MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 20th July, 2026

G.S.R. 644(E).— Whereas a draft of the Telecommunications (Authorisation for Telecommunication Network) 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. 746(E), dated the 9th October, 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 October, 2025:

And whereas, objections 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 clauses (a) and (d) of sub-section (2) of section 56 read with clause (b) 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 Telecommunication Network) 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) "cloud-hosted telecommunication network" means a telecommunication network built using the principles of cloud computing, which virtualises network functions and run them as software on standard hardware;

(c) "cloud-hosted telecommunication network provider" means a person holding an authorisation to provide cloud-hosted telecommunication network;

(d) "cloud-hosted telecommunication network provider authorisation" means the authorisation to establish, operate, maintain or expand telecommunication network referred to as such in sub-rule (2) of rule 54 and to provide such telecommunication network as a service;

(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) "digital connectivity infrastructure provider authorisation" means the authorisation to establish, operate, maintain or expand the telecommunication network referred to as such in sub-rule (2) of rule 42;

(g) "entry fee", in relation to an authorisation to establish, operate, maintain or expand telecommunication network, means the non-refundable amount of fee to be paid by the applicant for such authorisation;

(h) "in-building solution" means a telecommunication network that is used to extend last mile connectivity for wireline or wireless telecommunication service within a specific area including buildings, stadiums, airports, tunnels or campuses;

(i) "in-building solution infrastructure" means a passive telecommunication infrastructure, active antennas and hybrid combiners used for in-building solution;

(j) "infrastructure provider authorisation" means the authorisation to establish, operate, maintain or expand the telecommunication network referred to as such in sub-rule (1) of rule 38;

(k) "internet exchange point provider authorisation" means the authorisation to establish, operate, maintain or expand the telecommunication network referred to as such in sub-rule (1) of rule 46;

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

(m) "mobile number portability provider authorisation" means the authorisation to establish, operate, maintain or expand the telecommunication network referred to as such in sub-rule (1) of rule 58;

(n) "national area" means a network area, which refers to the territory of India, territorial waters of India and the continental shelf and exclusive economic zone of India, in accordance with section 55 of the Act;

(o) "network area" means the geographical area in respect of which authorisation to establish, maintain, operate or expand telecommunication network is granted, which may be national area or zonal area;

(p) "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;

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

(r) "portal" means portal as referred to in rule 65;

(s) "radio access network", in relation to a telecommunication network, means a system or series of systems of telecommunication equipment that connects core telecommunication network and user terminals using access spectrum;

(t) "satellite earth station gateway provider authorisation" means the authorisation to establish, operate, maintain or expand the telecommunication network referred to as such in sub-rule (1) of rule 50;

(u) "scope" in relation to an authorisation, means the telecommunication network for which such authorisation is granted; and

(v) "zonal area" means the network areas listed in Schedule B.

(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 rules made thereunder.

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

(a) authorisation for establishing, operating, maintaining or expanding telecommunication network 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

TELECOMMUNICATION NETWORK AND GRANT OF AUTHORISATION

4. Authorisation for telecommunication network.—Any person may apply to the Central Government under rule 6 to obtain authorisation to establish, operate, maintain or expand telecommunication network that is within the scope and network area of any authorisation specified below:

(a) infrastructure provider authorisation for national area;

(b) digital connectivity infrastructure provider authorisation for national area;

(c) internet exchange point provider authorisation for national area;

(d) satellite earth station gateway provider authorisation for national area;

(e) cloud-hosted telecommunication network provider authorisation for national area; and

(f) mobile number portability provider authorisation for a zonal area:

Provided that the Central Government may by notification in the Official Gazette, change the number of zonal areas in the country, amend the composition of authorised areas within each zonal area, and grant additional authorisations for mobile number portability in each zonal area, through a bidding process.

