Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026[1]

Whereas a draft of the Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2025 was published, as required under sub-section (1) of section 56 of the Telecommunications Act, 2023 (44 of 2023), in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) vide notification number G.S.R. 614(E), dated the 10th September, 2025, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, copies of the said Official Gazette were made available to the public on the 12th September, 2025;

And whereas, the said period was extended to the 21st October, 2025, and comments and suggestions received in that period in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 56 read with clause (a) of sub-section (1) and sub-section (6) of section 3 of the Telecommunications Act, 2023 (44 of 2023), the Central Government hereby makes the following rules, namely:—

CHAPTER I
PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Telecommunications (Authorisation for Captive Telecommunication Services) Rules, 2026.

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

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

(a) "Act" means the Telecommunications Act, 2023 (44 of 2023);

(b) "captive general services" means the telecommunication services referred to in rule 58;

(c) "captive general service authorisation" means the authorisation to provide captive general services;

(d) "captive mobile radio trunking services" means a type of land mobile service for captive use that enables two-way telecommunication amongst users, using a pair of radio frequencies, allocated temporarily for duration of the call, from a designated spectrum band

[1] *Vide* G.S.R. 511(E), dated 23.06.2026, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 23.06.2026.

assigned to a repeater station, and the expression "captive mobile radio trunking service network" shall be construed accordingly;

(e) "captive mobile radio trunking service authorisation" means an authorisation to provide captive mobile radio trunking services;

(f) "captive non-public network service authorisation" means an authorisation to provide captive non-public network;

(g) "captive telecommunication services" means the telecommunication services specified under rule 4;

(h) "captive very small aperture terminal services" means the telecommunication services referred to in sub-rule (1) of rule 50;

(i) "captive very small aperture terminal service authorisation" means an authorisation to provide captive very small aperture terminal services;

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

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

(l) "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;

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

(n) "portal" means the portal referred to in rule 62;

(o) "Schedule" means the schedule annexed to these rules; and

(p) "service area" means the geographical area in respect of which authorisation for provision of telecommunication services is granted, which may be national service area or a geographical area within the national service area.

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

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

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

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

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

CHAPTER II
CAPTIVE TELECOMMUNICATION SERVICES AND GRANT OF AUTHORISATION

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

(a) captive mobile radio trunking services for a geographical area within the national service area; or

(b) captive non-public network for the national service area; or

(c) captive very small aperture terminal services for national service area; or

(d) captive general services for a geographical area within the national service area.

5. Eligibility.—A person specified in clause (a) or (b), who also fulfils the condition specified in clause (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;

(b) it is—

(i) a Central Government Department;

(ii) a State Government Department;

(iii) a legislative body or its offices;

(iv) a Court;

(v) an administration of any Scheduled Areas or Scheduled Tribal Areas or any agency or autonomous organisation of such administration; or

(vi) any other Government-controlled entity;

(c) it has no pending dues:

Provided that if a person is applying to obtain captive general service authorisation, it shall not be a private limited company or a company other than a government company:

Provided further that the Central Government may, if it is satisfied that it is necessary in public

interest so to do, exempt or relax any condition under this rule.

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

(a) "Court" means—

(i) a court of law; and

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

and includes the registry, secretariat or office thereof;

(b) "government company" shall have the same meaning as assigned to it in the Companies Act, 2013 (18 of 2013);

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

(i) an autonomous body; and

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

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

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

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

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

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

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

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

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

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

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

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

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

7. Grant of authorisation.—(1) On receipt of 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 or for an amount in accordance with sub-rule (6) of rule 6, as the case may be; and

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

Provided that the applicant seeking authorisation in respect of captive mobile radio trunking services for services including police, fire or government security services, or any Central Government Department seeking to obtain authorisation for captive very small aperture terminal services shall be exempted from the requirement of submission of any guarantee under sub-clause (i) of clause (a); 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 an authorisation through the portal while specifying, among other things,—

(a) its scope;

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

(c) effective date of authorisation:

Provided that—

(i) the Central Government may, in respect of applications for obtaining authorisation for captive very small aperture terminal services, undertake security vetting through the appropriate authority responsible for satellite network clearance as it may deem fit, prior to grant of authorisation; and

(ii) the authorisations for captive non-public network and captive general services shall be granted to eligible applicants without any prior issuance of a letter of intent.

