 611(E), dated the 9th 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 9th September 2025;

And whereas, the said period was extended till the 21st October, 2025, and comments and suggestions received in that period 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 (a) of sub-section (2) of section 56 read with clause (a) of sub-section (1) and sub-section (6) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

## CHAPTER I
## PRELIMINARY

**1. Short title and commencement.**—(1) These rules may be called the Telecommunications (Authorisation for Provision of Miscellaneous Telecommunication Services) 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) "aeronautical data communication services" means the exchange of data between aircraft and ground station for the purpose of airline operational communication or air traffic management using the spectrum assigned for aeronautical mobile (route) service in the National Frequency Allocation Plan.

***Explanation.***—For the purpose of this clause, the expression "aeronautical mobile (route) service" means an aeronautical mobile service reserved for communications relating to safety and regularity of flight, primarily along national or international civil air routes;

(c) "aeronautical data communication service authorisation" means the authorisation to provide aeronautical data communication services;

(d) "authorised agency" shall have the same meaning as assigned to it in the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024;

(e) "designated agency" means any person designated as such by the Central Government for the purposes of the rule under which he is designated;

(f) "enterprise communication services" means the telecommunication services referred to as such in sub-rule (2) of rule 50;

(g) "enterprise communication service authorisation" means the authorisation to provide enterprise communication services;

(h) "in-flight and maritime connectivity services" means the telecommunication services referred to as such in sub-rule (1) of rule 68;

(i) "in-flight and maritime connectivity service authorisation" means the authorisation to provide in-flight and maritime connectivity services;

(j) "land mobile service" means a telecommunication service between a repeater station and land mobile stations, or between land mobile stations, and the expression "land mobile service network" shall be construed accordingly.

*Explanation.*—For the purpose of this clause, the expression "land mobile station" means mobile user terminal in the land mobile service capable of surface movement within the service area;

(k) "letter of intent" means the letter issued under sub-rule (2) of rule 7;

(l) "machine-to-machine communication" means machine to machine communication, which is a type of telecommunication between two or more machines that does not necessarily need any direct human intervention;

(m) "machine-to-machine services" means telecommunication services for telecommunication between machines using machine-to-machine communication;

(n) "machine-to-machine service authorisation" means the authorisation to provide machine-to-machine services;

(o) "machine-to-machine subscriber identity module" means a subscriber identity module used for machine-to-machine services;

(p) "miscellaneous telecommunication services" means the telecommunication services as specified in rule 4;

(q) "new authorised entity" means an authorised entity that has—

(i) obtained an authorisation under sub-section (1) of section 3 of the Act; or

(ii) migrated to the terms and conditions of an authorisation under sub-section (6) of section 3 of the Act;

(r) "overlapping license or authorisation" means the license or authorisation held by an applicant, the scope and service area of which would be covered in its entirety within the scope and service area of the authorisation in respect of which an application is submitted under rule 6;

(s) "Prime Minister Wi-Fi Access Network Interface services" means the telecommunication services referred to as such in sub-rule (4) of rule 63;

(t) "Prime Minister Wi-Fi Access Network Interface service authorisation" means the authorisation to provide Prime Minister Wi-Fi Access Network Interface services;

(u) "portal" means portal as referred to in rule 78;

(v) "public mobile radio trunking services" means a type of land mobile service that enables two-way telecommunication amongst users, using a pair of radio frequencies, allocated temporarily for duration of the call, from a designated spectrum band assigned to a repeater station, and the expression "public mobile radio trunking service network" shall be construed accordingly;

(w) "public mobile radio trunking service authorisation" means the authorisation to provide public mobile radio trunking services;

(x) "repeater station" means the radio equipment used to establish one or several cells of a land mobile service network; and

(y) "Schedule" means the schedule annexed to these rules.

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

**3. Application.**—(1) These rules provide for the terms and conditions of authorisation, which shall apply to the following, namely:—

(a) authorisation for providing miscellaneous telecommunication services under sub-section (1) of section 3 of the Act; and

(b) the relevant authorisation to the terms and conditions of which a new authorised entity has migrated to under sub-section (6) of section 3 of the Act.

(2) Without prejudice to the provisions of sub-rule (1), the provisions of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), and the rules and regulations made thereunder shall continue to apply in respect of a new authorised entity.

## CHAPTER II
## MISCELLANEOUS TELECOMMUNICATION SERVICES AND GRANT OF AUTHORISATION

**4. Miscellaneous telecommunication services.**—Any person intending to provide any of the following telecommunication services (hereinafter referred to as "miscellaneous telecommunication services") may apply to the Central Government under rule 6 to obtain authorisation to provide such services in respect of the service area specified for the same, namely:—

(a) public mobile radio trunking services for one or more service areas listed in Schedule B;

(b) enterprise communication services for national service area;

(c) machine-to-machine services for national service area;

(d) Prime Minister Wi-Fi Access Network Interface services for national service area;

(e) in-flight and maritime connectivity services for national service area; and

(f) aeronautical data communication services for national service area.

5. Eligibility.—A person specified in clause (a), who also fulfils the condition specified in clause (b), shall be eligible to apply for authorisation under rule 6, namely:—

(a) it is a company—

(i) in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law; and

(ii) the general character of whose management is sound in terms of its track record in providing telecommunication services or in establishing, operating, maintaining or expanding telecommunication networks in a responsible manner.

(b) it has no pending dues:

Provided that if it is applying to obtain machine-to-machine service authorisation, it may be a company as referred to under clause (a), or any of the following, namely:—

(i) a limited liability partnership in which foreign direct investment, if any, is in conformity with the policy issued by the Government of India from time to time in respect of foreign direct investment and applicable law;

(ii) a sole proprietorship;

(iii) a partnership firm;

(iv) a trust;

(v) a co-operative society or society;

(vi) a Central Government Department;

(vii) a State Government Department;

(viii) a legislative body or its offices;

(ix) a Court; or

(x) any other Government-controlled entity:

Provided further that the Central Government may, if it is satisfied that it is necessary in public interest so to do, exempt or relax any condition under this rule.

***Explanation.***—For the purposes of this rule, the expressions—

(a) "Court" means—

(i) a court of law; and

(ii) other adjudicatory body, established by or under the Constitution or any law for the time being in force in the whole or any part of India,

and includes the registry, secretariat or office thereof.

(b) "other Government-controlled entity" means a body, whether incorporated or not, which is under the overall control of a Central Government Department or a State Government Department, and includes—

(i) an autonomous body; and

(ii) a not-for-profit government company.

**6. Application for authorisation.—**(1) A person intending to obtain an authorisation under these rules shall submit an application on the portal, in such form, manner and accompanied by such documents as specified therein.

(2) Every application under sub-rule (1) shall be accompanied by—

(a) a non-refundable processing fee as specified in Schedule A; and

(b) a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying that it meets the eligibility criteria under rule 5.

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

(4) If the pending dues referred to in clause (b) of rule 5 are subject to ongoing legal proceedings in which there is a judicial order injuncting payment of such dues, the applicant shall—

(a) comply with the conditions that may have been imposed in such order; and

(b) submit an undertaking to make payments, subject to the outcome of such proceedings;

and submit with its application a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013), in such form as specified on the portal, certifying compliance with this sub-rule.

(5) Any application made for grant of a license or letter of intent for grant of a license that may have been issued under the Indian Telegraph Act, 1885 (13 of 1885), prior to the date of commencement of these rules, shall lapse if the license under the Indian Telegraph Act, 1885 (13 of 1885) pursuant to such application or letter of intent had not been issued prior to the date of commencement of these rules.

(6) An applicant to whom letter of intent issued under sub-rule (5) has lapsed may make an application for grant of authorisation under sub-rule (1):

Provided that any non-refundable processing fee or entry fee paid or bank guarantee furnished pursuant to such letter of intent may be reckoned towards fulfilment of any requirement under these rules as to payment of any processing fee or entry fee or submission of guarantee required under these rules, as the case may be, while paying or submitting fee or guarantee to the extent of shortfall, if any, after adjusting the amount paid or submitted previously.

**7. Grant of authorisation.—**(1) On receipt of application under rule 6, the Central Government may, make such inquiry as it deems fit regarding the eligibility of the applicant and, for this purpose, require the applicant to furnish such information as it may call for.

(2) The Central Government may,—

(a) if it is satisfied that the applicant is eligible, issue a letter of intent to such applicant through the portal, specifying the requirements to be fulfilled for obtaining authorisation, including—

(i) payment of entry fee and submission of an unconditional and irrevocable guarantee for such authorisation of an amount as specified in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, as the case may be; and

(ii) submission of an unconditional and irrevocable undertaking in such form and manner as specified on the portal, relinquishing the overlapping license or authorisation, if any, from the effective date of authorisation; or

(b) reject the application.

(3) On being satisfied that the requirements specified in the letter of intent are fulfilled by the applicant, the Central Government may grant authorisation through the portal while specifying, among other things,—

(a) its scope;

(b) the service area and the duration for which the authorisation is granted; and

(c) the effective date of such authorisation:

Provided that in-flight and maritime connectivity service authorisation, machine-to-machine service authorisation and Prime Minister Wi-Fi Access Network Interface service authorisation shall be granted to the eligible applicants without any prior issuance of a letter of intent.

(4) Each authorisation granted under these rules shall be on a non-exclusive basis and additional authorisations for same miscellaneous telecommunication services may be granted by the Central Government within the same or other service areas without any restriction on the number of new authorised entities.

(5) A new authorised entity that has been granted authorisation under these rules may apply for assignment of spectrum under applicable law, subject to meeting any eligibility conditions for such assignment under such law.

***Explanation*.**—For the removal of doubts, it is clarified that grant of authorisation under these rules shall not be construed as conferring any right to the assignment or use of spectrum on a new authorised entity.

**8. Overlapping license or authorisation.—**(1) A new authorised entity shall not be permitted to hold any overlapping license or authorisation.

