



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार /Government of India



Dated the 6th August, 2019

DIRECTION

Subject: Direction under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), regarding submission of Performance Monitoring Report to the Authority.

F. No. 311-04/2017-QoS---- Whereas the Telecom Regulatory Authority of India (hereinafter referred as the “Authority”), established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as “TRAI Act”), has been entrusted with discharge of certain functions, inter-alia, to regulate the telecommunication services; ensure technical compatibility and effective inter-connection between different service providers; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such services provided by the service providers so as to protect the interest of the consumers of telecommunication service;

2. And whereas the Authority, in exercise of the powers conferred upon it under section 36, read with sub-clause (v) of clause (b) and clause(c) of sub-section (1) of section 11, of the TRAI Act, made the Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018) dated the 19th July, 2018, (hereinafter referred to as the regulations) to regulate unsolicited commercial communications;

3. And whereas regulation 8 of the regulations, inter-alia, provides that every Access Provider shall Develop Codes of Practice for monthly reporting (CoP-Reports) as per Schedule-V to establish system and make arrangements to govern the specified activities in accordance with the provisions of the regulations before allowing any commercial communication through its networks;



4. And whereas regulation 19 of the regulations provides that the Authority reserves the right to formulate a standard Codes of Practice (CoP) in case the formulated CoP is deficient to serve the purposes of these regulations;

5. And whereas regulation 26 of the regulations, inter-alia, provides that every Access Provider shall submit to the Authority its compliance reports in respect of unsolicited commercial communications, complaints or reports from its customers in such manner and format, at such periodic intervals and within such time limits as may be specified by the Authority, from time to time, by an order or direction;

6. Now, therefore, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) and the provisions of the Telecom Commercial Communications Customer Preference Regulations, 2018, hereby directs all Access Service Providers to submit following compliance reports, with effect from month ending September, 2019, on monthly basis, and within ten days from the end of each calendar month:-

- a) Performance Monitoring Reports as per the formats specified in Annexures I & II of this direction, in writing duly signed by the authorized signatory and also electronically.
- b) Performance Monitoring Reports as per the formats specified in Annexure III, IV, V & VI of this direction, is to be submitted electronically.



(Asit Kadayan)

Advisor (QoS)

To

All Access Providers (including BSNL and MTNL)

Annexure -I of Direction No. 311-04/2017-QoS dated 06.08.2019.

| Format for Monthly PMR No: TRAI/QoS/UCC/Registered Sender(s)/PMR-I* | | | | | | | |
|--|--|--------------------------------------|------------|------------|-------|------------|-----------------|
| Name of TSP: | | Name of License Service Area (LSA) : | | Month: | | | |
| Items | | Date ---> (DD/MM/YYYY) | 01/MM/YYYY | 02/MM/YYYY | | 31/MM/YYYY | Total for Month |
| Submission as Terminating Access Provider (TAP) | Number of complaints received from customers as TAP | A | | | | | |
| | Number of complaints transferred to OAP(s) including itself | B | | | | | |
| Submission as Originating Access Provider (OAP) | Number of complaints OAP received from TAP(s), including itself | C | | | | | |
| | Number of complaints rejected on account of insufficient details | D | | | | | |
| | Number of complaints to be resolved by OAP | E = C-D | | | | | |
| | Number of registered senders against whom complaints were reported under "C" | F | | | | | |
| | Number of complaint(s) found vaild, after completion of investigation | G | | | | | |
| | Number of registered senders found non-compliant as per TCCCPR regulations or Code(s) of Practice (CoPs) | H | | | | | |
| | Number of registered senders (out of reported under "H") were put under restricted limits of usage as per CoPs, during the investigation phase | I | | | | | |
| Number of Entities other than registered sender(s) found non-compliant as per TCCCPR regulations or CoPs [Header Registrar/Consent Registrar/Content Template Registrar/Scrubber/RTM/Aggregator] | K | | | | | | |

* To be submitted in writing duly signed by the authorized signatory and also electronically.

