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TELECOMMUNICATIONS

Department of Telecommunications (“DoT”) notifies the Telecommunication (Telecom Cyber Security) Amendment Rules, 2025 (“TCS amendment”)

The DoT on October 22, 2025 notified the TCS amendment, bringing changes to the Telecommunication Cyber Security (TCS) Rules, 2024 (“TCS Rules”).

The TCS amendment expands the scope of TCS Rules bringing in TIUEs within its scope to address risks associated with the integration of telecom identifiers into digital services across sectors.

A few key changes brought forth by the TCS amendment are as follows:

1. **Mobile Number Validation (MNV) platform:** Establishes a validation platform to verify the authenticity of mobile numbers used for authentication for receiving their services, reducing incidents of identity fraud.
2. **Telecom Identifier User Entity (TIUE) obligations:** Defines and imposes regulated obligations on entities that utilise telecom identifiers in their services (in addition to telecom operators) to share relevant data with government authorities when requested.
3. **Database of restricted IMEIs:** the rules also envisage creation of a central database of tampered/restricted IMEIs and every person engaged in the sale and purchase of used equipment having IMEI number is obligated to run a check of the aforesaid database prior to sale and purchase of such telecom equipment.

Failure to comply with these rules is punishable under the penal provisions of the Telecommunications Act, 2023. (“Telecom Act”). These amendments are intended to bridge regulatory gaps, enhance cyber resilience, and improve traceability and accountability in the use of telecom identifiers, while striking a balance between innovation, privacy and national security objectives.

Further, the DoT on December 2, 2025 notified the Telecom eServices Portal as the designated platform under the TCS Rules. The Telecom eServices Portal will serve as the designated digital interface for:

1. Submission and processing of compliance filings under the TCS Rules;
2. Implementation of digitally-enabled enforcement mechanisms, including reporting and response actions under the TCS Rules; and
3. Facilitating secure communication between telecommunication entities, equipment manufacturers/importers, and the Central Government for regulatory requirements.

DoT proposes Draft Telecommunications (Sharing, Trading and Leasing of Spectrum) Rules, 2025 (“Sharing Rules”)

The DoT on November 28, 2025 introduced the Draft Telecommunications (Sharing, Trading and Leasing of Spectrum) Rules, 2025 for public consultation under the Telecom Act. These Sharing Rules provide a unified, comprehensive regulatory framework for the sharing, trading and leasing of the right to use access spectrum in India.



The Sharing Rules are proposed to replace the existing framework for sharing of spectrum bandwidth with a consolidated regime that enables flexible spectrum management while ensuring regulatory oversight, competition safeguards and continued service quality. The Sharing Rules determine the conditions for sharing, leasing and trading spectrum that among others includes the following:

1. Sharing of right to use *access spectrum* may be permitted between authorised entities that (i) hold the same category of authorisation in the same service area, and (ii) satisfy eligibility conditions including minimum holding thresholds and advance joint applications. Spectrum categories are defined broadly (e.g., Sub-1 GHz, mid-bands, high-bands) to allow cross-band sharing within categories.
2. Trading entails the permanent transfer of spectrum rights between entities holding access spectrum, subject to eligibility conditions such as a minimum tenure of holding the spectrum (typically two years) and compliance with roll-out, caps and allocation norms. Approved trades will transfer all rights and obligations from the transferor to the transferee.
3. Leasing enables temporary assignment of spectrum rights from one authorised entity (lessor) to another (lessee) for a defined period not exceeding the original authorisation period. Leases must comply with category-specific rules, processing fees, caps (e.g., lessor-side limit on leased holdings), and reporting and compliance conditions; lessors remain responsible for roll-out and regulatory obligations.
4. Across sharing, trading and leasing, the Sharing Rules propose eligibility conditions such as provision of relevant authorisation with the recipient, maximum cap of permissible sharing, approval methodologies with mandated submission of the transaction document with the DoT, processing timelines, and fee structures including calculation of spectrum usage fee for transacting spectrum.

When notified, these rules will replace prior spectrum-sharing arrangements and introduce a transparent and technology-neutral regime designed to promote efficient spectrum use, facilitate monetisation of under-utilised spectrum assets under the Telecom Act.

