

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

STARRED QUESTION NO:4
ANSWERED ON:26.07.2010
CHECK ON UNSOLICITED CALLS
Tewari Shri Manish

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the policy of the Department of Telecommunications (DoT) to deal with unsolicited calls on mobile and landline telephones from tele-marketing companies;
- (b) whether there is any process to register these tele-marketing companies with the Telecom Regulatory Authority of India (TRAI) or DoT and the statutory responsibility to take action against these tele-marketing companies;
- (c) the action taken against the telecom operators who in collusion with tele-marketing companies have made windfall profits by forwarding unsolicited tele-marketing calls on national and international roaming flaunting 'Do Not Call Registry' with impunity;
- (d) whether the Government has any proposal to compensate mobile and fixed subscribers for the breach of their right to privacy; and
- (e) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI A. RAJA)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT TO BE LAID ON THE TABLE OF THE LOK SABHA IN RESPECT OF PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 4 FOR 26TH JULY, 2010 REGARDING "CHECK ON UNSOLICITED CALLS"

(a) Madam, to deal with unsolicited calls on mobile and landline telephones from telemarketing companies, Telecom Regulatory Authority of India (TRAI) had notified the Telecom Unsolicited Commercial Communications (UCC) Regulations, on 5th June 2007. Subsequently, the National Do Not Call (NDNC) Registry was established, which is primarily a national database containing list of telephone numbers of all such subscribers, who do not want to receive the UCC. In order to avoid UCC, any subscriber can register his telephone number in NDNC registry through his telecom service provider.

(b) As per the guidelines issued by Department of Telecom (DoT) in June 2007, the telemarketing companies shall register themselves with DoT through their telecom service providers. As per TRAI Regulation, the statutory responsibility to take action against the tele-marketing companies vests with the service providers.

(c) The TRAI Regulation has a provision for imposing financial disincentive on the non-compliance of the regulation. As per the said provision, if the service provider does not take action on the complaints of subscribers against telemarketers, the service provider is liable to pay an amount by way of financial disincentive not exceeding Rs. 5000/- for first non-compliance of the regulation and in case of second or subsequent such non-compliance an amount not exceeding Rs. 20000/- for each such non-compliance. So far TRAI has imposed financial disincentive on the eight service providers as per details give below.

S. Name of Service Provider Amount of Penalty
No.

1. M/s Vodafone Rs. 15000/-

2. M/s Reliance Rs. 11000/-

3. M/s Bharti Rs. 10000/-

4. M/s Tata Rs. 1000/-

5. M/s Spice Rs. 9000/-

6. M/s BPL Rs. 1000/-

7. M/s MTNL Rs. 1000/-

8. M/s BSNL Rs. 1000/-

(d) No, Madam.

(e) Question does not arise in view of (d) above.