



NO: BSNLCO-RGLN/17(11)/1/2020-REGLN/E-3875/18126

Dated: 20th Nov, 2020

To,
The Chief General Managers,
All Telecom Circle/Metro Distt.
BSNL.

Sub: "Amendment to Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017" - regarding

Sir,

I am directed to refer to DOT letter 10.11.2020 (**copy enclosed**) whereby Gazette Notification dated 10.11.2020 i.r.o "**Amendment to Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017**" in accordance with Hon'ble Supreme Court judgment dated 10.11.2020 passed in UT(C) no. 1031/2019 and WP(C) no.1164/2019 has been conveyed as :

"G.S.R. 694(E).—*In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules to amend the Temporary Suspension of Telecom Services(Public Emergency or Public Safety) Rules, 2017, namely:-*

- 1.** (1) *These rules may be called the Temporary Suspension of Telecom Services (Amendment) Rules, 2020.*
(2) *They shall come into force on the date of their publication in the Official Gazette.*
- 2.** *In the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, in rule 2, after sub-rule (2), the following sub-rule shall be inserted, namely:-*
(2A) *The suspension order issued by the competent authority under sub-rule (1) shall not be in operation for more than fifteen days."*

2. Accordingly, I am directed to request to disseminate the information to all concerned officers and ensure adherence of the same.


DGM (Regln-I)

Copy for kind information & n/a to:

PGM/Sr GM/GM(S&M-CM/NWO-CFA/NWO-CM-1)

No: 800-37/2016-AS.II/Part-I
Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001

Dated 10.11.2020

OFFICE MEMORANDUM

Subject: "Amendment to Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017" - regarding


Gazette Notification of "Amendment to Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017" is enclosed.

2. Hon'ble Supreme Court vide judgment dated 10.01.2020 passed in WP(C) no. 1031/2019 and WP(C) no.1164/2019 has, inter alia, directed that

- a) State/competent authorities publish all orders in force and any future orders for suspension of telecom services, including internet, to enable the affected persons to challenge it before the High Court or appropriate forum.
- b) Any order suspending internet issued under the Suspension Rules, must adhere to the principle of proportionality and must not extend beyond necessary duration.

3. It may be ensured that orders for suspension of Telecom Services issued under Temporary suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 are in compliance to the direction of the Hon'ble Supreme Court.

Encl.: As above.


(Robin Adaval)
Director (Access Services-II)
Tel: 011-23718054

To,

All Chief Secretaries of States & Chief Secretaries/Administrators of Union Territories.

Copy to:

1. The Home Secretary, Ministry of Home Affairs, New Delhi.
2. The Chief Executive Officer, Niti Aayog, New Delhi.

3. The Secretary, Department of Legal Affairs, Ministry of Law & Justice, New Delhi.
4. The Secretary, Ministry of Electronics & Information Technology, New Delhi.
5. The Secretary, Department of Economic Affairs, Ministry of Finance, New Delhi.
6. The Joint Secretary, Cabinet Secretariat, New Delhi.
7. All Director Generals of Police of States.
8. DG (T), DoT HQ, New Delhi- for circulation among the field units of DoT.
9. DDG (CS), DDG (DS), DoT HQ, New Delhi- for circulation among NLD/ILD/ISP Licensees.
10. DDG (SPPI), DoT HQ, New Delhi.
11. All Access Service Providers.



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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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No. 570]

नई दिल्ली, मंगलवार, नवम्बर 10, 2020/ कार्तिक 19, 1942
NEW DELHI, TUESDAY, NOVEMBER 10, 2020/KARTIKA 19, 1942

संचार मंत्रालय
(दूरसंचार विभाग)
अधिसूचना

नई दिल्ली, 10 नवम्बर, 2020

सा.का.नि.694(अ).—केन्द्रीय सरकार, भारतीय तार अधिनियम, 1885 (1885 का 13) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दूरसंचार अस्थायी सेवा निलंबन (लोक आपात या लोक सुरक्षा) नियम, 2017 का संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

1. (1) इन नियमों का संक्षिप्त नाम दूरसंचार अस्थायी सेवा निलंबन (लोक आपात या लोक सुरक्षा) संशोधन नियम, 2020 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. दूरसंचार अस्थायी सेवा निलंबन (लोक आपात या लोक सुरक्षा) नियम, 2017 के नियम 2 के उपनियम (2) के पश्चात् निम्नलिखित उपनियम अंतःस्थापित किया जाएगा, अर्थात् :-

“(2क) उपनियम (1) के अधीन सक्षम प्राधिकारी द्वारा पारित किया गया निलंबन आदेश पंद्रह दिवस से अधिक के लिए प्रचालन में नहीं रहेगा।”

[फा.सं. 800-37/2016-एएस-II/भाग I]

एस.बी. सिंह, डीडीजी (एएस)

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (i) में अधिसूचना सं. सा.का.नि. सं. 998(अ) तारीख 7 अगस्त, 2017 द्वारा प्रकाशित किए गए थे।

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 10th November, 2020

G.S.R. 694(E).—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules to amend the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, namely:-

1. (1) These rules may be called the Temporary Suspension of Telecom Services (Amendment) Rules, 2020.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, in rule 2, after sub-rule (2), the following sub-rule shall be inserted, namely:-
“(2A) The suspension order issued by the competent authority under sub-rule (1) shall not be in operation for more than fifteen days.”

[F.No.800-37/2016-AS.II/Part-I]

S. B. SINGH, DDG(AS)

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 998(E), dated the 7th August, 2017.