

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1937
TO BE ANSWERED ON 05th AUGUST, 2021**

TELEPHONE INTERCEPTION

1937 Shri John Brittas:

Will the Minister of Communications be pleased to state:

- (a) Whether it is a fact that Telegraph and Information Technology Act facilitate telephone interception of individuals by competent authority in Government;
- (b) if so, the details thereof;
- (c) the number of persons whose telephones were intercepted from 2016 till today; and
- (d) the year-wise interception?

ANSWER

**MINISTER OF STATE FOR COMMUNICATIONS
(SHRI DEVUSINH CHAUHAN)**

(a)&(b) Lawful interception is under the provisions of Section 5(2) of the Indian Telegraph Act, 1885 read with Rule 419A of Indian Telegraph (1st Amendment of 2014) Rules, 2014 and Section 69 of the Information Technology Act, 2000 read with the Information Technology (Procedure and Safeguards for Interception, Monitoring and Decryption of Information) Rules, 2009. As per both these Rules, for approving interception, Union Home Secretary is the Competent Authority in case of Central Government and Secretary in charge of Home Department in case of States/UTs.

(c)&(d) As informed by Ministry of Home Affairs (MHA), the records pertaining to lawful interception are destroyed regularly as per provisions contained in Sub-rule 18 of Rule 419A of the Indian Telegraph (1st Amendment of 2014) Rules, 2014 and Sub-rule 23 of Information Technology (Procedure and Safeguards for Interception, Monitoring and Decryption of Information) Rules, 2009. Such records are not being maintained by MHA.
