

## Draft Guidelines for Registration Process of M2M Service Providers (M2MSP) and WPAN/WLAN Connectivity Provider for M2M Services

The Department of Telecommunications (“DoT”), on June 26, 2021, has released the draft guidelines for Registration Process of M2M Service Providers (M2MSP) and WPAN/WLAN Connectivity Provider for M2M Services (“**Draft Guidelines**”) for comments from the public. The last day for submitting the comments and suggestions is July 1, 2021.

Some of the highlights of the Draft Guidelines are as below:

### Definitions

- a) M2M Services is defined as services offered through a connected network of objects/devices, with identifiers, in which Machine to Machine (M2M) communication is possible with predefined back-end platform(s) either directly or through some gateway. The explanation to the definition elaborates that M2M services involve communication of end device/ object with predefined back-end platform(s) either directly or through some gateway.
- b) M2M Service Provider (“**M2MSP**”) is defined as an Indian company, registered under the Companies Act, 2013 or a Limited Liability Partnership registered under Limited Liability Partnership Act, 2008 or a partnership firm or an organization registered under Shops and Establishment Act or a Legal Person which provides M2M services to third parties using telecom resources. The definition expressly excludes any organization which intends to provide M2M services for its own use (captive use) and not for commercial purpose.
- c) Wireless Personal Area Network (“**WPAN**”) is defined as a network used for communication among the personal devices (intra-personal communication), or for connecting to a higher-level network and the Internet.
- d) Wireless Local Area Network (“**WLAN**”) is defined as a wireless network whereby a user can connect to a local area network (LAN) through a wireless (radio) connection, as an alternative to a wired local area network.
- e) WPAN/WLAN Connectivity Provider is defined as an Indian company, registered under the Companies Act, 2013 or a Limited Liability Partnership registered under Limited Liability Partnership Act, 2008 or a partnership firm or an organization registered under Shops and Establishment Act or a Legal Person which

uses WPAN/WLAN technologies for providing M2M connectivity for commercial purposes, operating in unlicensed spectrum.

## General Conditions

- a) M2MSP and WPAN/WLAN Connectivity Provider registrations must be granted to any entity in India that is registered under the Limited Liability Partnership Act, 2008, Companies Act, 2013, or the Shops and Establishment Act. M2MSPs should provide details of incorporation while registering. Registration for M2M service provision and WPAN/WLAN (wireless personal/local area network) connectivity solutions are separate. Registration will require a non-refundable INR 5,000 application fee. DoT will grant certificate within 15 days of receiving a complete application.
- b) An M2M Service Provider (M2MSP) or WPAN/WLAN Connectivity Provider who is applying for the registration under the Draft Guidelines (“**Applicant**”) should not infringe upon the jurisdiction of any authorised Telecom Service Providers (“**TSPs**”) and is only permitted to provide services for which they are registered. The registration is not transferable.
- c) TSPs who intend to provide M2M services and connectivity for M2M services to third parties are required to register as M2MSPs and WPAN/WLAN Connectivity Providers respectively under Draft Guidelines.
- d) Applicants are also required to provide the details of location of their IT setup/core network at the time of registration. Additionally, in the event of any changes in location of their IT setup/core network at a later point of time, the same is to be intimated to the DoT within 5 days of shifting the operation to the next location. Any changes in authorised signatories, address, and contact details of the Applicant as well as partners of the Applicant is required to be intimated to the DoT within 30 days.
- e) Wherever considered appropriate, the DoT may conduct an inquiry either suo-moto or on complaint to determine whether there has been any breach in compliance of the terms and conditions of the Registration by the Applicant and upon such inquiry the Applicant will be required to extend all reasonable facilities to remove the hindrance of every type.

## Technical Conditions

- a) Applicants are required to use a TSP’s services for backhaul connectivity. The Draft Guidelines permit the use WPAN/WLAN technologies in unlicensed spectrum/frequency exempt band to provide M2M services and connectivity for M2M services.
- b) KYC guidelines and any related guidelines issued by the DoT to the TSPs from for all telecom resources including SIM enabled devices are to be adhered to, by the Applicants. The Draft Guidelines give the DoT the right to examine the details of the same at any given time.
- c) The details of all the customers of M2M services are required to be maintained by M2MSP. Any changes in customers and machines details are required to be updated.
- d) Applicant is required to provide the details of the TSPs from which SIMs are taken for providing M2M Services. In case of modification of details of TSPs, same is to be intimated to the DoT.
- e) Any instructions regarding permanent international roaming and e-SIMs issued by the government will be binding on M2MSP.
- f) All devices sold in India which have embedded SIM inside the device, the packaging/ instructions/ supporting leaflet is to include instruction that “This device is having embedded SIM inside. At the time

of re-sale/ loss/ transfer of this device, change of ownership details will be shared with respective M2M Service provider/ Telecom service provider”.

### **Security Conditions:**

- a) Applicants are required to make their equipment available for technical scrutiny and inspection by the DoT.
- b) Under the Draft Guidelines, Applicants are required to provide necessary facilities depending upon the specific situation at the relevant time to the government to counteract espionage, subversive act, sabotage or any other unlawful activity.
- c) Applicants are to ensure the maintenance of privacy of communications as per law in force.
- d) Applicants’ equipment should meet norms set by international and Indian standardisation bodies, such as the ITU, ETSI, IEEE, ISO, and TEC. Additionally, mandatory testing of equipment must be done before deployment in accordance with the Indian Telegraph (Amendment) Rules, 2017.
- e) The Applicants are required to ensure the security of the network.
- f) The Draft Guidelines require the Applicants to ensure that the data logs, event logs, system logs etc. handled by the system are tamper-proof and preserved at least for one year.

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