(4) Each authorisation granted under these rules shall be on a non-exclusive basis and additional authorisations for same captive telecommunication services may be granted by the Central

Government within the same or other service area without any restriction on the number of new authorised entities.

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

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

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

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

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

(b) the resource provided and permission given by the Central Government with respect to such overlapping license or authorisation, shall continue to apply in accordance with the terms on which it was obtained, unless the Central Government determines otherwise in public interest.

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

1. "resource" means—
   (a) the telecommunication identifiers already allocated;
   (b) spectrum assigned to the new authorised entity;
   (c) certificate of compliance held by the new authorised entity in respect of the overlapping license or authorisation; and
2. "permission" includes coverage test certificates as a part of compliance of 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 gateway 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 61.

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

11. Reporting and disclosure obligations.—(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—

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

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

(iii) compliance with rule 10:

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

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

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

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

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

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

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

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

(2) Every new authorised entity shall nominate and communicate to the Central Government and the designated agency, in such form and manner as specified on the portal, the details of a nodal

person of such new authorised entity, based in India, who shall be responsible for providing any report or information or extending support as required under these rules.

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

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

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

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

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

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

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

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

13. Renewal.—(1) 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 the processing fee as specified in the Schedule.

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

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

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

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

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

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

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

(2) Prior to issuing any order under sub-rule (1) on occurrence of any event 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 thirty-first day from the date of publishing of such order.

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 effective date of surrender shall be the thirty-first day from the date of approval of such application.

(3) The details relating to the authorisation that is surrendered by the new authorised entity shall be published by the Central Government on the portal.

(4) 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.

(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 sub-rule (2), including in respect of authorisation fees.

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

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

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

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

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

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

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

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

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

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

22. Power to issue orders, directions or guidelines.—The Central Government may, for the purposes of giving effect to these rules, issue orders, directions or guidelines not inconsistent with the Act or these rules, which shall constitute the terms and conditions applicable to every new authorised entity.

CHAPTER IV

TECHNICAL AND OPERATING CONDITIONS

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

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

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

(3) Every new authorised entity shall furnish technical details of captive telecommunication services and the telecommunication network being used for such captive telecommunication services, including the details of technology deployed by it to the Central Government or the

designated agency, at such times as may be required pursuant to any direction issued by the Central Government in this regard.

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

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

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

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

(a) deployment of energy efficient telecommunication equipment; and

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

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

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

(3) Every new authorised entity shall ensure that all systems of its telecommunication network are located within its service area of authorisations.

(4) Every new authorised entity shall ensure that all data, logs and information associated with its telecommunication network shall be stored within India and no copies of such data, logs and information shall be routed, shared or made available outside India.

25. Sharing of telecommunication network and infrastructure.— Every new authorised entity that holds different authorisations under these rules may share its passive telecommunication infrastructure, telecommunication equipment or any other system of its telecommunication network.

26. Commencement of captive telecommunication services.—Every new authorised entity shall intimate to the Central Government, the date of commencement of provision of captive telecommunication service within fifteen days of such commencement.

27. 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 the new authorised entity—

(a) access and inspect the sites where telecommunication equipment and telecommunication network are established;

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

Provided that no notice shall be provided to that 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 that the Central Government may determine, which shall be payable by that new authorised entity:

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

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

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

CHAPTER V

SECURITY CONDITIONS

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

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

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

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

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

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

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

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

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

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

31. Prevention of use of telecommunication network for unauthorised or unlawful activities.— Every new authorised entity shall ensure that its telecommunication network is used only for providing captive telecommunication services for which it is authorised, to *bona fide* users and not for undertaking any activities or commissioning any action, that constitutes an offence under the Act, 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.

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

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

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

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

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

(6) Every new authorised entity shall register itself on the website specified by the designated authority, 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), such new authorised entity shall proceed to procure and install the same;

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

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

(9) The 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.

33. Prohibition of certain activities.—(1) A telecommunication network of a new authorised entity shall not be used for transmission of—

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

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

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

(3) The 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.