(2) The relinquishment of an overlapping license or authorisation, if any, shall be without prejudice to any rights and liabilities arising from such license or authorisation, as the case may be, and in particular, shall not affect the following, namely:—

(a) rollout obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such overlapping license or authorisation, shall remain applicable under the terms and conditions thereof, even after the relinquishment, as the case may be; and

(b) the resource provided and permission given by the Central Government with respect to such overlapping license or authorisation, 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—

1. "resource" means—

    (a) the telecommunication identifiers already allocated;

    (b) spectrum assigned to the new authorised entity;

    (c) certificate of compliance held by the new authorised entity in respect of the overlapping license or authorisation; and

2. "permission" includes coverage test certificates as a part of compliance of rollout obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the new authorised entity, and other permissions including for remote access and gateways permissions.

## CHAPTER III
## GENERAL CONDITIONS

**9. Duration of authorisation.—**The duration of each authorisation granted under rule 7 shall be such as is specified under the said rule, subject to a maximum of twenty years and the provisions of rules 14, 15 and 77.

**10. Continuing adherence to eligibility conditions**.—Every new authorised entity shall, throughout the duration of authorisation, adhere to the conditions under rule 5.

**11. Reporting and disclosure obligations.—**(1) Every new authorised entity shall—

(a) submit to the Central Government every year, on such date and accompanied by a certificate by its auditor appointed under the Companies Act, 2013 (18 of 2013) in such form and manner as specified on the portal, certifying—

(i) the details of its Indian and foreign equity, both direct and indirect;

(ii) the details of persons having control over it; and

(iii) compliance with rule 10:

Provided that the Central Government may exempt new authorised entities that have turnover not exceeding such amount as may be specified on the portal from the requirement to make such submission.

***Explanation***.—For the purposes of sub-clause (i), direct and indirect foreign equity shall be determined in accordance with the policy issued by the Government of India from time to time in respect of foreign direct investment;

(b) report any change in respect of the following to the Central Government on the portal, namely:—

(i) change in its shareholders resulting from an acquisition, which shall be reported within fifteen days from the date of such change:

Provided that in relation to a new authorised entity that is listed on the stock exchange, only such change in shareholdings as is required to be disclosed under the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 made under the Securities and Exchange Board of India Act, 1992 (15 of 1992) or the bye-laws or listing conditions of the stock exchange concerned, shall be required to be reported under this sub-clause;

(ii) change in the name under which it has been registered under the Companies Act, 2013 (18 of 2013), accompanied by certified copy of the certificate of such registration, which shall be reported within thirty days from the date of issue of such certificate; and

(iii) change in its details, including in respect of foreign equity, control, address and contact details and any other such material change in the details submitted previously, which shall be reported within fifteen days of such change; and

(c) furnish to the Central Government such documents, accounts, estimates, returns, reports or other information as the Central Government may require such new authorised entity to furnish, which shall be furnished within such period as the Central Government may specify.

(2) Every new authorised entity shall nominate and communicate to the Central Government and the designated agency, in such form and manner as specified on the portal, the details of a nodal person of such new authorised entity, based in India, who shall be responsible for providing any report or information or extending support as required under these rules.

(3) If there is admission of an application for initiation of corporate insolvency resolution process against a new authorised entity under the Insolvency and Bankruptcy Code, 2016 (31 of 2016), such new authorised entity shall—

(a) within forty-eight hours of such admission, inform the Central Government in this regard in writing; and

(b) forthwith furnish to the Central Government, a copy of the order of the National Company Law Tribunal admitting such application.

**12. Transfer.—**(1) An authorisation may be assigned or transferred only with previous approval of the Central Government in writing, pursuant to a merger, demerger, acquisition or other form of restructuring under applicable law.

(2) Save as provided in sub-rule (1), a new authorised entity shall not—

(a) assign or transfer, in any manner whatsoever, directly or indirectly, in whole or in part, any authorisation granted to it;

(b) enter into any partnership or agreement for such assignment or transfer; or

(c) create any interest in such authorisation in favour of a third party.

**13. Renewal.**—(1) A new authorised entity may submit an application for renewal of authorisation, in such form and manner as specified on the portal, at least twelve months prior to the expiry of the authorisation, accompanied by processing fee as specified in Schedule A.

(2) On receipt of a written request from a new authorised entity, the Central Government may permit an application after the period specified in sub-rule (1), if it is satisfied that there was sufficient cause for not making such application within such period, subject to payment of such late fees as the Central Government may specify in response to such request.

(3) The Central Government may, in its discretion, on receipt of an application under sub-rules (1) or (2), renew the authorisation for such period as may be decided by the Central Government, subject to a maximum of twenty years.

(4) Every renewal of authorisation under sub-rule (3) shall be subject to the applicable law at the time of such renewal.

(5) If the authorisation is not renewed, the new authorised entity shall give every user of its miscellaneous telecommunication services at least thirty days prior notice of expiry of its authorisation and of the options available to such users.

(6) Every new authorised entity shall maintain the quality of miscellaneous telecommunication service and telecommunication network till the expiry of its authorisation.

**14. Revocation of authorisation.—**(1) The Central Government may, without prejudice to any action that may be taken under section 21 of the Act, by order, revoke an authorisation in the following circumstances, namely:—

(a) if, at any stage it is found that any of the representations, submissions or documents that had been provided by a new authorised entity with or during the processing of an application for authorisation were false;

(b) if, a new authorised entity is directed to be placed into liquidation or is ordered to be wound up; or

(c) if, the Telecom Regulatory Authority of India, in accordance with the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), recommends revocation of authorisation.

(2) Prior to issuing any order under sub-rule (1) on occurrence of events specified in clauses (a) and (c) of sub-rule (1), the Central Government shall give an opportunity of being heard to the new authorised entity referred to in sub-rule (1).

(3) Every order under sub-rule (1) shall be published by the Central Government on the portal and be effective from the sixty-first day from the date of publishing of such order, and the new authorised entity shall give public notice of such order of revocation within forty-eight hours of it being published on the portal, and shall adhere to sub-rules (4) and (5) of rule 77.

**15. Surrender of authorisation.—**(1) A new authorised entity seeking to surrender an authorisation, shall submit an application in such form and manner as specified on the portal, accompanied by an undertaking, and other information as may be specified on the portal.

(2) The Central Government may, approve or reject an application submitted under sub-rule (1), and if approved, the details relating to the authorisation that is surrendered shall be published by the Central Government on the portal.

(3) The new authorised entity surrendering its authorisation under this rule shall within forty-eight hours of such details being published on the portal—

(a) give public notice of such surrender;

(b) give every user of its miscellaneous telecommunication services notice of—

(i) the effective date of surrender, which shall be thirty-first day from the date of such notice to the user; and

(ii) the options available to such users; and

(c) communicate to the Central Government the effective date of such surrender as communicated to users under clause (b).

(4) Every new authorised entity shall maintain the quality of miscellaneous telecommunication services and telecommunication network till the effective date referred to in clause (b) of sub-rule (3).

(5) Every new authorised entity shall pay all amounts due and payable to the Central Government till the effective date of surrender referred to in clause (b) of sub-rule (3), including in respect of authorisation fees.

(6) The new authorised entity surrendering its authorisation under this rule shall not be entitled to refund of any fees or charges paid in respect of, or under such authorisation.

**16. Actions pursuant to revocation, surrender or expiry of authorisation.—**On revocation, surrender or expiry of the authorisation held by a new authorised entity—

(a) the spectrum assigned in respect of such authorisation, if any, to such entity shall stand withdrawn from the effective date of such revocation, surrender or expiry; and

(b) such entity shall manage its radio equipment in accordance with applicable law.

**17. Consequence of migration.—**(1) If a new authorised entity submits an application for migration under the Telecommunications (Terms and Conditions for Migration) Rules, 2026, the relinquishment of any overlapping authorisation of such new authorised entity shall become effective on the effective date of such migration.

(2) The relinquishment of the overlapping authorisation shall be without prejudice to rights and liabilities arising from such overlapping authorisation, which shall remain applicable in accordance with the Telecommunications (Terms and Conditions for Migration) Rules, 2026.

**18. Set off.—**(1) The Central Government may adjust or set off any amount payable by a new authorised entity to the Central Government against any amount payable by it to such new authorised entity, whether such amount is presently due or may become due at any time in future, including any amount arising from the encashment, claim or appropriation of the guarantee.

(2) The Central Government shall, subsequent to any action taken under sub-rule (1), inform the new authorised entity of such set-off.

**19. Recovery of dues.—**Without prejudice to other modes of recovery, any amount due to the Central Government by a new authorised entity, if not paid, shall be recovered as an arrear of land revenue.

**20. Power to call for information.—**The Central Government may, for the purposes of giving effect to these rules, require a new authorised entity to furnish such information as it may call for.

**21. Power to relax.—**Where the Central Government considers it necessary or expedient so to do, on a request made by a new authorised entity or otherwise, on occurrence of a natural calamity or any event which in its opinion has prevented such new authorised entity or class of similarly situated new authorised entities from performance of any of its obligations under these rules, by order and for reasons to be recorded in writing, relax such performance for such period and subject to such terms and conditions as it may decide.

**22. Power to issue orders, directions or guidelines.—**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, which shall constitute the terms and conditions applicable to every new authorised entity.

## CHAPTER IV
## TECHNICAL AND OPERATING CONDITIONS

**23. Telecommunication network.—**(1) Every new authorised entity that holds an authorisation under these rules, while conforming with the scope of such authorisation, may establish, operate, maintain or expand telecommunication network and may also possess radio equipment, without requiring separate authorisation under clauses (b) or (c) of sub-section (1) of section 3 of the Act:

Provided that in respect of assignment and use of spectrum, sub-rule (5) of rule 7 shall apply.

(2) Every new authorised entity shall establish, operate, maintain or expand the telecommunication network for provision of miscellaneous telecommunication services pursuant to its authorisation in accordance with the Act and rules made thereunder, and shall ensure that such telecommunication equipment, telecommunication network used, and such miscellaneous telecommunication services provided are in conformity with applicable standards and conformity assessment measures that the Central Government may notify under section 19 of the Act.

(3) Every new authorised entity shall furnish technical details of miscellaneous telecommunication services and the telecommunication network being used to provide such miscellaneous telecommunication services, including the details of technology deployed by it, to the Central Government or the designated agency, at such times as may be required pursuant to any direction that the Central Government may issue in this regard.