5. Eligibility.—A person specified in clause (a), who also fulfils the conditions in clauses (b) and (c), 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:

Provided that if it applies to obtain authorisation for satellite earth station gateway, it shall be a company as referred to in clause (a), which fulfils the following criteria, namely:—

(i) a company that has the satellite or space segment capacity authorised by the Department of Space in the Government of India, or any other designated agency specified for this purpose;

(ii) a subsidiary of an entity under sub-clause (i); or

(iii) a company having agreement with a company under sub-clause (i), for establishing, maintaining, operating or expanding satellite earth station gateway in respect of the satellite network of such entity in India:

Provided further that if it applies to obtain authorisation for mobile number portability, it shall be a company as referred to in clause (a), which fulfils the following criteria, namely:—

(i) it or its material shareholder has no beneficial interest in another new authorised entity that holds unified service authorisation, access service authorisation, or long distance service authorisation, or a license to provide access services, national long distance services or international long distance services; and

(ii) it or its material shareholder has no beneficial interest in another new authorised entity or licensee that holds an authorisation or license to provide mobile number portability network;

(b) it has no pending dues;

(c) it holds no authorisation or license for telecommunication services, the scope and service area of which covers in its entirety, the scope and network area of the authorisation that it intends to obtain under these rules:

Provided 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.

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

(2) A person intending to obtain mobile number portability provider authorisation shall participate in the bidding process conducted by the Central Government and shall submit an application in such form and manner as specified in the call for applications for such bidding process.

(3) Every application under sub-rules (1) or (2) 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.

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

(5) 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 the 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.

(6) 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.

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

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 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 an 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 specified in Schedule A or for an amount in accordance with sub-rule (7) 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 network area and the duration for which authorisation is granted; and

(c) the effective date of such authorisation:

Provided that the Central Government may, in respect of application for obtaining infrastructure provider authorisation or internet exchange point provider authorisation, grant such authorisation to the applicant that is eligible without 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 telecommunication network may be granted by the Central Government within the same or other network area without any restriction on the number of new authorised entities.

(5) The 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 and any assignment or use of spectrum shall be governed by the applicable law.

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) roll out obligations, and any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such 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 purposes of clause (b), the expressions—

1. "resource" means—

(a) the telecommunication identifiers already allocated; or

(b) spectrum assigned to the new authorised entity; or

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

2. "permission" includes coverage test certificates as a part of compliance of roll out obligations, clearances, approvals, permissions for deployment for foreign nationals granted to the 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 64:

Provided that the duration of mobile number portability provider authorisation shall be subject to maximum of ten years.

10. Continued 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.—(1) Every new authorised entity shall—

(a) submit the following 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—

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

details of persons having control over it; and

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, in such form and manner as specified 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 which 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, is 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 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 may be specified by the Central Government.

(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 the necessary 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 the previous approval of the Central Government in writing, pursuant to—

(a) a merger, demerger, acquisition or other form of restructuring under applicable law; or

(b) exercise of security interest by a lender to the new authorised entity that holds such authorisation under the provisions of section 45 of the Act.

(2) Save as provided under 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, except as provided under section 45 of the Act.

13. Renewal.—(1) Every 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 may be specified by the Central Government 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 decided by the Central Government, subject to maximum of twenty years:

Provided that renewal for mobile number portability provider authorisation shall be for such period as may be decided by the Central Government, subject to maximum of ten 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, such authorisation shall expire at the end of its validity period.

(6) Every new authorised entity shall maintain the 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 of a new authorised entity 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 such 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;

(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.

(4) The new authorised entity shall maintain the telecommunication network till the effective date referred to in sub-rule (3).

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 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 other new authorised entity or licensee, with whom it has entered into agreements for sharing of its telecommunication network or passive telecommunication infrastructure, notice of the effective date of surrender, which shall be thirty-first day from the date of such notice; and

(c) communicate to the Central Government the effective date of such surrender as communicated to other new authorised entity or licensee under clause (b).

(4) Every new authorised entity shall maintain the 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 fee.

(6) Every 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.—(1) On revocation, surrender or expiry of the authorisation held by a new authorised entity, it shall manage its radio equipment in accordance with applicable law.

(2) A new authorised entity that has provided telecommunication resources to or has interconnection or peering with any other new authorised entity or licensee, and if the authorisation or license of such other entity or licensee is subsequently revoked, or has been surrendered or expired, the new authorised entity that has provided the resource or entered into an agreement, shall withdraw its telecommunication resources, or disconnect such interconnection or peering, as the case may be, on the effective date of revocation, surrender or expiry of authorisation or license of the other entity or licensee.

