

TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY,
PART III, SECTION 4

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the -- 28th December, 2010

THE TELECOM COMMERCIAL COMMUNICATIONS CUSTOMER
PREFERENCE (SECOND AMENDMENT) REGULATIONS, 2010
(8 OF 2010)

No.305-17/2010-QoS.- In exercise of powers conferred by section 36, read with sub-clause (v) of clause (b) and clause (c) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations, namely:-

1. (1) These regulations may be called the Telecom Commercial Communications Customer Preference (Second Amendment) Regulations, 2010.

(2) They shall come into force from the date of their publication in the official Gazette.

(2) In sub-regulation (2) of regulation 1 of the Telecom Commercial Communications Customer Preference Regulations, 2010 (hereinafter referred to as the principal regulations),---

(a) for clause (b), the following clause shall be substituted, namely:-

“(b) Regulation 13,14, 15,16 and 17 of these regulations shall come into force on the 15th day of the January, 2011;”;

(b) after clause (b) so substituted, the following clause shall be inserted, namely:-

“(c) Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21 and 22 of these regulations shall come into force on the 1st day of the February, 2011.”.

3. In regulation 25 of the principal regulations,-

(a) for clause (b), the following clause shall be substituted, namely:-

“The provisions contained in regulations 13 to 15 of the Telecom Unsolicited Commercial Communications Regulations, 2007 (4 of 2007) shall remain in effect till the 14th day of January, 2011;”;

(b) after clause (b) so substituted, the following clause shall be inserted, namely:-

“(c) The provisions contained in regulations 3,4,5,6,7,8,9,10,11,12,16,17 and 18 of the Telecom Unsolicited Commercial Communications Regulations, 2007 (4 of 2007) shall remain in effect till the 31st day of January, 2011.”.

(R. K. Arnold)
SECRETARY

Note 1: The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4 vide notification No. 305-17/2010-QoS dated 1st December, 2010.

Note 2: The principal regulations were amended vide notification No. 305-17/2010-QoS and published in the Gazette of India, Extraordinary, Part III, Section 4 dated 14th December, 2010.

Note 3: The Explanatory Memorandum explains the objects and reasons of Telecom Commercial Communications Customer Preference (Second Amendment) Regulations, 2010 (8 of 2010).

Explanatory Memorandum

The Telecom Regulatory Authority of India issued the Telecom Commercial Communications Customer Preference Regulation, 2010 (6 of 2010) dated the 1st December, 2010 to provide an effective mechanism for curbing unsolicited commercial communications. Regulation 13, 14, 15, 16 and 17 of the regulations were required to be implemented with effect from the 15th day of December, 2010, while regulation 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21 and 22 were required to be implemented with effect from the 1st day of January, 2011.

2. Having regard to the aspect of security audit of the website to be created for the purpose of these regulations and the other processes involved, the Telecom Regulatory Authority of India has found it necessary to re-determine the dates for implementation of the aforesaid regulations. Accordingly, clause (b) and clause (c) of sub-regulation (2) of regulation 1 and clause (b) and clause (c) of regulation 25 of the Telecom Commercial Communications Customer Preference Regulations, 2010 (6 of 2010) dated the 1st December, 2010 have been amended.