

Dated the 10<sup>th</sup> Dec.2008

## **DIRECTION**

**Subject:** Direction under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997).

No. 104-17/2008-MN ----- Whereas the Telecom Regulatory Authority of India [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as the TRAI Act, 1997), has been entrusted with discharge of certain functions, *inter alia*, to regulate the telecommunication services, protect the interests of consumers of the telecom sector, ensure technical compatibility and effective inter-connection between different service providers, lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect the interest of the consumers of telecommunications service;

2. And whereas the Authority had, in exercise of the powers conferred by section 36, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the TRAI Act, 1997, made the Telecom Unsolicited Commercial Communications Regulations, 2007(4 of 2007) (hereinafter referred to as the principal regulations), and subsequently amended the principal regulations by

the Telecom Unsolicited Commercial Communications (Amendment) Regulations, 2008 (1 of 2008) dated the 17<sup>th</sup> March, 2008 and the Telecom Unsolicited Commercial Communications (Second Amendment) Regulations, 2008 (3 of 2008) dated the 21<sup>st</sup> October, 2008;

3. And whereas sub- regulation (1) of regulation 16 provides that in case any subscriber receives unsolicited commercial communication after forty-five days from the date of his request for registration in the National Do Not Call Register under regulation 7, he may make a complaint, mentioning therein, the telephone number from which the unsolicited commercial communication was received by the complainant, the date, time and brief description of such unsolicited commercial communications;

4. And whereas sub- regulation (2) of regulation 16 provides that the service provider shall within seven days of the receipt of the complaint under sub-regulation (1) of regulation 16, acknowledge every such complaint with a unique complaint number, verify the registration of the telephone number of the complainant in the National Do Not Call Register at the time of receiving unsolicited commercial communication and forward the complaint [ along with the date of lodging of the complaint with the service provider and the particulars of the unsolicited commercial communication as furnished by the complainant under sub-regulation (1)] to the service provider from whose network such unsolicited commercial communication originated;

5. And whereas whenever a subscriber gets an unsolicited commercial communication in the form of Short Message Service (SMS), the identification of the sender of such SMS is normally in one or other of the following forms, namely:-

- (a) ten digit normal mobile number like 996893977 or ten digit fixed line number etc.,
- (b) some alphanumeric name like SBI life or HSBC etc.,
- (c) some numeric code like 58888 or 56262 etc.;

6. And whereas most of the service providers have reported to the Authority that whenever a subscriber makes a complaint of unsolicited commercial communication by SMS with sender identification other than the normal ten digit mobile or fixed number, it is very difficult and time consuming for the service providers to identify the service provider from whose network such unsolicited commercial communication originated;

7. And whereas the Authority held meetings with Access Service Providers on the 16<sup>th</sup> September, 2008 and the 25<sup>th</sup> September, 2008, *inter alia*, to discuss the issue pertaining to the identification of unsolicited commercial communication by SMS received with sender identification other than normal ten digit mobile number;

8. And whereas in the meetings referred to in the preceding paragraph, the representatives of access service providers except M/s Reliance Communications Ltd. and M/s Reliance Telecom Ltd., agreed to prefix such identification code as may be specified by the Authority before the alphanumeric identifier in the case of all commercial messages by SMS not carrying the normal ten digit mobile number so as to enable easy identification of the service provider from whose network such commercial message has originated;

9. And whereas subsequent to the meetings referred to in paragraph 7 above, M/s Reliance Communications Ltd. and M/s Reliance Telecom Ltd., vide their respective letters both dated the 17<sup>th</sup> October, 2008, informed the Authority that they are in the process of upgrading their SMSCs and will be able to provide complete Alpha-Numeric support by February, 2009;

10. And whereas as agreed in the meetings referred to in paragraph 6 and as agreed to by M/s Reliance Communications Ltd. and M/s Reliance Telecom Ltd., vide their respective letters dated the 17<sup>th</sup> October, 2008, as referred to in the preceding paragraph, the Authority has prepared a list of codes for the service providers and a list of codes for the service area which are annexed as **Annexure A** and **Annexure B**, respectively, with this direction;

11. Now, therefore, the Authority, in exercise of the powers conferred by section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997(24 of 1997), hereby directs that the alpha-numeric identifier of all commercial SMSs which are sent with only sender identification and without the normal ten digit mobile number shall be prefixed by the code of the service provider and the code of the service area as contained in the **Annexure A** and **Annexure B**, respectively, each followed by a dash and the sender identification ( for example XY-HSBC, where X stands for the code allotted to the service provider and Y stands for the service area) and the process shall be implemented at the earliest but not later

than the 1<sup>st</sup> Feb.2008, and a compliance report shall be furnished to the Authority within seven days of the implementation of the process.

