

Government of India
Ministry of Communications
Department of Telecommunications
(Access Services Wing)

12th Floor, Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110 001

File No: 800-09/2023-AS.II

Dated: 31.08.2023

To,

All UAS/ UL (having Access Service Authorization) Licensees

Subject: Amendment/ addendum to the existing instructions issued by DoT for adequate verification of customers before enrolling them as subscribers and other subscriber verification related matter.

Clause 39.17(i) of Part-I of Unified License states that, *“The Licensee shall ensure adequate verification of each and every customer before enrolling him as a subscriber; instructions issued by the Licensor in this regard from time to time shall be scrupulously followed.”*

2. In pursuance to above mentioned clause of the License, instructions have been issued to licensees from time to time for adequate verification of each and every customer before enrolling them as a subscriber; SIM Swap or replacement and other subscriber verification related matter. Various inputs/ suggestions have been received from stakeholders to make the existing instructions/ processes more robust. In this regard, the approval of competent authority is hereby conveyed for amendment/ addendum to the existing instructions to the extent as mentioned below only for issuing new mobile connections/ SIM Swap or replacement and other subscriber verification matter.

3. Discontinuation of Bulk Connections and introduction of Business Connections:

- a. It has been decided to discontinue the process of issuing mobile connections under Bulk category as mentioned in para 6 of instructions dated 09.08.2012. However, to meet the requirements of various kind of entities like company, organization, firm, LLP, institution, undertakings, proprietorship, trust, society, etc., a new category of “Business Connections” is being introduced.
- b. For issuing business connections, the licensee shall obtain following documents and information from that entity: -
 - i. Corporate Identity Number (CIN), or Limited Liability Partnership Identification Number (LLPIN), or Business License, or trade/ Registration Number, or Incorporation Certificate or Certificate issued by authorities.
 - ii. Goods & Services Tax (GST) Registration Certificate of the entity, if available.

- iii. Address of the place of business/ working of entity.
 - iv. Any other documents/ information, as deemed fit, for identification by licensee.
- c. In case of CIN/LLPIN, the licensee shall verify the details/ credentials of the Company/LLP from the Ministry of Corporate Affairs.
 - d. After obtaining the above-mentioned documents from the entity, the licensee shall follow either E-KYC or D-KYC process for verification of the authorized representative of the entity.
 - e. The authorized representative of the entity shall provide the end-user list (includes name, designation, PoI document type, PoI document number, and address, etc.) to the Licensee.
 - f. All SIM for business connections issued to an entity shall remain in deactivated state. In order to activate the business connections, each end-user shall be verified by any of the KYC process. The SIM of the end user shall be activated only when the demographic details of end-user captured through KYC process matches with the details provided in the end-user list by authorized representative.
 - g. In case of change of end-user(s), the authorized representative shall inform the licensee about such change and it shall be mandatory for the new end user to reverify that connection in his/her name within 7 working days otherwise the licensee shall disconnect that connection after 7 working days.
 - h. In case there are multiple end-users of a business connection, the responsibility of bonafide usage of those business connections lies with the subscribing entity.
 - i. It shall be mandatory for the licensee to carry out the physical verification of premise/ address of the entity before issuing the business connections to the entity. Additionally, the premise/ address of the entity should be inspected by the licensee at least once in six months for satisfying themselves about bonafide use of such facilities as per the license condition.
 - j. The licensee shall also ensure that if a company/entity stops functioning or surrender its registration, then business connections issued to it shall also be disconnected.
 - k. The requirement of submissions of information/ documents as mentioned in sub-para (b) above and also of the KYC of end-users is dispensed off in case of Central/ State Govt. Departments, Public Sector Undertakings (PSUs), Defense forces, designated Law Enforcement Agencies, Central Armed Police forces, Central/ State government organizations involving in strategically sensitive works and Foreign Embassies/ Missions. However, a self-certification on the letter head mentioning the name and designation of the coordinating officer shall be obtained while issuing business connections. Further, the head of such office/ organization shall also maintain a log book of each individual (end-users) for the period mobile connection is assigned to them and shall ensure that system of effective monitoring is in place.