(4) Every new authorised entity shall make its own arrangements, including in respect of right of way, for establishing telecommunication networks and shall be solely responsible for the establishment, operation, maintenance, expansion and commissioning of necessary infrastructure, telecommunication equipment and systems, and all aspects of its telecommunication network:

Provided that such new authorised entity may take telecommunication network, passive telecommunication infrastructure or telecommunication resources, as the case may be, on mutually agreed terms from other new authorised entities or licensees.

(5) The non-availability of right of way or delays in obtaining right of way permission by the new authorised entity shall not be a cause or ground for non-fulfilment of the rollout obligations or non-compliance with any other obligations under these rules.

(6) Every new authorised entity shall adhere to orders, directions or guidelines that the Central Government may issue in respect of the following, namely:—

(a) deployment of energy efficient telecommunication equipment; and

(b) preferential market access for procurement of indigenously manufactured telecommunication equipment.

**24. Location of telecommunication network elements.—**(1) Every new authorised entity shall, prior to establishment or expansion of telecommunication network in security sensitive areas as may be specified by the Central Government, apply to the Central Government on the portal, for its approval.

(2) Every new authorised entity shall ensure that—

(a) all systems of its telecommunication network,—

(i) owned or taken as a service from another new authorised entity or licensee; or

(ii) on lease, hire or sharing basis from another new authorised entity or licensee;

are located within its service areas of authorisations for provision of miscellaneous telecommunication services:

Provided that in cases where telecommunication network is taken as a service from a cloud-hosted telecommunication network provider authorised under applicable law, the systems of such telecommunication network may be located anywhere in India; and

(b) all data, logs and information associated with its telecommunication network shall be stored within India and no copies of such data, logs and information shall be routed, shared or made available outside India.

**25. Sharing of telecommunication network and infrastructure.—**(1) A new authorised entity that holds different authorisations may share its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network for providing miscellaneous telecommunication services permitted under the scope of its authorisations subject to adherence to the conditions specified under these rules.

(2) The new authorised entity as referred to in sub-rule (1), may enter into mutual agreements with other new authorised entity or licensee, for sharing its telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network with such other new authorised entity or licensee.

**26. Commencement of provision of miscellaneous telecommunication services to users.—**(1) Every new authorised entity shall, after providing prior intimation to the Central Government on the portal, commence provision of any miscellaneous telecommunication service permitted under the scope of its authorisation.

(2) Every new authorised entity shall within fifteen days from the date of commencement of provision of miscellaneous telecommunication services to users inform to the Central Government the date of commencement of miscellaneous telecommunication services to users.

**27. Provision of miscellaneous telecommunication services.—**(1) Every new authorised entity shall—

(a) not discriminate between users registered for its miscellaneous telecommunication services with regard to commercial principles for provision of such telecommunication services; and

(b) issue or cause to be issued, in its own name, bills, invoices or vouchers, by whatever name called, to its users for use of the miscellaneous telecommunication services with adequate details to users about the genuineness of such bills, invoices or vouchers.

(2) The Central Government may specify on the portal the restrictions on the provision or use of miscellaneous telecommunication services in restricted areas falling near the international borders of the territory of India, the Line of Control, the Line of Actual Control of India or any other areas as may be specified on the portal:

Provided that in such restricted areas, the Central Government may allow the provision or use of such telecommunication services to specified users and a new authorised entity shall facilitate the same based on directions that the Central Government may issue in this behalf.

(3) Save as provided in rules 14, 15 and 77, the new authorised entity shall ensure continuity of the miscellaneous telecommunication services to its users.

(4) Every new authorised entity shall establish and publicise necessary mechanisms including an online mechanism to enable users to register any grievance pertaining to subscribed miscellaneous telecommunication services and to redress such grievance, in accordance with applicable law.

(5) Any dispute with regard to the provision of miscellaneous telecommunication service shall only be between a user and the new authorised entity and such new authorised entity shall duly inform the same to the user before provision of such telecommunication services, and the Central Government shall not bear any liability or responsibility in the matter.

(6) Every new authorised entity shall indemnify the Central Government against all claims, costs, charges or damages arising from any claims from users for any reason whatsoever.

(7) Every new authorised entity shall, while providing any telecommunication resource to another new authorised entity or licensee, satisfy itself that such new authorised entity or licensee is eligible to obtain such telecommunication resource.

(8) Every new authorised entity shall, while obtaining any telecommunication resource from another new authorised entity or licensee, satisfy itself that such new authorised entity or licensee is eligible to provide such telecommunication resource.

**28. Right to inspect and undertake assessments.—**(1) The Central Government may, for the purposes of monitoring adherence to these rules, after issuing a reasonable notice to the new authorised entity in this regard,—

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established for provision of miscellaneous telecommunication services, including within a user's premises;

(b) audit processes or systems established by such new authorised entity for compliance of these rules:

Provided that no notice shall be provided to such new authorised entity, if the Central Government considers that immediate action is necessary or expedient in public interest:

Provided further that the Central Government, may appoint a designated agency to audit processes or systems established by that new authorised entity for adherence to these rules, on such charges that the Central Government may determine, which shall be payable by that new authorised entity:

Provided also that such designated agency shall not collect nor require the disclosure of any information, the disclosure of which may harm the competitive position of any user or the new authorised entity, including any confidential data, commercially price sensitive data, trade secrets, intellectual property, or information covered by fiduciary relationship from the telecommunication network or premises of that new authorised entity or user:

Provided also that if the Central Government considers the collection of information of new authorised entity that is covered by the third proviso is necessary for arriving at the findings of the audit, then it may direct the designated agency to collect such data and the decision of the Central Government in this regard shall be final.

(2) Every new authorised entity shall provide the necessary facilities and support to facilitate the audit and inspection as required under sub-rule (1).

**29. Confidentiality of information.—**(1) Every new authorised entity shall prior to commencement of miscellaneous telecommunication services, confirm in writing to the Central Government that it has taken all necessary steps to ensure adherence to the applicable law to protect data privacy and confidentiality of user information, including such compliance by its employees and consultants.

(2) Every new authorised entity shall not share any information relating to its telecommunication network with any other person except with the prior approval of the Central Government in writing:

Provided that no such approval shall be required for providing such details of the telecommunication network, as may be required by its telecommunication equipment suppliers or manufacturers.

## CHAPTER V
## SECURITY CONDITIONS

**30. Management of new authorised entity.—**(1) Every new authorised entity shall ensure the following, namely:—

(a) majority of directors on the board of such new authorised entity shall be Indian citizens.

(b) the chief officer in charge of telecommunication network, security and system administrators of such new authorised entity shall be resident Indian citizens.

(2) Every new authorised entity shall ensure security vetting of any foreign nationals by the Ministry of Home Affairs in the Government of India—

(a) prior to the appointment of such foreign national to the positions of the chairman, managing director, chief executive officer or chief financial officer, and such security vetting shall be done on an annual basis for the duration of such appointment; and

(b) prior to the deployment of such foreign nationals for the establishment operation, maintenance or expansion of its telecommunication network.

(3) Every new authorised entity shall apply for the security vetting provided in sub-rule (2), in accordance with the orders, directions or guidelines issued by the Central Government, and the decision of the Ministry of Home Affairs in the Government of India in this regard shall be binding on such new authorised entity.

**31. Enrolment of users and activation of miscellaneous telecommunication services.—**(1) Every new authorised entity shall, prior to enrolment and activation of miscellaneous telecommunication services of a user, undertake identification of such user, in accordance with such orders, directions or guidelines as the Central Government may issue in this behalf, and through any method as such new authorised entity may deem fit.

(2) Every new authorised entity shall, at the time of enrolment of a user, collect and maintain the details of information of such user in its database, including subscriber data record for each miscellaneous telecommunication service, and maintain an updated databased of its users, in accordance with the orders, directions or guidelines issued by the Central Government.

(3) Every new authorised entity shall provide access to the database maintained under sub-rule (2), and to the traceable identity of a user to the Central Government, the authorised agency or the designated agency.

**32. Data to be located in India.—**No new authorised entity shall transfer user information to any person or place outside India:

Provided that nothing in this rule shall restrict any financial disclosure as may be required under these rules or as under applicable law.

**33. Maintenance of records.—**(1) Every new authorised entity shall maintain and store records of all operations and command logs, which shall include the details of command given along with the details of executing authority, date, time and place, in a manner so as to enable access to the Central Government or designated agency—

(a) on real-time basis, for a minimum period of twelve months; and

(b) on a non-real time basis in digital mode for the next twenty-four months.

(2) Every new authorised entity shall maintain all commercial records, subscriber data record, call data record or call detail record, exchange detail record, internet protocol detail record or internet protocol data record and any other similar records for all of miscellaneous telecommunication services provided by such new authorised entity, in accordance with the orders, directions or guidelines issued by the Central Government.

(3) Every new authorised entity shall provide the details of the records maintained under sub-rule (2) to the Central Government or the designated agency, in such form and manner as specified on the portal.

**34. Securing information transacted through telecommunication network.—**(1) Every new authorised entity shall take adequate and timely measures to ensure that the messages communicated through the telecommunication network are secure and protected.

(2) Every new authorised entity shall ensure privacy of messages communicated through its telecommunication network and that unauthorised interception of messages does not take place:

Provided that nothing in this sub-rule shall prevent such new authorised entity from providing records of messages and other data from its telecommunication network to the Central Government, the authorised agency or the designated agency, on receipt of a direction in exercise of powers under the applicable law.

**35. Prevention of use of telecommunication network for unauthorised or unlawful activities.—**Every new authorised entity shall ensure that its telecommunication network is used only for providing miscellaneous telecommunication services for which it is authorised, to *bona fide* users and not for undertaking any activities or commissioning any action that constitutes an offence under the Act, Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any other law for the time being in force, including laws prohibiting crimes against the State.

**36. Trusted sources and trusted products.—**(1) For the purpose of this rule, the designated authority shall be the National Cyber Security Coordinator of the Central Government, who shall determine the categories of telecommunication equipment for which the security requirements related to trusted sources and trusted products are applicable, and specify the same on its website for this purpose.

(2) The designated authority may specify the list of trusted sources along with the associated trusted products for the categories of telecommunication equipment as specified under sub-rule (1).