DoT proposes Draft Telecommunications (Authorisation for Telecommunication Networks) Rules, 2025 (“Authorisation Rules”)

The DoT on October 9, 2025 proposed the Authorisation Rules under section 56(1) of the Telecom Act. These draft rules are part of the transition of India’s telecom regulatory framework from a licensing regime to an authorisation-based model under the Telecom Act.

A few key provisions of the Authorisation Rules are as below:

1. Categories of Authorisation: The Authorisation Rules propose multiple categories of network authorisations, including (i) Infrastructure Provider; (ii) Digital Connectivity Infrastructure Provider (DCIP); (iii) Internet Exchange Point (IXP) Provider; (iv) Satellite Earth Station Gateway (SESG) Provider; (v) Cloud-Hosted Telecom Network (CTN) Provider; and (vi) Mobile Number Portability (MNP) Provider.



2. Integration with existing registrations: Existing registrations such as Infrastructure Provider-1 (IP-1) are subsumed into the authorisation framework, and new authorisation categories (e.g., DCIP and CTN Providers) are introduced.
3. Validity and Non-Exclusivity: Authorisation under these rules is valid for 20 years (except in case of MNP where the validity is for 10 years) from the effective date and is non-exclusive, allowing multiple entities to operate the same network category in the same area.
4. General Conditions and Compliance: The Authorisation Rules also include provisions on compliance with technical, operational, and security conditions (including use of trusted products and Indian management), restrictions on transfer, continued compliance of eligibility conditions, renewal, surrender and revocation procedures, and adherence to broader regulatory obligations under the Telecom Act.

Once finalised, these rules are expected to simplify regulatory compliance, reduce entry barriers for service and infrastructure providers, and align the telecom authorisation structure with the erstwhile license and registration based regime.

DoT issues directions on SIM binding and user identification measures

The DoT on November 28, 2025 issued directions under the TCS Rules requiring certain app-based communication services to implement SIM binding as a security measure to prevent the misuse of telecommunication identifiers and bolster cyber security across India's digital ecosystem.

These directions apply to major app-based communication service providers in India, including WhatsApp, Telegram, Snapchat, Arattai, ShareChat, Josh, JioChat, and Signal, requiring compliance with the following obligations:

- a. Ensuring such services are continuously linked to SIM cards installed in device whose mobile number is used for identification of customers or provision of service from 90 days of issue of such instructions.
- b. Ensuring periodical log outs of the app's web service version every 6 hours from 90 days of issue of such Directions subject to making available to the user, the facility to relink device using QR-Codes.

Service providers must submit compliance reports to the DoT within 120 days of the directions' issuance. Failure to comply may attract penalties under the TCS Rules and other applicable laws.

Telecom Regulatory Authority of India ("TRAI") issues directions to curb misuse of headers and content templates under the Telecom Commercial Communications Customer Preference Regulations, 2018 ("TCCCPR")

TRAI on November 18, 2025 issued a fresh directions to all access providers under the TRAI Act and the TCCCPR aimed at reinforcing its earlier direction on SMS content templates to curb their misuse for unsolicited commercial and potentially fraudulent communications.

TRAI's telecom commercial communications regulations already permit only limited variable content in SMS templates (such as URLs or numbers). Earlier directions issued in 2023 required pre-tagging and



constraints on variables in such templates, but these directions had not been effectively implemented by access providers. To address the same, TRAI has issued specific directions for all access providers mandating:

- a. Pre-tagging: Every variable field in an SMS content template must be tagged with descriptive labels that indicate the type of content, purpose, and validation requirements.
- b. Validation and scrubbing: Within 30 days from the date of this direction, access providers must implement systems to scrub and validate tagged variables against a pre-whitelisted list of links and callback numbers, to detect and block misuse.
- c. New templates compliance: All new SMS templates registered after 10 days from this direction must comply with the pre-tagging requirements before they can be registered.
- d. Migration of existing templates: Existing SMS templates not compliant with the tagging requirements must be modified to meet the standards within 60 days from the start of variable tag scrubbing. During this initial 60-day phase, messages may still be processed in a monitoring mode. After this period, any messages that fail variable tag validation will be rejected and not delivered.
- e. Logging of non-compliance: Access providers shall identify the principal entities associated with any non-compliant messages detected during scrubbing.
- f. Implementation reporting: Access providers must furnish periodic progress reports to TRAI every 15 days and update their Codes of Practice within 90 days of this direction.

