

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) The Telecom Regulatory Authority of India (TRAI) had sought views of stakeholders, as part of a consultation process undertaken recently, regarding demand for single plan for all pre-paid consumers in the country. The majority of stakeholders are not in favour of the 'One Plan for All' suggestion.

(b) TRAI had issued a Direction on 3rd May, 2005, mandating all access service providers that no chargeable value added service shall be provided to a customer without his explicit consent and any value added service, being provided free of charge earlier, shall not be made chargeable without the explicit consent of the customer. TRAI issued further directions prescribing the manner in which the explicit consent of the customer is to be obtained before providing value added services. TRAI has recently issued a Direction to all the service providers, on 4th July, 2011, prescribing that confirmation should be obtained from consumers through SMS or email or Fax or in writing within 24 hours of activation of value added service, failing which the service shall be deactivated without any cost to the consumer.

(c) Department of Telecom (DoT) has adopted Centralized Public Grievance Redressal and Monitoring System (CPGRAMS), a web based on-line System, developed by National Informatics Centre for expediting the grievance redressal processes in respect of grievances received in Public Grievance (PG) cell of DoT.

#### **Data privacy and protection**

1427. SHRIMATI SHOBHANA BHARTIA:  
SHRI N.K. SINGH:

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Government is considering imposing penalties on Business Process Outsourcing (BPO) firms that compromise on data privacy of individual consumers;

(b) whether Government is working closely with the united States to replicate existing global best practices in the realm of data security and privacy;

(c) whether Government finds the provisions linked to data privacy and data protection in the IT Act, 2000 inadequate; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI SACHIN PILOT): (a) Section 43A of the Information Technology Act, 2000 prescribes the body corporates to implement reasonable security practices and procedures. The section provides for compensation to be paid by body corporate, commensurate to the damages suffered by the affected person in case of leakage of sensitive

personal information. Business Process Outsourcing firms are body corporates and thus are also covered under section 43A of the Information Technology Act, 2000.

(b) The cooperation between India and the U.S. in the area of cyber security is in the form of Memorandum of Understanding between Indian Computer Emergency Response Team (CERT-In) and the U.S. CERT. This MOU covers the aspect of exchange of information on prevalent cyber security policies and best practices.

(c) The provisions are adequate for data protection and data privacy in digital form.

(d) Does not arise.

#### **Software and hardware of foreign telecom companies**

1428. SHRI SANJAY RAUT:

SHRI GOVINDRAO ADIK:

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Government had decided to conduct testing and certification of software and hardware of all foreign telecom companies like Nokia, Siemens, Alcatel Lucent, Ericsson and Huawei of China, in order to help it develop protocols to check them for any security breach; and

(b) if so, the details of steps taken or proposed to be taken to develop protocols to check for any security breach by the foreign telecom vendors in the country?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA): (a) Yes Sir, to take care of national security concerns related to telecom network, Government has issued the amendment to various telecom licenses on 31.05.2011, wherein it is mandated that all network elements should be tested and certified as 'safe to connect' before inducting these into network.

(b) In this regard, Government has decided to establish a '**Center for Telecom Testing and Security Certification**' (TTSC) for development of the standards, procedures and test tools to test the telecom equipment of all vendors.

#### **Use of clone numbers**

†1429. SHRI KAPTAN SINGH SOLANKI: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that clone numbers are being used in the country;

---

†Original notice of the question was received in Hindi.