

Government of India  
Ministry of Communication & Information Technology  
Department of Telecom  
Sanchar Bhawan, 20-Ashoka Road, New Delhi-110001  
(DS Cell)

No. 813-50/10-DS

Dated : 31.03.2010

To

All Internet Service Providers(with or without Internet Telephony)  
granted licence before 24.08.2007

Sub.: Compliance of Clause 1.10.6 of the licence agreement.

Kindly refer to the Clause 1.10.6 of your licence agreement for provision of Internet services which reads as :-

*"Clause 1.10.6 All foreign personnel likely to be deployed by the LICENSEE for installation, operation and maintenance of the LICENSEE's network shall be security cleared by the Government of India prior to their deployment. The security clearance will be obtained from the Ministry of Home Affairs, Government of India."*

2. In this regard, I have been directed to seek the compliance of above said Clause 1.10.6 from ISP licensees.
3. Please convey the compliance of above Clause within 15 days from the date of issue of this letter.



(Pradeep Kumar)  
ADG (LR-I)  
Tel. No. : 23036165  
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Government of India  
Ministry of Communications & IT  
Department of Telecommunication  
Sanchar Bhawan, 20-Ashoka Road, New Delhi-110001  
(DS Cell)

No. 813-50/10-DS

Dated: 06.04.2010

To

All Internet Service Providers

**Sub: Security Clearance before placement of purchase order for procuring telecom equipments / software.**

In continuation to this office letter of even no. dated 26.02.2010 regarding subject mentioned above, the undersigned is directed to intimate the following guidelines for compliance with immediate effect:

- (i) The Service Providers should apply for security clearance for procurement of equipment/software in the prescribed proforma issued vide letter no. 813-50/10-DS dated 26.02.2010 (four copies to be submitted). The soft copy of the same should also be sent on [adglr1-dot@nic.in](mailto:adglr1-dot@nic.in).
- (ii) The following items are exempted from security clearance:
  - a) Passive equipment.
  - b) Equipment/software manufactured/developed in India by Indian owned /controlled manufacturers.
- (iii) Security clearance is required for the core equipments per-se and not its components.
- (iv) DoT shall grant security clearance for the procurement of the equipment expeditiously within 30 working days in accordance with the amendment of the License Agreement issued to this effect.
- (v) The validity of security clearance of particular brand and specification of an item for one operator/Licensee shall be a benchmark; clearance for the industry for that particular item for two years from the date of original security clearance. Re-ordering of larger quantity of same equipments could also be done by Service Providers within a period of 2 years under intimation to DoT.
- (vi) The operation and maintenance of Telecom networks should be entirely by Indian Engineers; and dependence on Foreign Engineers should be minimal or almost nil within a period of 2 years from the date of purchase after security clearance. DoT will amend License conditions as required.



- (vii) The hardware / software urgently required for maintenance purposes may not require prior security clearance. Only intimation to DoT would be sufficient which can be vetted from security angle in due course.
- (viii) The Service Providers shall mandatorily include a clause in their purchase order to foreign manufacturer(s) for Transfer of Technology (ToT) of all critical equipments/software to Indian manufacturer(s) within a period of three years from the date of purchase order. This condition would be strictly enforced as this is one of the effective measures to reduce vulnerability in the long term. In case of Non-compliance, of the Transfer of Technology clause, the vendor/service provider shall be penalized. Criminal proceedings would also be started in this case. DoT would amend the Licence Condition(s) as required.
- (ix) Some of the service providers are making arrangements for pure services or managed network services from vendors. These vendors are not providing/selling any equipment/software to the service providers but merely providing services. Such procurement of managed services would not require security clearance. However, all laid down security clearance procedures shall be applicable to the equipment procured by the vendors in such cases which shall be obtained by the concerned Service Provider.



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Copy to:

1. DDG(Security)/DDG(AS), DoT, New Delhi
2. DDG(C&A) for hosting on DoT web site (Hindi version will follow).
3. ISPAI