The issuance of this direction is a reinforcing step in TRAI's efforts to prevent spam communication and use of unregulated headers.

TRAI releases recommendations on Introduction of Calling Name Presentation (CNAP) Service in Indian Telecommunication Network

TRAI on October 28, 2025 issued recommendations on "Introduction of Calling Name Presentation (CNAP) Service in Indian Telecommunication Network". The recommendations were released in response to a back reference from the DoT dated September 26, 2025 seeking changes to TRAI earlier recommendations on this issue.

With the aforesaid recommendations the DoT has accepted TRAI's recommendation on roll-out of the CNAP service in India. Further, this implementation for 4G and above is accepted on immediate basis and additional technical measures are to be implemented for implementing the same on legacy devices. CNAP will be available as default to all subscribers with the option to disable it basis specific request.

As per the aforesaid recommendations, CNAP is to be implemented via a collaborative approach by DoT and Ministry of Electronics & Information Technology ("MEITY") within 6-months from the date of issue of instructions to that effect.



Telecommunication Engineering Centre (“TEC”) introduces AI Incident Reporting Standard

The TEC on November 1, 2025, has released a technical standard titled TEC 57090:2025 establishing a structure for an AI incident database tailored to the telecommunications sector and critical digital infrastructure. This includes:

- a. A standardised manner for maintaining database, specifying key data fields that organisations should capture when logging an AI incident such as incident ID, title, summary, date, location, affected parties, sector impacted and more; and
- b. A comprehensive logging structure, categorising incidents by type, affected systems, severity, causes, and types of harm.

The standard is designed to improve consistency in documentation, promote interoperability of incident data across organisations, and support data-driven analysis and policy formulation. It does not mandate enforcement measures yet, instead it provides a common structure for incident logging that affected stakeholders can adopt voluntarily.

BROADCASTING & MEDIA

TRAI releases recommendations on formulation of a Digital Radio Broadcasting Policy for private radio broadcasters

TRAI on October 3, 2025 issued recommendations on “Formulating a Digital Radio Broadcast Policy for Private Radio Broadcasters in India”. The recommendations were released in response to a reference from the Ministry of Information and Broadcasting (“MIB”) seeking regulatory input on opening up digital radio broadcasting for private players.

A few key recommendations are as below:

- a. Simulcast mode: New digital radio services should commence in simulcast mode, allowing simultaneous analog and digital broadcasts.
- b. Channels and technology: Under simulcast, broadcasters can transmit one analog, three digital, and one data channel on the assigned spot frequency. TRAI recommends adopting a single digital radio technology standard nationwide in the VHF Band II spectrum.
- c. Technology selection: The Government should select an appropriate digital radio technology through stakeholder consultations, integration in the spectrum auction process, or other suitable means.
- d. Frequency planning and auction: Frequency planning for digital radio should be prepared via auction in accordance with Telecom Act.
- e. Migration process: post-auction, existing broadcasters should be offered the option to migrate to simulcast mode within a 6-month window, with migration fees tied to the existing entry fees.
- f. Operational timelines: Broadcasters opting for simulcast must operationalize services within 2 years of auction conclusion or acceptance of migration.



- g. Regulatory framework: Recommendations include provisions for authorisation period (15 years), renewal fee, definitions for gross revenue, authorisation fees, caps on spot frequencies per entity, and phased sharing of infrastructure.