Annexure - II of Direction No. 311-04/2017-QoS dated 06.08.2019.

| Format for Monthly PMR No: TRAI/QoS/UCC/UTM/PMR -II* | | | | | | | |
|--|---|--------------------------------------|------------|------------|-------|------------|-----------------|
| Name of TSP: | | Name of License Service Area (LSA) : | | Month: | | | |
| Items | | Date ---> (DD/MM/YYYY) | 01/MM/YYYY | 02/MM/YYYY | | 31/MM/YYYY | Total for Month |
| Submission as Terminating Access Provider (TAP) | Number of complaints received from customers as TAP | A | | | | | |
| | Number of complaints transferred to OAP(s) including itself | B | | | | | |
| Submission as Originating Access Provider (OAP) | Number of complaints OAP received from TAP(s), including itself | C | | | | | |
| | Number of complaints rejected on account of insufficient details | D | | | | | |
| | Number of complaints to be resolved by OAP | E = C-D | | | | | |
| | Number of unregistered senders against whom complaints were reported under "E" | F | | | | | |
| | Number of complaint(s) found vaild, after completion of investigation | G | | | | | |
| | Number of unregistered senders against complaint(s) found vaild | H | | | | | |
| | Number of unregistered senders (out of reported under H) were put under Usage Cap, during the investigation phase | I | | | | | |
| | Number of unregistered senders who were given warning against first instance of violations, after completion of investigation | J(i) | | | | | |
| | Number of unregistered senders found violated second time and Usage Cap imposed, after completion of investigation | J(ii) | | | | | |
| | Number of unregistered senders found violated third or more number of times and disconnection and blacklisting actions taken, after completion of investigation | J(iii) | | | | | |
| | Total Number of unregistered Senders against whom action taken, after completion of investigation | J = J(i)+J(ii)+J(iii) | | | | | |
| Number of outgoing communications made by the unregistered sender(s) (reported under "I"), and exceeding the restriction limits during the period of imposition of Usage Cap | K | | | | | | |

* To be submitted in writing duly signed by the authorized signatory and also electronically.

Annexure -III of Direction No. 311-04/2017-QoS dated 06.08.2019.

| Format for Monthly PMR No: TRAI/QoS/UCC/Registered Sender(s)/PMR-III* | | | | | | | | | | |
|--|---------------------|----------------------|---|--|--|--|--------------------|---------|---|---|
| Day-wise details of non-compliant senders (To be filled for each non-compliant sender) | | | | | | | | | | |
| Name of TSPs: | | Name of LSA: | | | Month: | | | | | |
| Date Wise (DD/MM/YYYY) | Registration No: | Registration date | Total number of Headers assigned | Header against which sender found non- compliant | Total Number of complaints received | Total number of violations found, after completion of investigation | | | Total number of reports received against headers under "D" | Action taken against non- compliant registered sender (Penalty/disconnection/bla cklisting/any other action as per CoPs and regulations) |
| | | | | | | For SMS | For voice calls | Total | | |
| COLUMN--> | A | B | C | D | E | F | G | H = F+G | I | J |
| 01/MM/YYYY | | | | | | | | | | |
| 02/MM/YYYY | | | | | | | | | | |
| | | | | | | | | | | |
| 31/MM/YYYY | | | | | | | | | | |

| Summary of all Non-compliant Senders : | | | | | | | | | | |
|--|-----------------------------------|----------------------|---|--|--|--|--------------------|---------|---|--|
| Month: | | | | | | | | | | |
| Name of Sender | Registration No. of Sender: | Registration date | Total number of Headers assigned | Header against which sender found non- compliant | Total Number of complaints received | Total number of violations found, after investigation | | | Total number of reports received against headers under "D" | Action taken against non- compliant sender (Penalty/disconnection/bla cklisting/any other action as per CoPs and regulations) |
| | | | | | | For SMS | For voice calls | Total | | |
| COLUMN--> | A | B | C | D | E | F | G | H = F+G | I | J |
| | | | | | | | | | | |

* To be submitted electronically by TSPs.



