

To,

Shri A. Robert J. Ravi,
Advisor (CI & QoS)

Telecom Regulatory Authority of India

Dear Mr Ravi,

Please find my comments on "Consultation Paper on Review of The Telecom Commercial Communications Customer Preference Regulations, 2010" below.

I am sending these comments as an individual user of telecom services who frequently faces problem due to Unsolicited Calls and SMSes.

Q.1. What are your views on the proposal of blocking the delivery of SMS from the source or number or entity sending

more than a specified number of promotional SMS per hour with similar signatures as proposed in the above para?

Limit number of SMSes per hour 30 to from unregistered telemarketers or individual numbers. This will also help in

containing communication being spread by anti-social elements. In case of any complaint against number, outgoing SMSes from

the number should be blocked for rest of day. On establishment of violation, telecom resource should be disconnected or fine

should be imposed as recommended by Trai for violation by registered telemarketers.

Q.2 What should be the limit on the number of SMS per hour to be specified in this regard? Please give your views along with reasons thereof.

Limit number of SMSs per hour to 30 from unregistered telemarketers or individual numbers. Individual sometime need

to send bulk SMS during family functions.

Q.3 Please give your comments on the proposal to mandate the telecom service providers to obtain an undertaking/agreement from registered telemarketers and other transactional entities that in case they want to outsource promotional activities to a third party, they will engage only a registered telemarketer for such promotional activities. What are the other options available to control such activities? Please give your views along with reasons thereof.

Block allocation of telecom resources to entity or subscriber for two years on violating norms. In this regard, the identity

documents used should be blacklisted for two years. However, in case they require telecom resource due to some personal

reason, like security issues in sensitive/troubled area, then they should be issued telecom connection but only after paying

penalty as applicable on registered telemarketers.

The person/entity against whom complaint has been made should be given chance by TRAI to present his case to prove if

his identity documents have been misused. In case of misuse of documents, the entities name/ id should be withdrawn from

the blacklist only after he registers case under Indian Penal Code for misuse.

However, on second complaint within two years, telecom resources to entity or subscriber should be withdrawn for three

years on violating norms and the identity documents used should be blacklisted for the same period.

Q.4 Please give your comments along with reasons thereof on the proposal to disconnect telecom resources after ten

violations, of entities for whom the promotion is being carried out? Also indicate whether ten violations proposed is

acceptable or needs a change. Justify the same.

Reduce number of violation to 1 for disconnection in case of unregistered telemarketer. Trend has been noticed that

unsolicited SMSs are being sent from individual number only once. There is urgent need to check this malignant trend. This

leads to wastage of telecom resources. Punishing the entity or individual misusing telecom resources

will lead to reduction of UCC.

Q.5 What additional framework may be adopted to restrict such subscribers or entities from sending UCC, other than the one proposed above?

After single violation, the outgoing services of the telecom resource ,against whom complaint has been made, should be

barred. The key documents, mainly identity related, used for getting telecom resource should be flagged across network of

all telecom operators. The person/entity against whose telecom resource complaint has been made should be given chance by

TRAI to present his case .

On second complaint against subscriber/entity, telecom resources allocated to entity or subscriber should be withdrawn

for two years on violating norms and the identity documents used should be blacklisted for the same period.

Individual/ Entity should be given chance to prove if his identity documents have been misused. In case of misuse of

documents, the entities name/ id should be withdrawn from the blacklist only after he registers case under Indian Penal

Code for misuse.

However, on second complaint within two years, telecom resources to entity or subscriber should be withdrawn for

three years on violating norms and the identity documents used should be blacklisted for the same period.

Q.6 What are your views on the time frame for implementation of the facility for lodging UCC related complaints on the

website of service providers? Please give your comments with justification.

Complaints should be registered on nccptrai.gov.in which should be forwarded to concerned telecom operators with a

timeline to resolve issue.

Telecom operator should reply to customer resolution of complaint and same copy should be marked to nccptrai. The

resolution should be acceptable to customer. In case of dissatisfaction, customer should reply within week of telecom

operator's report on resolution.

In case complaint is not resolved by telecom operator, nccptrai can display data on unresolved complaint and name of telecom

operators.

Customer care executive show reluctance in registering complaint and often misguide subscribers. In some part of the

country, telecom subscribers don't even get access to call centers.

Complaints should be registered by through SMS. Victim should just forward SMS to 1909. In case of getting pesky voice call,

users should mention the number from which they have received the call. They should mention the number from which

UCC has been made.

From 1909, an alert can be send to telecom service provider from whose numbering resource UCC has been made.

The UCC made can be immediately verified by telecom operator from CDR of the number. On establishment of violation, the services of the number can be barred. Through softwares, this action can be initiated within minutes from the time complaint is received.

In these kind of cases , telecom operator should be given right to seize the balance/deposit made by telemarketer. The

balance/deposit seized should be used for operational expenses of 1909.

Q.7 Do you propose any other framework for registering UCC complaint for easy and effective lodging of complaints?

LIMIT on SMS per Hour

Limit number of SMSs per hour to 30 from unregistered telemarketers or individual numbers. Individual sometime need

to send bulk SMS during family functions.

In case of organisations like educational institutes, hospitals and other such organisation the number of SMS should be limited to

the number of employees/students/patients etc. However, these kind of telecom resources, that are to be used by

organisations and seeking exception to limits imposed on individual number, should be issued against deposit/bank

gaurantee equivalent to fine that TRAI has proposed for violation by registered telemarketers.

ACTION

Reduce number of violation to 1 for disconnection in case of unregistered telemarketer. Trend has been noticed that

unsolicited SMSs are being sent from individual number only once. There is urgent need to check this malignant trend. This

leads to wastage of telecom resources.

Punishing the entity or individual misusing telecom resources will lead to reduction of UCC.

CHECK VIOLATORS

Block allocation of telecom resources to entity or subscriber for two years on violating norms. In this regard, the identity

documents used should be blacklisted for two years. However, in case they require telecom resource due to some personal

reason, like security issues in sensitive/troubled area, then they should be issued telecom connection but only after paying

penalty as applicable on registered telemarketers.

The person/entity against whom complaint has been made should be given chance by TRAI to present his case to prove if

his identity documents have been misused. In case of misuse of documents, the entities name/ id should be withdrawn from

the blacklist only after he registers case under Indian Penal Code for misuse.

However, on second complaint within two years, telecom resources to entity or subscriber should be withdrawn for three

years on violating norms and the identity documents used should be blacklisted for the same period.

COMPLAINT REGISTRATION and MONITORING

Complaints should be registered on nccptrai.gov.in which should be forwarded to concerned telecom operators with a

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Customer care executive show reluctance in registering complaint and often misguide subscribers. In some part of the

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COMPLAINT REGISTRATION THROUGH SMS

Complaints should be registered by through SMS. Victim should just forward SMS to 1909. In case of getting pesky voice call,

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UCC has been made.

From 1909, an alert can be send to telecom service provider from whose numbering resource UCC has been made.

The UCC made can be immediately verified by telecom operator from CDR of the number. On establishment of violation, the services of the number can be barred. Through softwares, this action can be initiated within minutes from the time complaint is received.

This kind of speedy action will fructify limiting number of SMS to 30 per hour.

Customer subscribing for SMS packs should pay one-time refundable deposit of Rs 200. This should be refunded to them

at the time of them surrendering connection or porting their number. In these kind of cases , telecom operator should be

given right to seize the balance/deposit made by telemarketer. The balance/deposit seized should be used for operational expenses of 1909.

With Best Regards

Rashi Arora