

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

UNSTARRED QUESTION NO:3526

ANSWERED ON:18.03.2015

UCC BY TELEMARETERS

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

- (a) the penalties imposed and collected from registered telemarketers for sending Unsolicited Commercial Communications (UCC) during the last three years and the current year;
- (b) whether TRAI's regulatory interventions have failed to curb the menace of Unsolicited Commercial Communications (SMSs or Calls) and if so, the details thereof and the new regulations issued in this regard;
- (c) whether Telecom Regulatory Authority of India (TRAI) has failed to quantify the number of unregistered telemarketers and if so, the details thereof;
- (d) whether TRAI has taken steps to rein in the unregistered telemarketers from sending Unsolicited Commercial Communications to customers registered in the National Customer Preference Register (NCPR); and
- (e) the details of action taken by the TRAI against the unregistered telemarketers during the last three years?

Answer

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) Madam, the penalties imposed and collected from registered telemarketers for sending Unsolicited Commercial Communications (UCC) during the last three years and the current year is as follows –

Financial Year	2011-12	2012-13	2013-14	2014-15 (up to 13.02.2015)
Penalties (In Rs. Lakhs)	51.83	74.3	38.62	66.84

(b) TRAI has laid down the revised framework for controlling Unsolicited Commercial Communications (UCC) through the Telecom Commercial Communications Customer Preference Regulations, 2010. These regulations are reviewed from time to time and so far TRAI has issued Sixteen Amendment Regulations and Directions so as to address implementation issues and to further tighten the regulatory framework. These regulations prohibit sending of UCC by telemarketers/subscribers to telecom consumers who have registered their numbers in the National Customer Preference Register (NCPR) for not receiving UCC. TRAI has been monitoring complaints lodged by consumers regarding receipt of Unsolicited Commercial Communications (UCC) through the TRAI portal (www.nccptrai.gov.in) set up under the framework of "the Telecom Commercial Communications Customer Preference Regulations, 2010" for controlling the menace of UCC. The number of complaints relating to UCC has reduced drastically as the regulations have been effective in addressing the menace of UCC to a great extent.

(c) to (e) TRAI has been taking various steps to control unregistered telemarketers from sending unsolicited commercial communications (UCC) to customers registered in the National Customer Preference Register (NCPR) for not receiving UCC. The major steps taken by TRAI in this regard are given below:

- (i) Disconnection of telecom resources of the offending subscriber on receipt of a valid complaint and blacklisting of the name and the address of such subscriber.
- (ii) Disconnection of all telecom resources of such subscriber, upon blacklisting, by all other service providers.
- (iii) Minimum charges of 50 paise per SMS sent beyond 100 SMS per day per SIM to discourage the misuse of bulk SMS packs by telemarketers. A restriction of 100 SMSs per hour has also been put on sending bulk SMSs through software application by unregistered telemarketers.

Further, there is also provision of financial disincentives on telecom service providers in the regulation, which provides the Financial Disincentive on telecom service providers for failure to prevent Unsolicited Commercial Communications (UCC) originated from the service providers network by subscribers who are not registered with TRAI as a telemarketer- The Service Provider would be liable to pay up to a maximum of Rs. 5,000/- financial disincentive for each valid UCC complaint.

The number of disconnection of unregistered telemarketers upto 28th February, 2015 is around 15.5 lakhs and number of unregistered telemarketers, blacklisted so far is around 8.34 lakhs.