

Regulation of pesky calls and SMSs

*408. SHRI JAI PRAKASH NARAYAN SINGH : Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Government is aware that inspite of TRAI's instructions, subscribers are still receiving pesky calls and SMSs;

(b) if so, the regulations in case of unsolicited commercial calls and SMSs sent from individual numbers.

(c) whether Government is aware that several calls and SMSs are being sent from private/individual numbers; and

(d) if so, the action taken, so far, against such individuals for violation of TRAI's regulations?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL) : (a) and (d) Sir, With the implementation of The Telecom Commercial Communications Customer Preference Regulations, the number of complaints relating to Unsolicited Commercial Communications (UCC) has reduced considerably, which indicate that the subscribers are still receiving pesky calls and SMSs though at a low level.

As per 'The Telecom Commercial Communications Customer Preference Regulations, 2010', no telephone subscriber, who is not registered with TRAI as a telemarketer under these regulations, shall make any commercial communication. To facilitate easy identification, the telemarketers registered with TRAI are allocated telecom resources in number series '140'. In case it is found based on verification of a complaint that the UCC was originated by a subscriber, who is not registered with TRAI as a telemarketer, the Originating Access Provider shall issue a notice to such subscriber to forthwith discontinue the sending of such unsolicited commercial communications and if such subscriber sends a commercial communication to any subscriber on a second occasion, disconnect the telecom resources of such subscriber.

(c) and (d) Government is aware that several calls and SMSs are being sent from private/individual numbers *i.e.* by subscribers not registered as a telemarketer. Under this regulation, 44810 notices have been issued to unregistered telemarketers and 27984 telephones have been disconnected till 24th April, 2012 since inception of the regulation *i.e.* 27th Sept, 2011.

The regulation also prescribes a cap of 200 SMS per day per SIM to deter sending of bulk unwanted SMSs by private/individual numbers.