(4) The new authorised entity shall not provide any commercial or public telecommunication services to users other than for its captive use.

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

(a) ensure security of its telecommunications network;

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

(c) ensure capability to suspend captive telecommunication services in such areas as may be specified on the portal.

(2) Every new authorised entity shall, at its own cost, make arrangements for provisioning of monitoring facilities in accordance with such orders, directions or guidelines that the Central Government or the designated agency may issue in this regard.

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

(4) 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 CAPTIVE TELECOMMUNICATION SERVICES

35. 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 telecommunication network for captive use of captive telecommunication services specified in the scope of the relevant Part of this Chapter.

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

PART A
CAPTIVE MOBILE RADIO TRUNKING SERVICE AUTHORISATION

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

37. Scope of captive mobile radio trunking service authorisation.—(1) The captive mobile radio trunking service authorisation consists of authorisation for captive mobile radio trunking services.

(2) The new authorised entity that holds a captive mobile radio trunking service authorisation shall use the authorisation for establishing, operating, maintaining and expanding captive mobile radio trunking service network for its own captive use within the geo-coordinates of the service area, and not for providing public mobile radio trunking service or any other telecommunication service which require a separate authorisation from the Central Government.

38. Fees and charges.—(1) Every new authorised entity shall pay an annual authorisation fee for captive mobile radio trunking service authorisation, from the effective date of such authorisation which shall be three hundred rupees per user terminal subject to minimum of five thousand rupees and the amounts specified in sub-rules (2) to (4), as applicable:

Provided that such new authorised entity that holds captive mobile radio trunking service authorisation for services including police, fire or government security service shall be exempted from the requirement to pay any annual authorisation fee.

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

(a) three hundred rupees per user terminal; or

(b) twenty-five thousand rupees.

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

(a) three hundred rupees per user terminal; or

(b) twenty-five thousand rupees.

(4) In the event of migration of license to the terms and conditions of captive mobile radio trunking service authorisation,—

(a) if the license has been operational for less than three years from the effective date of license up to the period during which the combined operation under the license and authorisation equals three years, the authorisation fee from the effective date of migration shall be higher of—

(i) three hundred rupees per user terminal; or

(ii) five thousand rupees.

Explanation.—In this clause, operation under the license for part of a year shall be reckoned as a full year; and

(b) in all other cases, the authorisation fee from the effective date of migration shall be higher of—

(i) three hundred rupees per user terminal; or

(ii) twenty-five thousand rupees.

(5) The rate of authorisation fee as specified in this Part may be varied at any time within the duration of the authorisation.

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

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

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

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected number of user terminals in use for that quarter:

Provided that such 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 number of user terminals in use at the end of each month, which shall be added for all the months of a relevant quarter and divided by the number of months:

Provided that for a period that is less than a month, the number of user terminals for that month shall be calculated on a pro-rata basis by using factor of actual number of days under the authorisation against total number of days in the month.

(4) Payments pursuant to sub-rule (2) shall be accompanied, in such form and manner as specified on the portal, by a self-certificate and a statement of computation of authorisation fee 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:

Provided that in case of entities under clause (b) of rule 5, such self-certificate and statement may be signed and electronically verified by an officer duly authorised in accordance with the internal procedure applicable to such offices.

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

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

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

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

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

(a) a bank guarantee from any scheduled commercial bank or public financial institution with a minimum validity period of one year from the date of its issuance;

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

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

Provided that a new authorised entity that holds captive mobile radio trunking service authorisation for managing police, fire or government security service, shall be exempt from the requirement to submit the guarantee under this sub-rule.

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

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

Provided that the initial guarantee submitted pursuant to the letter of intent shall be for the amount as specified in respect of each captive mobile radio trunking service authorisation in the Schedule or for an amount in accordance with sub-rule (6) of rule 6, and for each subsequent year

of authorisation, the guarantee shall be for an amount determined by the Central Government, based on the higher of—

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

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

(i) authorisation fee payable for two quarters;

(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 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 sub-rule (6), 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 any of the following cases, namely:—

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

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

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

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

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

Provided that in case of failure to pay the amounts due to the Central Government, the outstanding amounts shall be realised through encashment, claim or appropriation of the guarantee

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

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

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

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

(3) Every new authorised entity shall maintain and preserve records relevant to the calculation of authorisation fee for every financial year, in electronic form as well as hard copy, for a period of at least six years from the end of relevant financial year:

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

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

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

(5) 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.