MIB invites comments on proposed amendments to the Policy Guidelines for Television Rating Agencies in India, 2014

On November 6, 2025, the MIB issued a public notice soliciting stakeholder and public comments on a modified draft amendment to the existing *Policy Guidelines for Television Rating Agencies in India, 2014*. The Ministry had earlier circulated proposed amendments and invited feedback through a notice dated July 2, 2025. After reviewing the comments received, the Ministry has now prepared a revised draft amendment and is seeking further inputs from the general public and stakeholders. The draft amendment-

- a. Tightens eligibility: rating agencies must be Indian companies with at least ₹5 crore net worth, no conflicts with broadcasters, and directors of rating agencies should not be in the business of broadcasting.
- b. Strengthens independence: strict cross-holding limits between broadcasters and rating agencies have been prescribed; promoters/board members of such rating agencies cannot hold stakes in broadcasters, with a carve-out for self-regulatory bodies.
- c. Modernises measurement: ratings must be technology-neutral and cover multiple platforms, including connected TVs.
- d. Expands panel size: newly registered TV rating agency to achieve a panel size of 80,000 within 18 months of registration with staged increase to 1,20,000 and faster timelines for existing agencies.
- e. Cleans up metrics: broadcaster-linked persons are barred from audience measurement panels, and landing page viewership cannot be counted in ratings.

If finalised, these amendments aim to reinforce the integrity and independence of audience measurement in India's television ecosystem by clarifying ownership and operational norms for rating agencies and strengthening technical and governance requirements.

MIB seeks feedback on draft Guidelines for Accessibility of Online Curated Content (OTT Platforms) for persons with hearing and visual impairments

On October 22, 2025, the MIB issued a public notice extending the deadline for comments on its Draft Guidelines for Accessibility of Content on platforms of publishers of Online Curated Content (OTT Platforms) for Persons with Hearing and Visual Impairment.

These draft guidelines are intended to enhance the accessibility of online curated content on OTT platforms for persons with hearing and visual impairments by prescribing accessibility measures and inviting stakeholder feedback on the proposed framework. Measures include having open and closed captions on the content, sign-language interpretations and provides for a phase-wise implementation schedule.

The draft contemplates reporting and compliance mechanisms, including periodic progress reports from OTT service providers and oversight by a committee chaired by a Joint Secretary. Exemptions apply for



live content, audio-only content, and short-form content within the guidelines. If finalised, these guidelines will represent a significant step toward aligning India's digital entertainment regulatory framework with accessibility mandates and international best practices on inclusive media consumption

MIB invites inputs on measures to address copyright infringement and strengthen anti-piracy enforcement mechanisms

On November 26, 2025, the MIB issued a public notice extending the deadline for stakeholder and public inputs on its draft framework aimed at addressing copyright infringement and strengthening anti-piracy strategies across the media ecosystem. This follows an earlier notice dated 7 November 2025, in which the MIB initiated a nationwide consultation seeking comments from the general public and industry stakeholders including film producers, broadcasters, OTT platforms and intermediary services on enforcement challenges, technological gaps, international best practices, and coordination mechanisms to combat digital piracy of films, broadcasting and OTT content.

By extending the comment period, the Ministry aims to enhance stakeholder participation in shaping the government's approach to strengthening anti-piracy strategies, reflecting ongoing industry concerns about economic losses and enforcement issues associated with digital piracy.

PIB Press Release Highlights Government OTT Safeguards and Creator Support

The Government of India has highlighted strict safeguards for OTT platforms under the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, ensuring no transmission of prohibited content and ensuring age-based classification of content into five categories as highlighted in the above rules to protect children from inappropriate material.

News publishers must follow the Cable TV Programme Code and Press Council norms against inaccurate or misleading content, backed by a three-tier grievance mechanism. The rules prescribe self-regulation at publisher level, industry bodies, and central oversight as a three-tier grievance redressal mechanism.

Part II of the rules requires social media intermediaries to curb fake news, supported by PIB's Fact Check Unit and blocking orders under Section 69A of the Information Technology Act, 2000 for national security. The release was in response to a Rajya Sabha question by Dr. Kanimozhi NVN Somu, shared by MoS Dr. L. Murugan

Draft Broadcasting Services (Regulation) Bill, 2023: Stakeholder consultations conclude; Government reiterates commitment to wide and inclusive consultations

On December 5, 2025, the Press Information Bureau released a statement on behalf of the MIB outlining the government's position on consultations conducted for the *Draft Broadcasting Services (Regulation) Bill, 2023* ("BSR Bill").

