

 Bharat Sanchar Nigam Ltd.

Public Grievances Cell
Room No. 28, IR Hall, Eastern Court, Janpath
New Delhi-110001

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Dated: 03-12-2012

No. 7A-I-5/2011-PG

To,

All Chief General Managers,
Telecom Circles/Telecom Distts.

Subject: Implementation of "The Telecom Commercial Communications Customer Preference Regulations, 2010" – reg.

As per the provisions of the "The Telecom Commercial Communications Customer Preference Regulations, 2010" issued by TRAI, Access Providers have to upload all the complaints lodged by their consumers regarding receipt of Unsolicited Commercial Communications and action taken on them on TCCCP Portal www.nccptrai.gov.in.

As per sub-regulations 8 of regulation 19 of the "The Telecom Commercial Communications Customer Preference Regulations, 2010", the Originating Access Provider, to whom the complaint has been forwarded, shall within seventy two hours of the receipt of the complaint by it, investigate the nature of call or SMS and if after such investigation, it finds that such call or SMS is an unsolicited commercial communications – (a) issue a notice to the telemarketer, forwarding the detail of the unsolicited commercial communication made by him and informing him of the deduction from the security deposit of an amount as agreed upon in terms of Schedule IV or schedule V to these regulations. (b) intimate, the result of the investigation and the action taken by it on the basis of the complaint, to the Terminating Access Provider which forwarded the complaint. (c) deposit the amount so deducted in an account specified by the authority and (d) update the action taken by it in the National Telecom Register.

As per sub-regulations 2 of regulation 20, every Originating Access Provider shall filter all voice calls received through the telecom resources allocated

to the telemarketers to ensure that no commercial voice call is made to any subscriber, registered with the National Customer Preference Register. Every Originating Access Provider shall filter all promotional SMS received through the telecom resources allocated to the telemarketers to ensure that only promotional SMSs, preferred by a customer in his preference registered with the National Customer Preference Register, are sent to him.

It seems that lot of complaints are pending for action taken in TCCCP Portal www.nccptrai.gov.in. These complaints are to be solved urgently and action taken to be uploaded on TCCCP Portal. TRAI has taken it adversely for these pending complaints. A penalty may also be imposed for violation of "The Telecom Commercial Communications Customer Preference Regulations, 2010".

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3/12/12
(Brijesh Tyagi)
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