

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

UNSTARRED QUESTION NO:1684

ANSWERED ON:10.08.2011

UNSOLICITED AND FRAUDULENT CALLS SMSS

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

- (a) whether the telephone subscribers have been receiving unsolicited commercial and fraudulent calls and SMSs even after registering for Do Not Disturb (DND);
- (b) if so, the details of rules/guidelines issued by Telecom Regulatory Authority of India (TRAI) in regard to prevention of such calls/SMSs;
- (c) whether these rules/guidelines are not being implemented properly by the telecom companies;
- (d) if so, the details thereof; and
- (e) the concrete measures taken by the Government to prevent such calls/SMSs alongwith the action taken against the telecom companies and the companies/ agencies responsible for sending fraudulent calls/SMSs?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA)

(a) & (b) Yes Madam, In order to curb Unsolicited Commercial Communications, TRAI notified the Telecom Unsolicited Commercial Communications, Regulations, 2007 dated 5th June, 2007, putting in place a framework for controlling unsolicited commercial communications. It envisaged establishment of a National Do Not Call (NDNC) Registry to facilitate registration of requests from customers who do not wish to receive Unsolicited Commercial Communication (UCC). To improve the effectiveness of the framework, the TRAI had subsequently amended these regulations by issue of the telecom Unsolicited Commercial Communications (Amendment) Regulations, 2008 (1 of 2008) dated 17th March, 2008 and the principal regulations were further amended by the Telecom Unsolicited Commercial communications (second Amendment) Regulations, 2008 dated 21st October, 2008. However, it is observed that the framework that has been put in place to curb UCC in 2007 has not been effective and needs revision.

(c) to (e) : TRAI has received compliance from all Access Providers for implementation of above regulations. However, on an average approximately 47454 (averaged on Mar 2010 to Mar 2011) complaints per month are being registered in this regard. TRAI has issued regulations and direction from time to time to prevent Unsolicited Commercial Communications. TRAI also monitors the compliance to regulations and take the action in case any violation is observed. The details of action taken against the telecom companies by TRAI and by the service providers against telemarketers responsible for sending Unsolicited Commercial Communications are given below:

Number of Telephone disconnections of registered telemarketers (upto May, 2011) 72988

Number of Telephone disconnections of unregistered telemarketers (upto May, 2011) 118835

Number of Telemarketers charged with higher tariff of Rs. 500/- (upto May, 2011) 87716

Number of Telemarketers charged with higher tariff of Rs. 1000/- (upto May, 2011) 41813

To make the framework to curb UCC more effective, TRAI has issued " The Telecom Commercial Communications Customer Preference Regulations, 2010" on 1st December 2010 with the objective to provide an effective mechanism for curbing Unsolicited Commercial Communications. The Telecom Commercial Communications Customer Preference Regulations, 2010 have been framed keeping in view the interest of the customers and telemarketers while ensuring effective implementation. As per the provisions of the Telecom commercial Communications Customer Preference Regulations, 2010, registration of telemarketers has started on web portal www.nccprai.gov.in from 15th January, 2011. Registration of customer preference on National Customer Preference Registry (NCPR) has started from 10th February, 2011. However other operational provisions of regulations are yet to be notified by TRAI.