It explains that since placing the BSR Bill in the public domain on 10 November 2023, the government has sought and reviewed a wide range of comments from the general public, industry participants, and media & entertainment sector associations. The BSR Bill, 2023 seeks to modernize broadcasting regulation by mandating registration for TV/radio broadcasters and government intimation by OTT platforms upon



reaching subscriber thresholds, while introducing a three-tier self-regulatory structure to enforce Programme and Advertisement Codes across linear TV, OTT, radio, and online news (excluding print replicas). It requires digital addressable systems, accurate subscriber data maintenance, content self-classification with access controls, and accessibility features for persons with disabilities. The Central government gains powers to prohibit transmissions in public interest and impose penalties up to Rs 10 lakh fines or 2-5 years imprisonment for violations like unregistered operations or false data, scaled by entity turnover.

FINTECH

RBI issues directions on compliance with Know Your Customer (KYC) norms for Payment System Participants

The RBI issued a circular on November 28, 2025 addressed to all Payment System Providers and Payment System Participants and concerns compliance with Know Your Customer (KYC) norms. Through this circular, the RBI has repealed the “Master Direction – Know Your Customer (KYC) Direction, 2016” with immediate effect. Consequently, all references to the repealed 2016 KYC Master Direction in instructions applicable to payment systems are required to be discontinued.

The RBI has clarified that all such references shall henceforth be read as references to the “Reserve Bank of India (Commercial Banks – Know Your Customer) Directions, 2025”, as amended from time to time. This clarification applies uniformly to Payment System Providers and Payment System Participants and ensures regulatory continuity following the issuance of the updated KYC framework.

The annexure to the circular provides a list of consequential modifications across various regulatory frameworks, including the Master Directions on Prepaid Payment Instruments, Regulation of Payment Aggregators, Aadhaar Enabled Payment System due diligence, Domestic Money Transfer guidelines, and the Trade Receivables Discounting System (TReDS). These modifications are limited to updating references, definitions, and paragraph citations to align with the 2025 KYC Directions.

The circular does not introduce any new KYC requirements or substantive changes to existing compliance obligations. Its intent is to ensure harmonisation, clarity, and consistency across payment system regulations following the repeal of the 2016 KYC Master Direction and the adoption of the RBI (Commercial Banks – KYC) Directions, 2025.

RBI issues 244 streamlined Master Directions for banks and financial entities

The RBI through a press release dated November 28, 2025, has informed of consolidation of over 9,000 fragmented regulatory circulars into 244 unified Master Directions for 11 types of regulated entities including banks and financial institutions repealing several other directions and circulars, drastically simplifying compliance across areas like KYC, digital payments, lending, outsourcing, and fraud risk management. For fintech's, this overhaul provides clearer digital lending transparency rules, payment aggregator directions, and data localization standards, accelerating UPI-linked innovations and wallet services while mandating consent-based digital KYC verification. The circulars proposed for repeal largely comprise outdated or redundant instructions relating to operational procedures, reporting formats, product nomenclature, and scheme-specific guidelines that have since been subsumed into updated Master



Directions, Master Circulars or revised regulatory frameworks. Their withdrawal reflects RBI's effort to streamline and consolidate regulations, avoid duplication, and reduce legacy compliance burdens without altering the underlying regulatory substance. The list of repealed and new directions and circulars can be accessed [here](#).

RBI releases draft Reserve Bank – Ombudsman Scheme, 2025 and Draft Master Direction on Internal Ombudsman for Regulated Entities, 2025

The RBI has proposed a comprehensive overhaul of the consumer grievance redressal framework through two closely linked initiatives - the Draft Reserve Bank - Ombudsman Scheme, 2025 and the Draft Master Direction on Internal Ombudsman for Regulated Entities, 2025. Together, these measures aim to strengthen customer protection, improve accountability of regulated entities (REs), and ensure faster, more effective resolution of complaints across the financial system.