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. Relinquishment of authorisation.—(1) If a new authorised entity that holds an authorisation under these rules makes an application to obtain an authorisation under clause (a) of sub-section (1) of section 3 of the Act, the scope and service area of which covers in its entirety, the scope and network area of the authorisation already held by it under these rules, it shall together with such application submit an unconditional and irrevocable undertaking that it shall relinquish the authorisation granted under these rules if it is granted an authorisation pursuant to that application.

(2) The relinquishment of an authorisation under this rule shall become effective on the effective date of the authorisation granted under clause (a) of sub-section (1) of section 3 of the Act.

(3) The relinquishment of an authorisation under this rule, shall be without prejudice to any rights and liabilities arising from such authorisation and in particular, shall not affect the following, namely:—

(a) any other relevant obligations or liabilities including financial dues, determinations of violations and imposition of penalty thereof, if any, associated with such 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 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 purposes of clause (b), the expressions—

(a) "resource" includes any telecommunication identifier allocated to the new authorised entity and any right of way granted to the new authorised entity;

(b) "permission" includes any certificates granted towards satisfaction of obligations under the relevant authorisation, clearances, approvals, permissions for deployment for foreign nationals granted to the new authorised entity, and other permissions including for remote access and gateways permissions.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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

24. Telecommunication network.—(1) Every new authorised entity having an authorisation under these rules, while confirming 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 clause (c) of sub-section (1) of section 3 of the Act.

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

Provided that the Central Government or the designated agency may carry out performance tests on such telecommunication network, telecommunication equipment or systems to ascertain conformity with applicable standards and conformity assessment measures:

Provided further that the new authorised entity shall supply such tools, test instruments and other accessories and extend such necessary support as the Central Government or the designated agency may specify, for conducting tests on the telecommunication network, at any time throughout the duration of the authorisation.

(3) Every new authorised entity shall synchronise its telecommunication network's system clock with the national clock, in accordance with the orders, directions and guidelines issued by the Central Government, and in accordance with such standards for telecommunication network synchronisation as may be notified by the Central Government.

(4) Every new authorised entity shall furnish details of telecommunication network, 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 issued by the Central Government in this regard.

(5) Every new authorised entity shall make its own arrangements, including in respect of right of way for establishing, operating, maintaining or expanding 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.

(6) 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-compliance with any obligations under these rules.

(7) If a new authorised entity requires right of way for establishing, operating, maintaining or expanding its telecommunication network, it shall not, directly or through its facility provider, enter into any agreement for exclusive grant of such right of way with the person having the right to grant that right of way.

(8) Any dispute with regard to the provision of telecommunication network shall only be between the aggrieved party and the new authorised entity and the Central Government shall not bear any liability or responsibility in the matter.

(9) Every new authorised entity shall indemnify the Central Government against all claims, cost, charges or damages arising from any claims from the aggrieved party under sub-rule (8) for any reason whatsoever.

(10) Every new authorised entity shall for the purposes of disaster management, ensuring public safety or providing response to an emergency or a disaster as defined under the Disaster Management Act, 2005 (53 of 2005), adhere to such directions or guidelines issued by the Central Government in this regard.

(11) Every new authorised entity shall adhere to orders, directions or guidelines issued by the Central Government in respect of the following, namely:—

(a) deployment of energy efficient telecommunication equipment;

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

(c) disposal of the radio equipment.

25. Location of telecommunication network systems.—(1) Every new authorised entity shall provide location details of all such system of its telecommunication network to the Central Government as it may direct.

(2) Every new authorised entity shall, prior to establishment 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.

(3) Every new authorised entity shall ensure that all systems of its telecommunication network and the 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.

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

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

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established, 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 required 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 compliance of these rules, on such charges as decided by the Central Government, 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).

CHAPTER V

SECURITY CONDITIONS

27. 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; and

(b) the chief officer in charge of telecommunication network, security, officers in charge of core telecommunication network 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 national by the Ministry of Home Affairs in the Government of India—

(a) prior to the appointment of such foreign national to the position 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 national for the establishment, operation, maintenance or expansion of its telecommunication network.

