

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 2726**

**TO BE ANSWERED ON THE 10<sup>TH</sup> MAY, 2016/VAISAKHA 20, 1938 (SAKA)**

**PROCEDURE FOR PHONE TAPPING**

**2726. SHRI ALOK SANJAR:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) the details of parameter and procedure regarding phone tapping of individuals;**

**(b) whether phone tapping is permissible under the law;**

**(c) if so, the details thereof and if not, the details of penalties imposed in such cases; and**

**(d) the details of phone tapping machines being installed for phone tapping in personal capacity and the machines used for the same?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)**

**(a) to (c): Lawful interception /phone tapping is being done by the Law Enforcement Agencies, duly authorised by Central and State Governments, in the interest of the sovereignty, and integrity of India, the security of the State, friendly relations with Foreign States or public order or for preventing incitement to the commission of an offence as per the provisions of section 5(2) of the Indian Telegraph Act, 1885 and procedure defined under Rule 419 A of the Indian Telegraph Rules, 1951.**

**(d): the use of passive interception units by individuals and Off-the-Air Interception equipment is not permissible under the provisions of the India Telegraph Act 1885.**

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