

No. 18-7/2007-OSP
Government of India
Ministry of Communications & IT
Department of Telecommunications

New Delhi, dated the 2nd June, 2008.

OFFICE MEMORANDUM

Subject: Decentralisation of registration under Other Service Providers (OSP) category and 'Telemarketing' category from CS Cell of DoT (HQ) to the field units of VTM Cell.

The undersigned is directed to refer to this Department's O.M. of even number dated 23rd August, 2007 wherein the decision of the Government to decentralize the registrations under the 'Other Service Provider' (OSP) category and the Telemarketers under 'Telemarketing' category from the Department of Telecom (Headquarters) to the respective Vigilance Telecom Monitoring (VTM) Cells of 10 circles in the first phase **with effect from 01.09.2007** was communicated.

2. The competent authority has decided to decentralize Registration under OSP/Telemarketing further to all VTM Cells **with effect from 1st June, 2008**. A copy of the [Press Note dated 2nd June, 2008](#) issued in the matter is enclosed.

3. Accordingly, all fresh applications for registration under OSP category and Telemarketing category shall be processed by the concerned VTM Cells **as per location of the proposed call centres/ telemarketing centres**. Pending applications of these circles **as on 01.06.2008** will be handled in the CS Cell of the Department of Telecom (HQ).

4. The terms and conditions for registration under the Other Service Provider (OSP) category and Telemarketers are available on the website of this Department i.e. www.dot.gov.in.

5. A brief Registration Guidelines including the procedure being followed for registration under OSP category and Telemarketing category is enclosed for guidance of the VTM Cells.

(S.T. Abbas)
Director (CS-III)
Tel. No. 23722444

To

- 1. Heads of the respective VTM Cells (as above)**
- 2. Heads of respective CCA Cells**

Copy to : -

DDG(Security), Department of Telecom

Other Service Providers (OSP) Category

Registration Guidelines

1 Who is OSP ?

- The Services like call centres, network operation centres, tele-marketing, tele-education, tele-medicine, tele-trading, e-commerce using infrastructure provided by various access providers are being registered under Other Service Providers (OSP) category as provided in NTP'99.

Is it a licence under Indian Telegraph Act ?

- Registration under 'Other Service Provider' category is not a licence.
- Registration of OSP is required essentially for the purpose of
 - (i) statistical information
 - (ii) ensuring that their activities do not infringe upon the jurisdiction of other access providers.
 - (iii) providing special dispensation to boost the BPO sector.

2. Services covered under 'Other Service Provider' category.

- **Broadly following types of registrations are issued under OSP category:**

- Call centres
- Network Operation Centre
- OSP centres for Tele-information, Tele-competition, Tele-education, Tele-medicine.
- Long range alarm system
- Vehicle tracking system
- Bill payment terminal

3. Types of Call Centres

- **International Call Centre**

Where the foreign client has outsourced his business requirements to an Indian company and the two ends are connected through international bandwidth such as IPLC/MPLS/ATM/FR. No PSTN connectivity is permitted at the Indian end. PSTN connectivity at foreign end is permitted.

- **Domestic Call Centre**

Where an Indian client has outsourced his business requirements to another Indian company or to itself and the two ends in different locations in India are connected with a domestic lease circuit allowing PSTN connectivity with incoming facility .

- **Stand Alone Domestic Call Centre**

Standalone Domestic OSP is permitted to have both way PSTN connectivity. However, no other connectivity for example Leased Circuit and Virtual Private Network (VPN) etc. is not permitted.

4. Salient terms & conditions – General

- Registration is granted to any company registered under “Indian Companies Act” including foreign companies permitted by RBI under the Foreign Exchange Management Regulations and registered under Part XI (Section 591 to 608) of the Companies Act, 1956 for setting up a place of business in India.
- OSPs will not infringe on the jurisdiction of other Authorised Telecom Service Providers and shall not provide switched telephony.
- No revenue sharing. Only a processing fee of Rs. 1000.
- The OSP shall take the Telecom Resources from an Authorised Telecom Service Provider only. The resources could be based on the technologies like IPLC/MPLS/ATM/FR etc. as authorised to the authorised telecom service provider.
- Interconnectivity of the International OSP with Domestic OSP is not permitted.

