

Implementation of mobile number portability

1970. SHRI M. V. MYSURA REDDY: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether it is a fact that Mobile Number Portability which was to be implemented from 31st March, 2010, could not be implemented;
- (b) if so, the reasons therefore; and
- (c) whether any revised deadline has been fixed?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) to (c) Sir, the Government had set the time line for implementation of Mobile Number Portability (MNP) Service as 31st March 2010 in the month of December, 2009 which was further extended to 30th June 2010. The whole network {all Access Service Providers in all service areas and International Long Distance Operators (ILDOS)} in the country have to be ready and tested before MNP Service is implemented. Keeping the complexity and enormity to the testing involved before MNP is implemented and keeping in view of the status of implementation by various operators in the month of June, 2010, Government has extended the time line for implementation of MNP to 31st October, 2010.

Unsolicited SMS

†1971. SHRI KAPTAN SINGH SOLANKI: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether it is a fact that the business of sending unsolicited SMSs over mobile phones is on the rise across the country;
- (b) whether Government has prescribed any guidelines in this regard;
- (c) if so, the details thereof;
- (d) whether Government has taken any action under any legal proceeding against groups sending unsolicited SMSs; and
- (e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) Yes, Sir. Majority of the complaints relating to

†Original notice of the question was received in Hindi.

Unsolicited Commercial Communication (UCC) received in recent times pertain to receipt of marketing SMSs by the complainants.

(b) and (c) Yes, Sir. Telecom Regulatory Authority of India (TRAI) had notified the Telecom Unsolicited Commercial Communications Regulations on 5th June 2007 as amended time to time. The details of the framework under these Regulations are given in the Statement (*See below*).

(d) No, Sir.

(e) Does not arise in view of (d) above.

Statement

Details of Telecom Unsolicited Commercial Communication Regulations

- 1 TRAI had notified the Telecom Unsolicited Commercial Communications Regulations, 2007 (4 of 2007) on 5th June 2007. Subsequently, the National Do Not Call Registry (NDNC) was established which is primarily a national database containing list of telephone numbers of all such subscribers who do not want to receive the UCC. NDNC was designed, developed and is being maintained by National Informatics Center (NIC).
- 2 Any subscriber who would like to register/de-register his request for NDNC registry can dial 1909 or send SMS to 1909 with keywords 'STAR DND' for registration and 'STOP DND' for de-registration. Initial registration is done by the telecom service providers, who in turn, update the NDNC registry periodically with its data base of registered subscribers. Thus the NDNC contains the telephone numbers of all those subscribers who have opted not to receive any UCC.
- 3 As per the DoT guidelines dated 6th June 2007, all the Telemarketers are mandated to register with DoT. The Telemarketers after registration get permission to access the NDNC. They can submit the calling list to the NDNC registry (using registration ID) for scrubbing and the registry returns the list after deleting those telephone numbers who are registered in NDNC for not receiving the UCC.
- 4 TRAI had issued the Telecom Unsolicited Commercial Communications (Amendment) Regulations, 2008 dated 17th March 2008. This amendment to the principal regulations, apart

from providing for higher tariff for the telemarketers making unsolicited commercial communications (UCC) to the subscribers registered in the National Do Not Call Registry (NDNC) also has a provision for financial disincentive for the service providers who contravene the provisions of the UCC regulations.

- 5 The above amendment mandate the service provider to charge higher tariff from telemarketers, who make UCC at the rate of Rs. 500/- for first UCC and Rs. 1000/- for second UCC and to disconnect the telephone connection if UCCs are repeated. Further, in case service provider do not take action as per the above regulations and a complaint is made to TRAI, an amount not exceeding five thousand rupees for the first non-compliance and in case of second or subsequent non-compliance, an amount not exceeding twenty thousand rupees for each such non-compliance can be levied.
- 6 Suitable provisions were incorporated in the second amendment to the principal regulations (dated 21st Oct. 2008) providing for time limits to be specified by the TRAI. As per this regulation all Access Providers has to adhere to the limits of 28 days in case of complaints against their own telemarketers and 35 days in case of complaints against telemarketers belonging to other telecom service providers.
- 7 Subsequently, in the light of feedback given by service providers, TRAI directed all the service providers that the alpha-numeric identifier of all commercial SMSs which are sent with only sender identification and without the normal ten digit mobile number should be prefixed by the code of the service provider and the code of the service area as specified by the TRAI (for example in form of XY-HSBC, where X stands for the code allotted to the service provider and Y stands for the service area). This was implemented *w.e.f.* 1st February 2009.

Dubious officials of BSNL

1972. SHRI N.K. SINGH: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether Government is aware that some top BSNL executives are joining private telecom companies;