(6) If a new authorised entity fails to submit the required documents under sub-rule (4) of rule 39 within four 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.

(7) 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 (8).

(8) 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 ten lakh rupees or more for such financial year.

(9) For the purposes of computing the period of limitation as specified under sub-rule (7) and sub-rule (8), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(10) Notwithstanding anything contained in sub-rule (7) and sub-rule (8), 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.

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

42. Technical and operating conditions.—(1) A new authorised entity shall not connect its captive mobile radio trunking service network with public switched telephone network, public land mobile network, internet telephony network or internet network.

(2) Every new authorised entity shall not interconnect its captive mobile radio trunking service network with the captive telecommunication network of any other new authorised entity or licensee that holds any authorisation or license.

(3) A new authorised entity may establish connectivity amongst its repeater stations within the service area.

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

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

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

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

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

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

(6) Every new authorised entity may replace its radio equipment or user terminals, after giving prior intimation to the Central Government on the portal.

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

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

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

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

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

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

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

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

PART B
CAPTIVE NON-PUBLIC NETWORK SERVICE AUTHORISATION

44. Applicability of Part B.—This Part shall apply to a new authorised entity that holds captive non-public network service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive non-public network service authorisation.

45. Scope of captive non-public network service authorisation.—(1) The captive non-public network service authorisation consists of authorisation to establish, operate, maintain or expand captive non-public network in a geographical area within the national service area, limited to geo

coordinates of logical perimeter of the occupied premise, owned or leased, by a new authorised entity for captive non-public use.

(2) A new authorised entity may establish a new captive non-public network at a different geographical area within the national service area, limited to geo-coordinates of the logical perimeter of such occupied premise, after giving prior intimation to the Central Government on the portal, accompanied by the details of the geo-coordinates of logical perimeter of such geographical area.

(3) A new authorised entity that has captive non-public network at more than one geographical area within the national service area shall require only one captive non-public network service authorisation.

(4) A new authorised entity shall not use its telecommunication network to provide any commercial or public telecommunication service.

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

47. Technical and operating conditions.—(1) Every new authorised entity shall not connect its captive non-public network with public switched telephone network, public land mobile network, internet telephony network or internet network.

(2) The new authorised entity may connect its captive non-public networks established at multiple geographical locations through domestic leased circuits obtained from other new authorised entity or licensee that holds authorisation or license to provide domestic leased circuit.

(3) The new authorised entity shall not interconnect its captive non-public network with a captive telecommunication network established by any other new authorised entity or licensee that holds any authorisation or license.

(4) Every new authorised entity shall ensure that the radio signals of each captive non-public network are restricted within the geo coordinates of the logical perimeter of the occupied premise.

(5) Every new authorised entity shall ensure that there is no harmful interference to the telecommunication network established by any other new authorised entity or licensee that holds any authorisation or license, and where any such interference is detected, it shall adhere to such measures as the Central Government may direct in this behalf.

48. Assignment and use of spectrum.—(1) Every new authorised entity that has been granted authorisation under this Part may obtain access spectrum under applicable law, subject to meeting any eligibility conditions under such law,—

(a) on lease from new authorised entity or licensee authorised to provide access services (hereinafter referred to as lessor); or

(b) directly from the Central Government:

Provided that the new authorised entity shall obtain separate access spectrum for each geographical area only after prior intimation of establishing captive non-public network for each geographical area as per sub-rule (2) of rule 45.

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

(2) Every new authorised entity that holds captive non-public network service authorisation shall ensure that the contract for leasing of access spectrum specify the following conditions, namely:—

(a) periodic inspections of its premises by the lessor to check possible misuse of the captive non-public network or service; and

(b) if the lessor detects any misuse under clause (a), it shall forthwith withdraw such leased spectrum and communicate the same to the Central Government in writing within twenty-four hours of detection of such misuse.

