

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 383
TO BE ANSWERED ON 9th DECEMBER, 2022**

DRAFT TELECOMMUNICATION BILL, 2022

**383. SHRI DIGVIJAYA SINGH:
SHRI VIVEK K. TANKHA:
DR. AMEE YAJNIK:**

Will the Minister of COMMUNICATIONS be pleased to state :

- (a) whether Government is aware that the draft Telecommunication Bill, 2022 contains provisions that allow for Central and State Government surveillance and which are contrary to Supreme Court judgments and advance rulings in surveillance regulations;
- (b) if so, whether Government intends to amend these provisions before introducing the Bill;
- (c) whether the Bill has any provisions on procedural safeguards against internet shutdowns; and
- (d) if so, the details thereof, if not, the reasons therefor?

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

(a) to (d) Section 5 of the Indian Telegraph Act, 1885 provides for Government to intercept messages or not to transmit messages on the occurrence of any public emergency, or in the interest of the public safety. The principles of lawfully intercepting messages were set up by Hon'ble Supreme Court in People's Union of Civil Liberties (PUCL) Vs Union of India & others. These principles were incorporated in Indian Telegraph Rules 419A.

The draft Telecommunication Bill, 2022 has been uploaded for consultation. All suggestions are being examined.
