Telecommunication Bill 2023

Why in news?

Recently the Telecommunication Bill 2023 was introduced in Lok Sabha.

What are the key provisions of the Bill?

About	Description
Aim	To update and unify the existing laws on telecommunication services, networks, and spectrum.
Replaces outdated laws	It repeals the • Indian Telegraph Act, 1885 • Indian Wireless Telegraphy Act, 1933 and • Telegraph Wires (Unlawful Possession) Act, 1950.
Regulate activities	It amends the Telecom Regulatory Authority of India (TRAI) Act, 1997.
Authorisation for telecom related activities	Prior authorisation from the central government will be required to • Provide telecommunication services, • Establish, operate, maintain, or expand telecommunications networks, or • Possess radio equipment.
License authorisation	Existing licences will continue to be valid for the period of their grant, or for 5 years, where the period is not specified.
Power of interception	Messages or a class of messages between two or more persons may be intercepted, monitored, or blocked on certain grounds such as • Security of the state • Prevention of incitement of offences • Public order
Power to search	An officer authorised by the government may search premises or vehicles for possession of unauthorised telecom network or equipment.
Power to specify standards	The central government may prescribe standards and assessments for telecom equipment, infrastructure, networks, and services.
Right of way	• Facility providers may seek a right of way over public or private property to establish telecom infrastructure. • Right of way must be provided on a *non-discriminatory and non-exclusive basis* to the extent possible.

Users protection	• The central government may provide for measures to protect users which include • Prior consent to receive specified messages such as advertising messages, • Creation of *Do Not Disturb registers*, and • Mechanism to allow users to report *malware or specified messages*. • Entities providing telecom services must establish an online mechanism for registration and redressal of grievances.
Appointments of TRAI	• The Bill amends TRAI Act to allow individuals with • At least 30 years of professional experience to serve as the chairperson • At least 25 years of professional experience to serve as members.
Digital Bharat Nidhi	• Universal Service Obligation Fund under 1885 Act has been retained in the Bill. • It will provide telecom service in underserved areas, further the fund is allowed to use for research and development.
Offences and penalties	The Bill specifies various *criminal and civil* offences.
Adjudication process	• The central government will appoint an *adjudicating officer* to conduct inquiries and pass orders against civil offences under the Bill. • Orders of the adjudicating officer may be appealed before the *Designated Appeals Committee* within 30 days. • Appeals against the orders of the Committee, in connection to breach of terms and conditions, may be filed with *Telecom Dispute Settlement and Appellate Tribunal* (TDSAT) within 30 days.

To know about the draft telecommunication Bill 2022 click here

What does the Bill say about national security?

- It gives the government the power to take over or control telecom services and networks in case of emergencies or for national security reasons.
- **Public order**- The government he government can also intercept, detain, or disclose messages sent or received by any telecom service or network, if it deems it necessary for the country's interests or public order.
- **Press messages**- If it is from *accredited correspondents*, it shall not be intercepted or detained, unless they are prohibited by the rules.
- **Public interest**-The government can also direct any telecom service or network to transmit specific messages in the public interest.
- **Assignment of spectrum**- It will be assigned by *auction*, except for specified uses, where it will be allocated on an administrative basis.

- The Central government may re-purpose or re-assign any frequency range and may permit sharing, trading, leasing, and surrender of spectrum.

References

1. Indian Express- Telecom Bill 2023
2. PRS- Telecommunication Bill 2023