PART C
CAPTIVE VERY SMALL APERTURE TERMINAL SERVICE AUTHORISATION

49. Applicability of Part C.—This Part shall apply to a new authorised entity that holds captive very small aperture terminal service authorisation, and save as otherwise expressly provided in this Part, any reference to expression "new authorised entity" means such new authorised entity that holds captive very small aperture terminal service authorisation.

50. Scope of captive very small aperture terminal service authorisation.—(1) The captive very small aperture terminal service authorisation consists of authorisation for the following, namely:—

(a) establish, operate, maintain or expand satellite network for captive use of telecommunication services using very small aperture terminal or earth station in motion; and

(b) establish data connectivity, using the telecommunication network established under clause (a), amongst its own offices or sites.

(2) The new authorised entity that holds a captive very small aperture terminal service authorisation shall not use its telecommunication network to provide any commercial or public telecommunication service.

51. Fees and charges.—(1) Every new authorised entity that holds captive very small aperture terminal service authorisation shall pay an annual authorisation fee of ten thousand rupees per very small aperture terminal including earth station in motion installed, from the effective date of such authorisation.

(2) In the event of renewal of the authorisation or migration of a license to the terms and conditions of captive very small aperture terminal service authorisation, the authorisation fee shall be the amount specified in sub-rule (1) from the effective of renewal or migration, as the case may be.

(3) The rate of authorisation fee as specified in this Part may be varied at any time within the duration of the authorisation.

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

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

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

(b) the quarterly instalment for the last quarter shall be paid in advance by the twenty-fifth of March, calculated on the basis of expected number of very small aperture terminals including earth station in motion in use for that quarter:

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

(3) Payments pursuant to sub-rule (2) shall be calculated on the basis of number of very small aperture terminals including earth station in motion in use at the end of each month, which shall be added for all the months of a relevant quarter and divided by the number of months:

Provided that for a period that is less than a month, the number of very small aperture terminals including earth station in motion for that month shall be calculated on a pro-rata basis by using factor of actual number of days under the authorisation against total number of days in the month:

Provided further that the machine-to-machine or internet of things devices, used in any architecture including direct-to-satellite, shall not be treated as very small aperture terminal for the purpose of calculating the authorisation fee.

Explanation.—For the purposes of this sub-rule—

1. very small aperture terminals shall include all types of very small aperture terminals including user terminals that can only receive or only transmit, or do both; and
2. the authorisation fee shall be based on total number of very small aperture terminals including earth station in motion irrespective of number of hubs in the network and without levy of any minimum authorisation fee.

(4) Payments pursuant to sub-rule (2) shall be accompanied, in such form and manner as specified on the portal, by a self-certificate, and a statement of computation of authorisation fee 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:

Provided that in case of entities under clause (b) of rule 5, such self-certificate and statement may be signed and electronically verified by an officer duly authorised in accordance with the internal procedure applicable to such offices.

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

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

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

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

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

(a) a bank guarantee from any scheduled commercial bank or public financial institution with a minimum validity period of one year from the date of its issuance;

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

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

Provided that any Central Government Department that holds captive very small aperture terminal service authorisation shall be exempted from the requirement of submission of any guarantee.

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

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

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

(a) the amount of initial guarantee as specified in respect of captive very small aperture terminal service authorisation in the Schedule, 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;

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

(4) Every new authorised entity shall extend the validity period of 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 authorisation or until all dues under the authorisation are cleared, whichever is later, shall entitle the Central Government to encash the bank guarantee, claim the performance bond or appropriate the cash deposit, without any notice to the new authorised entity:

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) Every new authorised entity shall maintain and preserve records relevant to the calculation of authorisation fee for every financial year, in electronic form as well as hard copy, for a period of at least six years from the end of relevant financial year:

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

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

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

(5) The Central Government may, at any time, subject the records of any 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.

(6) If any new authorised entity fails to submit the required documents under sub-rule (4) of rule 52 within four 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.

(7) 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 (8).

(8) 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 escaped assessment is likely to be equivalent to an amount of ten lakh rupees or more for such financial year.