(3) Every new authorised entity shall apply for security vetting specified 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 shall be binding on such new authorised entity.

28. Maintenance of records.—Every new authorised entity shall—

(a) ensure that all documentation, including software details of telecommunication equipment and system are obtained from manufacturer, vendor or supplier of telecommunication equipment and systems in English language and preserve such documentation;

(b) maintain a record of all software updates and changes, and provide to the Central Government details of such category of software updates and changes within fifteen days of completion of such updates and changes as decided by the Central Government from time to time:

Provided that this clause is without prejudice to the obligations of a new authorised entity in respect of critical telecommunication infrastructure under the Telecommunications (Critical Telecommunication Infrastructure) Rules, 2024.

(c) obtain the details of the supply chain of the telecommunication equipment and systems, from the manufacturer, vendor or supplier of the telecommunication equipment and systems at the time of procurement and keep a record of the same;

(d) keep a record of operation and maintenance procedure in the form of a manual;

(e) 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—

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

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

29. 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 is 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 the new authorised entity from providing records of messages and other data from its telecommunication network to the Central Government or the authorised agency, on receipt of a direction in exercise of powers under the applicable law.

*Explanation.—*In this sub-rule "authorised agency" shall have the same meaning as assigned to it in the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024.

(3) Every new authorised entity shall, on receiving a request by the Central Government or the designated agency, provide information and support as necessary in respect of any investigation for detection of misuse of telecommunication resources or establishment of any clandestine or illegal telecommunication network, and any threat to telecom cyber security.

30. 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 *bona fide* purposes and is not used for undertaking any activities or commissioning any action that constitutes an offence under the Act, the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any other law for the time being in force, including laws prohibiting crimes against the State.

31. Trusted sources and trusted products.—(1) For the purposes 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 or 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 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 compliance with 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 install the same; and

(d) such new authorised entity shall adhere to directions or guidelines, including the guidance for enhanced supervision and effective control of telecommunication networks, issued by the Central Government or the designated authority.

(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 in this regard.

(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.

32. Breach of security provisions.—(1) Any civil penalty imposed for breach of security provisions on a new authorised entity shall be without prejudice to any other liability and criminal proceedings under applicable law.

(2) The Central Government may blacklist such manufacturer, vendor or supplier from doing business in India who has supplied the telecommunication equipment, including hardware or software that has caused the breach of security provision under these rules.

(3) Every new authorised entity shall include a provision to give effect to sub-rule (2), in the agreement signed with manufacturers, vendors or suppliers.

33. Prohibition of certain activities.—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.

34. Providing remote access to telecommunication network.—(1) Every new authorised entity shall seek prior permission of the Central Government, to provide remote access to its telecommunication network from a location outside India and for seeking such permission it shall provide the following details, namely:—

(a) purpose and duration of such remote access and details of the person who shall access its telecommunication network; and

(b) details of the specific location of the telecommunication network within India to which remote access is sought from the specific location outside India.

(2) A new authorised entity may, pursuant to the permission obtained under sub-rule (1), provide remote access to its telecommunication network, subject to the following conditions, namely:—

(a) such new authorised entity shall provide remote access only through approved locations within India from approved locations outside India and shall be limited to the purpose as specified under such permission;

(b) the remote access to the telecommunication network shall not enable access to lawful interception system and lawful interception and monitoring facilities, call detail records, call content of messages, and any other such sensitive data as may be specified the Central Government through orders, directions or guidelines that it may issue in this regard;

(c) such new authorised entity shall provide such suitable technical systems, as may be specified on the portal, at the approved location in India, that is connected with the approved location outside India, to enable the Central Government or the designated agency to access and monitor the mirror image of the information available at the approved location outside India, in accordance with the directions issued by the Central Government in this regard; and

(d) such new authorised entity shall maintain the complete audit trail of the remote access activities pertaining to the telecommunication network for a period of six months at the approved location in India, and provide such information to the Central Government or the designated agency, in accordance with the orders, directions or guidelines issued by the Central Government in this regard.

(3) This rule shall be without prejudice to the obligations of the new authorised entity with regard to critical telecommunication infrastructure under the Telecommunications (Critical Telecommunication Infrastructure) Rules, 2024.