The draft Reserve Bank - Ombudsman Scheme, 2025 is intended to replace the Reserve Bank-Integrated Ombudsman Scheme (RB-IOS), 2021 following a detailed review based on operational experience, stakeholder feedback and global best practices. The proposed framework seeks to deliver a cost-effective, non-adversarial, and time-bound grievance redress mechanism for customers of banks, eligible NBFCs, payment system participants and credit information companies. Key features include having a Centralised Receipt and Processing Centre (CRPC), enhanced powers to ombudsman to facilitate settlements or pass awards, with compensation of up to ₹30 lakh for consequential financial loss and up to ₹3 lakh for harassment, inconvenience or mental anguish, while retaining no cap on the value of disputes that can be taken up for resolution with limited right of appeal.

Complementing the external Ombudsman framework, the RBI has also issued the Draft Master Direction - Reserve Bank of India (Internal Ombudsman for Regulated Entities) Directions, 2025, aimed at strengthening grievance redressal at the entity level itself. The requirements under the draft include having a mandatory independent internal ombudsman for certain regulated entities, requirements of auto-escalation of complaints, among others.

Taken together, the two draft frameworks seek to create a robust, two-tier grievance redress system - with stronger internal checks within regulated entities and a more empowered, centralised RBI Ombudsman mechanism. The reforms are expected to enhance consumer confidence, reduce avoidable escalations, and improve accountability and service standards across RBI-regulated institutions, once finalised and notified.

RBI releases draft circular on Guidelines to facilitate faster cross-border inward payments

The RBI released a press note on October 29, 2025, announcing the publication of a draft circular on "Guidelines to facilitate faster cross-border inward payments." The draft circular has been placed on the RBI's website for stakeholder consultation. Banks were invited to submit their comments and feedback on the draft by November 19, 2025.

The background to the draft circular is anchored in the RBI's Payments Vision 2025, which seeks to enhance the efficiency of cross-border payments in line with the G20 roadmap for cross-border payments.



Under the draft circular Banks are required to promptly notify customers on receipt of inward remittances, reconcile nostro account credits on a near real-time basis (not exceeding 30-minute intervals), and credit funds on the same business day during market hours, subject to regulatory compliance. Banks are also encouraged to adopt straight-through processing and digital interfaces to further streamline foreign exchange transactions, with the directions becoming effective six months from issuance.

Overall, the release clarifies the RBI's regulatory intent to streamline and improve cross-border inward payment processes through consultative rule-making. The draft circular does not constitute a final regulatory mandate at this stage but represents a proposal for stakeholder feedback, with the objective of strengthening India's cross-border payment infrastructure in alignment with international best practices.

INFORMATION TECHNOLOGY & DATA PROTECTION

MEITY notifies Digital Personal Data Protection Rules, 2025 (“Rules”)

The MEITY has on November 13, 2025, released key notifications under the Digital Personal Data Protection (“DPDP”) Act, 2023 (“DPDP Act”) notifying the Rules, formation and composition of the Data Protection Board of India (“DPBOI”) and staggered enforcement scheme under the Act.

Enforcement of the DPDP Act and Rules

DPDP Act was enacted by the government in August 2023, but the provisions were to be implemented on a date notified by the government. In furtherance of this, on January 3, 2025 MEITY had issued draft rules (“Draft Rules”) for public consultation. MEITY has now notified the Rules after reviewing stakeholder inputs and timelines for the implementation of the provisions under the Act.

Through the notifications, provisions mainly pertaining to the constitution of the DPBOI are effectuated immediately while the substantive part (except regarding registration of Consent Managers) will come into force in eighteen months from the date of publication i.e. November 13, 2025.

Key features of the Rules:

- a. Operationalisation of the Act: The Rules detail how core provisions of the Act will be implemented, including consent requirements, timelines, procedures for breach reporting, record-keeping, and compliance mechanisms.
- b. Data fiduciary obligations: These include specifications on the *collection, use, storage, and processing* of personal data; requirements for *notice and transparency* to data principals; and mechanisms for *consent management*.
- c. Breach notification: The Rules set out timelines and procedures for *reporting personal data breaches* to the *Data Protection Board of India* and affected individuals, reinforcing accountability.
- d. Cross-border data transfers: The Rules provide a framework for *transfers of personal data outside India*, aligning with global standards while safeguarding domestic privacy interests.
- e. Special safeguards: Provisions are included for *vulnerable groups*, such as children and persons with disabilities, requiring more stringent consent and protection measures.