(9) For the purposes of computing the period of limitation as specified under sub-rule (7) and sub-rule (8), any period of stay on such assessment pursuant to an order or injunction of any court, shall be excluded.

(10) Notwithstanding anything contained in sub-rule (7) and sub-rule (8), 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.

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

55. Technical and operating conditions.—(1) Every new authorised entity shall ensure that the very small aperture terminal is obtained from any source that meets the standards notified by the Central Government under section 19 of the Act and operated in accordance with the terms and conditions of the authorisation, and orders, directions or guidelines that the Central Government may issue in this behalf.

(2) Every new authorised entity may establish its own satellite earth station gateway within India or lease or hire the satellite earth station gateway established by other new authorised entities or licensees that are eligible for sharing such satellite earth station gateways under the terms of their respective authorisation or license.

(3) Every new authorised entity shall not connect its telecommunication network established under rule 50 with public switched telephone network or public land mobile network.

(4) Every new authorised entity may, to avail of internet services for captive use, connect its satellite earth station gateway with the telecommunication network of the new authorised entity, that holds authorisation for internet services:

Provided that the connection between the satellite earth station gateway and the telecommunication network of the new authorised entity that holds authorisation for internet services shall be established through a domestic leased circuit obtained from a new authorised entity or licensee that holds authorisation or license to provide domestic leased circuit.

(5) Every new authorised entity shall not interconnect its telecommunication network established under rule 50 with a telecommunication network established for providing captive very small aperture terminal services by any other new authorised entity or licensee.

(6) A new authorised entity may, for captive use, connect its satellite earth station gateway in India with its offices outside India for the purpose of transferring data in accordance with applicable law:

Provided that such connection between the satellite earth station gateway and offices outside India is established through an international private leased circuit obtained from a new authorised entity or licensee that holds authorisation or license to provide international private leased circuit.

(7) Every new authorised entity shall, prior to establishing or operating a satellite network, apply to the Central Government, in such form and manner as specified on the portal.

(8) Every new authorised entity shall—

(a) own the relevant 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; or

(b) enter into an agreement with an entity that has the relevant 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, that contains enforceable obligations as specified under sub-rule (10).

(9) Every new authorised entity shall report the following incidents to the Central Government, and shall adhere to such directions that the Central Government may issue in this behalf, namely:—

(a) unauthorised satellite signal that it may detect originating or terminating within India; and

(b) unauthorised access from India of any satellite that may be under its control or operation which is being used to provide service outside India.

(10) If a new authorised entity enters into an agreement under clause (b) of sub-rule (8), it shall, for the purposes of compliance with sub-rule (9), ensure that such agreement provides for an obligation on the entity, with whom such new authorised entity has entered into agreement, to forthwith inform that new authorised entity of any incident referred to in sub-rule (9).

(11) Every new authorised entity shall, on receipt of a direction from the Central Government or the designated agency, provide such details and information as it may require, including the following, namely:—

(a) details of the satellite network, the satellite earth station gateway for each such satellite network and the associated telecommunication network, accompanied by their location details; and

(b) details of the satellite or space segment capacity, including relevant information as specified under sub-rule (9).

(12) Every new authorised entity may use one or more permitted satellite network or space segment capacity, subject to compliance with the condition that the satellite earth station gateway for each such satellite network and the associated telecommunication network is located in India.

(13) Every new authorised entity shall, prior to undertaking any change in the permitted satellite network or in frequency band as specified in the orders, directions or guidelines issued by the Central Government, apply on the portal, for its approval in writing.

(14) Every new authorised entity shall—

(a) ensure that all traffic on the satellite network originating from or terminating on the user terminals located in India shall pass through a satellite earth station gateway, located in India, of such new authorised entity;

(b) ensure that no traffic originating from or terminating at a user terminal located in India is routed via satellite earth station gateways located outside India directly or through inter-satellite communication links, including during failure of satellite earth station gateway in India or as part of telecommunication network optimisation;

(c) ensure that the user traffic shall not be mirrored to any satellite network or server located outside India through inter satellite communication links or through any other means;

(d) provide real-time traffic monitoring facility to ensure the compliance of clauses (a) to (c);

(e) ensure that no direct communication shall take place between two or more user terminals through one or more satellites, without routing the user traffic through satellite earth station gateway; and

(f) provide any information of and conduct tests for interference monitoring, and to take necessary steps, as directed by the Central Government, for its mitigation.

