

Ministry of Communications



Department of Telecommunications (DoT) cautions about misuse of telecom resources

Warns miscreants against tampering or spoofing of telecommunication identifiers like Mobile Numbers, IP Address, IMEI and SMS headers

Telecommunications Act, 2023 enforces stringent penalties for misuse of telecom resources

DoT implementing advanced solutions and policies ensuring a secure and safe telecom ecosystem for all citizens

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The Department of Telecommunications (DoT) has undertaken various initiatives for prevention of misuse of telecom resources for cybercrime and financial frauds. Fraudsters are deploying various tactics for misuse of telecom resources. Cases have been observed where miscreants acquire Subscriber Identity Module (SIM) cards or other telecommunication identifiers like SMS header to send bulk SMS to citizens through fraud, cheating or personation. It has also been observed that some persons procure SIM cards in their name and give them to others for using. Sometimes the persons to whom the SIM has been given, misuses it for cyber-frauds, making the original user also an offender.

It has also been observed that in some cases SIM cards are being procured through fake documents, fraud, cheating or personation. This is an offence under the Telecommunication Act, 2023. At times it has been found that the Point of Sale has been involved in facilitating such procurements which tantamount to abetting in the offence.

Cases are observed where miscreants modify the telecommunication identifiers like Calling Line Identity (CLI), commonly referred to as phone number through various means like Mobile Apps. Other telecom identifiers that uniquely define a user or a device like IP Address, IMEI (Mobile handset identifier), SMS headers are also tampered to either send fraudulent message.

All such activities violate the provisions of the Telecommunication Act, 2023 and are considered offence under this Act. Section 42 (3) (c) of the Telecommunications Act, 2023 specifically bars tampering of telecommunication identification. Further, Section 42 (3) (e) prohibits a person from obtaining subscriber identity modules or other telecommunication identifiers through fraud, cheating or impersonation. Section 42 (7) of the said Act envisages that such offences are cognizable and non-

bailable notwithstanding anything contained in the Code of Criminal Procedure, 1973. Under Section 42(3), such offences are punishable with imprisonment for a term which may extend to three years, or with fine which may extend up to fifty lakh rupees, or with both. Section 42 (6) of the act also envisages same punishment for those who abets any offence under the Act.

The above provisions of the Telecommunications Act 2023 are meant to be a deterrence for the miscreants, ensuring a secure and safe telecom ecosystem for all citizens. DoT is steadfastly committed to preventing the misuse of telecom resources by implementing advanced solutions and policies.

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