(3) The designated authority may specify the procedure for inclusion of telecommunication equipment in the list of trusted sources and trusted products referred to in sub-rule (2).

(4) The designated authority may also specify a list of persons from whom no procurement of telecommunication equipment may be undertaken.

(5) Every new authorised entity shall adhere to conditions as specified by the designated authority on its website for procurement of telecommunication equipment and establish, operate, maintain and expand only trusted products in its telecommunication network.

(6) Every new authorised entity shall register itself on the website specified by the designated authority and provide relevant details relating to the telecommunication network or telecommunication equipment as may be required by such authority.

(7) Every new authorised entity shall, prior to the procurement of telecommunication equipment and associated trusted products or categories thereof, for establishing its telecommunication network or any upgradation or expansion thereof, adhere to the following process, namely:—

(a) if the designated authority has already determined certain telecommunication equipment as trusted products and their corresponding trusted sources under sub-rule (2), such new authorised entity shall ensure adherence to the same and submit to the designated authority,—

(i) the list of telecommunication equipment and the sources from which it is planning to procure; and

(ii) periodic reports of procurement of telecommunication equipment and sources thereof, and the locations of deployment of the same;

(b) if clause (a) is not applicable, such new authorised entity shall submit to the designated authority, the details of the telecommunication equipment and their sources from which it is intending to procure the same, as per the procedure specified by the designated authority for this purpose under sub-rule (3);

(c) if the designated authority approves the telecommunication equipment and their sources as submitted under clause (b) above, such new authorised entity shall proceed to procure and establish the same;

(d) such new authorised entity shall adhere to such directions or guidelines, including the guidance for enhanced supervision and effective control of telecommunication networks, that the Central Government or the designated authority may issue in this behalf.

(8) Every new authorised entity shall provide relevant technical, operational, supply chain, and security-related information relating to the telecommunication equipment deployed or being deployed in its telecommunication network, on receiving a request from the Central Government or the designated authority.

(9) Every new authorised entity shall submit to the Central Government or the designated agency, compliance reports under this rule, through the portal, within such date as may be specified therein.

(10) These rules shall be without prejudice to any other measure taken by the Central Government, that it may consider necessary or expedient for the purpose of national security under section 21 of the Act, which shall be binding on new authorised entities.

**37. Prohibition of certain activities.—**(1) A telecommunication network of a new authorised entity established under these rules shall not be used for transmission of—

(a) messages which are illegal or unauthorised as per applicable law, including rules made under the Information Technology Act, 2000 (21 of 2000); or

(b) messages infringing copyright and intellectual property right in any form.

(2) Every new authorised entity shall take necessary measures to prevent transmission of message in violation of sub-rule (1), in its telecommunication network, on receipt of such direction from the Central Government or an order of the Court.

(3) Every new authorised entity shall ensure that its telecommunication network or installation thereof does not become a safety or health hazard and is not in contravention of any applicable law.

**38. General security conditions.—**(1) Every new authorised entity shall—

(a) ensure security of its telecommunications network;

(b) provide facilities as the Central Government may require to respond to any situations of espionage, subversive acts, sabotage or any other unlawful activity; and

(c) ensure capability to suspend provision of miscellaneous telecommunication services in such areas and subject to such accuracy as the Central Government or State Government may specify in respect of the boundary of the area so specified.

(2) Every new authorised entity shall adhere to maps provided by the Survey of India for the precise delineation of service area of authorisation along international borders, if any.

(3) Every new authorised entity shall implement appropriate technical and organisational measures, and reasonable security safeguards to ensure effective observance of the provisions of these rules.

## CHAPTER VI
## SPECIFIC CONDITIONS FOR TYPES OF MISCELLANEOUS TELECOMMUNICATION SERVICES

**39. Applicability of Chapter VI.—**(1) In addition to the rules mentioned in Chapter I to Chapter V, the rules mentioned in different Parts of this Chapter shall also apply to a new authorised entity providing specific miscellaneous telecommunication services specified in the scope of the relevant Part of this Chapter.

(2) In the event of any conflict between the provisions of Chapter I to Chapter V and Chapter VI, the rules mentioned in Chapter VI shall prevail to the extent of such conflict.

### PART A
### PUBLIC MOBILE RADIO TRUNKING SERVICE AUTHORISATION

**40. Applicability of Part A.—**This Part shall apply to a new authorised entity that holds public mobile radio trunking service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds public mobile radio trunking service authorisation.

**41. Scope of public mobile radio trunking service authorisation.—**(1) The public mobile radio trunking service authorisation consists of authorisation for provision of public mobile radio trunking services.

(2) Every new authorised entity that holds a public mobile radio trunking service authorisation may provide public mobile radio trunking services through wireless terrestrial networks.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which requires a separate authorisation from the Central Government.

**42. Fees and charges.—**(1) For the purposes of this Part, the expressions—

(a) "gross revenue" of the new authorised entity shall include all types of revenues accrued to the new authorised entity from its operations and activities and all income accrued from any source whatsoever, including but not limited to, dividend, rent, profit on sale of fixed assets and miscellaneous income, without any set-off for related items of expenses;

(b) "applicable gross revenue" means the revenue, which shall be equal to gross revenue of the new authorised entity as reduced by the items listed below,—

(i) revenue from operations other than telecommunication activities or operations;

(ii) revenue from activities under an authorisation, permission or registration issued by the Ministry of Information and Broadcasting;

(iii) receipts from the Digital Bharat Nidhi; and

(iv) revenue falling under the following items, namely:—

(A) income from dividend;

(B) income from interest;

(C) capital gains on account of profit on 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; and

(H) excess provisions written back:

Provided that the Central Government may specify the description and conditions applicable to these revenue sources and the manner of their computation.

(c) "adjusted gross revenue" means revenue which shall be equal to applicable gross revenue;

(d) "spectrum charges linked to adjusted gross revenue", in relation to public mobile radio trunking service authorisation, means the fees in respect of assignment of spectrum, calculated as a percentage of adjusted gross revenue at such rate specified under the applicable law.

(2) Every new authorised entity shall pay an annual authorisation fee for public mobile radio trunking service authorisation, from the effective date of such authorisation, which shall be eight per cent. of the adjusted gross revenue subject to the amounts specified in sub-rules (3) to (5), as applicable.

(3) From the second year of the effective date of the authorisation, and for each subsequent year the authorisation fee shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(4) In the event of renewal of public mobile radio trunking service authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A.

(5) In the event of migration of license to the terms and conditions of public mobile radio trunking service authorisation, the authorisation fee from the effective date of migration shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) thirty per cent. of the applicable entry fee as specified in Schedule A:

Provided that if the licensee has migrated within twelve months of the effective date of license, the authorisation fee as referred to in clause (a) of sub-rule (5) shall be payable for the remaining period till the completion of twelve months from the effective date of the license.

(6) The authorisation fee under sub-rules (2) to (5) shall be inclusive of the amount attributable to the Digital Bharat Nidhi, which shall be equal to five-eighths of such authorisation fee.

(7) The rate of authorisation fee or amount attributable to Digital Bharat Nidhi, as specified in sub-rules (2) to (5), may be varied at any time within the duration of the authorisation.

(8) If the new authorised entity acquires the right to use of spectrum under the applicable law, in addition to the authorisation fee, the spectrum charges linked to adjusted gross revenue, shall be payable in accordance with rule 43.

**43. Schedule of payment.—**(1) The authorisation fee or spectrum charges linked to adjusted gross revenue determined under these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee and spectrum charges linked to adjusted gross revenue in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected revenue for that quarter, subject to a minimum amount equal to the authorisation fee and spectrum charges linked to adjusted gross revenue paid for the previous quarter:

Provided that the new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of the next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of revenue on accrual basis for the relevant quarter, and shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of revenue for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney.

(4) Every new authorised entity shall, on or before the thirtieth of June of each calendar year—

(a) submit statement of revenue for all quarters of the previous financial year, in such form and manner as specified on the portal, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013); and

(b) make the final adjustment of the authorisation fee and spectrum charges linked to adjusted gross revenue, including applicable interest as per sub-rule (5), for the previous financial year, based on sub-rule (2).

(5) In the event of any delay in payment of authorisation fee or spectrum charges linked to adjusted gross revenue or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall submit a reconciliation statement between the figures appearing in the submitted quarterly statements of revenue under sub-rule (3) with those appearing in annual accounts, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), accompanied by a copy of the published annual accounts and audit report within seven days of the date of signing of the audit report or within the timeline provided under the Companies Act, 2013 (18 of 2013) for filing of annual financial statements, whichever is earlier:

Provided that the annual financial statements, the statement of revenue, and the reconciliation statement shall be prepared in accordance with such norms or orders or directions as may be specified on the portal.

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity, in such manner as specified on the portal.

**44. Guarantee requirements for authorisation.—**(1) Every new authorised entity shall, for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee, in such form and manner, as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any Scheduled Commercial Bank or public financial institution, with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government.

(2) The purpose of the guarantee as specified in sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, spectrum charges linked to adjusted gross revenue, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of public mobile radio trunking service authorisation in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of public mobile radio trunking service authorisation in Schedule A; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters;

(ii) spectrum charges linked to adjusted gross revenue payable for two quarters; and

(iii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period, by a minimum of one year, of such guarantee at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in this sub-rule, allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee, spectrum charges linked to adjusted gross revenue, or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provide in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

**45. Assessment of authorisation fees and spectrum charges linked to adjusted gross revenue.—**(1) The Central Government may carry out the assessment of authorisation fees and spectrum charges linked to adjusted gross revenue, in accordance with the procedure as specified on the portal.

*Explanation.*—For the purposes of this rule, the expression "assessment" shall include reassessment and recomputation.

(2) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation of authorisation fee for each authorisation.

(3) Every new authorised entity shall, in respect of each authorisation it holds—

(a) compile and maintain accounting records, that are sufficient to show and explain its transactions in respect of each completed quarter throughout the duration of the authorisation or of such lesser periods as may be specified on the portal, fairly presenting the costs, including capital costs, revenue, and financial position of such new authorised entity's business under the authorisation including a reasonable evaluation of the assets employed in and the liabilities attributable to that new authorised entity's business for the quantification of revenue or any other purpose;

(b) ensure that bilateral settlement of accounts with other new authorised entities or licensees which holds any authorisation or license, are conducted through normal banking channels in a transparent manner; and

(c) furnish to the Central Government details of the mechanism for the settlement of accounts with such other new authorised entities or licensees, including in respect of charges for usage of network and facilities, as well as details of the actual settlements.

