

Information note to the Press (Press Release No. 25 / 2008)

TELECOM REGULATORY AUTHORITY OF INDIA

For Immediate release

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Amendment to the Telecom Unsolicited Commercial Communications (UCC) Regulations, 2007 (4 of 2007)

New Delhi, New Delhi, 17 March 2008 :- Telecom Regulatory Authority of India (the Authority) has today notified the “Telecom Unsolicited Commercial Communications (UCC) (Amendment) Regulations, 2008”. This regulation shall come into force from the date of its publication in the gazette notification. This notification is being issued after initiating a consultation on the amendment on 16th Jan’08 and after taking into consideration the responses received from stakeholders in writing and the meeting held with the service providers including their associations. The objective is to increase the effectiveness of compliance of these regulations by providing financial disincentive to non-compliant Telecom Service Providers and thereby reducing the nuisance and inconvenience to the subscribers of telephone/mobile services from the unsolicited tele-marketing calls / messages.

The Authority has set up the National Do Not Call (NDNC) Registry which is operational since October 2007. For giving wide publicity, the Authority, had advertised in the leading National dailies, the procedure for registering in NDNC. The Authority also held a series of meetings with the service providers to ensure effective implementation of the Regulations. Till date, more than 8.3 million phone users have registered for ‘Do Not Call’ in NDNC Registry. About 13600 telemarketers have got themselves registered with the Ministry of Communications and Information Technology (Department of Telecommunication).The NDNC is being accessed daily by around 600 tele-marketers for scrubbing their calling list. Out of approximately 1522 million numbers uploaded by the telemarketers for scrubbing, 1411 million numbers were cleared by NDNC for calling.

The telemarketing calls have engaged the attention of our Parliament, the Hon’ Supreme Court of India, the Hon’ High Court of Delhi and the Reserve

Bank of India. Besides there have also been a number of consumer representations made to the Authority about telemarketing calls. Financial disincentive as an additional effective deterrent to non-compliance of the Telecom UCC Regulations, 2007 (4 of 2007) has become a necessity.

It has been decided by the Authority, to make service provider liable to pay an amount by way of financial disincentive, not exceeding five thousand rupees for the first non-compliance of the Telecom UCC Regulations, 2007 (4 of 2007) and in case of second or subsequent such non-compliance, an amount not exceeding twenty thousand rupees for each such non-compliance.

Apart from the above financial disincentive on the service providers, and in order to discourage the registered telemarketers from sending Unsolicited Commercial Communications, the Telecommunication Tariff Order, 1999 is also being amended simultaneously by the TTO (Forty-seventh Amendment) so as to provide that five hundred rupees shall be payable as tariff for each unsolicited call for every first unsolicited commercial communication and rupees one thousand for every subsequent unsolicited commercial communication.

The notification also prescribes that the complaint regarding Unsolicited Commercial Communication shall be made by the subscriber to the Service Provider within fifteen days of the receipt of such Unsolicited Commercial Communication.

The complete version of “Telecom Unsolicited Commercial Communications (UCC) (Amendment) Regulations, 2008” and “Telecommunication Tariff (forty-seventh amendment) Order (TTO)” are available on TRAI’s website (www.trai.gov.in).

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