**(Sudhir Gupta)**  
**Advisor (Mobile Network)**

To,

As per list attached

## Annexure-A

<b>LIST OF CODES FOR SERVICE PROVIDERS</b>		
<b>S.No.</b>	<b>Service Provider</b>	<b>Code</b>
1	Aircel Ltd Aircel Cellular Ltd Dishnet Wireless Ltd	<b>D</b>
2	Bharti Airtel Ltd Bharti Hexacom Ltd	<b>A</b>
3	Bharat Sanchar Nigam Ltd	<b>B</b>
4	BPL Mobile Communications Ltd Loop Telecom Pvt. Ltd	<b>L</b>
5	Datacom Solutions Pvt. Ltd	<b>C</b>
6	HFCL Infotel Ltd	<b>H</b>
7	Idea Cellular Ltd Aditya Birla Telecom Ltd	<b>I</b>
8	Mahanagar Telephone Nigam Ltd	<b>M</b>
9	Reliance Communications Ltd	<b>R</b>
10	Reliance Telecom Ltd	<b>E</b>
11	S. Tel Ltd	<b>S</b>
12	Shyam Telecom Ltd	<b>Y</b>
13	Spice Communications Ltd	<b>P</b>
14	Swan Telecom Pvt. Ltd	<b>W</b>
15	Tata Teleservices Ltd Tata Teleservices (Mah) Ltd	<b>T</b>
16	Unitech Group of Companies	<b>U</b>
17	Vodafone Group of Companies	<b>V</b>

## Annexure-B

<b>LIST OF CODES FOR SERVICE AREA</b>			
<b>SLNO</b>	<b>Service Area</b>	<b>No of UASLs/CMSPs (Including recntly issued new licenses)</b>	<b>Code</b>
1	Andhra Pradesh	13	<b>A</b>
2	Assam	12	<b>S</b>
3	Bihar	12	<b>B</b>
4	Delhi	13	<b>D</b>
5	Gujarat	12	<b>G</b>
6	Haryana	13	<b>H</b>
7	Himachal Pradesh	13	<b>I</b>
8	Jammu & Kashmir	7	<b>J</b>
9	Karnataka	12	<b>X</b>
10	Kerala	13	<b>L</b>
11	Kolkata	13	<b>K</b>
12	Madhya Pradesh	12	<b>Y</b>
13	Maharashtra	12	<b>Z</b>
14	Mumbai	12	<b>M</b>
15	North East	11	<b>N</b>
16	Orissa	12	<b>O</b>
17	Punjab	13	<b>P</b>
18	Rajasthan	13	<b>R</b>
19	TamilNadu including Chennai	13	<b>T</b>
20	UP-East	12	<b>E</b>
21	UP-West	12	<b>W</b>
22	West Bengal	12	<b>V</b>

<p>Shri Narender Gupta  Director – Legal &amp; Regulatory Affairs,  Bharti Airtel Ltd.,  Bharti Hexacom Ltd.,  4<sup>th</sup> Floor, Tower A  Unitech World, Cyber Park,  Sector –39, Gurgaon  Haryana – 122001</p>
<p>Shri Rajat Mukarji  Chief Corporate Affairs Officer  IDEA Cellular Ltd  Aditya Birla Telecom Ltd  1005-1006, 10<sup>th</sup> Floor, Kailash Building, 26  K.G. Marg,  New Delhi-110001</p>
<p>Shri Harish Kapoor  Chief Regulatory Officer  410, Paharpur Business Centre,  21, Nehru Place,  New Delhi – 110 019.</p>
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<p>Shri Ashok Sharma  National Head - Regulatory  Dishnet Wireless Ltd  Aircel Ltd.,  Aircel Cellular Ltd.,  8, Local Shopping Centre,  Sector-B, Pocket-7,  Nelson Mandela Road,  Vasant Kunj,  New Delhi – 110070</p>
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