

Information note to the Press (Press Release No. 49 /2011)

For Immediate Release

Telecom Regulatory Authority Of India

TRAI implemented “The Telecom Commercial Communications Customer Preference Regulations” from 27th September, 2011

New Delhi, 28th September, 2011: All the provisions of “**The Telecom Commercial Communications Customer Preference Regulations, 2010**” issued have come into force from 27th September 2011.

2. The regulations prescribe several steps for protection of customers from unsolicited Commercial calls and SMSs. Currently, Telecom service providers offer SMS packages offering as many as 2000 SMS per day, which can be made use of by unregistered persons for sending commercial communications from ordinary numbers. In order to reduce such a possibility, TRAI has, in consumer interest, prescribed a limit of 100 SMS per day per SIM for all the customers. Concerns have been raised that such provisions will impact flow of transactional messages such as from a bank to its customers or from Airlines to its passengers, and likewise from the schools to the students/ parents. This concern is misplaced. Under the Regulation, such messages are classified as Transactional messages [see Clause 2(ab)] and the limit of 100 SMS does not apply to the Transaction messages. It is open to the authority to notify further categories as Transactional messages.

3. It is also to be noted that the time restriction of 9 pm to 9 am does not relate to the transactional messages which can be sent at any time.

4. It has also come to the notice that some telemarketers are sending SMS to customers registered on National Customer Preference Register (NCPR) stating that if they want to receive transactional messages then

they have to deregister from NCPR. Customers are requested to be aware of such messages which are apparently based on misunderstanding of the regulations and customers already registered on NCPR are requested to not deregister.

5. In order to address the genuine requirements of customers, TRAI has issued a Direction on 27th September 2011 exempting certain categories from the limit of 100 SMS per day. These are agents of telecom service providers for sending electronic recharge messages, e-ticketing agencies, certain social networking sites and certain Directory services. It is open to the Authority to notify further categories, as and when warranted.

6. The **“The Telecom Commercial Communications Customer Preference Regulations, 2010”** and the Direction is available on TRAI website <http://www.trai.gov.in>.

Contact Details in case of any clarifications

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