

- 1. What are the primary factors for poor effectiveness of Telecom Unsolicited Commercial Communications Regulations, 2007 (4 of 2007) in its present form? Give your suggestions with justifications. (Reference Para 2.3)**

S Tel is of the view that the UCC Regulations in its present form has considerably reduced the unsolicited commercial calls which cannot be termed as "poor effectiveness" however its success in terms of expected results is yet to be achieved.

We are of the view that the main reason for its success below expectation is the lack of awareness by the Government / or TRAI under the aegis of its Telecom Consumers Education and Protection Fund (TCEPF).

We therefore suggest that the Government & TRAI should spread the awareness to the consumers about benefits of UCC by way of massive news articles / magazines etc to bring the desired results.

- 2. Do you feel that there is need to review the existing regulatory regime of Unsolicited Commercial Call (UCC) to make it more effective? What needs to be done to effectively restrict the menace of Unsolicited Commercial Communications (UCC)? (Reference Para 2.3)**

We are of the view that the regulatory framework presently defined under the UCC Regulations are more than sufficient, however the only thing missing is the spread of message & benefits of UCC by the Government to the end consumers which should be carried out by TRAI at its own and the expenditure may be incurred from the TCEPF created for the purpose.

Needless to mention, it is the choice of the consumer whether he wish to register in NDNC or not? The same principle applies even in the case where Do Call Registry regime available.

- 3. Do you perceive do call registry to be more effective to control Unsolicited Commercial Communications as compared to present NDNC registry in view of discussions held in para 2.4 to 2.9? Give your suggestions with justification. (Reference Para 2.10).**

S Tel is of the view that Do Call Registry regime is not suitable in the Indian Context the mechanism for enrolment whether in NDNC or in NDC is the same i.e. "Choice / desire". Therefore, instead of changing the prevalent regime, the Authority should effectively spread the message to the mass intimating benefits of the NDNC.

4. **Do you perceive the need to control telecom resources of telemarketers to effectively implement provisions of Unsolicited Commercial Communications and to encourage them to register with DoT? What framework may be adopted to restrict telecom resources of defaulting telemarketers? (Reference Para 2.11.3)**

Yes, we believe that there is need to control telecom resources of telemarketers to effectively implement provisions of Unsolicited Commercial Communications and to encourage them to register with DoT. As suggested by TRAI, operators may seek information from the new subscribers seeking telecom resources whether his telecom resources were disconnected any time in past

We are also of the view that TRAI should regulate Telemarketers directly with powers to regulate them as well as penalize them.

5. **Do you agree that maximum number of calls as well as SMS per day from a telephone number (wireless as well as wireline) can be technically controlled to force telemarketers to register with DoT? What other options you see will help to effectively control telemarketers? (Reference Para 2.12.4).**

**AND**

6. **Do you envisage that second screening at SMSC as proposed in para 2.12.3 will effectively control unsolicited SMSs? Give your comments with justification. (Reference Para 2.12.4).**

We believe that any restriction on maximum number of calls as well as SMS per day will not help in achieving the desired objective as the TM could take more resources and spread his daily calls/ SMS over these resources so as to ensure that the daily limit is not breached.

7. **What changes do you suggest in existing provisions to control the Unsolicited Commercial Communications effectively? Give your suggestion with justification. (Reference Para 2.13.6).**

There could be a more appropriate consumer UCC complaints redressal mechanism that may include frequent programs on UCC awareness by the TRAI's TCEPF Committee.

8. **Do you agree that present panel provisions to charge higher tariff from telemarketers are resulting in undue enrichment of service providers? What penalty framework do you propose to effectively control UCC without undue enrichment of service providers? (Reference Para 2.13.7).**

We are of the view that charging of higher tariffs is an important deterrent which exists as of now and should be continued with. There is no undue enrichment of service providers from charging this higher tariff. Charging higher by the service provider will only hinder the telemarketer from using his access service to bring desired results of the prevalent UCC regulatory regime

**9. Do you feel that present UCC complaint booking mechanism is effective? What more can be done to enhance its effectiveness? (Reference Para 2.13.8).**

- a) The UCC compliant booking mechanism which exists as of now is effective.
- b) However, to strengthen it further we agree with the Authority's suggestions for a uniform SMS text such as COMP TEL NO. xxxxxxxx, dd/mm/yy, Time, to toll free No.1909 to further simplify the complaint booking.

**10. Do you feel that there is a need to enact legislation to control the Unsolicited Commercial Calls? Give your suggestion with justification. (Reference Para 2.13.9).**

- a) We agree with the suggestion of the Authority that specific Government agencies and departments could be empowered to enforce TRAI's regulations / or other laws to monitor & regulate telemarketers.
- b) These rules could relate to introduction of the caller, organization on behalf of which the call is made, toll free number on which the calling agency could be contacted, timings during which the call can be made etc.

**11. Do you agree that definition in para 2.14.1 correctly define Unsolicited Commercial Communications in Do Call registry environment? Give your suggestions with justification. (Reference Para 2.14.2).**

We are of the view that there is no need to change the definition Unsolicited Commercial Communication and the same should remain same.

**12. Do you feel that proposed framework to register on NDCR will be user friendly and effective? What more can be done to make registration on NDCR more acceptable to customers as well as service providers? (Reference Para 3.7).**

**AND**

**13. In your opinion what are the various options which may be adopted for setting up and operating the NDC registry in India? Among these suggested options which options do you feel is the most appropriate for implementation and why? Give your suggestion with justification. (Reference Para 3.8.3).**

**AND**

**14. Do you agree that present NDNC registry can effectively be converted to NDC registry? What measures need to be taken to make it more effective? (Reference Para 3.8.4).**

**AND**

**15. In view of the discussion held in para 3.9, which option of charging and funding model do you suggest for procuring the data from National Do Call Registry by telemarketers? What should be the various provisions you want to**

**incorporate in suggested model? Giver your suggestion with justification. (Reference Para 3.9.5).**

**AND**

**16. What measures do you suggest to protect data of NDC registry? Give your suggestions with justification. (Reference Para 3.10.2)**

In view of our response above, S Tel is of the view that there is no justification for bringing in Do Call Registry regime at this juncture rather the Authority and Government should initiate massive steps in spread of the benefits of UCC to the mass under the aegis of TRAI's TCEPF (Telecom Consumers Education & Protection Fund).

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