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**August 22, 2012**

**To:**

Robert J. Ravi, Advisor (CI & QOS),  
Telecom Regulatory Authority of India  
Mahanagar Door Sanchar Bhavan  
Jawaharlal Nehru Marg (Old Minto Rd.)  
New Delhi – 110002

RE: Feedback from GupShup on Draft regulations on 10<sup>th</sup> Amendment On UCC Regulation

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Dear Sir,

GupShup appreciates the opportunity to provide feedback on the draft regulations issued by TRAI on Aug 3, 2012 related to Telecom Commercial Communications Customer Preference Regulations, 2010 (6 of 2010).

Since subjected amendment proposes some strict actions against unregistered telemarketers using SIM-based messaging solutions. We are in agreement with imposition of fines for any user found to be using SIM based messages to send UCC.

However, we would like to share our suggestions to make it more effective:

- a) In our opinion the penalties should be stricter. More importantly, we believe SIM based solutions cannot be successful without the collusion of some bad apples in the Access Provider ecosystem. Ultimately large numbers of SIMs are being issued to single entities without necessary checks or doing enough KYC. Hence it is additionally proposed that Access Providers be asked to explain and bear penalty for gross violations that happen from a single number series, if they are not able to adequately explain what actions they've taken to stop errant players.
- b) To protect innocent consumer, there must be a limited window within which the violations must occur to attract blacklisting. Probably a maximum 1 month time limit is sufficient to ensure that no innocent subscriber is penalized.