- f. Data Protection Board of India: The Rules flesh out the *constitution, powers, and procedures* of the Data Protection Board envisaged under the Act, including enforcement, adjudication, and review functions.

The DPDP Act and Rules will now require companies to upgrade their personal data collection and processing standards and protocols within the stipulated timeframes under the DPDP Act especially considering the significant penalties ranging from INR 50-250 crores for different contraventions.

MEITY notifies amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

The MEITY has published the updated Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, as amended and consolidated up to October 22, 2025. These rules establish the due diligence, content governance, and grievance redressal obligations for digital intermediaries, social media platforms, publishers, online gaming intermediaries, and other online platforms operating in India, under Section 87 and related provisions of the Information Technology Act, 2000.

The principal change made by this notification is to substitute clause (d) of sub-rule (1) of Rule 3 in the parent IT Rules, 2021. The key change is that intermediaries must now remove or disable access to any information that is used to commit an unlawful act—such as acts against the sovereignty and integrity of India, security of the State, public order, decency, or morality, or those inciting offenses—within 36 hours of receiving actual knowledge of such content. This knowledge can only arise either through an order from a competent court or a reasoned written intimation from an authorized government officer (not below the rank of Joint Secretary or equivalent, or Deputy Inspector General of Police if issued by police administration). The intimation must clearly specify the legal basis, the nature of the unlawful act, and the exact location of the information to be removed. Additionally, all such intimations must undergo periodic review by a senior officer (not below Secretary rank) to ensure they are necessary, proportionate, and compliant with the law.

Government issues amendments and explanatory note to IT Rules, 2021 relating to synthetically generated and AI-created content

MEITY on October 22, 2025 released a draft amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 to address risks from deepfakes and other synthetically generated information while reinforcing an open, safe, trusted, and accountable social media sphere. The draft amendment seeks to strengthen due diligence obligations for social media intermediaries and significant social media intermediaries through clear definitions, visible labelling, metadata traceability, and good-faith moderation safeguards.

A few salient features introduced in the draft amendment are as follows:

- a. It defines synthetically generated information as information which is artificially or algorithmically created, generated, modified or altered using a computer resource, in a manner that such information reasonably appears to be authentic or true.



- b. Intermediaries facilitating mechanisms for creation or modification of information as synthetically generated information must embed a permanent unique metadata or identifier and ensure a prominent label covering at least 10% of the visual display area for video, and the initial 10% of the duration for audio, while prohibiting modification or suppression of such markers.
- c. For SSIMs, prior to publication on the platform, they need to obtain a user declaration that the content is or is not synthetically generated and undertake reasonable and appropriate technical measures to verify the declaration.
- d. It empowers intermediaries to take proactive action, including removal or disabling of access to any synthetically generated information from the platform, based on a grievance or the same being in violation of specific provisions of the intermediary guidelines.

The draft amendment marks a significant catalyst in MEITY's approach towards synthetically generated content indicating a regulatory approach that hinges on proactive intermediary action, visible labelling and traceability for user transparency. The draft was open for public consultation till November 6, 2025.

EMERGING TECHNOLOGIES

Department for Promotion of Industry and Internal Trade (“DPIIT”) releases Working Paper on Generative AI and Copyright

The DPIIT committee to examine the intersection of Generative Artificial Intelligence and Copyright, released a Working Paper on Generative Artificial Intelligence (AI) and Copyright on December 8, 2025. Part I of the Working Paper which has been release as of now, focuses exclusively on the use of copyrighted works for AI training, while deferring the question of copyrightability of AI outputs to Part II.

