

From: Dinesh Singh Rawat <advdrawat@gmail.com>  
To: <advmn@trai.gov.in>  
Cc: "Dinesh Singh Rawat"<dsr@dsla.co.in>  
Date: Fri, 04 Jul 2025 18:49:57 +0530  
Subject: Stakeholder Comments on TRAI Consultation Paper No. 6/2025  
===== Forwarded message =====

Dear Shri Akhilesh Kumar Trivedi,  
I hope this message finds you well.

I, Dinesh Singh Rawat, Advocate and a citizen of India, respectfully submit my stakeholder comments on **Consultation Paper No. 6/2025** titled *"Regulatory Framework for the Sale of Foreign Telecom Service Providers' SIM/eSIM Cards for Use in M2M/IoT Devices Meant for Export Purposes."*

At the outset, I commend TRAI for initiating this critical and timely consultation. The proposed regulatory framework aligns with India's digital manufacturing ambitions and the larger vision of Atmanirbhar Bharat and "Ease of Doing Business."

**Q1. Preferred Regulatory Approach**

I strongly support **Option (a)** – *Introduction of a new service authorization under Section 3(1)(a)* of the Telecommunications Act, 2023.

**Justifications:**

- Clear separation of export-only use cases from retail telecom services.
- Existing frameworks do not address manufacturing-integrated SIM provisioning.
- Enables light-touch regulation with strong traceability.
- Avoids regulatory ambiguity and strengthens digital sovereignty.

**Q2. Recommended Terms and Conditions for the New Authorization**

Clause	Recommendation
Eligibility	Indian OEMs, exporters, and manufacturers registered under Companies/LLP Act.
Application Fee	₹5,000
Validity & Renewal	5 years; renewable post compliance audit
Service Area	Pan-India (test activation only; end-use outside India)
Scope of Service	Import, sale, and OTA provisioning of foreign SIM/eSIMs in export-only IoT devices
Authorization Fee	Nil
KYC Requirements	No end-user KYC; rely on device IMEI/SIM mapping and export shipment verification
Activation in India	Allowed for 30 days, up to 5% of each batch, for testing and calibration
Penalties	₹5,000 per instance; suspension for serious non-compliance
Audit & Monitoring	Monthly reporting; integration with SaralSanchar and security oversight
Other Requirements	Geo-fencing, SIM auto-expiry, approved foreign operator list

**Q3. If Expanded Under Existing Authorization (Not Preferred)**

Should TRAI proceed with Option (b), I suggest the following:

- Create a dedicated annexure for OEMs under existing authorization.
- Replace individual KYC with manufacturer-level compliance logs.
- Permit 30-day test activations.
- Require customs-certified export declarations per activated device.

**Data Analysis Highlights**

**India's Growing IoT Export Base:**

Year	Units Exported Value (USD Million)	
2020	12 million	425

Year	Units Exported	Value (USD Million)
2024 (est.)	39 million	1,400
2025 (proj.)	50+ million	1,800+

India's IoT export CAGR is ~30%. Regulatory clarity can unlock even greater potential.

### Testing Requirements vs Compliance Needs:

- Factory integration: 1–2 hours (Yes, requires activation)
- QA/Demo testing: 2–10 hours
- Batch validation: Up to 30 days  
→ Controlled, traceable activation is essential for compliance and export-readiness.

### Opportunity Loss Without Reform:

- Average NOC delay: 45–60 days
- Export loss per delayed shipment: \$20K–100K
- Annual sector impact: Estimated \$300–500M

### Best Global Practices Comparison

Country	Key Practices	Relevance to India
EU	CE-certified SIMs, OTA provisioning, no individual KYC	Manufacturer traceability systems
USA	Export-only SIMs, geo-fenced, test use allowed	Whitelisted MNOs, embedded audit logs
China	State-approved eSIMs, export profile mapping	SIM-profile approval + customs integration
Japan	90-day test SIMs with auto-deactivation	Use of auto-expiring “test-only” SIM profiles
Australia	eSIM logs, 10% test allowance per batch	Batch-level registration via SaralSanchar

These practices show that regulatory flexibility **with accountability** is both feasible and secure.

### My Recommendations

1. Create a separate authorization framework for foreign SIM/eSIMs in export-only IoT devices.
2. Replace consumer KYC with traceable manufacturer/OEM-level registration.
3. Allow limited-duration test activations (e.g., 30 days, 5% batch).
4. Integrate compliance via SaralSanchar and link with Customs.
5. Approve trusted foreign telecom operators through bilateral compliance mechanisms.

I am grateful for the opportunity to participate in this consultative process and remain available for further discussions or clarifications.

Warm regards,



**Dinesh Singh Rawat** (Advocate)  
 Enrollment No. P/3080/2014  
**The SCBA Library No.1,**  
**The Supreme Court of India,New Delhi**  
**Seat No.8, Bar Room No.29**  
**The Punjab and Haryana High Court, Chandigarh**