

800- 20/ 2010-VAS
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications
(Access Services Cell)
Sanchar Bhawan, 20, Ashoka Road
New Delhi – 110 001

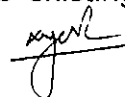
Dated: 1st June 2010

Office Memorandum

Subject: Decentralisation of work relating to imposition of penalty against subscriber verification audit

The undersigned is directed to convey that the competent authority has decided to decentralise the imposition of penalty and related works for violation of terms and condition of License Agreement in respect of subscriber verification failure cases from Department of Telecom (Headquarters) to the respective Telecom Enforcement, Resource and Monitoring (TERM) Cells. The guidelines for the same are as below:

1. The audit of Customer Acquisition Form (CAF) shall be continued to be done by the TERM Cells as per instructions on the subject.
2. The report of the CAF Audit may be prepared, signed by the Licensee and report forwarded to TERM Cell, Delhi/ DoT HQ as per instructions on the subject.
3. In the service area(s) where there are more than one TERM Cells, the circle TERM Cells shall be the nodal TERM Cells for the purpose of works related to imposition of penalty in respective Licensed Service Area.
4. The TERM Cells (nodal TERM Cell where applicable) shall compile the details for the entire service area, Licensee wise for imposing the penalty as per proforma already provided by DOT HQ.
5. TERM Cells are authorised on behalf of Licensor to impose the financial penalty for all cases of violation of terms and conditions of the License Agreement in respect of subscriber verification failure cases.
6. The financial penalties imposed for violation of terms and conditions of License Agreement in respect of subscriber verification failure cases shall be in accordance with the instructions issued by DOT Headquarters from time to time. The existing instructions issued vide

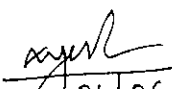


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DOT Letter No 800-52/2008-VAS-III dated 24.12.2008 and No. 842-725/2005/157 dated 23.03.2009 shall be applicable till further orders.

7. The notice for imposing of penalty on the basis of CAF Audit shall be issued by the TERM Cell with a copy to DDG (Security-TERM), DOT HQ, within a week after completing the CAF Audit on monthly basis.
8. The Telecom Service Providers shall deposit the Demand Draft/Bankers Cheque drawn on any scheduled Bank in favour of PAO, Department of Telecom head quarters, New Delhi-110001, in the Pay and Accounts Office of Department of Telecom at New Delhi. A copy of the receipt issued by PAO will be submitted by the telecom service providers to the respective TERM Cell imposing the penalty.
9. A monthly report of penalty imposed and collected during the month and cumulative for the financial year shall be submitted to Security-TERM Cell of DoT headquarters by the TERM Cells.
10. All the queries, disputes, legal cases etc. related to penalty imposed by the TERM Cells for CAF Audit shall be handled by the nodal TERM Cells. Necessary clarifications/guidelines may be obtained from Security-TERM Cell, if required.
11. The information about the period upto which the penalty for subscriber verification failure cases have been imposed by DOT HQ shall be communicated by DOT to the TERM Cells of respective service areas.
12. The backlog on imposition of penalty shall be cleared by the respective TERM Cells as detailed in paras above. The imposition of penalty backlog may be cleared with one month of issue of this letter.


01/06/2010
Director (AS-II)

To:

1. Heads of all TERM Cells
2. All CMTS/ UAS Licensees

Copy to:

1. DDG (Security)/DDG (Security-TERM)/DDG(CS)/DDG(DS), DOT.
2. DDG (LF), DOT.
3. Director (AS-I)/(AS-III)/(AS-IV), DOT.
4. COAI/AUSPI.
- ✓ 5. Director (IT): For arranging uploading of this letter on the website of DoT.