

# REZORCE RESEARCH FOUNDATION

[REGISTERED UNDER THE INDIAN TRUSTS ACT, 1882]  
NOT - FOR - PROFIT R&D INSTITUTION

Tuesday, 15 October, 2013

## **The Council of States [Rajya Sabha]**

Parliament House Annexe New Delhi 110001

The Petition of **Narendra KV**, Director, **Rezorce Research Foundation**, 111/1 II Floor VI  
Main VIII Cross Malleswaram Bangalore 560003 Karnataka India

Sheweth,

### **Statement of Case**

1. Telephone Directory Services are a general public utility service. Public sector telephone utilities have provided telephone subscribers with a free copy of the printed telephone directory for their local switching exchanges for decades. For many Indian landline subscribers, a telephone connection meant a landline number, phone directory and instrument.
2. Department of Telecom and its Public Sector telephone utilities, BSNL and MTNL have also provided a toll - free call - in "**National Directory Enquiry [NDQ] Service**" - 197 for decades. This service is currently restricted to BSNL / MTNL subscribers.

### **Law and Agreements**

3. Government has long recognized the necessity of phone directory. Indian Telegraph Rules, 1951 and Indian Telegraph Amendment Rules, 2010, Rules 452 to 459 provides for "publication of telephone directories". These rules are still in force.
4. These Rules were incorporated into all the service license agreements that have been the framework for operation of telecom service providers in the country. The 2001 service license agreements have provided for publication of directories by licensees at their discretion and cost.
5. The agreement stipulates - "*It shall be mandatory for the LICENSEE to provide a computerized Directory Enquiry / Information / Assistance service with integrated*

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*data base of its own subscribers in the same service area. Printed directories, if required, can be published by the LICENSEE on its own discretion and cost. If any SUBSCRIBER does not wish his name, address and access number etc. to be included in the directory, the SERVICE PROVIDER can do so only after obtaining concurrence of the SUBSCRIBER in writing”.*

6. Telecom Regulatory Authority of India [TRAI] has debated the issue over the last 10 years. It has published recommendations on 5<sup>th</sup> May 2005, 24<sup>th</sup> April 2008 and 19<sup>th</sup> June 2008. The recommendations have broadly been:
  - a. Publication of an **Integrated Telephone Directory Service** through an access service provider
  - b. Provision to levy a charge or fee for providing such directory to landline consumers
7. It appears from TRAI publications that the focus of all discussions was on Integrated Telephone Directory Service for landline customers [opt – out basis] and cell phone customer [opt – in basis]. The current availability of service was never discussed.
8. In his DO letter 7 – 3 / 2007 – PHP dated 16 – 10 - 2007, the DOT Secretary has indicated to the then TRAI Chairman that individual operators may maintain their directories on the web.
9. Indian Telegraph Amendment Rules, 2010 notified on 27<sup>th</sup> January 2010 has broadly incorporated the TRAI recommendations.

## Issues on Hand

10. The basic issue that telephone directory is a utility service and has to be accessible to the subscriber in some form or other, at all times, has been missed in the whole process of discussion and further recommendations. This is despite enormous clarity in the Indian Telegraph Act, Indian Telegraph Rules and Service License Agreements
11. The mandatory requirement for every telecom licensee to provide for *computerized Directory Enquiry / Information / Assistance service with integrated data base of its own subscribers in the same service area* has not been considered in any discussion or recommendations. The same does not find mention in the recently amended rules.

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**12.** Integrated Telephone Directory Service addresses a smaller issue of availability through a newer set of service providers, as and when it happens. It does not still resolve the issue of non – compliance by existing service providers or immediate service provision in the absence of an alternative.

## Current Directory Scenario

13. Public sector telecom service providers, Bharat Sanchar Nigam Limited [BSNL] and Mahanagar Telephone Nigam Limited [MTNL] have provided four alternate telephone directory search services nationally.

- a. They have provided for a web access to every person to check and verify the phone numbers
  - i. <http://phonebook.bol.net.in>,
  - ii. <http://mtnlmumbai.in/index.php/directory-search> and
  - iii. [http://www.bsnl.co.in/opencms/bsnl/BSNL/directory\\_services/online\\_telephone\\_directory.html](http://www.bsnl.co.in/opencms/bsnl/BSNL/directory_services/online_telephone_directory.html)].

The access is free and is easy to use.

- b. There are android applications to access the phone directories of BSNL / MTNL subscribers from cell phones.
  - c. The public sector religiously publishes phone directories and supplements as per DOT directions. These are distributed free of cost around the country. The companies have demonstrated several innovative methods to ensure that the directories reach all subscribers. The public sector entities auction the yellow pages section of the telephone directory and get revenue from such auction.
  - d. They provide a free phone – in service - “**National Directory Enquiry [NDQ] Service**” – 183 earlier and 1583 now.
14. None of the private sector providers have provided any of these services despite mandatory provision in the Service License Agreements

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## Current Technical Status

15. The current technical situation is that all appropriate customers' related information is available with the service providers. Both DOT and TRAI have laid clear definition of KYC compliance. Telecom service providers are also doing sufficient due diligence for post - paid and landline subscribers as per the above guideline.
16. All KYC information is stored in electronic databases. The same is being used to calculate usage and dispatch monthly bills.
17. All telecom service providers share this data selectively to external service providers to either follow - up for payment or for marketing purposes.
18. Providing web / internet and cell phone access to existing customer database is a simple job of providing an appropriate interface and building applications to do the job.
19. Service providers can have one of their existing call centers provide call - in answering service at very little cost.
20. The view of the Department of Telecommunications, GOI has been that individual operators should maintain directories on the web [DO Letter 7 - 3 / 2007 - PHP dated 16 - 10 - 2007]

## And accordingly your petitioner prays that .....

1. The government direct all telecom service providers - both fixed / landline and wireless / cell phone - to provide telephone directory access electronically with access in the following formats:
  - a. **Web based Access** - Nation - wide list of subscribers, filtered by state and district, on their respective website. The application must be able to filter information based on telephone number, subscriber name and subscriber address, as available in BSNL / MTNL website today. The access must be free and telecom service provider should not seek any specific user information. The precedence must be the current BSNL / MTNL online facility.

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- b. **Phone based Access** – Provide Android, iPhone and any other alternate operating system based cell phone access. This must enable all cell phone users to access the above information from phone directory upon downloading the application provided by the respective telecom service provider
  - c. **Call – In Access** – Provide call centers [similar to BSNL 1583 service] to help people call into the call center and seek specific subscriber information in terms of subscriber name, telephone number or address
  - d. The telephone directory service must be 24 / 7
  - e. The phone – in facility must be available in English, Hindi and local languages
  - f. Usage of above phone directory facilities must be free and not entail any additional cost to the subscriber
2. Direct ALL telecom service providers to start all the above online phone directory facilities within two months of such orders that Government may pass
  3. Department of Telecom review amendments to the Indian Telegraph Amendment Rules, 2010 and include provisions for alternate access to telephone directory information, through web or internet and cell phones by individual service provider. This should be indicated as complementary to Integrated Telephone Directory Access and not a substitute.
  4. Department of Telecom and TRAI to publish specific timelines for publishing printed Integrated Telephone Directory as per Indian Telegraph Amendment Rules, 2010.

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