

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

UNSTARRED QUESTION NO:2704

ANSWERED ON:28.07.2014

CHECK ON UNSOLICITED CALLS

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

- (a) whether the Government has taken note that in spite of instructions from the Telecom Regulatory Authority of India (TRAI), mobile consumers continue to get unwarranted/pesky calls/SMSs even after their registration with Do-Not-Call-Registry;
- (b) if so, the details thereof;
- (c) the action taken by TRAI in this regard;
- (d) whether the guidelines made by TRAI are not operational in this respect so as to penalise the service providers for allowing such calls on DND numbers; and
- (e) if so, the alternative plan proposed by the Government including to review the norms/guidelines in order to check this problem?

**Answer**

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

(a) & (b) Madam, TRAI has laid down the 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 Fifteen Amendment Regulations and Directions so as to address implementation issues and to further tighten the regulatory framework.

It has been seen from examination of the action taken by the service providers on the complaints received against UCC that in many cases the UCCs were sent by subscribers who are not registered with TRAI as a telemarketer.

(c) & (d) To curb the UCC, TRAI has undertaken various measures, due to which the number of such complaints have decreased. The details of the recent initiatives taken by TRAI 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 for two years.
- (ii) Disconnection of all telecom resources of such subscriber, upon blacklisting, by all other service providers.
- (iii) Minimum charges of 50 paisa per SMS sent beyond 100 SMS in a day so as to discourage telemarketers from using bulk SMS packs.
- (iv) Disconnection of telecom resources of agencies or individuals for whom UCC has been solicited.

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 the following:

- (i) 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- up to a maximum of Rs. 5,000/- for each valid complaint and
- (ii) For contraventions of the provisions of the regulations – Rs. 1 Lakh first contravention, Rs. 5 lakhs for second contravention and Rs. 10 lakhs for third and each subsequent such contravention.

In accordance with the above provisions, TRAI has been imposing financial disincentive on telecom service providers.

(e) The TRAI takes required precautionary measures including financial disincentive through regulations and amendments as per need from time to time to address the issue of UCC.