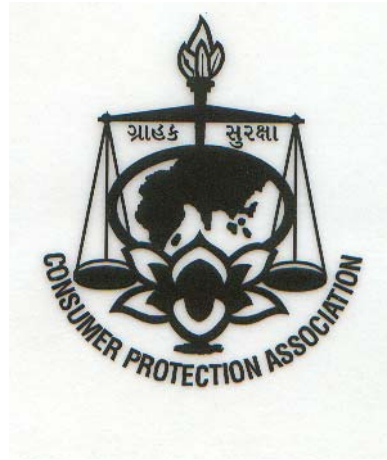


CONSUMER PROTECTION ASSOCIATION
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Consultation Paper on
Deactivation of SIMs due to Non-usage

1. Development in SIM Card :

We should think the future development in SIM Card. When GSM was already in use the specifications were further developed and enhanced with functionality like SMS, GPRS, etc. Within this development cycles the SIM specification was enhanced as well: new voltage classes, formats and files were introduced. In GSM-only times,

the SIM consisted of the hardware and the software. With the advent of UMTS, the SIM was now an application and hence only software. This split was necessary because UMTS introduced a new application, the Universal Subscriber Identity Module (USIM). The USIM brought among other things security improvements like the mutual authentication and longer encryption keys and an improved address book.

"SIM cards" in developed countries are today usually UICCs containing at least a SIM and a USIM application. This configuration is necessary because older GSM only handsets are solely compatible with the SIM application and some UMTS security enhancements do rely on the USIM .

The SIM card introduced a new and significant business opportunity for MVNOs - mobile virtual network operators - who lease capacity from one of the network operators rather than owning or operating a cellular telecoms network, and only provide a SIM card to their customers. MVNOs first appeared in Denmark, Hong Kong, Finland and the UK. Today^l they exist in over 50 countries, including most of Europe, United States, Canada, Australia and parts of Asia,

and account for approximately 10% of all mobile phone subscribers around the world. It may enter in Indian Market.

2. The other uses of SIM Card :

1. SIM card allows cell phone users the ability to share information with other users easily by inserting the SIM card into other mobile devices.

2. Another advantage of the dual SIM phone is the ability to store larger digital files, such as images, videos, mp3 files, games and cell phone ringtones. What would normally take up a large amount of space on a single SIM card can now be stored on a backup SIM card, allowing the cell phone to operate more efficiently. This also protects important data from theft as the backup SIM cards can be stored in a separate and secure place for use later.

3. The consumers are using a dual SIM adapter which can be used to store additional SIM cards. The adapter can be stored separately and only used when needed, avoiding the need to purchase a new more expensive dual SIM phone.

4. A subscriber identity module (SIM) card is capable of holding computer memory.

5. SIM cards are specially manufactured so that potential damage to SIM card circuit boards is minimized. It offers cell phone users a way to simultaneously protect their SIM cards and keep them all in one place.
6. SIM card backup is possible using a number of methods such as another device, a memory card, or another SIM card.
7. Some companies offer SIM card backup services. Clients can visit the company, hand over their SIM cards and have their SIM cards' contents backed up to a secure website within minutes.
8. Modern SIM cards allow applications to be loaded when the SIM is in use by the subscriber. These applications communicate with the handset or a server using SIM application toolkit,
9. The SIM can also store other carrier-specific data such as the SMSC (Short Message Service Center) number, Service Provider Name (SPN), Service Dialing Numbers (SDN), Advice-Of-Charge parameters and Value Added Service (VAS) applications.
10. SIM cards can also come in various data capacities, from 32 KB to at least 128 KB.

We should consider all these things before deciding the problems.

Issue for Consultation:

Q1: What period of continuous non-usage of a SIM should be kept as criteria for deactivation by the telecom service provider?

Minimum 180 days .

Q2: Which (one or more) amongst the following should be included in the scope of activity with regard to the criteria for deactivation of SIMs upon non-usage?

Switching the connection 'ON' by powering on the handset and SIM .

Q3: Which method(s) should be used for communicating the criteria of deactivation of SIMs to the subscribers in a transparent manner?

Creating more and more awareness among the consumers by :

1. Sending SMS bursts to all existing subscribers every three months.
2. Making calls to all existing subscribers from their call-centers.
3. The deactivation of SIM should only be after the explicit consent of the consumer.

Q4: Should the condition of deactivation due to non-usage apply in all cases, or should it apply only in those cases where such a condition formed part of the contract at the time of enrolment?

1. There should be a uniform and transparent non usage criteria for deactivation of SIM card.

Q5: Whether there is a requirement of a connection retention scheme for the wireless subscribers who wish to retain their mobile connections active/ live even after long continuous periods of non-usage? If yes, what should be the terms, conditions and charges under such a scheme?

Yes,

1. It should be renewed every after six month with minimum charge.

2. The service provider should intimate the renewal date before deactivation.

3. There should be uniform and transparent criteria.

Q6: Whether the monetary value remaining on a pre-paid SIM should be forfeited upon deactivation of the SIM due to non-usage or it should be refunded/ returned back to the subscriber?

It should be refunded / returned back to the subscriber or deposited in the Telecommunication Consumers Education and Protection Fund (TCEPF).

Q7: Whether there is a requirement for specifying a period, within which a wireless subscriber should be allowed to reactivate his SIM, that was deactivated due to continuous non-usage? If yes, what should be such reactivation period and other terms & conditions thereof?

Yes, consumer should allow to reactivate his SIM within a period of three month with nominal charge without any terms and conditions.