

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

**LOK SABHA
UNSTARRED QUESTION NO. 1530
TO BE ANSWERED ON 28th JULY, 2021**

REGULATION OF INTERNET COMPANIES

1530. SHRI SUDHAKAR TUKARAM SHRANGARE:
SHRI PRADEEP KUMAR SINGH:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether the Government has any regulatory framework for Internet companies;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the steps taken by the Government to protect the interest of internet users in the matter of privacy and safety of data?

ANSWER

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

(a) & (b) Companies are granted Internet Service Providers (ISP) License under Section 4 of the Indian Telegraph Act, 1885. Presently, ISP authorization is granted under the Unified Licensing regime. ISP authorizations are granted under three categories namely Category 'A' (PanIndia basis), Category 'B' (License Service Area i.e Telecom Circle basis) and Category 'C' (Secondary Switching Area basis). The License conditions inter-alia prescribe General Conditions, Commercial Conditions, Financial Conditions, Technical Conditions, Operation Conditions, Security Conditions etc.. Field units of Department of Telecommunications monitor compliance of License terms and conditions.

(c) As per following sub clauses of Clause 37 of the License Agreement, ISP licensee are required to take necessary steps to ensure confidentiality of customer information:

“37.2 Subject to terms and conditions of the license, the Licensee shall take all necessary steps to safeguard the privacy and confidentiality of any information about a third party and its business to whom it provides the Service and from whom it has acquired such information by virtue of the Service provided and shall use its best endeavors to secure that: a) No person acting on behalf of the Licensee or the Licensee divulges or uses any such information except as may be necessary in the course of providing such Service to the Third Party; and b) No such person seeks such information other than is necessary for the purpose of providing Service to the Third Party. Provided the above para shall not apply where: a) The information relates to a specific party and that party has consented in writing to such information being divulged or used, and such information is divulged or used in accordance with the terms of that consent; or b) The information is already open to the public and otherwise known.

37.3 The Licensee shall take necessary steps to ensure that the Licensee and any person(s) acting on its behalf observe confidentiality of customer information.

37.4 The Licensee shall, prior to commencement of Service, confirm in writing to the Licensor that the Licensee has taken all necessary steps to ensure that it and its employees shall observe confidentiality of customer information.”
