CIRCULAR

No. 40 /2012

Sub: SIM Card – Issued under False/Assumed Identifies – Legal Action.

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Incidents of Subscriber Identity Module (SIM) cards of mobile phones being procured on false or assumed identities have come to notice. This is done by anti-social, anti-national and criminal elements and it poses grave danger to national security and maintenance of peace and tranquility in the society.

Acquisition of SIM cards under false/assumed identities arise due to the negligence of the SIM Card vendors and Mobile Phone Service Providers who have the responsibility of ensuring proper verification of identity before issue of the SIM cards. Department of Tele Communications, has prescribed that the Licensee shall ensure adequate verification of each and every customer before enrolling him as a subscriber. The license conditions clearly place an onus on the Service Provider to ensure that the subscriber details are properly verified. Making and submitting of false supporting documents amounts to forgery and is punishable under various provisions of the Indian Penal Code. The offenders are liable to be punished u/s 419/420/465/471/474 etc. of IPC as may be applicable.

As and when during the course of investigation, any person is found with a mobile phone owned/being used which was obtained on fake ID, a criminal case under appropriate sections of IPC should be registered against the owner/user and the direct selling agent. The role of Service Provider should also be examined during the investigation of the case and if found at fault or conniving with the sale of mobile phone on fake ID, action may also be taken against him.

A monthly report will be sent to the Crime Branch by all districts/concerned units containing the details of all such cases of SIM Cards obtained on fake IDs and the action taken there on. This report should reach the office of DCP/Crime by 5th of every month. The Crime Branch will further collate this reports and quarterly send a letter to the Ministry of Tele Communication for further action against the service providers as per law, relevant rules and terms and conditions of the agreement/contact.

22/5/12

(RANJIT NARAYAN)
SPECIAL COMMISSIONER OF POLICE,
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No. 4341-4370 /dated New Delhi, the 23/05/2011

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