

Government of India
Ministry of Communications & IT
Department of Telecom
(LR Cell)
Sanchar Bhavan, 20, Ashoka Road, New Delhi – 110 001

No.813-7/06-LR/1-2

Dated: 21.06.2006

Subject: Conditions for providing only layer 2 and layer 3 VPN services under NLD/ILD licenses

Till new security Guidelines are announced, NLD / ILD licensee who wish to provide only layer 2 and layer 3 VPN services, the following security monitoring conditions shall be applicable in place of security monitoring conditions applicable for NLD / ILD licensees provided the licensee obtains connectivity / bandwidth from other access service licensees / NLD licensees / ILD licensees / international gateway for Internet by ISPs:

(a) Necessary arrangements for enabling security monitoring shall be made available by the licensee including its maintenance as and when required by the designated security agencies. The cost of monitoring equipment shall be borne by the licensee. Sharing of monitoring capabilities with existing licensees, from whom Bandwidth/ connectivity has been taken, shall be permitted on mutually agreed arrangement. Surveillance and monitoring of traffic relating to existing layer 2 and layer 3 VPN licensees who obtain NLD / ILD licence shall continue as per the current procedure at the international gateway of ILDO from whom Layer 1 service or international private line circuits have been leased. Existing and future licensees of layer 2 and layer 3 VPN services shall be treated at par with regard to all the terms and conditions of the licence.

(b) 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.

(c) In case any confidential information is divulged to the licensee for proper implementation of the Agreement, it shall be binding on the licensee and its employees and servants to maintain its secrecy and confidentiality.

(d) The licensee shall adopt all means and facilitate in every manner the application of the Indian Telegraph Act, 1885 and Indian Wireless Telegraphy Act, 1933 as modified or replaced from time to time or the rules framed thereunder. The service shall be provided in accordance with the provisions of Indian Telegraph Rules as modified and amended from time to time.

(e) The licensor or its authorized representative shall have right to inspect the sites used for extending the service. The Licensor shall, in particular but not limited to, have the right to have access to leased lines, junctions, terminating interfaces, hardware/software, memories of semiconductor, magnetic and optical varieties, wired or wireless options, distribution frames, and conduct the performance test including to enter into dialogue with the system through input/output devices or terminals. The Licensor will ordinarily carry out inspection after reasonable notice except in circumstances where giving such a notice will defeat the very purpose of the inspection.

(Jayant Kumar)
Director (LR II)