Telecommunications (Framework to Notify Standards, Conformity Assessment and Certification) Rules, 2025[1]

Whereas a draft of the Telecommunications (Standards, Conformity Assessment and Certification) Rules, 2025, which the Central Government proposes to make in exercise of the powers conferred by section 19 read with clause (zj) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), was published as required by sub-section (1) of section 56 of the said Act vide notification of the Government of India in the Ministry of Communications, Department of Telecommunications number G.S.R. 82(E), dated the 29th January, 2025, in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), dated the 29th January, 2025 inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of thirty days from the date on which the 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 29th January, 2025;

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 19 read with clause (zj) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), and in supersession of rules 528 to 537 of the Indian Telegraph Rules, 1951 relating to testing and certification of telegraph, except as respects the terms and conditions of existing standards, essential requirements, interface requirements, security assurance requirements, specifications, testing requirements or conformity assessment, or exemptions thereof, issued by the Central Government prior to the date of coming into force of these rules, which shall continue to apply till such time as the Central Government supersedes the same by issuance of a notification under section 19 of the said Act, the Central Government hereby makes the following rules, namely:–

1. Short title and commencement.– (1) These rules may be called the Telecommunications (Framework to Notify Standards, Conformity Assessment and Certification) Rules, 2025.

(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) "Appropriate Authority" means the authority designated by the Central Government under rule 4;

(c) "conformity assessment" means any procedure used to demonstrate and determine compliance with notified standards;

[1] *Vide* G.S.R. 315(E), dated 16.05.2025, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 16.05.2025.

(d) "Conformity Assessment Body" (CAB) means the person recognised by the Appropriate Authority under rule 6 for the purpose of conformity assessment under these rules;

(e) "essential requirements" means a set of parameters or standards or specifications or security requirements as may be notified by the Appropriate Authority from time to time;

(f) "license" means a license, registration or permission, by whatever name called, granted under the Indian Telegraph Act, 1885 (13 of 1885) for provision of telecommunication services or telecommunication network, and the term "licensee" shall be construed as the holder of such license;

(g) "portal" means the portal which may be notified by the Central Government under rule 13; and

(h) "standard" means a document issued by the Appropriate Authority which lays down the characteristics, related processes, codes, specifications, essential requirements, recommended practices, classification, test methods and procedures, in respect of any or all aspects specified under section 19 of the Act.

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

3. Objective.– The objective of these rules is to provide a framework within which the Appropriate Authority may notify standards and conformity assessment measures in respect of any or all aspects specified under section 19 of the Act.

4. Appropriate Authority.– (1) The Telecommunication Engineering Centre and the National Centre for Communication Security, under the Department of Telecommunications, Ministry of Communications, Government of India, shall be the Appropriate Authorities for the purposes of these rules.

(2) The Central Government may also designate any other office or authority, to be the Appropriate Authority for the purpose of notification of standards and conformity assessment measures for specified telecommunication equipment or any other aspect of section 19, subject to any terms and conditions as it may specify.

5. Notification and review of standards and conformity assessment.– (1) The Appropriate Authority shall ensure prior publication of the draft standards and draft conformity assessment measures in the portal, so as to allow for a consultation process of at least sixty days to enable all stakeholders to provide their comments, which shall be taken into consideration before finalisation of such standards or conformity assessment measures.

(2) The condition for prior publication and stakeholder consultation under sub-rule (1) shall also apply to revisions or amendments to published standards or conformity assessment measures:

Provided that the condition for prior publication under sub-rule (1) shall not apply where the Appropriate Authority undertakes rectification of typographical mistakes or errors apparent in any notified standard or conformity assessment measure, which are not substantive in nature.

(3) The Appropriate Authority may, notwithstanding sub-rule (1), notify a standard or conformity assessment measure on a provisional basis without prior consultation process, where it determines, for reasons to be recorded in writing–

(a) that such notification is necessary to expeditiously achieve a policy objective; or

(b) the risks of non-fulfilment of such objective, if such notification on a provisional basis is not undertaken:

Provided that the Appropriate Authority shall within a period of sixty days of such notification, undertake a consultation process, and take into consideration stakeholder comments for either finalising the standards or conformity assessment measures with or without modifications, or withdrawing such standards or conformity assessment measures.

(4) The Appropriate Authority shall review the notified standards and conformity assessment measures, at least once in five years, to determine the need for revision, amendment or withdrawal of such standards, in accordance with these rules.

(5) Any standard notified under these rules shall be effective from the date specified therein:

Provided that in case of a notification for revision or amendment of an existing standard, the Appropriate Authority may, by order, permit the concurrent operation of such revised or amended standard along with the existing standard for such period as may be specified in such order.

Explanation.– In this sub-rule, "existing standard" means a standard which is in effect on the date of notification of revision or amendment to such standard.

6. Recognition of Conformity Assessment Bodies.– (1) The Appropriate Authority may recognise a laboratory in India or, in public interest, a laboratory in any other country, other than those with which India shares a land border, which is accredited under the International Laboratory Accreditation Cooperation, as a Conformity Assessment Body for carrying out conformity assessment of standards notified under section 19 of the Act.

(2) The Appropriate Authority may specify, from time to time, guidelines for the recognition, suspension, withdrawal or renewal of recognition of Conformity Assessment Bodies:

Provided that the recognition of a Conformity Assessment Body shall not be suspended or withdrawn without giving a reasonable opportunity of being heard to the relevant Conformity Assessment Body.

