

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

UNSTARRED QUESTION NO:2542

ANSWERED ON:13.03.2013

GUIDELINES FOR NEW MOBILE CONNECTIONS

Owaisi Shri Asaduddin;Swamygowda Shri N Cheluvarayana Swamy

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

- (a) whether DoT has tightened rules for mobile connections and has issued new guidelines to retailers and licensees;
- (b) if so, the details thereof along with the main idea behind issuing these rules and guidelines;
- (c) whether the Government has made or proposes to make verification of subscribers mandatory by the police and the subscribers have to pay the verification fee;
- (d) if so, the details thereof and the reaction of various stakeholders thereto;
- (e) the penalty likely to be imposed on retailers and licensees for not following the rules and guidelines issued by DoT; and
- (f) the steps taken or being taken by the Government to ensure that consumers are not put to any undue hardships?

Answer

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

(a)&(b) Department of Telecom (DoT) has issued revised instructions to Cellular Mobile Telephone Service and Unified Access Services Licensees vide letter dated 09.08.2012 on verification of Mobile Subscribers after review of existing instructions. New instructions are aimed at improving customer verification compliance. These instructions inter-alia prescribe the following:

(i) A passport size photograph should be pasted on the Customer Acquisition Form (CAF) and the documents as proof of identity and proof of address of the subscriber should be attached with the CAF.

(ii) The person at the Point of Sale has to get the CAF duly filled and signed (in case of illiterate person thumb impression) by the subscriber with date. The authorized person at PoS has to record in the CAF that he has seen the subscriber and matched the photograph attached on the CAF with the subscriber and verified his copies of documents of proof of address and proof of identity attached with the CAF with the original and has to put his signature on the CAF & all attached documents.

(iii) The mobile connection is to be activated only after the requirement of filling up CAF and copies of documentary proof as per requirement have been fulfilled by the customer and the subscriber details have been updated in the subscriber database of the Licensee and the employee of licensee has verified the same.

(iv) After activation of SIM also the subscriber is to be tele-verified by the Licensee.

As far as retailers are concerned, they are contractors of the licensees and these instructions are not addressed to the retailers.

The detailed instructions dated 09.08.2012 are available at DoT website at <http://www.dot.gov.in/as/2012/DOC181012.pdf>

(c) No Madam.

(d) Does not arise in view of above.

(e) In these instructions, apart from the penalties prescribed in other instructions issued from time to time, the following additional provisions of penalty have inter-alia been made in these instructions:

(i) In case, the Licensee fails to intimate about the disconnection to TERM Cell within 7 days of disconnection, a penalty of Rs. 3000/- per connection per week or part thereof shall be levied.

(ii) If it is detected that the number was not actually disconnected on or before the date of confirmation/disconnection, then a penalty @ Rs. 1000 per day from the date of intimation to the Licensee to the date of actual disconnection shall be levied in addition to the penalty for non-disconnection.

The following provisions have inter-alia been re-iterated in these instructions regarding point of sale/ franchisees in case of forged

document cases:

(i) Police complaint/ FIR shall be lodged by the Point of Sale (PoS)/Franchisee against the subscriber in case forged documents are submitted by the subscriber and originals are also forged.

(ii) Licensee shall lodge FIR/ Complaint against the subscriber and Franchisee/PoS in case of failure of PoS/Franchisee in lodging complaint/FIR against subscriber.

(iii) The Licensee shall lodge the complaint / FIR against the Franchisee/ point of sale and financial penalty shall also be imposed in case forgery has been done by point of sale/ franchisee.

(iv) In case action as above is not taken by the Licensee or Licensee itself is involved in forgery, Telecom Enforcement Resource & Monitoring (TERM) Cell of DoT shall lodge Complaint / FIR against Licensee. Penalty shall also be imposed on all such forged cases.

(v) Where it is found that the act of issuing connections was done by PoS using the document of some other subscriber or any person, or the documents were forged by the franchisee /PoS, the concerned PoS/franchisee may be terminated by the Licensee in addition to lodging of complaint / FIR against it. Other Licensees shall also terminate/ not appoint any such PoS.

(f) In the new instructions, some additional safeguards have been made in the interest of national security. There does not seem any provision leading to undue hardship to consumers.