(4) Every new authorised entity shall maintain and preserve billing and other accounting records relating to the provision of public mobile radio trunking services under its authorisation, for each financial year, in electronic form as well as hard copy, for a period of at least six years from the date of publishing of its duly audited and approved annual accounts:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014, made under the Companies Act, 2013 (18 of 2023):

Provided further that if the authorisation fee, spectrum charges linked to adjusted gross revenue or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(5) The Central Government may, at any time, direct the new authorised entity to supply information or provide access to the books of annual accounts that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(6) The Central Government may, at any time, subject the records of a new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees, spectrum charges linked to adjusted gross revenue and any other charges.

(7) The Central Government may, on forming an opinion that the statements of revenue in respect of public mobile radio trunking service authorisation or annual accounts submitted by the new authorised entity are inaccurate or misleading, or for any other reason, order audit of the accounts of such new authorised entity, by appointing one or more auditors, who shall have the same powers which the auditors of the company have under sub-section (1) of section 143 of the Companies Act, 2013 (18 of 2013), and on such charges that the Central Government may determine, which shall be payable by that new authorised entity.

(8) If any new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 43 within nine months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee or spectrum charges linked to adjusted gross revenue, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(9) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (10).

(10) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of fifty lakh rupees or more for such financial year.

(11) For the purposes of computing the period of limitation as specified under sub-rule (9) and sub-rule (10), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(12) Notwithstanding anything contained in sub-rule (9) and sub-rule (10), assessment of authorisation fee or spectrum charges linked to adjusted gross revenue may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(13) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee and spectrum charges linked to adjusted gross revenue, issue directions to new authorised entity, in respect of any miscellaneous telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

**46. Technical and operating conditions.—**(1) Every new authorised entity shall not interconnect its telecommunication network with the telecommunication network established for provision of public mobile radio trunking services by any other new authorised entity or licensee.

(2) Every new authorised entity may establish connectivity amongst its repeater stations within the service area for providing public mobile radio trunking services.

(3) Every new authorised entity may establish outgoing connectivity of its telecommunication network with public switched telephone network or public land mobile network, subject to such limitations as the Central Government may specify in the orders, directions or guidelines issued by it in this behalf.

(4) Every new authorised entity may shift the location of the repeater station from one location to another within the geographical area for which spectrum has been assigned:

Provided that the radio coverage resulting from such shifting of location of the repeater station shall remain within the geographical area for which spectrum has been assigned.

(5) Every new authorised entity may install additional repeater station within the geographical area for which spectrum has been assigned, after obtaining the prior approval of the Central Government in writing, by making an application on the portal in respect of—

(a) additional block of frequencies for the new repeater station; or

(b) use of assigned frequencies within such geographical area, at the new repeater station by way of partial shifting of a few frequency carriers out of the pool of assigned frequencies:

Provided that the radio coverage resulting from the installation of the additional repeater station, shall remain within the geographical area for which spectrum has been assigned.

(6) Every new authorised entity may replace its radio equipment and user terminals, after obtaining the prior approval of the Central Government in writing, pursuant to an application made on the portal and accompanied by such documents as may be specified therein.

(7) Every new authorised entity shall ensure that the user terminal is operated in accordance with the terms and conditions of the authorisation, and relevant orders, directions or guidelines that the Central Government may issue from time to time for this purpose.

(8) Every new authorised entity may undertake the sale, hire, purchase, lease or rent of user terminals, and the users shall be given the option to obtain the user terminal from any source that meets the standards notified by the Central Government under section 19 of the Act.

**47. Rollout obligations.—**(1) Every new authorised entity shall rollout the telecommunication network for provision of public mobile radio trunking services, including establishment of at least one repeater station in the geographical area for which spectrum has been assigned by the Central Government, within twelve months from the date of such assignment.

(2) Every new authorised entity shall register with the Central Government on the portal, in accordance with the orders, directions or guidelines issued by the Central Government, for verification of compliance of rollout obligations as specified in sub-rule (1).

(3) On successful verification under sub-rule (2), the date of registration with the Central Government shall be treated as the date of compliance to the rollout obligations.

(4) In case of failure on verification under sub-rule (2), the new authorised entity shall re-register, after necessary corrections, and in such cases, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance of the rollout obligation.

(5) Any failure to adhere to the rollout obligations shall be treated as breach of the terms and conditions of the authorisation and shall be dealt with as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are adhered to within thirty days of the expiry of the due date for adhering to such obligations, the Central Government shall consider the same as timely fulfilment of rollout obligations.

(6) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for telecommunication network for public mobile radio trunking services shall be subject to the relevant provisions of the Act and the terms and conditions of spectrum assignment.

**48. Security conditions.—**(1) Every new authorised entity, at its own cost, shall make arrangements for provision of monitoring facilities in accordance with such orders, directions or guidelines that the Central Government or the designated agency may issue from time to time for this purpose.

(2) Every new authorised entity shall inform the users that they shall be responsible for proper and *bona fide* use of public mobile radio trunking services.

## PART B

## ENTERPRISE COMMUNICATION SERVICE AUTHORISATION

**49. Applicability of Part B.—**This Part shall apply to a new authorised entity that holds enterprise communication service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds enterprise communication service authorisation.

**50. Scope of enterprise communication service authorisation.—**(1) For the purpose of this Part, the expressions—

(a) "audio conferencing service" means a miscellaneous telecommunication service that allows multiple users to join a single audio conference and interact at the same time by providing real-time transmission of voice amongst such users;

(b) "audiotex service" means a miscellaneous telecommunication service that is either an interactive or a non-interactive, non-real time, telecommunication service that provides to users, through standardised procedures, capability to communicate with an audiotex database through telecommunication network;

(c) "cloud based Electronic Private Automatic Branch Exchange service" means providing Electronic Private Automatic Branch Exchange-as-a-service or communications platform-as-a-service to users; and

(d) "voice mail service" means a miscellaneous telecommunication service providing access of voice mailbox attached to a unique telecommunication identifier to a user.

(2) The enterprise communication service authorisation consists of authorisation for the following miscellaneous telecommunication services that are provided to users on commercial basis, namely:—

(a) audio conferencing service;

(b) audiotex service;

(c) cloud-based Electronic Private Automatic Branch Exchange service; and

(d) voice mail service.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

**51. Fees and charges.—**(1) For the purposes of this Part B, the expressions—

(a) "gross revenue" of the new authorised entity shall include all types of revenues accrued to such new authorised entity from its operations and activities and all income accrued from any source whatsoever, including but not limited to, interest, dividend, rent, profit on sale of fixed assets and miscellaneous income, without any set-off for related items of expenses;

(b) "applicable gross revenue" means the revenue which shall be equal to gross revenue of the new authorised entity as reduced by the items listed below—

(i) revenue from operations other than telecommunication activities or operations;

(ii) revenue from activities under an authorisation, permission or registration issued by the Ministry of Information and Broadcasting;

(iii) receipts from the Digital Bharat Nidhi; and

(iv) revenue falling under the following items, namely:—

(A) income from dividend;

(B) income from interest;

(C) capital gains on account of profit on 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; and

(H) excess provisions written back:

Provided that the Central Government may specify the description and conditions applicable to these revenue sources and the manner of their computation.

(c) "adjusted gross revenue" means revenue which shall be calculated by excluding from the applicable gross revenue, call charges in respect of public switched telephone network or public land mobile network, actually paid to other new authorised entities or licensees which hold any authorisation or license.

(2) Every new authorised entity shall pay an annual authorisation fee for enterprise communication service authorisation, from the effective date of such authorisation, which shall be eight per cent. of the adjusted gross revenue subject to the amounts specified in sub-rules (3) to (5), as applicable.

(3) From the second year of the effective date of the authorisation and for each subsequent year the authorisation fee shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees.

(4) In the event of renewal of enterprise communication service authorisation, the authorisation fee from the effective date of renewal shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees.

(5) In the event of migration of license to the terms and conditions of enterprise communication service authorisation, the authorisation fee from the effective date of migration shall be higher of—

(a) eight per cent. of the adjusted gross revenue; or

(b) one lakh rupees:

Provided that if the licensee has migrated within twelve months of the effective date of license, the authorisation fee as referred to in clause (a) of sub-rule (5) shall be payable for the remaining period till the completion of twelve months from the effective date of the license.

(6) The authorisation fee under sub-rules (2) to (5) shall be inclusive of the amount attributable to the Digital Bharat Nidhi, which shall be equal to five-eighths of the authorisation fee.

(7) The rate of authorisation fee or amount attributable to Digital Bharat Nidhi as specified in sub-rules (2) to (5) may be varied at any time within the duration of the authorisation.

**52. Schedule of payment.—**(1) The authorisation fee determined under these rules shall be payable by a new authorised entity in four quarterly instalments during each financial year commencing from the first of April, and fee for any duration of authorisation that is less than a quarter shall be calculated on a pro-rata basis based on actual number of days in the relevant quarter.

(2) Every new authorised entity shall make payment of the quarterly instalments of the authorisation fee in the following manner, namely:—

(a) the quarterly instalment in respect of each of the first three quarters of a financial year shall be paid within fifteen days of completion of the relevant quarter; and

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected revenue for that quarter, subject to a minimum amount equal to the authorisation fee paid for the previous quarter:

Provided that the new authorised entity shall adjust and pay the difference between the advance payment made for the last quarter and the actual amount duly payable for such quarter by the fifteenth of April of next financial year.

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of revenue on accrual basis for the relevant quarter, and shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of revenue for each authorisation held by the new authorised entity, that are signed and electronically verified by a representative of such new authorised entity who has been duly authorised by a board resolution and general power of attorney.

(4) Every new authorised entity shall, on or before the thirtieth of June of each calendar year—

(a) submit statement of revenue for all quarters of the previous financial year, in such form and manner as specified on the portal, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), ; and

(b) make the final adjustment of the authorisation fee, including applicable interest as per sub-rule (5), for the previous financial year based on sub-rule (2), as the case may be.

