

The Telecommunications (Procedures and Safeguards of Lawful Interception of Messages) Rules, 2024¹

Whereas a draft of the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024, which the Central Government proposes to make in exercise of the powers conferred by clause (a) of sub-section (2) and sub-section (4) of section 20 read with clauses (t) and (u) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), was published as required by sub-section (1) of section 56 of the said Act vide notification of the Government of India in the Ministry of Communications, Department of Telecommunications number G.S.R. 522(E), dated the 28th August, 2024, in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), dated the 28th August, 2024, inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of thirty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas copies of the said Official Gazette were made available to the public on the 29th August, 2024;

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (2) and sub-section (4) of section 20 read with clauses (t) and (u) of sub-section (2) of section 56 of the Telecommunications Act, 2023 (44 of 2023), and in supersession of rules 419 and 419A of the Indian Telegraph Rules, 1951, except as respects things done or omitted to be done before such supersession and without overriding the terms and conditions of existing orders relating to interception of messages under those rules, which shall continue to apply till the date of expiry of the time period for interception, as specified in such order, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. – (1) These rules may be called the Telecommunications (Procedures and Safeguards for Lawful Interception of Messages) Rules, 2024.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – (1) In these rules, unless the context otherwise requires, –

(a) “Act” means the Telecommunications Act, 2023 (44 of 2023);

(b) “authorised agency” means the law enforcement or security agency authorised by the Central Government for the purposes of these rules;

¹ Vide G.S.R. 754(E), dated 06.12.2024, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 06.12.2024.

¹[(c) “competent authority” means —

- (i) the Union Home Secretary in the Ministry of Home Affairs, in the case of the Central Government; or
 - (ii) the Secretary to the State Government in charge of the Home Department, in the case of a State Government; or
 - (iii) the Union Home Secretary in the Ministry of Home Affairs of the Central Government, in the case of a request from the Secretary in-charge of the Home Department of the State Government to the Central Government for interception by that State Government beyond its territorial jurisdiction;]
- (d) “interception order” means an order for interception of a message or class of messages under clause (a) of sub-section (2) of section 20 of the Act, issued under rule 3 of these rules;
- (e) “review committee” means the committee constituted under rule 5 of these rules; and
- (f) “telecommunication entity” shall have the same meaning as assigned to it in clause (g) of sub-rule (1) of rule 2 of the Telecommunications (Telecom Cyber Security) Rules, 2024.

(2) Words and expressions used in these rules and not defined herein but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Interception of message or class of messages by authorised agencies. – (1) The Central Government may, by an order, specify one or more authorised agencies to intercept or receive any message or class of messages pursuant to an interception order, for the reasons specified under sub-section (2) of section 20 of the Act.

(2) The competent authority may, through an interception order, direct interception of any message or class of messages:

Provided that in unavoidable circumstances, such order may be made by an officer, not below the rank of a Joint Secretary to the Central Government, who has been duly authorised for this purpose by the competent authority.

(3) Where it is not feasible for the competent authority or such other officer specified under the proviso to sub-rule (2) to issue an interception order in remote areas or for operational reasons, then the interception order may be issued by the head or the second senior most officer

¹ Subs. by G.S.R. 625(E), dated 12.09.2025. Clause (c) of sub-rule (1) of rule 2, before substitution, stood as under: ““competent authority” means the Union Home Secretary in the Ministry of Home Affairs in the case of the Central Government, or the Secretary to the State Government in-charge of the Home Department in the case of a State Government;”

of the authorised agency at the Central level, and head or the second senior most officer of the authorised agency not below the rank of Inspector General of Police at the State level, and the following provisions shall apply in such cases, -

- (a) a copy of such interception order shall be submitted within three working days of the date of its issuance to the competent authority, and the competent authority shall, if it considers appropriate, confirm such order within a period of seven working days from the date of issue;
 - (b) if the competent authority does not confirm such interception order within seven working days from the date of issue -
 - (i) such interception shall forthwith cease;
 - (ii) any messages intercepted shall not be used for any purpose, including as evidence in a court of law; and
 - (iii) copies of messages intercepted pursuant to such order shall be destroyed within two working days, and confirmation of the same shall be submitted in writing to the competent authority.
- (4) In case of non-confirmation of interception orders by the competent authority under sub-rule (3), the same message or class of messages shall not be intercepted by the authorised agency, without an interception order by the competent authority.
- (5) Any interception order issued under sub-rule (2) or confirmed by the competent authority under sub-rule (3) shall be submitted to the relevant review committee at the Central or State level within a period of seven working days from the date of issuance or confirmation, as the case may be.
- (6) No interception order under sub-rule (2) or (3) shall be made unless the authority issuing such order has considered that it would not be possible to acquire the necessary information by any other reasonable means.
- (7) The interception pursuant to an interception order shall be related to the interception of any message or class of messages as are sent to or from any person or class of persons or relating to any particular subject, whether such message or class of messages are received at one or more addresses as may be specified in the order, or which are likely to be used for the transmission of message or class of messages from or to one particular person specified in the order, or any set of premises or telecommunication equipment specified in the order.
- (8) An interception order shall –
- (a) specify the authorised agency and designation of the officer in such agency that will undertake the interception;
 - (b) specify the reasons for such interception pursuant to sub-section (2) of section 20 of the Act, and limit the use of any intercepted message to the provisions of sub-

section (2) of section 20; and

- (c) remain in force, unless revoked earlier, for a period not exceeding sixty days from the date specified in such order, and may be renewed for further periods;

Provided that no interception order shall remain in force beyond the duration of one hundred and eighty days.