(3) The Appropriate Authority shall publish on the portal, a list of Conformity Assessment Bodies recognised by it.

7. Application to obtain Certificate of Conformity Assessment.– (1) The Certificate of Conformity Assessment may be issued by the Appropriate Authority or any certification body designated by the Central Government, and the Appropriate Authority shall publish on the portal, a list of such certification bodies.

(2) Every person to which a notified standard applies shall, at its own cost–

(a) ensure compliance with the conformity assessment measures in respect of an applicable standard; and

(b) make an application to obtain a certificate of conformity assessment, as may be required in respect of the relevant standard, to the Appropriate Authority or to any certification body specified under sub-rule (1), in the form and manner and subject to payment of fees as may be specified by the Appropriate Authority.

(3) The Appropriate Authority or the certification body, as the case may be, shall–

(a) undertake assessment of the application for conformity assessment in accordance with the timelines and procedure as specified on the portal by the Appropriate Authority; and

(b) based on such assessment, issue the certificate of conformity assessment for a validity period as may be determined by the Appropriate Authority.

(4) The certificate of conformity assessment may be renewed in the manner and subject to compliance with the procedures and on payment of such fees as may be specified by the Appropriate Authority in this behalf.

8. Compliance obligations.– (1) Every person to which a notified standard applies, shall ensure that the details of such standard, including the Certificate of Conformity Assessment, is displayed in such manner as may be specified by the Appropriate Authority.

(2) No telecommunication equipment to which a standard applies, shall be sold or deployed in any telecommunication network, or otherwise be used in India, unless it has a valid Certificate of Conformity Assessment.

9. Exemptions from conformity assessments.– (1) The following shall be exempt from the requirement of conformity assessment under these rules, namely:–

(a) telecommunication equipment imported into India for the purpose of carrying out research and development or demonstration or testing of samples in India or through regulatory sandbox, subject to compliance with relevant rules and procedures for such research, demonstration or testing or regulatory sandbox; and

(b) telecommunication equipment brought into India by a person for personal use in India and that is not otherwise prohibited to be imported or used under the Act or any other law for the time being in force.

(2) Where a notified standard applies in respect of a telecommunication equipment, recertification of such telecommunication equipment shall not be required in the following cases, namely:–

(a) where the model or brand of such telecommunication equipment is not different in any manner from that certified by the Appropriate Authority; and

(b) where such telecommunication equipment complies with changes to any labelling requirements as notified by the Appropriate Authority from time to time.

(3) The Central Government may, from time to time, notify exemptions from the requirement of conformity assessment, in addition to those specified under sub-rule (1) and sub-rule (2).

10. Procedure by an authorised entity or a licensee in respect of telecommunication equipment without a valid Certificate of Conformity Assessment.– (1) An authorised entity or a licensee shall, upon becoming aware that a user of its telecommunication services is using telecommunication equipment that does not have a valid Certificate of Conformity Assessment, issue a notice in writing to such user seeking discontinuance by the user of such telecommunication equipment within a period of seven days from the date of issuance of the notice.

(2) Where a user, upon receipt of a notice under sub-rule (1), does not discontinue the use of the uncertified telecommunication equipment within seven days from the date of issuance of such notice, the authorised entity or licensee, shall suspend the telecommunication service or connectivity to the telecommunication network of such user and inform the Central Government in writing of such discontinuance.

11. Inspection and monitoring.– (1) The Appropriate Authority, or any officer authorised by the Central Government for this purpose, may from time to time inspect and monitor compliance with the requirements of these rules.

(2) Any person to which a relevant standard applies, shall ensure access to the Appropriate Authority, or any officer authorised by the Central Government, to its premises for the purposes of such inspection and monitoring and provide information as may be sought in respect of the relevant standard or conformity assessment measure.

12. Procedure in relation to contravention of standards relating to telecommunication equipment.– (1) If the Appropriate Authority, or any officer authorised by the Central Government for inspection and monitoring under these rules, obtains information during the course of inspection or otherwise, that telecommunication equipment to which a standard applies is not accompanied by a valid Certificate of Conformity Assessment, it shall issue a notice in writing to the person in possession of such equipment to cease from offering for sale

or distribution, or using such equipment in any manner, and the recipient of such notice shall comply with such notice within seven days from the date of receipt of such notice.

(2) The recipient of a notice under sub-rule (1), may, subject to compliance with relevant conformity assessment measures in respect of the relevant telecommunication equipment, apply for Certificate of Conformity Assessment in the manner specified under rule 7, upon payment of ten times the fees as may be specified in pursuance of sub-rule (2) of rule 7, and if such certificate is obtained within one hundred and eighty days of the notice under sub-rule (1), it shall inform the Appropriate Authority in such form as may be specified by the Appropriate Authority for this purpose, and be entitled to sell, distribute or otherwise use such equipment.

(3) The Appropriate Authority may initiate legal proceedings for the seizure or destruction of equipment that are used in contravention of sub-rule (1) or sub-rule (2).

13. Digital implementation of these rules.– The Central Government, in furtherance of section 53 of the Act, may notify one or more portals for the digital implementation of these rules, including for specification of the standards and conformity assessment, procedures for compliance, fees and charges, notices of non-conformity, and to disseminate any orders or directions made under these rules by the Appropriate Authority.

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