(5) In the event of any delay in payment of authorisation fee or any other dues payable by the new authorised entity beyond the period specified for such payment, such new authorised entity shall also be liable to pay interest calculated at the rate of one-year marginal cost of funds based lending rate of State Bank of India as existing at the beginning of the relevant financial year, namely first of April, plus two per cent. compounded annually:

Provided that any part of a month shall be construed as a full month for the purpose of calculation of interest.

(6) Every new authorised entity shall submit a reconciliation statement between the figures appearing in the submitted quarterly statements of revenue under sub-rule (3) with those appearing in annual accounts, duly audited and signed by its auditor appointed under the Companies Act, 2013 (18 of 2013), accompanied by a copy of the published annual accounts and audit report within seven days of the date of signing of the audit report or within the timeline provided under the Companies Act, 2013 (18 of 2013) for filing of annual financial statements, whichever is earlier:

Provided that the annual financial statements, the statement of revenue, and the reconciliation statement shall be prepared in accordance with such norms, orders or directions as may be specified on the portal.

(7) All sums of money becoming due and payable under these rules shall be paid by the new authorised entity in such manner as specified on the portal.

**53. Guarantee requirements for authorisation.—**(1) Every new authorised entity shall for the purpose specified in sub-rule (2), submit an unconditional and irrevocable guarantee in such form and manner, as specified on the portal, of any of the following types, namely:—

(a) a bank guarantee from any Scheduled Commercial Bank or public financial institution, with a minimum validity period of one year from the date of its issuance;

(b) a performance bond, issued by an Indian insurance company, in accordance with the guidelines made under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), with a minimum validity period of one year from the date of its issuance; or

(c) non-interest-bearing cash deposit with the Central Government.

(2) The purpose of the guarantee as specified in sub-rule (1) is to provide security for compliance of all the terms and conditions of the authorisation, including but not limited to payment of authorisation fee, penalty imposed for contravention or breach of any of the terms and conditions of the authorisation or non-compliance of the orders, directions or guidelines issued by the Central Government and any other dues payable under the authorisation.

(3) The guarantee submitted under sub-rule (1) shall be subject to annual review by the Central Government and the new authorised entity shall maintain a valid guarantee throughout the duration of authorisation or until all dues under the authorisation are cleared, whichever is later:

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of enterprise communication service authorisation in Schedule A or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

(a) the amount of initial guarantee as specified in respect of enterprise communication service authorisation in Schedule A; or

(b) twenty per cent. of combined estimated sum, calculated in accordance with the procedure as specified on the portal, of the following, namely:—

(i) authorisation fee payable for two quarters; and

(ii) any other dues that are not otherwise secured.

(4) Every new authorised entity shall extend the validity period, by a minimum of one year, of such guarantee at least one month prior to the date of its expiry, without any demand or notice from the Central Government.

(5) Failure to maintain a valid guarantee at any time throughout the duration of authorisation, or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit without any notice to the new authorised entity:

Provided that no interest or compensation shall be payable by the Central Government on encashment, claim or appropriation of such guarantee.

(6) If the guarantee has been encashed, claimed or appropriated, fully or partially, the new authorised entity shall restore such encashed, claimed or appropriated guarantee to the full amount within thirty days thereof:

Provided that the Central Government may, on receipt of a written request from such new authorised entity before the expiry of the period specified in this sub-rule, allow a one-time extension not exceeding ten days, for such restoration, subject to reasons being recorded in writing.

(7) The Central Government may encash, claim or appropriate the guarantee submitted by the new authorised entity in the following cases, namely:—

(a) non-payment of authorisation fee, or any other dues payable under the authorisation or assignment;

(b) non-payment of dues arising out of penalties imposed by the Central Government; or

(c) breach of any other term or condition of authorisation or assignment:

Provided that before taking any action under this sub-rule, the Central Government may issue a notice to such new authorised entity and afford it a reasonable opportunity of being heard.

(8) On revocation, surrender or expiry of the authorisation, the Central Government shall release the guarantee only after ensuring clearance of all dues, which such new authorised entity is liable to pay to the Central Government:

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee as provide in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

**54. Assessment of authorisation fees.—**(1) The Central Government may carry out the assessment of authorisation fees in accordance with the procedure as specified on the portal.

*Explanation.*—For the purposes of this rule, the expression "assessment" shall include reassessment and re-computation.

(2) Every new authorised entity shall submit relevant documents in support of the amount excluded from applicable gross revenue to arrive at adjusted gross revenue in accordance with the orders, directions or guidelines issued by the Central Government.

(3) If a new authorised entity holds more than one authorisation for any other telecommunication service or telecommunication network or for the same telecommunication service in a different service area, it shall draw, maintain and furnish separate accounts and a separate statement of computation of authorisation fee for each authorisation.

(4) Every new authorised entity shall, in respect of each authorisation it holds—

(a) compile and maintain accounting records, that are sufficient to show and explain its transactions in respect of each completed quarter throughout the duration of the authorisation or of such lesser periods as may be specified on the portal, fairly presenting the costs, including capital costs, revenue, and financial position of such new authorised entity's business under the authorisation including a reasonable evaluation of the assets employed in and the liabilities attributable to that new authorised entity's business for the quantification of revenue or any other purpose;

(b) pay the actual public switched telephone network or public land mobile network related call charges to other new authorised entities or licensees which hold any authorisation or license;

(c) ensure that bilateral settlement of accounts with other new authorised entities or licensees which hold any authorisation or license are conducted through normal banking channels in a transparent manner; and

(d) furnish to the Central Government details of the mechanism for the settlement of accounts with such other new authorised entities or licensees, including in respect of charges for usage of network and facilities, as well as details of the actual settlements.

(5) Every new authorised entity shall maintain and preserve billing and other accounting records relating to the provision of enterprise communication service authorisation, for each financial year, in electronic form as well as hard copy, for a period of at least six years from the date of publishing of its duly audited and approved annual accounts:

Provided that if such new authorised entity seeks to maintain and preserve such records in only electronic form, it may do so with the prior approval of the Central Government, which may be considered on a case-to-case basis, and on such approval being expressly granted, such records shall be maintained and preserved in accordance with rule 3 of the Companies (Accounts) Rules, 2014 made under the Companies Act, 2013 (18 of 2013):

Provided further that if the authorisation fee, or any other charges for any period are under dispute, the said records shall be retained until such dispute is resolved.

(6) The Central Government may, at any time, direct a new authorised entity to supply information or provide access to the books of annual accounts that such new authorised entity maintains under the terms of its authorisation, and that new authorised entity shall forthwith adhere to such direction.

(7) The Central Government may, at any time, subject the records of a new authorised entity to such scrutiny as it may determine, with a view to facilitating independent verification of the amounts payable to the Central Government, including authorisation fees, and any other charges.

(8) The Central Government may, on forming an opinion that the statements of revenue in respect of enterprise communication service authorisation or annual accounts submitted by the new authorised entity are inaccurate or misleading, or for any other reason, order audit of the accounts of such new authorised entity, by appointing one or more auditors, who shall have the same powers which the auditors of the company have under sub-section (1) of section 143 of the Companies Act, 2013 (18 of 2013), and on such charges that the Central Government may determine, which shall be payable by that new authorised entity.

(9) If a new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 52 within nine months from the end of relevant financial year, the Central Government, after reviewing all available documents and information and relevant materials, may carry out the assessment of authorisation fee, on best judgement basis:

Provided that before proceeding with such an assessment, the Central Government shall issue a notice to such new authorised entity providing it an opportunity of being heard.

(10) No assessment under this rule shall be carried out for a relevant financial year after the lapse of a period of four years from the end of such financial year except as provided under sub-rule (11).

(11) The Central Government may carry out an assessment after the lapse of four years from the end of the relevant financial year, and up to six years from the end of such financial year, if it is of the opinion that the amount that has not been subject to assessment is likely to be equivalent to an amount of fifty lakh rupees or more for such financial year.

(12) For the purposes of computing the period of limitation as specified under sub-rule (10) and sub-rule (11), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(13) Notwithstanding anything contained in sub-rule (10) and sub-rule (11), assessment of authorisation fee may be carried out at any time pursuant to any finding or direction contained in an order passed by a court of competent jurisdiction.

(14) The Central Government may, in order to ensure proper and accurate assessment, verification and settlement of authorisation fee, issue directions to new authorised entity, in respect of any miscellaneous telecommunication services, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

**55. Technical and operating conditions.—**(1) A new authorised entity providing cloud-based Electronic Private Automatic Branch Exchange service shall ensure that—

(a) there is logical partitioning between the components of the platform handling telecommunication resources of different users; and

(b) connectivity between the user and the cloud-based Electronic Private Automatic Branch Exchange is established through the internet connectivity or domestic leased circuit obtained from any other new authorised entity or licensee eligible for providing such connectivity under their authorisation or license.

(2) Every new authorised entity may enter into mutual agreements for obtaining any telecommunication resources from any other new authorised entity or licensee that is eligible to provide such telecommunication resource under their authorisation or license.

(3) Every new authorised entity providing audio conferencing service shall ensure that the audio conferencing system is connected to the telecommunication network such as public switched telephone network, public land mobile network or internet telephony network of any other new authorised entities or licensees providing access services by using network interfaces as per the standards notified under section 19 of the Act.

(4) A new authorised entity shall not allow any illegal passing of telecommunication traffic including national long distance traffic or international long distance traffic.

(5) Every new authorised entity providing audio-conferencing service may use dial out facility using telecommunication resources of more than one other new authorised entity or licensee which holds authorisation or license to provide access services:

Provided that such new authorised entity shall ensure that while using the dial out facility, national or international long distance traffic is not bypassed.

(6) Every new authorised entity shall ensure that calls originating from public switched telephone network, public land mobile network or internet telephony networks are not interconnected with private networks by audio conferencing system of such new authorised entity.

(7) Every new authorised entity shall—

(a) enable a user to retrieve the information at any time by interacting with the audiotex service system; and

(b) ensure that the information stored in audiotex equipment can be disseminated to the user on his user terminal.

(8) Every new authorised entity providing audiotex service shall ensure that dial-out facility is only permitted when a caller has made incoming calls to audiotex service system.