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

(a) be responsible for security of its telecommunications network and undertake measures as may be required to ensure security of the telecommunication 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) take all necessary steps to safeguard the privacy and confidentiality of any information about the eligible new authorised entities to whom it provides the telecommunication network infrastructure.

(2) The new authorised entity shall create facilities for the monitoring of all intrusions, attacks and frauds on its technical facilities within twelve months from the effective date of the authorisation and provide reports on the same on the portal.

(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 TELECOMMUNICATION NETWORK

36. 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 establishing, operating, maintaining or expanding specific telecommunication network as per the scope specified in the respective Part of this Chapter.

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

PART A
INFRASTRUCTURE PROVIDER AUTHORISATION

37. Applicability of Part A.—This Part shall apply to a new authorised entity that holds infrastructure provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds infrastructure provider authorisation.

38. Scope of infrastructure provider authorisation.—(1) Infrastructure provider authorisation consists of authorisation to establish, operate, maintain or expand passive telecommunication infrastructure, right of way or in-building solution infrastructure. *Explanation.*—For the removal of doubts, it is clarified that scope of infrastructure provider authorisation does not include authorisation to establish, operate, maintain or expand in-building solution.

(2) Every new authorised entity shall establish, operate, maintain or expand only such telecommunication network which are authorised under the scope of its authorisation, and not any other telecommunication network which requires a separate authorisation from the Central Government.

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

40. Technical and operating conditions.—(1) A new authorised entity may enter into an agreement with any public entity for establishing, operating, maintaining or expanding in-building solution infrastructure in a public property.

(2) The new authorised entity may share the following with any other new authorised entity or licensee that holds authorisation or license to provide telecommunication services, in accordance with their mutual agreement on a fair and non-discriminatory basis, namely:—

(a) passive telecommunication infrastructure established, operated, maintained or expanded by it;

(b) right of way held by it or its facility provider; and

(c) in-building solution infrastructure established, operated, maintained or expanded by it:

Provided that any such mutual agreement shall not contain any provision, that absolves either of the new authorised entities or licensees from adhering to the terms and conditions of their respective authorisations or license.

(3) The Central Government may allow a new authorised entity to share its passive telecommunication infrastructure with such other entities as may be notified by it.

(4) The new authorised entity shall ensure that any agreement entered into for the purposes specified under sub-rules (1), (2) or (3) is non-exclusive, and complies with such terms and conditions as specified by the Central Government.

PART B
DIGITAL CONNECTIVITY INFRASTRUCTURE PROVIDER AUTHORISATION

41. Applicability of Part B.—This Part shall apply to a new authorised entity that holds digital connectivity infrastructure provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds digital connectivity infrastructure provider authorisation.

42. Scope of digital connectivity infrastructure provider authorisation.—(1) For the purposes of this Part the expression "transmission link" means the telecommunication network for interconnecting the systems of wireline terrestrial network, radio access network, wireless local area network or in-building solution of a new authorised entity with the core telecommunication network of any other new authorised entity or licensee that holds any authorisation or license, to whom the new authorised entity is providing the wireline terrestrial network, radio access network, wireless local area network or in-building solution.

(2) Digital connectivity infrastructure provider authorisation consists of authorisation to establish, operate, maintain or expand the following telecommunication network, namely:—

(a) telecommunication equipment and systems required for establishing wireline terrestrial network, radio access network, wireless local area network, transmission link or in-building solution; and

(b) telecommunication network authorised under infrastructure provider authorisation.

(3) The specific terms and conditions specified under these rules for infrastructure provider authorisation, shall be applicable for establishing, operating, maintaining or expanding the telecommunication network under the digital connectivity infrastructure provider authorisation, unless specified otherwise in this Part.

(4) Every new authorised entity shall establish, operate, maintain or expand only such telecommunication network which are authorised under the scope of its authorisation, and not any other telecommunication network which requires a separate authorisation from the Central Government.

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

44. Technical and operating conditions.—(1) A new authorised entity may enter into an agreement with any public entity for establishing, operating, maintaining or expanding in-building solution in a public property.

(2) The new authorised entity shall not establish, operate, maintain or expand core telecommunication network.