Registered OSPs shall approach DoT/VTM Cells for following amendments.

- Change in the name of the Company.
- Change in the address of either Indian end or foreign end.
- Request for interconnection of either domestic or international OSP centres of same company/group company.
- Intimation for increase/decrease in the bandwidth requirements.

5. Salient terms & conditions – Specific to International OSP

International OSP Centre

- No PSTN connectivity is permitted to the International OSP at the Indian end. However PSTN connectivity on foreign end is permitted having facility of both inbound and outbound calls.
- Interconnection of two or more International OSP of the same company or the group companies is permitted.
- In case the facility of VOIP is required the following undertaking may be given separately:-
 - (i) The company shall take internet connection from the authorized service provider only and it will use internet telephony only to the extent it is permitted by the ISP or authorized service provider as detailed in clause 1.14 of the licence agreement of “Internet with Telephony” available on website www.dot.gov.in.
 - (ii) The company shall not use in bound calling facility.

6. Salient terms & conditions – Specific to Domestic OSP

Domestic OSP Centre

- Domestic OSP is permitted to have PSTN connectivity with only incoming facility from the Authorised Telecom Service Provider.
- Interconnectivity of two or more domestic OSP centres of the same company or group of companies is permitted.
- Domestic OSP is permitted to use ISDN connections only for the purpose of back up of domestic leased circuits.

- Termination of the local PSTN lines on the EPABX of the domestic call centre is permitted for outgoing calls restricted to 10% to total PSTN lines with a security deposit of Rs. 10 lakhs.

7. Salient terms & conditions – Specific to Stand alone Domestic OSP

Stand alone Domestic OSP Centre

- Domestic OSP is permitted to have both way PSTN connectivity for the Stand alone OSP centre where there is no other connectivity e.g. lease circuit and circuit private network (VPN).

8. Salient terms & conditions – Specific to Sharing of Infrastrucutre between Domestic and International OSP of same Company

Sharing of Infrastructure between Domestic and International Call Centre. There are two options of sharing of infrastructure.

Option 1.

Separate and independent EPABX to be used for International and Domestic OSPs and Bank Guarantee of Rs 2.5 crores is required to be submitted for such type of sharing. However, interconnection of International OSP with Domestic OSP is prohibited.

Option 2.

Sharing of Domestic and International OSP Centres shall be permitted using same EPABX with logical partitioning and Bank Guarantee of Rs 5 crores is required to be submitted for such type of sharing in each case. However, interconnection of International OSP with Domestic OSP is prohibited.

General Conditions for Sharing of Infrastructure

- The OSP shall set up call centre having at least 50 seats.
- Registration shall be valid for 3 years from the effective date unless revoked earlier for reasons as specified elsewhere in the document. This may be extended for a further period of maximum 3 years after expiry.
- Interconnectivity of International OSP with Domestic OSP is not permitted. No Voice Traffic shall flow between the Domestic and International OSP Centres and/ or cause by pass of the network of the Authorised Telecom Service Providers.

9. Procedure being followed for registration under OSP category

Applications are scrutinized as per the checklist for each category and if found in order – registration is issued straightaway in the case of

- (i) Standalone Domestic Call Centre
 - (ii) Domestic Call Centre (with incoming PSTN connectivity)
 - (iii) International Call Centre
- with a validity of 20 years.**

2. In the case of Domestic Call Centre with incoming and outgoing facility limited to 10% of total PSTN Lines, a Letter of Intent (LOI) is issued requiring the OSP to submit a Bank Guarantee of Rs.10,00,000 in the prescribed format and on receipt of the same registration is issued with a validity of 3 years.

