

Government Proposes Rules for Assignment of Spectrum Through Administrative Process Under the Telecom Act

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On 17 June 2026, the Department of Telecommunications (DoT) released the draft Telecommunications (Spectrum Assignment by Administrative Process) Rules, 2026 (Draft Rules) pursuant to the Telecommunications Act 2023 (Telecom Act).

Under the current Unified License regime, spectrum assignment was undertaken by either administrative assignment or auction-based allocation. The Telecom Act identifies categories of spectrum use that may be eligible for administrative assignment, such as national security and defence, law enforcement, public broadcasting, disaster management, scientific research, transportation safety, etc. The Draft Rules seek to operationalise these categories by prescribing a consolidated framework for such administrative assignments by prescribing eligibility criteria, application procedures, assignment conditions and compliance obligations.

Key Features and Changes

1. **Eligibility and application criteria:** A company seeking spectrum under the Draft Rules must comply with applicable eligibility requirements, including relevant foreign direct investment and security related conditions, where relevant. Applications must be made on the prescribed portal along with specified details relating to the intended use of spectrum, technical requirements, etc, post which a letter of intent may be issued specifying the applicable conditions. Additional clearances apply for installation of radio equipment at a fixed site. Spectrum will be accordingly assigned, after fulfilment of the prescribed requirements. This process is expected to bring greater predictability to the process by moving towards standardised applications and digital administration.
2. **Conditions governing use of assigned spectrum:** The Draft Rules prescribe obligations for spectrum assignees, including use of spectrum only for the purpose for which it has been assigned and compliance with applicable technical requirements and directions issued by the Government. Additionally, DoT may restrict use of spectrum in certain restricted areas, including areas near the Line of Control or other notified areas, as applicable.
3. **Modification, renewal and surrender:** The Draft Rules also allow for modification of spectrum assignments where required, including in circumstances involving changes to technical requirements or spectrum management considerations. They also prescribe processes for renewal and surrender of spectrum assignments, thereby providing a defined process for continuation or relinquishment of assigned spectrum, subject to applicable conditions.
4. **Global Mobile Personal Communication by Satellites (GMPCS):** Interestingly, while Entry 16 of the First Schedule to the Telecom Act expressly includes GMPCS among satellite-based services eligible for administrative spectrum assignment, the Draft Rules do not specifically incorporate GMPCS, despite listing the other categories such as teleports, television channels, Direct to Home (DTH), Digital Satellite News Gathering, Very Small Aperture Terminal (VSAT). This omission is notable, particularly as DoT is separately examining Satellite Communication Network Authorisation (SCN) that would distinguish satellite-network providers from service-authorised entities serving end users. The eventual SCN framework will therefore be important in clarifying GMPCS's treatment under the new authorisation regime.

5. **Geostationary orbit (GSO)-based Services:** Satellite-based communication services may broadly involve GSO and Non-GSO (NGSO) systems. GSO satellites have traditionally supported use cases such as VSAT, teleports, DTH, Headend in the Sky and other broadcasting or enterprise connectivity use cases. NGSO systems, on the other hand, involve satellite constellations, including Low Earth Orbit and Medium Earth Orbit systems, which move relative to the earth and are increasingly relevant for broadband and internet connectivity.

The Telecom Regulatory Authority of India's (TRAI) recommendations on *Terms and Conditions for the Assignment of Spectrum for Certain Satellite-Based Commercial Communication Services* specifically considered spectrum assignment and pricing for NGSO-based fixed satellite services (FSS) providing data communication and internet services, and GSO / NGSO-based mobile satellite services providing voice, text, data and internet services. DoT's reference to TRAI had also noted that Unified Licences with VSAT Closed User Group (VSAT CUG), GMPCS, National Long Distance and Internet Service Provider Category 'A' licenses had been issued in the past for providing satellite-based communication services through NGSO satellites, and that spectrum assignment terms and pricing were required to be finalised for such licensees.

However, the Draft Rules appear to operationalise administrative assignment for identified satellite and broadcasting categories such as teleports, television channels, DTH, HITS, DSNG, VSAT Captive and certain MSS use cases. They do not separately set out an assignment framework for NGSO-based FSS or NGSO satellite broadband services at this stage. Accordingly, the non-inclusion of NGSO satellite broadband in the Draft Rules may indicate that DoT intends to address this category separately and in a phased manner, particularly in relation to spectrum pricing, user-link / feeder-link assignment and the awaited Satellite Communication Network Authorisation rules.

Comments

The Draft Rules are an important step towards implementing the spectrum assignment framework contemplated under the Telecom Act. While administrative assignment of spectrum is not a new concept, the proposed framework provides greater statutory clarity by identifying categories where spectrum may be assigned without auction and establishing a uniform process for such assignments.

From an industry perspective, the proposed framework may provide greater predictability for entities requiring spectrum for specialised purposes. The identification of specific categories under the Telecom Act may also reduce reliance on fragmented administrative processes that previously governed different spectrum-use cases. At the same time, the practical impact of the Draft Rules will depend on implementation aspects, including timelines for processing applications, availability of spectrum in relevant bands, etc.

Separately, at present, Draft Rules primarily address GSO based satellite and broadcasting use cases and not non-GSO / LEO satellite broadband.

In addition to assignment and depending on the nature of the service and network architecture, satellite communication providers may also need to comply with security clearances, authorisation conditions, interconnection restrictions and other permissions before commercial rollout. This is consistent with the broader regulatory approach under the Telecom Act, where spectrum assignment, authorisation to provide telecommunication services, authorisation to establish or operate telecommunication networks and possession of radio equipment are treated as distinct regulatory layers.

Overall, the Draft Rules highlight the evolving role of spectrum governance beyond traditional telecom services. With increasing reliance on connectivity for critical infrastructure, satellite broadband, scientific applications and sector-specific requirements, a transparent administrative assignment framework will be important to balance efficient spectrum utilisation with public interest and national security objectives. However, further clarity on the treatment of GMPCS, non-terrestrial networks and non-GSO satellite services will be important to ensure that the framework aligns with the Telecom Act and provides a predictable pathway for satellite communication providers.

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