

Deduction from Security Deposit of Telemarketer in case of Violation

Sl. No.	Number of Violation by Telemarketer access provider wise	Deduction from Security Deposit	Security Deposit	Additional Security Deposit
	0 violation	Nil	1,00,000	Nil
1.	1st Violation	Rs 25,000	75,000	2,00,000
2.	2nd Violation	Rs 75,000	2,00,000	Nil
3.	3rd Violation	Rs 80,000	1,20,000	4,00,000
4.	4th Violation	Rs 1,20,000	4,00,000	Nil
5.	5th Violation	Rs 1,50,000	2,50,000	Nil
6.	6th Violation	Rs 2,50,000	Nil	Nil

Further, in case of violations by unregistered telemarketers, the regulations also provide for disconnection of telecom resources by its access service provider on receipt of complaint. The name and address of the subscriber (unregistered telemarketer) is blacklisted for two years. Once such subscriber is blacklisted, all the telecom resources provided to him by other operators are also disconnected. Further, he will not get any telecom resources from any service provider for two years. In pursuance of these efforts by TRAI, a total of about three lakhs telephone connections of un-registered telemarketers have been disconnected by the Access Service Providers and the name and address of 25295 such subscribers have been put into the blacklist.

Railway out agency in Jammu and Kashmir

*215. SHRI G.N. RATANPURI: Will the Minister of RAILWAYS be pleased to state:

(a) the reason for only one Railway Out Agency operating in Jammu and Kashmir for more than a hundred years;

(b) whether the contract containing terms and conditions have remained unchanged for over a century;

(c) if not, whether the contract was modified, and if so, the logic and considerations applied;

(d) the reason that competition among prospective agencies was blocked and one agency favoured continuously; and

(e) the annual turnover of this agency and the entities besides Railways that are its client?

THE MINISTER OF RAILWAYS (SHRI MALLIKARJUN KHARGE) (a) to (e) Contracts for working Out Agencies are awarded by calling for competitive tenders and are awarded as per rules. The usual limit of the contract is 3 to 5 years. However, as per rules, fresh tenders should not ordinarily be called for as long as the working of the existing contractor is satisfactory and no increase in the rates is sought for.

M/s. N.D. Radha Kishan and Co. has been holding the contract of an Out Agency since 1919 in the State of Jammu and Kashmir. However, the record pertaining to the tendering is not available with the Northern Railway. Due to misappropriation of cash by their staff and consequently non-deposition of cash to Railway, the contract was terminated by the Railway on 31.12.1982. The agent approached Court and obtained '*Status quo*' orders in the case. The matter was subjudice upto 1994. The matter was sorted out through Arbitration on Court's orders and the Out Agency at Srinagar served via Jammu Tawi again commenced working from 8th December 1997.

Since then the Out Agency has been working satisfactorily and time-to-time renewal has been done by Northern Railway as per extant rules. The currency of current extended period is valid upto 10.01.2015.

The terms and conditions of the contract with the agency have changed as per the prevalent rules. The agency was earlier allowed to book passenger tickets

and had been provided with manual reservation quota in some passenger trains originating from Jammu as computerized reservation system did not exist at that time. With the spread of the computerized reservation system, the contract for booking of passenger tickets was withdrawn from the Agency on 8th December 1997 when the Out Agency at Srinagar served *via* Jammu Tawi again commenced the work of booking parcel and goods traffic.

The facility of booking tickets was withdrawn due to Passenger Reservation System (PRS) becoming available and later on the Unreserved Ticketing System (UTS) which are now available at 40 and 33 locations respectively in Jammu and Kashmir.

Prior to 1978, M/S. N.D. Radha Kishan and Co. were operating the following out agencies

- (i) Out Agency at Srinagar with sub Agency at Anantnag and Khrew
- (ii) Out Agency at Udhampur with sub agency at Doda
- (iii) City Booking Agency at Jammu

In 1997, only Out Agency at Srinagar served *via* Jammu Tawi again commenced the work of parcel and goods traffic. A fresh notification was issued to this effect by Northern Railway and all the above mentioned agencies ceased to exist thereafter.

The Agency handled about 7 wagons per day with an annual turnover of Rs. 48,24,13,749/- for the financial year 2012-13. The Railway is not client of the Out agency. However, this out agency is an office opened in a place situated away from railway station (in this case Srinagar), in order to facilitate booking of parcel and goods traffic directly to or from this place in conjunction with railway over which the traffic has to be carried. With the coming of the Railway in the valley and extension of Railway from Jammu till Udhampur, the need for any more such agencies is not felt. The present agency has been able to handle satisfactorily the traffic being offered.