

Sl. No.	Name of Division	Name of Mail line
287.	Una	Una-Dulehar
288.	Una	Una-Derababa-Rudru
289.	Una	Una-Daulatpur-Chok <i>via</i> Amb
290.	Una	Santokhgarh-Una
291.	Una	Una-Pandogha
292.	Una	Una-Talmera-Bangana
293.	Una	Una-Jhamber
294.	Una	Una-Pathankot

Unsolicited SMS

†1449. DR. VIJAYLAXMI SADHO: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Government is aware of the problem arising out of a large number of unsolicited SMS sent on mobile phones; and

(b) if so, the details of the punitive action being contemplated by Government to sort out this problem?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): (a) and (b) Sir, Telecom Regulatory Authority of India (TRAI) has laid down the framework for controlling Bulk SMS/Unsolicited Commercial Communications (UCC) through the 'Telecom Commercial Communications Customer Preference Regulations, 2010'. These regulations came in to force with effect from 27.09.2011 and have been reviewed from time to time. TRAI has issued a number of amendments to these regulations and directions to make the regulatory framework more effective and stringent. TRAI has issued Fifteen Amendment Regulations and Directions to address implementation issues and to further tighten the regulatory framework. These regulations prohibit sending of Bulk SMS/UCC by telemarketers/subscribers to telecom consumers, who have registered their numbers in the National Customer Preference Register (NCPR) for not receiving UCC and further

†Original notice of the question was received in Hindi.

provide the following punitive actions against violations of the regulations by registered telemarketers, unregistered telemarketers and service providers:

- (i) To prevent Unregistered telemarketers from misusing concessional SMS packs or tariff plans for sending bulk promotional SMSs, a price restraint has been placed on sending of more than one hundred SMS per day per SIM at a concessional rate. The subscriber is free to send SMSs beyond this number, however, all such SMSs sent beyond one hundred SMS per day per SIM shall be charged at a rate not lower than ₹ 0.50 per SMS.
- (ii) To restrict unregistered telemarketers from sending bulk promotional SMSs using software applications, Access Providers have been mandated to put in place a solution, which will ensure that no commercial SMSs are sent having same or similar characters or strings or variants from any source or number. The solution will ensure that no more than 200 SMSs with such similar 'signature' are sent in an hour.
- (iii) For increasing consumer awareness and to caution against misuse, Access Providers have been mandated to send SMS to all customers on periodic basis, advising them not to send any commercial communications and informing them about the consequences of misuse.

Further, there is also provision of financial disincentives on telecom service providers in the regulation, which provides the Financial Disincentive on telecom service providers for the following:

- (i) For failure to prevent Unsolicited Commercial Communications (UCC) originated from the service providers network by subscribers who are not registered with TRAI as a telemarketer-The Service Provider shall pay up to a maximum of ₹ 5,000/- financial disincentive for each valid complaint and
- (ii) For contraventions of the provisions of the regulations- ₹ 1 lakh first contravention, ₹ 5 lakhs for second contravention and ₹ 10 lakhs for third and each subsequent such contravention.

In accordance with the above provisions, TRAI has been imposing financial disincentive on telecom service providers.

TRAI imposes penalty for violations, which is recovered from the security deposit made by the telemarketer with the service providers while taking telecom resources as per the following table and such amount will be deposited with TRAI:

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	₹ 25,000	75,000	2,00,000
2.	2nd Violation	₹ 75,000	2,00,000	Nil
3.	3rd Violation	₹ 80,000	1,20,000	4,00,000
4.	4th Violation	₹ 1,20,000	4,00,000	Nil
5.	5th Violation	₹ 1,50,000	2,50,000	Nil
6.	6th Violation	₹ 2,50,000	Nil	Nil

In accordance with the above provisions, TRAI has imposed financial disincentives on 13 companies for ₹ 27,46,64,500/- (Rupees Twenty seven crores, fourty-six lakhs, sixty-four thousand and five hundred only).

Availability of secure communication channels

1450. SHRI C.P. NARAYANAN: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the total expenditure and revenue of BSNL during the last three years;
- (b) the details of State units making profit and those making losses; and
- (c) whether Government has realized from recent events, the necessity of public investments to ensure secure communication channels available to people or is it satisfied with leaving this important field with private sector?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): (a) Details of total expenditure and revenue of Bharat Sanchar Nigam Limited (BSNL) during the last three years is given below:

(₹ in crores)		
Year	Total Expenditure	Total Revenue
2013-2014	34929.60	27996.35
2012-2013	34900.43	27127.89
2011-2012	36586.11	27933.50