

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

STARRED QUESTION NO:133  
ANSWERED ON:06.03.2013  
UNSOLICITED CALLS SMSS  
Pradhan Shri Nityananda

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

- (a) whether inspite of instructions from the Telecom Regulatory Authority of India (TRAI), mobile consumers continue to get unsolicited/pesky calls/SMSs even after their registration with Do-Not-Call- Registry;
- (b) if so, the details thereof along with the detailed guidelines issued by TRAI in this regard;
- (c) the details of complaints received against the telecom operators in this regard, operator-wise and State/UT-wise and the action taken against them;
- (d) whether the Courts have expressed concerns over the menace of unsolicited calls /SMSs; and
- (e) if so, the details thereof and the concrete action taken by the Government to control the menace?

**Answer**

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL)

(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 LOK SABHA STARRED QUESTION NO. 133 FOR 6TH MARCH, 2013 REGARDING "UNSOLICITED CALLS/SMSs"

(a) & (b) Madam, With the implementation of The Telecom Commercial Communications Customer Preference Regulations (TCCCPR) by TRAI with effect from 27.09.2011, the number of complaints relating to Unsolicited Commercial Communications (UCC) have reduced considerably. Prior to the coming into force of the regulations from 27.09.2011, on an average 47454 complaints were received per month (Averaged over the period March, 2010 to March, 2011). However, the total number of complaints lodged by telecom consumers with their service providers from 27.09.2011 to 31.01.2013 was 446563 (27910 complaints per month).

Through the TCCCPR, TRAI has laid down a revised framework for addressing Unsolicited Commercial Communications (UCC). These regulations came into force from 27.09.2011. The main features of the Telecom Commercial Communications Customer Preference Regulations are as follows:

- i. Filtering of Calls & SMS both by Access Service Provider and Telemarketers.
- ii. In order to ensure effective control, there is a provision of security deposit by Telemarketers to their Access Service Providers and deduction ranging from Rs.25,000/- to Rs.2.5 lakhs in case of violation.
- iii. In case telemarketer is not complying with the regulation even after deduction from security deposit, there is a provision for blacklisting of telemarketers.
- iv. Disconnection of telecom resource(s) of Unregistered Telemarketers by Access Service Providers.
- v. In case Access Service Provider is not complying with the regulation, there is a provision to levy financial disincentive ranging from Rs One lakh to Ten lakhs.
- vi. The regulations lay down a separate number series and specified SMS header for telemarketers for voice calls and SMSs respectively.
- vii. The customer can opt to block all commercial communication or opt for partially blocked category.
- viii. No commercial communication to be sent between 9.00 PM to 9.00 AM
- ix. Five paise SMS Termination Charge has been prescribed for Telemarketing Messages.
- x. For controlling the messages from unregistered numbers, sending of more than one hundred SMS per day per SIM at a

concessional rate has been restricted by prescribing a higher tariff of fifty paisa per SMS.

(c) The operator wise details of complaints received by service providers for each of the telecom circle from 27.09.2011 to 31.01.2013 are given in Annexure-1.

The action taken for violation of the Regulation by TRAI is as mentioned below:

1 Total complaints received by service providers	4,46,563
(From 27.9.2011 to 31.1.2013)	
2 Number of notice sent to unregistered telemarketers	1,84,157
(From 27.9.2011 to 31.1.2013)	
3 Number of Telephone disconnections of unregistered telemarketers	1,74,282
(From 27.9.2011 to 31.1.2013)	
4 Number of notices sent to telemarketers with deduction in their security deposit	213
(From 27.9.2011 to 20.2.2013)	
5 No. of Telemarketers Blacklisted	13
(From 27.9.2011 to 20.2.2013)	
6 No. of Service Provider on whom financial disincentive imposed	01

(d) & (e) Since the implementation of the framework for addressing UCC by TRAI from 5th June 2007 and the revised framework with effect from 27th Sept 2011, Courts have not expressed concern over menace of unsolicited calls/SMSs.