(3) The new authorised entity shall not—

(a) provide leased circuit to any other new authorised entity or licensee that holds any authorisation or license; or

(b) provide leased circuit to any user; or

(c) use transmission link for its captive use.

(4) The new authorised entity may provide wireline terrestrial network, radio access network, transmission links, wireless local area network or in-building solution to any other new authorised entity or licensee that holds authorisation or license to provide telecommunication services (hereinafter referred to as "partnering entity" for the purpose of this rule) in accordance with their mutual agreement, on a fair and non-discriminatory basis:

Provided that any such mutual agreement shall not contain any provision, that absolves either of the new authorised entities or licensees from adhering to the terms and conditions of their respective authorisations or license.

(5) The new authorised entity holding digital connectivity infrastructure provider authorisation shall not be assigned any spectrum:

Provided that such new authorised entity may utilise the spectrum of the partnering entity for the limited purpose of configuration, while the right to use of spectrum shall remain with the partnering entity.

(6) A partnering entity may use the access spectrum assigned to another partnering entity on a radio access network established by the new authorised entity, subject to the condition that such partnering entities have entered into an arrangement to share access spectrum as per applicable law.

(7) The new authorised entity may extend its telecommunication network up to the point-of-presence of a new authorised entity or licensee that holds authorisation or license to provide telecommunication services.

(8) The Central Government may allow a new authorised entity to share its passive telecommunication infrastructure with such other entities as may be notified by it.

(9) The new authorised entity shall ensure that any agreement entered into for the purposes specified under sub-rules (1), (6) or (8) is non-exclusive, and complies with such terms and conditions as specified by the Central Government.

PART C
INTERNET EXCHANGE POINT PROVIDER AUTHORISATION

45. Applicability of Part C.—This Part shall apply to a new authorised entity that holds internet exchange point provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds internet exchange point provider authorisation.

46. Scope of internet exchange point provider authorisation.—(1) Internet exchange point provider authorisation consists of authorisation to establish, operate, maintain or expand internet exchange point;

(2) Every new authorised entity shall establish, operate, maintain or expand only such telecommunication network which are authorised under the scope of its authorisation, and not any other telecommunication network which requires a separate authorisation from the Central Government.

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

48. Technical and operating conditions.—(1) A new authorised entity may interconnect, peer and exchange internet traffic, originated and destined within India, in accordance with the mutual agreement on a fair and non-discriminatory basis with—

(a) any new authorised entity or licensee that holds authorisation or license to provide internet services; or

(b) content delivery network located in India.

(2) The new authorised entity shall ensure that any agreement entered into for the purpose specified in sub-rule (1) adhere to such terms and conditions as may be specified by the Central Government.

(3) The new authorised entity may interconnect its internet exchange point with the internet exchange point of any other new authorised entity or licensee that holds—

(a) authorisation or license to provide internet services; or

(b) authorisation under these rules to establish, operate, maintain or expand internet exchange point.

(4) The new authorised entity shall use Internet Protocol and meet the interface requirements as specified by the Central Government to interconnect or peer with the telecommunication network of any other new authorised entity or licensee that holds the authorisation or license to provide internet services or holds authorisation under these rules to establish, operate, maintain or expand internet exchange point.

PART D

SATELLITE EARTH STATION GATEWAY PROVIDER AUTHORISATION

49. Applicability of Part D.—This Part shall apply to a new authorised entity that holds satellite earth station gateway provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds satellite earth station gateway provider authorisation.

50. Scope of satellite earth station gateway provider authorisation.—(1) Satellite earth station gateway provider authorisation consists of authorisation to establish, operate, maintain or expand the satellite earth station gateway for such satellite or space segment capacity which is authorised by the Department of Space in the Government of India, or any other designated agency specified for this purpose.

Explanation.—For the removal of doubts, it is clarified that the scope of satellite earth station gateway provider authorisation includes baseband systems for such satellite or space segment capacity.

(2) Every new authorised entity shall establish, operate, maintain or expand only such telecommunication network which are authorised under the scope of its authorisation, and not any other telecommunication network which requires a separate authorisation from the Central Government.

