

Govt. of India
Ministry of Communications and IT
Department of Telecommunications
(Security Wing)

1-34/2009-SI

Dated: 08 .02.2010

To,
All UASL Licensees
All CMTS Licensees

उपरोक्त (उपरोक्त) (उपरोक्त)
DDG (AS-I) (DDG (AS-II))
डॉ. ए. ए. ए. 165-4
दिनांक/Date: 10-2-10

Sub: Lodging Police Complaints/FIR and financial penalty

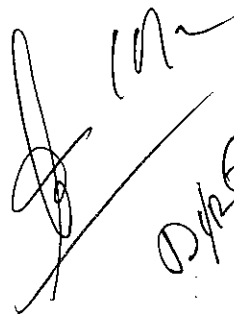
An issue has been raised by some Service Providers that penalty is being imposed on them in cases where the Subscriber Verification process has been followed but customers have obtained the SIM cards based on forged/fake documents. As per them, in such cases they do not have any mechanism to verify the veracity of documents, and can only follow the procedures, therefore penalty on this ground should not be imposed on them. The issue has been examined in DOT and following clarifications are issued:

1. Henceforth, in case where forged documents are submitted by customer and originals are also forged, only FIR/police complaint shall be lodged by Service Providers/ Distributors/Franchisee as the case may be as per DOT letter 23.03.2009. In that case no financial penalty shall be imposed on Service Provider, if the process of verification has been followed. There should be prima facie case that the forgery has not been done by Service Providers or its representatives. In the cases, where verification process is not followed by Service Providers, even if documents are forged, the penalty shall be imposed. Guidelines regarding disconnection of cases, where forgery is detected will continue to be followed, as is being followed for disconnection of un-verified customers.
2. In cases where forgery is done by Distributor/ Franchisee, the respective Service Providers will lodge police complaint/ FIR against Distributor/ Franchisee and financial penalty shall be imposed on Service Provider.
3. In case Service Provider does not lodge FIR/ police complaint against Distributor/ Franchisee or Service Provider him self is involved in forgery, the police complaint/ FIR shall be lodged by concerned TERM Cell against Service Provider.
4. The quantum of financial penalties has already decided by DOT and same may be followed.
5. The special instructions/ safeguards issued from time to time regarding mobile services in J&K, Assam, and North East Services areas shall continue to remain valid.

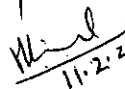
74/DC(17)
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Copy to:

1. TRAI
2. DDG(AS-I)/DDG(AS-II)
3. All DDsG(TERM) Cells
4. DDG(C&A) for posting on website


D/2/ET
ADG (IT-II)

1727
31.02.2010
M.K.Bansal
Director (S-1)


11.2.2010