

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

UNSTARRED QUESTION NO:3000  
ANSWERED ON:12.12.2012  
VERIFICATION OF CALLER  
Jardosh Smt. Darshana Vikram

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

- (a) the action taken by his Ministry in consultation with the Ministry of Home Affairs and Ministry of Railways to curb hoax call activities;
- (b) the regulatory mechanism put in place to identify verification of callers at PCOs and internet cafe;
- (c) whether the State Governments are empowered to issue notification for telecom operators to compulsorily maintain register of the caller and make it mandatory for caller to demonstrate their valid identity card;
- (d) if so, the details thereof; and
- (e) the action taken by the Government against the erring telecom operators and PCO owners?

**Answer**

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

(a) & (b) Consultations have been done by Department of Telecommunications with Ministry of Home Affairs and Telecom Service Providers to take a decision for making the demonstration of valid identity of caller and maintaining a record in register by Public Call Office Franchisees to facilitate the tracing of the hoax call activities. Action can also be taken against the hoax callers under the relevant provisions of Indian Panel "Code and Criminal Procedure Code.

Government on 11.4.2011 has notified the Information Technology (Guidelines for Cyber CafÃ©) Rules, 2011 under section 79 of the Information Technology Act, 2000. Rule 4 of the said Rules provide for identification of users at Cyber Cafes. Further Rule 5 necessitates the Cyber Cafes to maintain a log register of the users.

(c) & (d) Public Call Offices (PCOs) are run by the PCO franchisees under the agreement between PCO franchisee and the licensed Telecom Service Providers, and telecommunication being a central subject, the jurisdiction of policy framework lies with the Central Government. However, as per the Seventh Schedule, 'Police' and 'Public Order' are the state subjects under the constitution, and as such primary responsibility of prevention, detection and, investigation of such fake calls lies with the State Governments/Union Territory Administrations. Therefore, local police authorities/state Governments may issue suitable notifications based on local laws/special laws for maintaining law and order.

(e) No instructions have been issued to Telecom Service Providers for compulsorily maintaining a register and demonstrating of identity of called by Public Call Office franchisees, but verification of Mobile PCO holder is compulsory by Telecom Service Providers. In case Telecom Service Providers fail to verify the Mobile PCO holder, penalty is levied on detection of such failure.