51. Fee and charges.—There shall be no authorisation fee to be paid by a new authorised entity.

52. Technical and operating conditions.—(1) A new authorised entity shall, prior to establishing any satellite earth station gateway, submit to the Central Government or the designated agency the details, including location and technical details of such gateway on the portal.

(2) The Central Government or a designated agency may, on examination of the details provided under sub-rule (1), direct the new authorised entity to take specific actions, if any, with regard to establishment of such satellite earth station gateway.

(3) The new authorised entity may provide its telecommunication network to any other new authorised entity or licensee that holds any permission or license (hereinafter "partnering entity" for the purpose of this rule) to establish, operate, maintain or expand satellite network, in accordance with their mutual agreement, on a fair and non-discriminatory basis.

(4) The new authorised entity that establish, operate, maintain or expand a baseband system under rule 50 shall extend control, visibility, resource allocation and management of the telecommunication services being provisioned using satellite network to users, to the partnering entity on mutually agreed terms and conditions.

(5) The new authorised entity may utilise the spectrum assigned to the partnering entity for the limited purpose of configuration of satellite earth station gateway, while the right to use of spectrum shall remain with the partnering entity.

(6) The new authorised entity may share infrastructure, including building, and passive telecommunication infrastructure established, operated, maintained or expanded by such new authorised entity, as well as, right of way held by it or its facility provider, with any other entity that holds any authorisation or license, in accordance with their mutual agreement, on a fair and non-discriminatory basis.

(7) The new authorised entity shall ensure that any agreement entered into for the purpose specified under sub-rules (3) and (6) adhere to terms and conditions as may be specified by the Central Government.

PART E
CLOUD-HOSTED TELECOMMUNICATION NETWORK PROVIDER AUTHORISATION

53. Applicability of Part E.—This Part shall apply to a new authorised entity that holds cloud-hosted telecommunication network provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds cloud-hosted telecommunication network provider authorisation.

54. Scope of cloud-hosted telecommunication network provider authorisation.—(1) For the purposes of this Part the expressions—

(a) "cloud-hosted telecommunication network as a service" means provision of any of the following to any other new authorised entity or licensee that holds an authorisation or license, namely—

(i) physical infrastructure for housing cloud-hosted telecommunication equipment of such new authorised entity or licensee; or

(ii) cloud-hosted telecommunication equipment for use in telecommunication network of such new authorised entity or licensee; or

(iii) cloud-hosted telecommunication network functionality for provision of telecommunication services by such new authorised entity or licensee; and

(b) "physical infrastructure" means the infrastructure, including building, and passive telecommunication infrastructure established, operated, maintained or expanded by a new authorised entity and includes right of way held by such entity or its facility provider.

(2) Cloud-hosted telecommunication network provider authorisation consists of authorisation for the following, namely:—

(a) establish, operate, maintain or expand cloud-hosted telecommunication network; and

(b) provide cloud-hosted telecommunication network as a service to any other new authorised entity or licensee that holds any authorisation or license and is permitted under such authorisation or license to use such telecommunication network for provisioning of telecommunication services or establishing, operating, maintaining or expanding telecommunication network.

(3) Every new authorised entity shall establish, operate, maintain or expand only such telecommunication network which are authorised under the scope of its authorisation, and not any other telecommunication network which requires a separate authorisation from the Central Government.

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

56. Technical and operating conditions.—A new authorised entity may provide cloud-hosted telecommunication network as a service by entering into a mutual agreement with any other new authorised entity or licensee as referred to in clause (b) of sub-rule (2) of rule 54, on a fair and non-discriminatory basis.

PART F
MOBILE NUMBER PORTABILITY PROVIDER AUTHORISATION

57. Applicability of Part F.—This Part shall apply to a new authorised entity that holds mobile number portability provider authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds mobile number portability provider authorisation.

58. Scope of mobile number portability provider authorisation.—(1) Mobile number portability provider authorisation consists of authorisation to establish, operate, maintain or expand a telecommunication network for providing mobile number portability as a service in its zonal area to another new authorised entity or licensee that holds an authorisation or license to provide access services.

59. Fees and charges.—(1) For the purposes of this Chapter, 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" shall be equivalent to applicable gross revenue.

