

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

TELECOM REGULATORY AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 14th December, 2010

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

No.305-17/2010-QoS.- In exercise of powers conferred by section 36 read with sub-clause (v) of clause (b) of sub-section (1) 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 (Amendment) Regulations, 2010.
- (2) They shall come into force from the date of their publication in the official Gazette.
- (3) 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:-

“Regulation 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of these regulations shall come into force, as may be specified by the Authority, from time to time.”;

- (b) clause (c) shall be deleted.

2. In regulation 25 of the principal regulations,-

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

“Regulation 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the Telecom Unsolicited Commercial Communications Regulations, 2007 (4 of 2007) shall remain in force till such time, as may be specified by the Authority, from time to time.”;

(b) clause (c) shall be deleted.

(N. Parameswaran)
SECRETARY-IN CHARGE

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 Explanatory Memorandum explains the objects and reasons of Telecom Commercial Communications Customer Preference (Amendment) Regulations, 2010 (7 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.