(9) Every new authorised entity shall establish such systems so that a user of voice mail service may leave his voice message in voice mailbox by dialling voice mail box number or retrieve a voice message from his voice mailbox through a telecommunication network.

(10) Every new authorised entity providing audio conferencing service may only provide point-to-point conferencing services to enterprises registered in India, subject to the following conditions, namely:—

(a) calls shall originate and terminate within India;

(b) complete routing and switching of audio-conferencing calls shall remain within India; and

(c) telecommunication identifiers used for such audio conferencing have been assigned to users by the new authorised entity or licensee.

**56. Security conditions.—**(1) Every new authorised entity providing cloud-based Electronic Private Automatic Branch Exchange service shall maintain a complete log and record of the logical partitioning for a minimum period of two years, and provide such records to the Central Government or designated agency on receiving a direction by the Central Government in this regard.

(2) Every new authorised entity shall ensure that—

(a) storage of voice mail messages and subsequent retrieval by the user is on a non-real time basis; and

(b) there is no dialling out for delivery of the message to the recipient.

(3) Every new authorised entity shall keep a record of the information including the name, address and telecommunication identifier of the users of each enterprise communication services for a minimum period of one year.

(4) Every new authorised entity providing audio conferencing service shall provide detailed information about the conference calls including the parties in conference, date, time, duration of the conference to the Central Government or the designated agency, on receiving a direction by the Central Government in this regard.

## PART C
## MACHINE-TO-MACHINE SERVICE AUTHORISATION

**57. Applicability of Part C.—**This Part shall apply to a new authorised entity that holds machine-to-machine service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds machine-to-machine service authorisation.

**58. Scope of machine-to-machine service authorisation.—**(1) The machine-to-machine service authorisation consists of authorisation to provide machine-to-machine services.

(2) Every new authorised entity may—

(a) establish, operate, maintain or expand wireless personal area network or wireless local area network for providing machine-to-machine services using spectrum exempted from the requirement of assignment under the applicable law; and

(b) own and manage a platform for subscription profile management of machine-to-machine embedded-subscriber identity module.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which may require a separate authorisation from the Central Government.

**59. Fees and charges.—**There shall be no authorisation fee payable by a new authorised entity.

**60. Technical and operating conditions.—**(1) Every new authorised entity shall provide machine-to-machine services using machine-to-machine services or machine-to-machine subscriber identity modules obtained from any other new authorised entity or licensee that holds authorisation or license for access services or internet services.

Provided that prior to commencement of provision of each use case of machine-to-machine services to users, the new authorised entity shall intimate the details of such use case to the Central Government on the portal, and on examination of that use case, the Central Government may direct the new authorised entity to discontinue provisioning of such service or adhere to additional security conditions as specified in such direction.

(2) Every new authorised entity, that is a company and intending to own and manage a platform for subscription profile management of machine-to-machine subscriber identity module, shall apply to the Central Government on the portal, and accompanied by such fees as may be specified therein, for its prior approval.

(3) Every new authorised entity shall, while providing machine-to-machine service using wireless personal area network or wireless local area network, connect such network with the telecommunication network of other new authorised entity or licensee, using machine-to-machine services obtained from such other entity or licensee.

(4) Every new authorised entity shall adhere to orders, directions or guidelines that the Central Government may specify in respect of:—

(a) international in-roaming; and

(b) usage and management of machine-to-machine subscriber identity module.

(5) Every new authorised entity shall for subscription profile management of machine-to-machine subscriber identity module, adhere to the standards and conformity assessment measures, including the standards for security of subscription manager-data preparation and subscription manager-secure routing, that the Central Government may notify under section 19 of the Act.

**61. Security conditions.—**(1) Every new authorised entity shall implement appropriate technical and organisational measures to ensure effective observance of the provisions of these rules.

(2) Every new authorised entity shall maintain and update an online supply chain management system of machine-to-machine subscriber identity module, as well as details of movement of such machine-to-machine subscriber identity module from the new authorised entity to users, and provide such details when required by the Central Government, the authorised agency or the designated agency.

(3) Every new authorised entity shall ensure that machine-to-machine devices are identifiable and traceable using telecommunication identifiers.

(4) Every new authorised entity shall adhere to such orders, directions or guidelines that the Central Government may issue in respect of implementation of restrictive features on machine-to-machine subscriber identity module and securing machine-to-machine enabled devices.

## PART D
## PRIME MINISTER WI-FI ACCESS NETWORK INTERFACE SERVICE AUTHORISATION

**62. Applicability of Part D.—**This Part shall apply to a new authorised entity that holds Prime Minister Wi-Fi Access Network Interface service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds Prime Minister Wi-Fi Access Network Interface service authorisation.

**63. Scope of Prime Minister Wi-Fi Access Network Interface service authorisation.—**(1) For the purpose of this Part, the expressions—

(a) "app", in relation to app provider means, a type of software designed to run on mobile devices or computers to—

(i) register a user;

(ii) authenticate a user and

(iii) discover wi-fi access points that are compliant with wi-fi access network interface in the nearby area and display the same in the application for accessing internet service through such access points.

(b) "app provider" means a person that develops, operates and maintains the app;

(c) "central registry" means a system containing online database containing the details of public data offices, public data office aggregators and app providers;

(d) "public data office" in relation to a public data office aggregator, means a person who establishes, operates, maintains and expands wi-fi access points that are compliant with wi-fi access network interface to deliver internet services to a user;

(e) "public data office aggregator" means a person who aggregate wi-fi access points that are compliant with wi-fi access network interface established by public data offices and performs functions relating to authorisation and accounting; and

(f) "wi-fi access network interface" means a network interface for interworking among software applications used by public data offices, public data office aggregators, app providers and central registry.

(2) Prime Minister Wi-Fi Access Network Interface service authorisation shall be applicable to public data office aggregator or app provider or both.

(3) Prime Minister Wi-Fi Access Network Interface service authorisation consists of authorisation for public data office aggregator or app provider or both for the following miscellaneous telecommunication services, namely:—

(a) aggregate two or more wi-fi access points that are compliant with wi-fi access network interface established, operated, maintained and expanded by public data offices; or

(b) provision of app.

(4) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication service which may require a separate authorisation from the Central Government.

**64. Fees and charges.—**There shall be no authorisation fee to be paid by a new authorised entity.

**65. Technical and operating conditions.—**(1) The central registry shall be established, operated, maintained and expanded by the Central Government or any person designated by it.

(2) Every new authorised entity shall, while performing the functions of a public data office aggregator or app provider or both, adhere to the framework and guidelines on wi-fi access network interface as specified by the Central Government on the portal.

(3) Every new authorised entity performing the functions of a public data office aggregator shall—

(a) aggregate two or more wi-fi access points that are compliant with wi-fi access network interface, being operated by public data offices and authorise such users to avail of internet services that have been authenticated by app provider; and

(b) enter into an agreement with public data offices, specifying the terms and conditions including the following, namely:—

(i) establish, operate, maintain and expand only such wi-fi access points that are compliant with wi-fi access network interface; and

(ii) adhere to the framework and guidelines on wi-fi access network interface as specified by the Central Government on the portal.

(4) Every new authorised entity performing the functions of an app provider shall—

(a) register its app with central registry using its public certificate for signature validation; and

(b) register and authenticate a user, and discover wi-fi access points that are compliant with wi-fi access network interface.

**66. Security conditions.—**(1) Every new authorised entity shall maintain user information for two years and take necessary steps to ensure compliance with all applicable laws and policies to protect data privacy and confidentiality of user information.

(2) Every new authorised entity shall, subject to terms and conditions of the authorisation, take all necessary steps to safeguard the privacy and confidentiality of any information of a user and its business to whom it provides the telecommunication service.

## PART E
## IN-FLIGHT AND MARITIME CONNECTIVITY SERVICE AUTHORISATION

**67. Applicability of Part E.—** This Part shall apply to a new authorised entity that holds in-flight and maritime connectivity service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds in-flight and maritime connectivity service authorisation.

**68. Scope of in-flight and maritime connectivity service authorisation.—**(1) The in-flight and maritime connectivity service authorisation consists of authorisation for the following miscellaneous telecommunication services which may be provided on ships or aircrafts using wireless connectivity, namely:—

(a) transmission, emission or reception of voice or non-voice messages, including video messages; and

(b) internet service.

(2) Every new authorised entity, in order to provide in-flight and maritime connectivity services shall—

(a) enter into an agreement with a new authorised entity or licensee that holds authorisation or license to provide access services in all twenty-two service areas; and

(b) for establishing connectivity between ships or aircrafts and the telecommunication network of the new authorised entity or licensee referred to in clause (a), enter into an agreement with an entity that holds authorisation or license to provide direct-air-to-ground communication service or national long distance services using very small aperture terminal:

Provided that, in respect of services specified under clause (b) of this sub-rule, for using the telecommunication network, the new authorised entity may also enter into an agreement with an entity that holds authorisation or license to provide internet service in national service area.

(3) Every new authorised entity, in order to provide in-flight and maritime connectivity services, may establish base station or wireless local area network on a ship or an aircraft, as the case may be, and connect such base station or wireless local area network with the telecommunication network of such other new authorised entity or licensee with whom an agreement has been entered into under sub-rule (2).

(4) Every new authorised entity shall provide only such miscellaneous telecommunication services which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

(5) An entity authorised to provide access service in all twenty-two service areas or internet service in national service area, shall not require a separate in-flight and maritime connectivity service authorisation for the provision of in-flight and maritime connectivity services.

**69. Fees and charges.—**Every new authorised entity shall pay an annual authorisation fee of one rupee, from the effective date of authorisation:

Provided that the new authorised entity shall pay the authorisation fee for the entire duration of the authorisation in advance at the time of grant of authorisation.

**70. Technical and operating conditions.—**(1) Every new authorised entity may connect its base station or wireless local area network established on a ship or an aircraft with the telecommunication network of another new authorised entity or licensee with whom an agreement has been entered into under sub-rule (2) rule 68, using such satellite network or direct-air-to-ground communication systems, and for operating such base station, the new authorised entity shall use the access spectrum assigned to such other new authorised entity or licensee.