56. Security conditions.—(1) The operation, maintenance and control facility for the satellite earth station gateway, user terminals connected with the satellite network of a new authorised entity shall be located in India.

(2) Every new authorised entity shall ensure that the permitted satellite network be used only for providing captive very small aperture terminal services and such satellite network is not used for any unauthorised activities including surveillance and electronic warfare, or in a manner that may prejudice the sovereignty and security of India.

(3) Every new authorised entity shall, at its own cost, make arrangements for provisioning of lawful interception systems and lawful interception monitoring facilities in accordance with the orders, directions or guidelines issued in this regard.

(4) Every new authorised entity shall ensure that domestic traffic, or any part thereof, is not hauled or routed through any place outside India.

Explanation.—For the purposes of this sub-rule, it is clarified that usage of satellites for transmitting and receiving domestic traffic without transiting through any country other than India, shall not be treated as hauling or routing domestic traffic outside India.

(5) Every new authorised entity shall monitor the operations of user terminals of satellite network within India, as per the directions of the Central Government, and on receiving directions by the Central Government, shall provide details relating to the identity and location of such user terminals.

(6) Every new authorised entity shall—

(a) ensure that no location spoofing tool, whether hardware or software, be incorporated with the user terminals to hide the actual location of the user terminals; and

(b) deploy appropriate technical measures, including automated tools or other suitable mechanisms for identification and reporting of any such device in its telecommunication network.

(7) Every new authorised entity shall ensure that the captive very small aperture terminal services to any user terminal, in idle mode or in use, are discontinued when such user terminal enters into the restricted areas referred to in sub-rule (2) of rule 24.

(8) Every new authorised entity shall ensure compliance with the directions and timelines that the Central Government may issue in respect of provision of positioning services through Indian regional navigation satellite system in its user terminals.

(9) Every new authorised entity shall seek 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.

(10) The Central Government may, pursuant to an application under sub-rule (9), grant permission subject to the following conditions, namely:—

(a) every 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 data records, content of messages and any other such sensitive data, as the Central Government may specify through orders, directions or guidelines that it may issue in this regard;

(c) every new authorised entity shall provide suitable technical systems as may be specified on the portal, at the approved location in India, which 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 that the Central Government may issue in this regard;

(d) every 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 directions or guidelines that the Central Government may issue in this regard.

PART D
CAPTIVE GENERAL SERVICE AUTHORISATION

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

58. Scope of captive general service authorisation.—(1) The captive general service authorisation consists of authorisation to establish, operate, maintain or expand telecommunication network including wireline and wireless telecommunication networks, by a new authorised entity for captive use.

(2) The scope of this authorisation shall not include such captive telecommunication services for which a separate authorisation is granted under these rules.

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

60. Technical and operating conditions.—Every new authorised entity shall not connect its telecommunication network with public switched telephone network, public land mobile network, internet telephony network or internet network.

CHAPTER VII
MISCELLANEOUS

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

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

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

62. 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

PROCESSING FEE, ENTRY FEE, AND INITIAL GUARANTEE FOR AUTHORISATIONS FOR CAPTIVE TELECOMMUNICATION SERVICES

[*See* rules 6(2)(a), 7(2)(a)(i), 13(1), 40(3), 53(3)]

Sl. No.	**Service Authorisation**	**Processing Fee (in Rs.)**	**Entry Fee (in Rs.)**	**Initial Guarantee (in Rs.)**
1.	Captive mobile radio trunking service authorisation	10,000	Nil	20,000
2.	Captive non-public network service authorisation	10,000	Nil	Nil
3.	Captive very small aperture terminal service authorisation	10,000	7.5 lakh	3 lakh
4.	Captive general service authorisation	Nil	Nil	Nil

[No. 24-08/2025-UBB]

Devendra Kumar Rai,
Joint Secretary to the Government of India.