LEGAL NOTICE — UNAUTHORISED SIM SWAP / DUPLICATE SIM

Subscriber verification • DoT KYC safeguards • Record preservation • Compensation

Urgent:

ANNEXURES, ESCALATION AND LEGAL REFERENCES

Documents to enclose / preserve

Subscriber proof	[CAF / bill / customer ID; authority or board resolution if entity]
Original SIM / handset	[SIM details, screenshots, date/time of loss of service]
Operator communications	[Replacement alerts, complaint docket, emails, chat transcripts]
Financial impact	[Statements, transaction IDs, UPI/card alerts, reversals and net-loss calculation]
Cyber / police report	[1930 acknowledgement, cybercrime portal reference, FIR / complaint]
Relationship / locus	[If user differs from registered subscriber: employment / authorisation / account-link documents]

Key legal references

• DoT letter No. 800-09/2023-AS.II dated 31.08.2023, paragraph 6; DoT clarification dated 23.06.2025 (all subscriber types; effective 01.12.2023).

• DoT letter No. 800-06/2025-LPU dated 21.11.2025 (amendments to Aadhaar QR auto-population and PoS location clauses).

• Telecommunications Act, 2023: Sections 28(3), 30(3), 42(3)(e), 42(6) and 42(7).

• Consumer Protection Act, 2019: Sections 2(7), 2(11), 2(42), 35, 39 and 69.

• Vodafone Idea Cellular Ltd. v. Ajay Kumar Agarwal, 2022 INSC 189 (Supreme Court, 16.02.2022).

• Sri Basaveshwara Pattana Sahakara Bank Niyamitha v. Canara Bank, NC:2026:KHC:25587 (Karnataka High Court, 01.06.2026). This was a Permanent Lok Adalat matter under the Legal Services Authorities Act, 1987, not a Consumer Commission ruling; the outcome is fact-specific.

• Vodafone Idea Ltd. v. Syed Sultan Jamil, Cyber Appeal No. 15 of 2018 with connected appeal (TDSAT, 28.07.2026): registered subscriber, privity and user standing.

Escalation: First register a complaint with the operator and retain the docket number; then use the operator's Appellate Authority under the TRAI complaint-redressal framework. TRAI released the Fourth Amendment Regulations on 02.11.2026. Their commencement clause is tied to publication in the Official Gazette, with certain provisions commencing after 60 or 90 days. Verify the Gazette publication date and applicable commencement before relying on a revised appeal period. TRAI does not ordinarily decide individual compensation claims.

Drafting caution: Prove the registered subscriber, absence of consent, verification failure, causation and actual net loss. If an employee uses a company-registered SIM, plead both roles and consider joining the registered subscriber. Do not assume every cyber loss creates automatic operator liability. A legal notice is a practical pre-litigation step, not a universal statutory precondition to a Consumer Commission complaint.

General drafting aid only. Adapt to the current DoT instructions, operator records, facts, forum and limitation position before service.