(2) Every new authorised entity shall pay an annual authorisation fee for each authorisation, from the effective date of such authorisation, which shall be one 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) one per cent of the adjusted gross revenue, or

(b) thirty percent of the applicable entry fee as specified in Schedule A;

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

(a) one per cent of the adjusted gross revenue, or

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

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

(a) one per cent of the adjusted gross revenue, or

(b) thirty percent 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 rate of authorisation fee as specified sub-rules (2) to (5), may be varied at any time through amendment of these rules within the duration of the authorisation.

60. Schedule of payment.—(1) The authorisation fee determined under these rules shall be payable by every 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 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 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, 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 any other dues payable by a 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 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 specified on the portal.

61. 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; or

(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 such 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 pursuant to the letter of intent shall be for the amount as specified in respect of such authorisation in Schedule A or for an amount referred to in sub-rule (7) 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) rupees ten lakhs, or

(b) twenty per cent of combined estimated sum, calculated in accordance with the procedure as may be 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 of the guarantee submitted under this rule by a minimum of one year, 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 the 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;

(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:

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 provided in sub-rule (7), without prejudice to any other actions for recovery of the amounts due to the Central Government.

62. Assessment of authorisation fee.—(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 recomputation.

(2) Every new authorised entity shall submit relevant documents in support of the calculation to arrive at authorisation fee in accordance with the orders, directions or guidelines issued by the Central Government.

(3) If a new authorised entity holds an authorisation for telecommunication service or any other telecommunication network, or for the same telecommunication network in a different network 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) ensure that bilateral settlement of accounts with other new authorised entities or licensees 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 other new authorised entities or licensees, and 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 its telecommunication network under the 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 dues 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 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.

(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 the 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 as decided by the Central Government, which shall be payable by that new authorised entity.

(9) If the new authorised entity fails to submit the annual accounts, audit report and other required documents under sub-rules (4) and (6) of rule 60 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 appropriate directions to new authorised entity, in respect of any telecommunication networks, in relation to accounts and audit of such new authorised entity, and that new authorised entity shall adhere to such directions.

63. Technical and operating conditions.—A new authorised entity shall provide location routing number update to all new authorised entities or licensees which hold authorisation or license to provide access services and long distance services.

CHAPTER VII
MISCELLANEOUS

64. 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 (2) 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, and the new authorised entity shall give public notice of such order of curtailment, suspension or revocation within forty-eight hours of it being published on the portal:

Provided that the suspension of authorisation shall not be a cause or ground for extension of the duration of the authorisation.

(4) The new authorised entity shall maintain the telecommunication network till the effective date referred to in sub-rule (3).

65. 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 TELECOMMUNICATION NETWORKS

[*See* rules 6(3)(a), 7(2)(a)(i), 13(1), 59(3)(b), 59(4)(b), 59(5)(b) and 61(3)]

S. No.	**Network Authorisation**	**Entry fee (in Rs.)**	**Initial Guarantee (in Rs.)**	**Processing fee (in Rs.)**
1	Infrastructure provider authorisation	NIL	NIL	10,000
2	Digital connectivity infrastructure provider authorisation	10 Lakh	NIL	10,000
3	Internet exchange point provider authorisation	NIL	NIL	10,000
4	Satellite earth station gateway provider authorisation	10 Lakh	NIL	10,000
5	Cloud-hosted telecommunication network provider authorisation	10 Lakh	NIL	10,000
6	Mobile number portability provider authorisation	50 Lakh	40 Lakh	10,000

SCHEDULE B

ZONAL AREAS

[*See* rule 2(1)(v)]

S. No.	Zone	Authorised Areas
1	Zonal Area 1	Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Maharashtra, Punjab, Rajasthan, Uttar Pradesh (E), Uttar Pradesh (W), Delhi and Mumbai.
2	Zonal Area 2	Andhra Pradesh, Assam, Bihar, Karnataka, Kerala, Madhya Pradesh, North-East, Orissa, Tamil Nadu, West Bengal and Kolkata.

Explanation.—The Central Government may amend this Schedule B by notification.

[F. No. 24-12/2025-UBB]

DEVENDRA KUMAR RAI, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054. SARVESH KUMAR SRIVASTAVA