

New Telecommunications Standards and Certification Regime:

Key highlights of the 2025 draft rules

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Introduction

The Department of Telecommunications (DoT) has released the draft Telecommunications (Standards, Conformity Assessment and Certification) Rules, 2025 (Draft Rules), revising and streamlining the framework for the standardisation and certification of the telecom equipment in India.

Notified under Section 19 of the Telecommunications Act, 2023, the Draft Rules seek to establish stringent testing and certification mandates for telecom equipment intended for use or deployment within any telecom network in India to enhance security, interoperability, and quality control across the sector. The Draft Rules will be taken into consideration after 30 days from its publication, and stakeholders can provide objections or suggestions in the interim.

Background

Currently, the regulatory framework governing the testing and certification of telegraph equipment is prescribed under the Indian Telegraph (Amendment) Rules, 2017 (Telegraph Amendment) issued under the Indian Telegraph Act, 1885 (Telegraph Act). The Draft Rules, once finalised and notified, will supersede and replace the Telegraph Amendment. However, the Draft Rules will not impact the validity of existing standards, essential requirements, specifications, testing requirements, and conformity assessments issued by the Central Government or its authorised entities.

Below, we outline the key provisions and potential impact of this regulatory development.

Scope and applicability

The Draft Rules apply to a wide range of entities engaged in the manufacturing, sale, and operation of telecommunications equipment. This includes Original Equipment Manufacturers (OEMs), Authorised Indian Representatives (AIRs) of foreign OEMs, importers, distributors, and sellers of the telecom equipment, authorised entities, as well as the licensees currently operating under the Telegraph Act. These entities will be required to ensure strict compliance with the notified telecommunications standards before deploying or selling telecom equipment in India.

Regulatory oversight and standards development

The Telecommunication Engineering Centre (TEC) and the National Centre for Communication Security (NCCS), both operating under the DoT have been designated as 'Appropriate Authorities' responsible for implementing the Draft Rules. The key responsibilities of TEC and NCCS include:

- (a) Drafting and notifying standards and conformity assessment measures for mandatory testing and certification of telecommunication equipment (MTCTE). This includes seeking stakeholder comments on draft standards, and undertaking mandatory review of the standards and conformity assessment measures every 3 years to determine the need for amendments or withdrawals.

- (b) Specifying guidelines for and recognising domestic and accredited international laboratories as Conformity Assessment Bodies (CABs) that conduct conformity assessment testing. However, labs in countries sharing a land border with India are excluded from this recognition process.
- (c) Issuing Certificates of Conformity (CoC) for telecom equipment basis the test reports by CABs.

Conformity assessment and certification

Classes of entities covered by the Draft Rules must ensure compliance with the prescribed conformity assessment measures for all telecom equipment intended for sale or deployment in India, at their own cost. These entities are required to have their telecom equipment tested by CABs and submit the resultant test reports along with fees to the Appropriate Authority to obtain CoCs. Such CoCs have limited validity and are subject to renewal. Additionally, OEMs and AIRs must ensure that standards, including the CoC number and validity, are prominently displayed on the telecom equipment.

Exemptions from conformity assessment

Certain categories of telecommunications equipment are exempt from the conformity assessment and certification requirements, including:

- (a) equipment / samples imported for research, development, demonstration, or testing purposes, subject to compliance with applicable procedures; and
- (b) equipment brought into India for personal use, provided it is not otherwise restricted under Indian law.

Additionally, re-certification of telecom equipment is not required where the equipment model remains unchanged from a previously certified version or where only labelling modifications are made to comply with notified changes in regulatory requirements. The Central Government retains the authority to introduce additional exemptions as necessary.

Enforcement and Penalties for Non-Compliance

Licensed Telecom Service Providers (TSP) and Appropriate Authorities are authorized to issue a discontinuance notice to any user of uncertified telecom equipment. TSPs are permitted to suspend services in case of non-compliance. Additionally, Appropriate Authorities have inspection and monitoring powers to enforce compliance with these Draft Rules. However, services may not be disrupted if the appropriate certification is obtained within the prescribed timelines and on payment of prescribed penalties. The government also has powers to initiate legal action, including seizure and destruction of non-compliant equipment in case of continued violation of the Draft Rules.

Digital implementation and Compliance Portal

To streamline regulatory compliance, the Central Government will introduce a dedicated digital portal for implementation of the Draft Rules. Standards, measures, updates on compliance procedures, fees, and notices of non-conformity, etc. will be regularly published on such portal. This move aligns with India's broader digital governance initiatives, aimed at reducing bureaucratic inefficiencies and enhancing transparency in the regulatory process.

Conclusion

The Draft Rules seek to enhance security, standardisation, and compliance oversight, thereby strengthening India's telecom infrastructure and safeguard national telecommunications networks. The exclusion of laboratories in countries sharing a land border with India may necessitate entities to undertake adjustments in their testing and certification strategies for certain foreign manufacturers, requiring them to reconfigure their compliance frameworks to align with the new regulatory requirements. Once the Draft Rules are finalised and notified, companies must assess their existing equipment, review testing procedures, and align with certification requirements to avoid market access delays or regulatory penalties. It is however unclear whether the Draft Rules will apply only to complete in built products, similar to the present MTCTE regime.

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