

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

**LOK SABHA
UNSTARRED QUESTION NO. 4617
TO BE ANSWERED ON 29TH MARCH, 2023**

RESPONSES RECEIVED ON CONSULTATION PAPER

4617. DR. T. SUMATHY (a) THAMIZHACHI THANGAPANDIAN:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) the details of the number of responses that were received on the consultation paper titled ‘Need for a New Legal Framework Governing Telecommunication in India’ which was put in public domain in July 2022 by the Government;
- (b) the number of the stakeholders who submitted responses and the summary of main points/concerns;
- (c) the details of the Telecom Regulatory Authority of India’s response to the consultation paper issued by the Government;
- (d) whether any stakeholder meeting was organised while preparing the draft of Indian Telecommunication Bill, 2022 and if so, the details thereof; and
- (e) whether the States have shared their responses to the draft of Telecommunication Bill and if so, the details thereof?

ANSWER

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

(a) & (b) The Ministry released the consultation paper titled “Need for a new legal framework governing Telecommunication in India” on 23.07.2022 inviting comments from stakeholders. The Ministry received a total of 82 responses from various stakeholders and industry associations on the consultation paper.

The summary of main points/ concerns raised, is as under:

- Recognition and acknowledgement of the need for a new legal framework that is future-ready;
- The need for updating the nomenclature and definitions of relevant terms in the telecommunication legal framework;
- The role that a strong legal framework can play in ensuring steady rollout of new telecommunication technologies;
- Need for legal certainty regarding spectrum management including issues relating to the use, allocation, and assignment, based on the underlying principle that spectrum is a natural resource that needs to be assigned in a manner that best subserves the common good;

- Alignment of telecommunication standards with international standards and best practices;
- Importance of cybersecurity, national security and public safety concerns, while ensuring constitutional and procedural safeguards;
- Need for a distinctive insolvency framework that allows continuity of provision of telecommunication services, so long as the licensee pays all dues; and
- Need for rationalization of penalty framework, providing for specific penalties that are clearly linked with the nature of breach and gravity of the offence.
- Suggestions around procedures, licensing reforms, frequency assignment were also received.

(c) Telecom Regulatory Authority of India (TRAI), vide its letter dated 31.08.2022, submitted its response on the Consultation Paper. TRAI inter alia informed that as the issues related to the legal framework for the telecommunication sector now encompass convergence of Telecommunication and Broadcasting, it may be necessary to widen the scope of the consultation process beyond Indian Telegraph Act, Indian Wireless Telegraphy Act and Telegraph Wires (Unlawful Possession) Act.

(d) Several meetings were held with various stakeholders to obtain their views and suggestions on the draft Telecom Bill.

(e) During the consultation process held on the draft Telecommunication Bill, the Ministry received comments from the State Governments of Andhra Pradesh, Himachal Pradesh, Punjab, Tripura, Karnataka and Mizoram. These comments were suggestions on provisions related to Right of Way framework, regulation of over-the-top (OTT) communication services, know your customer (KYC), definitions, authorization of wireless equipment, restructuring, defaults & insolvency, etc., among other general suggestions.