(2) Every new authorised entity, when using a satellite network for providing in-flight and maritime connectivity services, shall ensure that the requisite satellite-based connectivity is obtained from the entities authorised to provide satellite-based connectivity, having satellite earth station gateway in India.

(3) Every new authorised entity, when using direct-air-to-ground communication system for providing in-flight and maritime connectivity services, shall ensure that such system is obtained from the entity authorised to provide such systems.

(4) Every new authorised entity providing miscellaneous telecommunication service of voice or non-voice message in an aircraft, shall do so at such minimum height within the service area, as may be specified on the portal, to avoid interference with wireless terrestrial networks.

(5) Notwithstanding the minimum height requirement in sub-rule (4), when user terminals are permitted to be used in an aircraft, the new authorised entity may provide internet services through wireless local area network in such aircraft:

Provided that the new authorised entity shall provide such internet services in that aircraft only when the user terminals are used in airplane mode.

(6) Every new authorised entity shall ensure that any modification of an aircraft, registered in India, to provide in-flight and maritime connectivity services shall be done with the prior approval of the Directorate General of Civil Aviation and as per the Bharatiya Vayuyan Adhiniyam, 2024 (16 of 2024).

(7) Every new authorised entity shall, to avoid interference, ensure separate telecommunication network for in-flight and maritime connectivity services and navigation system in aircrafts or ships.

(8) Every new authorised entity shall ensure that provision of in-flight and maritime connectivity services in an aircraft or a ship is in the exclusive control of the pilot or the captain of such aircraft or ship, as the case may be, to enable him to disconnect provision of the in-flight and maritime connectivity services during any difficulty.

**71. Security conditions.—**Every new authorised entity shall, prior to the commencement of in-flight and maritime connectivity services, ensure that another new authorised entity or licensee with whom it has entered into an agreement under sub-rule (2) of rule 68—

(a) establish, operate, maintain and expand suitable lawful interception system and lawful interception monitoring facilities in relation to interception of messages or class of messages in accordance with the orders, directions or guidelines as may be issued by the Central Government; and

(b) wherever required, provide integration of the same with such systems and in such manner as the Central Government may specify.

## PART F
## AERONAUTICAL DATA COMMUNICATION SERVICE AUTHORISATION

**72. Applicability of Part F.—**This Part shall apply to a new authorised entity that holds aeronautical data communication service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds aeronautical data communication service authorisation.

**73. Scope of aeronautical data communication service authorisation.—**(1) Aeronautical data communication service authorisation consists of authorisation for data communication service between aircraft and ground stations.

(2) Every new authorised entity may establish one or more ground stations in its service area to provide aeronautical data communication services to airline operators or air navigation service providers.

(3) Every new authorised entity shall provide only such miscellaneous telecommunication services authorised which are authorised under the scope of its authorisation, and not any other telecommunication services which requires a separate authorisation from the Central Government.

**74. Fees and charges.—**Every new authorised entity shall pay an annual authorisation fee of one rupee to the Central Government from the effective date of authorisation:

Provided that the new authorised entity shall pay the authorisation fee for the entire duration of the authorisation in advance, at the time of grant of authorisation.

**75. Technical and operating conditions.—**Every new authorised entity shall ensure that its telecommunication network is not interconnected with public switched telephone network, public land mobile network or internet telephony network.

**76. Rollout obligations.—**(1) Every new authorised entity shall rollout the telecommunication network for provision of aeronautical data communication service, including establishment of ground station using the spectrum which has been assigned by the Central Government within twelve months from the date of assignment of such spectrum for any ground station, as required for providing aeronautical data communication services to users.

(2) Every new authorised entity shall register with the Central Government on the portal, in accordance with orders, directions or guidelines issued by the Central Government, for verification of the compliance of rollout obligations, as per the test schedule and test procedure as may be specified on the portal.

(3) On successful verification under sub-rule (2), the date of registration with the Central Government shall be treated as the date of compliance to the rollout obligations.

(4) In case of failure on verification under sub-rule (2), the new authorised entity shall re-register, after necessary corrections, and in such cases, the date of re-registration with the Central Government, on successful verification, shall be treated as the date of compliance to the rollout obligation.

(5) Any failure to adhere to the rollout obligations shall be treated as breach of terms and conditions of the authorisation and shall be dealt as per the provisions of Chapter VIII of the Act:

Provided that if the rollout obligations are adhered to within thirty days of the expiry of the due date for adhering to such obligations, the Central Government shall consider the same as timely fulfilment of rollout obligations.

(6) In case of failure to adhere to the rollout obligations, in addition to imposition of civil penalty as per the provisions of Chapter VIII of the Act, the spectrum assignment for ground station shall be subject to the relevant provisions of the Act and the terms and conditions of spectrum assignment.

## CHAPTER VII
## MISCELLANEOUS

**77. Breach.—**(1) A breach of the terms and conditions of authorisation by a new authorised entity shall constitute a breach as referred to in section 32 of the Act.

(2) The Central Government may, after due consideration of the recommendations received under clause (b) of sub-section (1) of section 32 of the Act and giving an opportunity of being heard to the new authorised entity, issue an order of suspension, revocation or curtailment of an authorisation under sub-section (2) of section 32 of the Act..

(3) Every order under sub-rule (2) shall be published by the Central Government on the portal, and be effective from the sixty-first day from the date of publishing of such order.

(4) The new authorised entity shall, on publication of the order under sub-rule (3), give every user of its miscellaneous telecommunication services at least thirty days prior notice of curtailment, suspension or revocation of its authorisation and of the options available to such users.

(5) The new authorised entity shall maintain the quality of miscellaneous telecommunication service and telecommunication network till the effective date referred to in sub-rule (3).

**78. 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 providing any form, manner, order, direction or guidelines to be specified under these rules.

## SCHEDULE A

### PROCESSING FEE, ENTRY FEE AND INITIAL GUARANTEE FOR AUTHORISATIONS FOR MISCELLANEOUS TELECOMMUNICATION SERVICES

[*See* rules 6(2)(a), 7(2)(a)(i), 13(1), 42(3)(b), 42(4)(b), 42(5)(b), 44(3), 53(3)]

| Sl. No. | Service Authorisation | Processing Fee (in Rs.) | Entry Fee (in Rs.) | Guarantee (in Rs.) |
|---|---|---|---|---|
| 1. | Public mobile radio trunking service authorisation | 10,000 | 20,000 | 20,000 |
| 2. | Enterprise communication service authorisation | 10,000 | Nil | 2 lakh |
| 3. | Machine-to-machine service authorisation | 10,000 | Nil | Nil |
| 4. | Prime Minister Wi-Fi Access Network Interface service authorisation | Nil | Nil | Nil |
| 5. | In-flight and maritime connectivity service authorisation | 10,000 | Nil | Nil |
| 6. | Aeronautical data communication service authorisation | 10,000 | 1 lakh | Nil |

## SCHEDULE B
## SERVICE AREAS

[*See* rule 4(a)]

| Sl. no. | Service Area | Area covered |
|---|---|---|
| 1. | West Bengal Service Area | Entire area falling within the Union territory of Andaman and Nicobar Islands and area falling within the State of West Bengal and the State of Sikkim, excluding the areas covered by Kolkata Service Area. |
| 2. | Andhra Pradesh Service Area | Entire area falling within the State of Andhra Pradesh and the State of Telangana. |
| 3. | Assam Service Area | Entire area falling within the State of Assam. |
| 4. | Bihar Service Area | Entire area falling within the State of Bihar and the State of Jharkhand. |
| 5. | Gujarat Service Area | Entire area falling within the State of Gujarat and the Union territory of Daman and Diu and Dadra and Nagar Haveli. |
| 6. | Haryana Service Area | Entire area falling within the State of Haryana except Panchkula town and the local areas served by Faridabad and Gurgaon Telephone Exchanges. |
| 7. | Himachal Pradesh Service Area | Entire area falling within the State of Himachal Pradesh. |
| 8. | Jammu and Kashmir Service Area | Entire area falling within the Union territory of Jammu and Kashmir and Union territory of Ladakh. |
| 9. | Karnataka Service Area | Entire area falling within the State of Karnataka. |
| 10. | Kerala Service Area | Entire area falling within the State of Keralam and Union territory of Lakshadweep. |
| 11. | Madhya Pradesh Service Area | Entire area falling within the State of Madhya Pradesh and the State of Chhattisgarh. |
| 12. | Maharashtra Service Area | Entire area falling within the States of Maharashtra and State of Goa, excluding areas covered by Mumbai Service Area. |
| 13. | North East Service Area | Entire area falling within the States of Arunachal Pradesh, Meghalaya, Mizoram, Nagaland, Manipur and Tripura. |
| 14. | Orissa Service Area | Entire area falling within the State of Odisha. |
| 15. | Punjab Service Area | Entire area falling within the State of Punjab, Union territory of Chandigarh and Panchkula town of Haryana. |
| 16. | Rajasthan Service Area | Entire area falling within the State of Rajasthan. |
| 17. | Tamil Nadu Service Area | Entire area falling within the State of Tamil Nadu and Union territory of Puducherry. |

| Sl. no. | Service Area | Area covered |
|---|---|---|
| 18. | Uttar Pradesh (West) Service Area | Entire area covered by Western Uttar Pradesh with the following as its boundary districts towards Eastern Uttar Pradesh: Pilibhit, Bareilly, Badaun, Kasganj, Etah, Mainpuri, Etawah and Auraiya. It will exclude the local telephone area of Ghaziabad and Noida. Further, it will include the State of Uttarakhand. |
| 19. | Uttar Pradesh (East) Service Area | Entire area covered by Eastern Uttar Pradesh with the following as its boundary districts towards Western Uttar Pradesh: Shahjahanpur, Kannauj, Farrukhabad, Lakhimpur, Kanpur Rural and Jalaun. |
| 20. | Delhi Service Area | Local Areas served by Delhi, Ghaziabad, Faridabad, Noida and Gurgaon Telephone Exchanges. |
| 21. | Kolkata Service Area | Local Areas served by Calcutta Telephones Exchanges. |
| 22. | Mumbai Service Area | Local Areas served by Mumbai, New Mumbai and Kalyan Telephone Exchanges. |

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