3. In the case of Sharing of Infrastructure between Domestic and International Call Centre of the same company, a Letter of Intent (LOI) is issued to the company to submit a Bank Guarantee (BG) of Rs.2,50,00,000/- for Option 1 or Rs.5,00,00,000/- for Option 2 subject to the fulfillment of the conditions prescribed in Option 1/Option 2. Thereafter on receipt of the BG registration is issued and an agreement is also signed in the prescribed format between the Company and Department of Telecom for a period of 3 years.

4. In case of interconnection between International Call Centres of the same company or group company, necessary proof that companies are group companies to be furnished.

5. In the case of VOIP connectivity for International Call Centre, the following undertaking is to be furnished by the company :

- The company shall take internet connection from the authorized service provider only and it will use internet telephony only to the extent it is permitted by the ISP or authorized service provider as detailed in clause 1.14 of the licence agreement of “Internet with Telephony” available on website www.dot.gov.in.
- The company shall not use in bound calling facility.

10. Procedure to be followed for registration under Telemarketing category

The procedure for registration of Telemarketer under Telemarketing category is already available on DOT Website i.e. www.dot.gov.in. The same is required to be followed.

**DECENTRALISATION OF REGISTRATION OF CALL CENTRES/
TELEMARKETERS – Points raised by VTM Cells and Clarifications by DoT**

I. DDG, VTM Chennai

Sl. No.	Points raised by VTM Cells	Clarifications
1	So far, this office has not received any 'Telemarketing' Registration format form DoT, OSP Cell which is required for the processing of the cases. The same required.	A copy of the format for Registration of Telemarketers is enclosed.
2	The letter from Director (CS-1) does not mention that the applications of Telemarketing category are to be routed via Service Provider after 31 st August, 2007, whereas the Press release in the DoT website mentions about the routing through the Service Provider. Please clarify the same.	Decentralisation of registration work does not envisage any change in the procedure for registration. As per the procedure for registration of 'Telemarketers', provisional registration (valid for 3 months) and verification of the applicant are to be done by the Service Provider. As per the procedure, the Service Provider will forward the application of the telemarketer to DoT/VTM alongwith the verification certificate and processing fee (DD for Rs. 1000/- per telemarketing centre).
3	The Dot Website containing the details about OSP/Telemarketing states that the payment by the applicant is to be made in favour of 'Pay & Accounts Officer, DoT (HQ), New Delhi'. Whether the same is still to be continued and the DD received from the applicant has to be sent to DoT, New Delhi for encashment. In case No, please specify as to in whose favour the DD should be made by the applicant. Further, the same may be updated in the website.	It has been decided that w.e.f. 1.11.2007 the Demand Draft towards the processing fee for registration of OSP/Telemarketers shall be drawn in favour of the 'Communication Accounts Officer of the respective CCA' where the applications are to be submitted to the VTM Cells. Necessary amendments in the application forms – 1D, 1DS, 1I, 1S and TM-1 –are being made and will be published on the web-site

(II) DDG, VTM Delhi

Sl. No.	Points raised by VTM Cells	Clarifications
4	In whose favour the processing fee DD of Rs. 1000/- is to be issued & where to deposit? Guidelines are required to be issued for this. What VTM can do - they can collect the DD from the applicant and send them to DoT, This is feasible to Delhi but not for other VTM Cells. Individual CCA is another option but it needs to be discussed and finalised.	Please refer to Point 3.

