

**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: 18<sup>th</sup> November, 2010

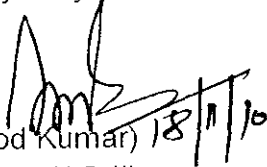
To

All CMTS Licensee(s)  
All UAS Licensee(s)

**Subject: Scheme of Financial Penalty for violation of terms and conditions of License Agreement in respect of Subscriber Verification Failure Cases – clarification**

This is with reference to audit conducted by TERM Cells related to subscriber verifications cases other than monthly sample CAF Audit, such as cases referred from LEAs, cases of complaints, cases discovered during investigation of bulk cases, surprise checks etc. Issues have been raised about imposition of financial penalty for the cases found non-compliant in respect of subscriber verification for such cases.

In this regard, it is clarified that such cases reported separately may not be combined with the monthly sample CAF audit for the purpose of calculating overall percentage compliance. These cases may be separately investigated / audited. For the subscriber verification failure cases of these cases also, the financial penalty as prescribed in the DOT letter No. 800-52/2008-VAS-III(Part) Dated 24.12.2008 shall be applicable. The sample size may be taken as total number of reported cases or cases taken for investigation/surprise check and compliance percentage may be calculated out of these samples only. The other conditions related to disconnection etc. as applicable in case of other CAF Audit shall also be applicable. Since the referred instruction dated 24.12.2008 is applicable w.e.f. 01.04.2009, for cases reported prior to 01.04.2009 the financial penalty may be imposed at the rate of Rs. 1000/- per non-compliant case.

  
(Vinod Kumar) 18/11/10  
Director (AS-II)

Copy to:

1. Secretary TRAI
2. DDG(Security TERM), DOT
3. All DDsG TERM Cell DOT
4. Director (AS-III)/Director (AS-IV), DOT
5. COAI/AUSPI