4. Auto population of details through QR code scanning of Aadhaar:

- a. In order to remove the manual errors in filling of CAFs by PoS, it has been decided that while accepting the Aadhaar as PoI/ PoA document in Digital KYC process issued vide letter dated 03.04.2019, the demographic details including photograph of the customer shall mandatorily be auto-populated by scanning the QR code of Aadhaar through mAadhaar app/ API of UIDAI; and the same shall be automatically captured in CAF by the Licensee and shall not be visible to the PoS. If the QR code is not readable/ available on the Aadhaar produced by the subscriber, then he/ she may be asked to obtain latest Aadhaar from UIDAI.
- b. Licensees shall strictly ensure that no editing shall be permitted for such captured details of the customer. Licensee shall further ensure that no mobile connection shall be activated if the:
 - i. auto-populated demographic details of the customer are Gibberish
 - ii. auto-populated photograph of customer is non-recognizable
 - iii. auto-populated photograph of the customer does not match with the live photograph of the customer
 - iv. auto-populated demographic details of the customer do not match with the Aadhaar produced by the customer.

5. Modification in Aadhaar based e-KYC Process:

- a. In the Aadhaar based e-KYC process issued vide instructions dated 21.09.2021, the licensee may use finger print, iris or **face authentication modality** of UIDAI for biometric authentication of the customer.
- b. Further, the KYC App of the Licensee shall put a water-mark in readable form having CAF number, GPS coordinates, POS name, unique POS Code (assigned by licensees) and Date (DD:MM:YYYY) & time stamp (HH:MM:SS) on the captured live photograph of the customer.
- c. The other terms and conditions of instructions dated 21.09.2021 for Aadhaar based e-KYC process shall remain unchanged.

6. SIM Swap/ Replacement:

- a. SIM Swap/replacement is referred to as a process of acquisition of a new SIM card in place of a lost/non-working SIM card by the existing Subscriber.
- b. It has been decided to discontinue the earlier process of SIM swap/ replacement issued vide instructions dated 01.08.2016 and 27.09.2022.
- c. The licensee shall follow either E-KYC process or Digital KYC process in case of SIM swap/ replacement. In addition to this, it must also be ensured by the licensee that

the new SIM shall be activated only when the demographic details (excluding address) and photograph of the subscriber captured for SIM swap/ replacement shall match with those details available in the licensee's database for the same MSISDN.

- d. The licensee shall preserve and store all the details (CAF, photograph, etc.) of the subscribers captured during each SIM swap/ replacement along with the original CAF/database (captured during the first-time enrolment) of the subscriber.
- e. The SMS facility (both incoming and outgoing) shall be barred for 24 hours on the new activated SIM card.

7. Capturing of GPS coordinates:

- a. Before activating a new SIM, either for new mobile connection or for SIM Swap/ replacement, the licensee shall ensure that the GPS coordinates captured during the process shall be within the area of operation of PoS.
- b. The licensees shall strictly ensure that no editing is possible or shall be permitted for such captured details of the GPS coordinates.
- c. The licensee shall also capture network determined location to verify that App determined GPS coordinates has not been forged/tampered. Necessary consent in this regard shall be obtained from the PoS.

8. Reallocation of a disconnected/ deactivated connection:

- a. In supersession of instructions dated 20.04.2017 regarding reallocation of deactivated/disconnected cellular mobile telephone connection of a subscriber, the cellular mobile telephone connection (MSISDN) of a subscriber deactivated or disconnected shall not be allocated to any other subscriber till the expiry of **90 (ninety) days**, from the date of such deactivation or disconnection.
- b. The reasons of deactivation or disconnection includes but not limited to the following:
 - i. non-usage of mobile connection as defined by TRAI
 - ii. surrender on the request of subscriber
 - iii. disconnection or directions received from LEAs/ licensor
- c. If the directions of reactivation are received from LEA/ licensor before 90 days from the date of disconnection, then the licensee shall immediately reactivate that mobile connection.
- d. In case of dispute arising out due to deactivation/ disconnection of a mobile connection for relaxing the time limit of 90 days as mentioned in sub-clause (a) above, the concerned LSA shall be the competent authority to examine and decide the case and for issuing appropriate directions to licensees, if any.

9. Provisioning of CAF to subscriber: The licensees shall mandatorily provide copy of CAF in password protected mode to the subscriber either via digital mode or in physical form or through SMS link and shall preserve the records establishing delivery of the same.

10. These amendments/ addendums to the existing instructions are applicable with effect from **01.10.2023** and not applicable for 13-digit M2M SIMs.



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Copy to :-

- i. DG-T for monitoring the compliance and circulating among the LSAs and respective security agencies at the LSAs.
- ii. CEO, UIDAI- for kind information.
- iii. Secretary, TRAI- for kind information.
- iv. DDG (SA), DDG (AI&DIU), DoT HQ for kind information and necessary action.
- v. JS, CIS, MHA for kind information and necessary action.