

examined by an internal Committee of Department of Telecom. Government will take a decision on receipt of the report of the Committee accordingly.

**Setting up of more BSNL transmitters in Maoist-affected remote areas**

510. SHRI GOVINDRAO ADIK: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the State Government of Maharashtra has requested the Ministry to direct BSNL to set up more transmitters in the Maoist-affected remote areas for better mobile communications among the security forces working in the remote regions of Maharashtra; and

(b) if so, Government's response thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) and (b) Although no specific request has been received from the Government of Maharashtra to set up more towers in Maoist affected districts of the State, it is the endeavour of BSNL to provide maximum coverage to all areas of Maharashtra including those affected by Maoist activities.

**Unsolicited SMS on mobile phones**

†511. MISS ANUSUIYA UIKEY: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether any guidelines have been set by Government regarding sending of SMS containing advertisements on mobile phone subscribers and if so, the details thereof;

(b) whether Government is aware that mobile companies are pestering mobile subscribers daily by sending a large number of unsolicited SMS unabatedly without their consent; and

(c) the names of the companies against which action has been taken for sending unsolicited SMS along with the details of the action taken against them?

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 5 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 Communication (UCC). To improve the effectiveness of the framework, the TRAI had subsequently amended these regulations by issue of the

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†Original notice of the question was received in Hindi.

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.

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 operational provisions of regulations will come into force from 1st March, 2011.

(c) TRAI has imposed financial disincentives on the 8 service providers for Unsolicited Commercial Communications (UCC) under Telecom Unsolicited Commercial Communications Regulation, 2007 (as amended).

#### **Setting up of mobile towers by private companies**

†512. MISS ANUSUIYA UIKEY: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether any rules have been prescribed for setting up of mobile towers by private mobile companies and if so, the brief details thereof;

(b) whether mobile companies take land from local farmers/residents on rent to erect towers and later on invite other companies to mount their equipments on the same tower and charge rent from them;

(c) whether this practice of allowing other companies to mount their equipment in lieu of rent on the same tower does not amount to exploitation of farmers/residents; and

(d) whether Government would take appropriate steps to check such exploitation?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) to (d) As per existing licensing and regulatory norms, only Access Service Licensees and Infrastructure Provider Category I (IP-I) registered companies are authorized to establish mobile towers. For installation of mobile towers, Wireless Planning and Coordination (WPC) Wing of Department of Telecommunications (DoT) issues siting clearance for each and every site of mobile tower from point of view of interference with other wireless users, aviation hazards and obstruction to any other existing microwave links. This clearance is issued without prejudice to applicable bylaws, such as Municipal Corporation and Gram Panchayat, etc. The Access Service Licensees / IP-I companies make their own arrangement for erection of tower.

In order to avoid the clustering of multiple towers in congested areas, DoT has permitted the sharing of towers and other related accessories, equipments amongst the telecom service providers on mutual agreement basis.

Further, the acquisition of land for erection of mobile tower and compensation thereof is a commercial matter between the two parties.

#### **Telephone signal towers installed by BSNL**

513. DR. T. SUBBARAMI REDDY: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Bharat Sanchar Nigam Limited has installed signal towers in the country;

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†Original notice of the question was received in Hindi.