A few key findings of the Committee put forth in the Working Paper are as below:

- a. Hybrid licensing model the covers – a statutory remuneration right for the creators and copyright holders where rights holders will not have the option to withhold their works for use in the training of AI Systems. A centralised entity made by the rightsholders and designated by the Central Government under the statute, would be responsible for collecting the payments from the developers of the AI Systems – this includes fixing the royalty, rate setting model, and distribution channels for dispensing the royalties to rightsholders. It is bridge between blanketly allowing AI training v blanket preservation of copyright content at the cost of innovation
- b. Changes to existing copyright protection mechanism – The Committee has recommended a mandatory blanket license for copyright protected works be introduced by statute (Copyright Act, 1957), ensuring that no copyright holder can withhold their works from use for training of AI Systems.
- c. To administer this framework the Committee has proposed creation of the Copyright Royalties Collective for AI Training (CRCAT) - a nonprofit organization made by the associations of rightsholders and designated by the Central Government under the Copyright Act, 1957. The designation criteria can be provided in the statute, and the process can be laid by the Government under the rules framed under the Copyright Act, 1957. CRCAT will have organisations as its



members with a proposed cap of one organisation per class of IP work. CRCAT will be governed by a board (constituted of representatives from each member organisations).

- d. Disclosure requirement for AI training - AI developers to submit a “AI Training Data Disclosure Form” to CRCAT stating - What is the category(s) and sub-category(s) of data under Section 14 of Copyright Act, 1957 (text, images, music, etc. divisible into classes of works as defined under the Copyright Act, 1957) What is the source of data (social media platforms, hard copy/ electronic publications, online libraries, public datasets, proprietary datasets, etc.) What is the nature of data (news, literature, entertainment, etc.) - Transparency requirements pertain specifically to AI Developers in the context of copyright protection and creators’ royalties. They do not override or limit any additional transparency obligations that exist or may be introduced in future under other laws.

While not providing an enforceable impact at this stage, the findings of the Committee are a key marker of the regulatory intent towards incorporating regulation of AI development under existing statutory framework.



CASE LAW & LITIGATION UPDATES

Delhi High Court mandates strict e-KYC requirements for domain name registrations to curb cyber fraud and brand misuse

The Hon'ble Delhi High Court in its ruling issued directions mandating e-KYC for domain name registration in India. These directions, issued via the Hon'ble Court's judgment in *Dabur India v Ashok Kumar (CS (COMM) 135/2022)* dated December 24, 2025, mark a key step towards curbing widespread misuse of internet domain names to perpetuate fraudulent activities.

The dispute stems from multiple instances of cyber fraud and brand impersonation through domain names deceptively incorporating the "Dabur" trademark, which were used to host fake websites soliciting distributorships, franchise deals, and other commercial offers that misled consumers and collected money fraudulently.

These directions are applicable across the board to domain name registrars, registry operators, key ministries and banks, and include, among others:

- a. Imposition of KYC requirements for registrants at the time of domain name registration and periodically thereafter, aligned with the procedure prescribed under CERT-In directions dated April 28, 2022.
- b. A 72-hour timeline for domain name registrars to disclose data related to the infringing domain names (including name, administrative and technical contact and more), in line with the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.
- c. Appointment of designated grievance officers by domain name registrars within one month from the date of the judgement.
- d. Freezing and permanently blocking of domain names that are restrained/injuncted by court orders, including disabling their transfer and re-registration, with the possibility of transfer to the affected right holder in appropriate cases.
- e. Offering anonymisation/masking of registrant details as a value-add/ 'opt-in' service instead of being the default mode at the time of registration.
- f. Nomination of a central agency such as NIXI to act as the central repositior for registrant details.
- g. Clarification that non-compliance of court or law enforcement directions or with these directions by domain name registrars, registry operators have immense consequences including blocking access to their platform in terms of Section 69 of the Information Technology Act, 2000 and removal of safe harbour protection.

The ruling further addressed systemic issues in the domain registration ecosystem, observing that anonymised WHOIS data and easy re-registration of fraud domains had previously enabled bad actors to evade accountability. By requiring transparency and enforceable protections, the court underscored the need for greater accountability by DNRs and a regulatory framework that balances privacy with fraud prevention.



This newsletter is only for general informational purposes, and nothing in this edition of the newsletter could possibly constitute legal advice (which can only be given after being formally engaged and familiarizing ourselves with all the relevant facts). However, should you have any queries, require any assistance, or clarifications with regard to anything contained in this newsletter, please feel free to contact Vikash Kukreti, at the below mentioned coordinates.

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