(9) The authorised agency undertaking the interception as specified under clause (a) of sub-rule (8), shall maintain secure records, including but not limited to-

- (a) the intercepted message or class of messages;
- (b) the particulars of persons whose message or class of messages has been intercepted;
- (c) the name and particulars of the officer or the authorised agency to whom the intercepted message or class of messages has been disclosed;
- (d) the number of physical or digital copies of the intercepted message or class of messages made;
- (e) the mode or the method by which such copies are made;
- (f) the date of destruction of the copies; and
- (g) the duration for which the directions for interception in an interception order are remain in force.

(10) Nothing in these rules shall apply to the demonstration and testing of lawful interception systems and monitoring facilities undertaken pursuant to the prior written directions from the Department of Telecommunications.

4. Obligations relating to Interception. – (1) Each authorised agency shall authorise ¹[one or more nodal officers], not below the rank of Superintendent of Police or equivalent rank, to communicate an interception order issued under sub-rule (2) or (3) of rule 3 to the nodal officer of the Department of Telecommunications or nodal officer of the telecommunication entity, as the case may be.

(2) The Department of Telecommunications shall authorise two nodal officers in every service area to receive and act upon the interception orders.

(3) Each telecommunication entity shall notify to the Central Government, the contact details including name, designation, phone number and email address of two senior employees

¹ The words “two nodal officers” substituted by G.S.R. 625(E), dated 12.09.2025.

in every service area of its operation, authorised as nodal officers to implement the interception orders.

(4) The authorised agency, the Department of Telecommunications, and telecommunication entity shall ensure that –

- (a) any matter relating to an interception order is handled only by nodal officers authorised for this purpose;
- (b) adequate and effective internal safeguards are implemented to prevent any unauthorised interception of messages; and
- (c) confidentiality and extreme secrecy is maintained and utmost care and precaution is taken in the matter of interception of messages.

(5) The nodal officer of the authorised agency specified in the interception order shall convey the interception order to the nodal officer of the Department of Telecommunications or to the nodal officer of the relevant telecommunication entity, as the case may be, in writing or using other secure mode of communication as determined by the Central Government for this purpose:

Provided that any physical delivery of such order shall be done only by an officer not below the rank of Sub-Inspector of Police or an officer of equivalent rank.

(6) The nodal officer of the Department of Telecommunications or the telecommunication entity, as the case may be, shall –

- (a) within two hours of receiving the communication under sub-rule (5), send an acknowledgement of such receipt to the authorised agency; and
- (b) submit fortnightly reports on the first and sixteenth of each month to the authorised agency from which it received such communication, comprising the list of interception orders received during the preceding fortnight with details including reference number and date of interception orders issued or confirmed, as the case may be, under sub-rule (2) or (3) of rule 3, date and time of receipt of such orders, and the date and time of implementation of such orders.

(7) The telecommunication entity shall be responsible for any action of its employees, including its vendors, that results in any unauthorised interception, or any violation of these rules.

(8) Records relating to interception shall be:

- (a) maintained by ensuring confidentiality and extreme secrecy; and

- (b) destroyed in a secure manner while maintaining extreme secrecy:
 - (i) every six months by authorised agency, competent authority and review committee, unless these are, or likely to be, required for functional requirements or under court directions; and
 - (ii) within two months of discontinuation of an order of interception, by the Department of Telecommunications and the telecommunication entity.

(9) The obligations set forth under this rule shall not apply to a telecommunication entity that holds, or is exempted from the requirement of, an authorisation under clause (c) of sub-section (1) of section 3 of the Act.

5. Constitution and working of the review committee. – (1) The Central Government shall constitute a review committee, consist of the following members, namely:–

- (a) Cabinet Secretary -Chairperson;
- (b) Secretary, Department of Legal Affairs, Ministry of Law and Justice -Member; and
- (c) Secretary, Department of Telecommunications -Member.

(2) Every State Government shall constitute a review committee, consist of the following members, namely:–

- (a) Chief Secretary of the State -Chairperson;
- (b) Secretary Law or Legal Remembrancer In-charge, Legal Affairs -Member; and
- (c) Secretary to the State Government, other than the Home Secretary -Member.

(3) The review committee constituted under sub-rules (1) and (2) shall meet every two months and record its findings as regards whether the interception orders under rule 3 are in accordance with the provisions of sub-sections (2) and (4) of section 20 of the Act.

(4) Where the review committee is of the opinion that the interception order is not in accordance with sub-section (2) read with sub-section (4) of section 20 of the Act, it may set aside such order and order for destruction of the copies of the intercepted message or class of messages.

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