

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) Inter-Ministerial Committee constituted by the Department of Telecommunications in its report has recommended that Mobile handsets manufactured and sold in India or imported from other countries should be checked for compliance of SAR limit and no handsets of SAR value above the prescribed standard adopted in India should be manufactured or sold in the country.

(b) The Inter-Ministerial Committee in its report has indicated that most of the laboratory studies were unable to find a direct link between exposure to radio frequency radiation and health; and the scientific studies as yet have not been able to confirm a cause-and-effect relationship between radio frequency radiation and health. The effect of emission from mobile phones and towers is not known yet with certainty. However, the Committee has suggested certain safeguards.

(c) (1) Telecom Commission has adopted International Commission on Nonionizing Radiation Protection (ICNIRP) guidelines for mobile handsets imposing basic restrictions in terms of SAR (Specific Absorption Rate) value limiting to 2 W/Kg (averaged over 10g tissue) localized for head and trunk in the frequency range of 10 MHz to 10 GHz. Thereafter:

- (i) Indigenous manufacturers of mobile handsets have been instructed comply with ICNIRP guidelines and furnish self certificate.
- (ii) Mobile handsets manufacturers have also been instructed to indicate the level of radiation on the product itself and to clearly communicate the potential danger of mobile phone radiation and exposure.

2. To regulate indigenous as well as imported mobile phones, Bureau of Indian Standard (BIS) has been requested to frame standards for mobile phones under BIS Act 1986.

3. The report of the Inter-Ministerial Committee has been placed on the Department of Telecommunications' website calling for feedback from stakeholders. Thereafter, it will be examined for appropriate action.

Prevention of unwanted calls and SMSs

†515. SHRI RASHEED MASOOD: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether Government has framed any policy to prevent unwanted calls;
- (b) if so, the details thereof;
- (c) by when it will be implemented; and
- (d) whether there is a provision to prevent unwanted SMSs under this policy?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) and (b) In order to curb Unsolicited Commercial Communications, the Telecom Regulatory Authority of India (TRAI) notified the Telecom Unsolicited Commercial Communications Regulations, 2007 dated 5th June, 2007, putting in place a framework for controlling unsolicited commercial communications. It envisaged establishment of a National Do Not Call (NDNC) Registry to facilitate registration of requests from customers who do not wish to receive Unsolicited Commercial Communications (UCC). To improve the effectiveness of the framework, the TRAI had subsequently amended these regulations by issue of the Telecom Unsolicited Commercial Communications (Amendment) Regulations, 2008 (1 of 2008) dated 17th March, 2008 and had imposed financial disincentives for non-compliance of regulatory provisions by the telecom service providers. The principal regulations were further amended by the Telecom Unsolicited Commercial Communications (Second Amendment) Regulations, 2008 dated 21st October, 2008, simplifying the customer enrolment process, smoothening the system for redressal of complaints related to UCC and imposing financial disincentives on Access Providers for non-compliance with regulatory provisions.

Despite various measures taken by the TRAI for curbing UCC, dissatisfaction on this account among telecom customers continues. Although the number of unsolicited commercial voice calls has decreased, the number of unsolicited SMS has increased. However, it is observed that the framework that has been put in place to curb UCC in 2007 has not been effective and needs revision. Therefore, TRAI has issued "The Telecom Commercial Communications Customer Preference Regulations, 2010" on 1st December 2010 with the objective to provide an effective mechanism for curbing Unsolicited Commercial Communications. The Telecom Commercial Communications Customer Preference Regulations, 2010 have been framed keeping in view the interest of the customers and telemarketers while ensuring effective implementation. As intimated by TRAI, the main features of the Telecom Commercial Communications Customer Preference Regulations, 2010 are as follows:

- (i) Options to customer to exercise his preference for selected sectors.
- (ii) Registration of the telemarketer with identification.
- (iii) Sharing of National Customer Preference Register with service providers and telemarketers so that telephone databases can be effectively scrubbed before initiating telemarketing activities.
- (iv) Filtering and auto-blocking of calls and SMS to customers according to their options, if any.

(v) Disconnection of telecom resources of defaulting telemarketers and blacklisting to ensure that they do not get any telecom resources from any other access provider.

(vi) Adequate provision to effectively implement the provisions of the Regulations.

(c) As per the provisions of The Telecom Commercial Communications Customer Preference Regulations, 2010, registration of telemarketers has started from 15th January, 2011. Registration of customer preference on National Customer Preference Registry (NCPR) has started from 10th February, 2011. Other provisions of regulations will come into force from 1st March, 2011.

(d) Various provisions have been made to prevent unwanted SMS under The Telecom Commercial Communications Customer Preference Regulations, 2010. Main features of regulations in this regard are:

(i) Sharing of National Customer Preference Register with service providers and telemarketers so that telephone databases can be effectively scrubbed before initiating telemarketing activities

(ii) Filtering and auto-blocking of calls and SMS to customers according to their options, if any

(iii) Disconnection of telecom resources of defaulting telemarketers and their blacklisting to ensure that they do not get any telecom resources from any other access provider

(iv) Adequate provision to effectively implement the provisions of the Regulations.

Certificates for radiation emission levels from telecom towers

516. SHRI MOINUL HASSAN: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether there have been increasing concerns over emissions from telecom towers and their adverse implications on health;

(b) whether despite missing several deadlines, telecom companies have still not been able to certify over one lakh telecom towers on radiation emission levels; and

(c) if so, the action Government proposes to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) and (b) Yes, Sir.

(c) It is proposed to impose penalty on telecom companies for non-submission of certificates.