

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3112

ANSWERED ON:15.03.2011

PHONE TAPPING

Das Gupta Shri Gurudas;Lingam Shri P.;Mahant Dr. Charan Das;Meghwal Shri Arjun Ram ;Nahata Smt. P. Jaya Prada;Pandey Shri Ravindra Kumar;Shekhar Shri Neeraj;Singh Shri Yashvir

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any policy whereby various telephone service providers are directed to tap phones of individuals; and
- (b) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI GURUDAS KAMAT)

(a) & (b): Yes, Madam. The Government issues authorization of tapping of telephones under Section 5(2) of the Indian Telegraph Act, 1885 wherein on the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorized in this behalf by the Central Government or a State Government after proper satisfaction issues authorization to the concerned notified agencies to intercept/ tap telephones in the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence duly recording the reasons thereof. The procedures of such authorization is well laid down in Rule 419A of the Indian Telegraph Rules, 1951 as amended from time to time in 1999 and in 2007.