5	The application forms available on the DoT's website are Call centre/BPO centric, a more general format needs to be defined or different forms for different activities needs to be defined like separatform for Call Centre/BPO, Telemarketers, Tele-educations providers, NOC etc.	For Telemarketers, separate Form (TM-1) has been prescribed, copy of which is available on the DoT website. For Tele-education providers, NOC etc. the Forms prescribed for Call Centre/BPO may be used according to nature of activities of the applicant.
6	How to treat the bank guarantee submitted by the applicant.	In DoT (HQ), the original Bank Guarantees are forwarded to LF section of DoT for safe custody after retaining a copy in the concerned registration file. In the case of VTM, the Bank Guarantees may be maintained by the respective VTM Cells.
7	Any checklist which was being earlier used by CS Cell for scrutinizing the details furnished/documents submitted by the applicants may please be made available if not already sent.	The checklists being utilized while scrutinizing the application (for the purpose of e-mailing to the applicants) are enclosed. Checklists, prepared for DCC/SDCC and ICC at the time of registration, are also enclosed.
8	Any physical verification/checks are to be carried out by the VTM Unit before issuing the registration.	In the case of Call Centre already in operation without registration, VTM Cell may carry out physical verification before issue of registration.
9	List of OSP registrations issued so far by DoT for Delhi has been requested but till now no such list has been made available.	List is being updated and copy of the same will be forwarded to VTM Cells separately.
10	The pending applications and their list is required.	As per the scheme of decentralisation, pending applications as on 31.8.07 are to be handled by CS-I Section of DoT so details in this regard is not required by VTM Cell. .

(III) DDG, VTM Kolkata

Sl. No.	Points raised by VTM Cells	Clarifications
11	Forms covering all types of OSPs (other than Call centres) should be available and it should be uniform throughout India.	Please refer to point 5

12	Format of Provisional and final certificate should also be finalised and also validity of registration should be indicated	There is no provisional registration in the case of call centres. In the case of Telemarketers, the acknowledgement given by the Service Providers is treated as provisional registration valid for 3 months. The validity period of DoT registration is as follows : (i) For SDCC : 20 years (ii) For DCC and ICC : 20 years [not involving Bank Guarantee (BG)] (iii) For DCC and ICC : 3 years (involving BG) (can be renewed as prescribed in the terms and conditions) (iv) For Telemarketers : 10 Years (renewable)
13	Procedure for handling registration fees should be clarified	Please refer to point 3
14	It is also not clear what documents should be asked from the OSPs other than Call centres	For documents – Part C of the application form may be seen. Please refer to point 5 also
15	Clarification regarding need of inspection to the premises of the applicants before registration is required	Please refer to point 8
16	Format of registration numbers to be issued should also be made uniform throughout India	Sample copies enclosed. [In DoT registration memos in respect of call centres are issued having file no. in following manner. No. 10-xxxx/year-OSP, where '10' is the major file head for OSP registration in DOT; 'xxxx' is the continuous number starting from 1 to, irrespective of the year of the application; 'year' is the year of receipt of the application, e.g. No. 10-2345/2007-OSP]. However, VTM Cells are free to follow their own procedure to allot the registration number.

(IV) DDG, VTM, Mumbai

Sl. No.	Points raised by VTM Cells	Clarifications
17	On whose name the processing fee of Rs.1000/- & bank guarantee to be collected;	Please refer to points 3 and 6
18	The check list as mentioned in Point '9' for scrutiny of applications is not enclosed with the letter;	Please refer to point 7
19	Which unit will collect & monitor Bank Guarantee and processing fee from	Please refer to points 3 and 6

	applicants;	
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(V) DDG, VTM, Bangalore

20	Procedure of payment of processing fee is not clear: As per the guidelines DD will be in favour of 'Pay and Accounts Officer (HQ), DoT' payable at Delhi. Such DD cannot be accepted and accounted for at Bangalore. It is also not clear what Account/Account Head the process fee will be credited to.	Please refer to point 3
21	Validity of Registration: - As per sub-Para(V) of Para 2 (General) of Guidelines for Telemarketer, the validity of the registration shall be 10 years and renewable, whereas sub para (1) of para 9 of OSP category Registration guidelines, it will be for 20 years.	Please refer to point 12
22	Check list of scrutinizing the applications: There is no check list available in the instructions/guidelines issued on the subject. It may be provided.	Please refer to point 7
23	Registration Certificate: Format of the registration certification to be issued to the applicant under OSP/Telemarketer Category is also not available, it may be provided.	Please refer to point 16
24	List of OSP/Telemarketers registered as on date may also be provided.	Please refer to point 9