Annexure -IV of Direction No. 311-04/2017-QoS dated 06.08.2019.

| Format for Monthly PMR No: TRAI/QoS/UCC/Registered Entity(ies)/PMR-IV* | | | | | | | | | | |
|--|--------------------|-------------------------------|----------------------|---|----------------------------------|--|--------------------|--------|---|---|
| Day-wise details of non-compliant Entities: <u>Header Registrar/Consent Registrar/Content Template Registrar/Scrubber/RTM/Aggregator</u> (Other than sender) | | | | | | | | | | |
| Name of TSP: | | Name of LSA: | | | Month: | | | | | |
| Date Wise (DD/MM/YYYY) | Entity Type | Entity Registration No: | Registration date | Header against which Entity found non- compliant | Total Number of complaints | Total number of violations found, after completion of investigation | | | Total number of reports received against headers under "E" | Action taken against non- compliant entity (Penalty/disconnection/bl acklisting/ any other action as per CoPs and regulations) |
| | | | | | | For SMS | For voice calls | Total | | |
| COLUMN--> | A | B | D | E | F | G | H | I= G+H | J | K |
| 01/MM/YYYY | <Header Registrar> | | | | | | | | | |
| | <RTM> | | | | | | | | | |
| | <Aggregator> | | | | | | | | | |
| | <Entity Type > | | | | | | | | | |
| 02/MM/YYYY | <Entity Type > | | | | | | | | | |
| | | | | | | | | | | |
| 31/MM/YYYY | | | | | | | | | | |

| Summary of all Non-compliant Entity : | | | | | | | | | | |
|---------------------------------------|--------------------|-------------------------------|----------------------|---|----------------------------------|--|--------------------|--------|---|---|
| Month: | | | | | | | | | | |
| Name of Entity | Entity Type | Entity Registration No: | Registration date | Header against which Entity found non- compliant | Total Number of complaints | Total number of violations found, after investigation | | | Total number of reports received against headers under "E" | Action taken against non- compliant entity (Penalty/disconnection/bl acklisting/ any other action as per CoPs and regulations) |
| | | | | | | For SMS | For voice calls | Total | | |
| COLUMN--> | A | B | D | E | F | G | H | I= G+H | J | K |
| | <Header Registrar> | | | | | | | | | |
| | <RTM> | | | | | | | | | |
| | <Aggregator> | | | | | | | | | |
| | <Entity Type > | | | | | | | | | |

* To be submitted electronically by TSPs.

| Format for Monthly PMR No: TRAI/QoS/UCC/UTM/PMR-V* | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-----------------------------|--|-----------------------------|------------------------------------|---|---|---|---|---|--|---|------|-----------------|-------|---------|-------|--------------------------------|-------|---------------|-------|-------------|-------|---|-------|--------------------------------|-------|---------------|-------|
| Name of TSP: | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of License Service Area (LSA): | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Month: | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| S No. | Name of unregistered Sender | Unregistered Sender Telecom Resource Number(s) | Unregistered Sender Address | Unregistered Sender belongs to LSA | Action taken against Unregistered Sender, during the investigation phase (put under Usage Cap for days) (count, duration) | | Total number of violations found, after completion of investigation | | | Number of Reports received against Unregistered Sender | Action taken against Unregistered Sender, as per regulation, in this month (Count, dates) | | | | | | | | | | | | Action taken against Unregistered Sender in previous period. (Count, dates) | | | | | |
| | | | | | | | | | | | For SMS | | For voice calls | Total | Warning | | Usage Cap (up to "six months") | | Disconnection | | Blacklisted | | Warning | | Usage Cap (up to "six months") | | Disconnection | |
| | | | | | | | | | | | Count | days | | | Count | Dates | Count | Dates | Count | Dates | Count | Dates | Count | Dates | Count | Dates | Count | Dates |
| COLUMN--> | A | B | C | D | E | F | G | H | I | J=H+I | K | L | M | N | O | P | Q | R | S | T | U- | V | W | X | | | | |
| 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

* To be submitted electronically by TSPs.

| Format for Monthly PMR No: TRAI/QoS/UCC/Reports/PMR-VI* | | | | | | | | | | | | | |
|---|--|--|--------------------------|--|--------------------------|---|--------------------------|--|--------------------------|--|--------------------------|--|--------------------------|
| Name of TSP: | | Name of License Service Area (LSA) : | | | | | | Month: | | | | | |
| Date (DD/MM/YYYY) | Category of Report | Submission as Terminating Access Provider (TAP) | | | | Submission as Originating Access Provider (OAP) | | | | | | | |
| | Reason for registering customer-complaint as Report as specified under TCCCPR 2018 regulations. (Unregistered/>3 days compliants/complaint rejected due to___/ any other reason) | Number of Reports received from customers as TAP | | Number of Reports transferred to OAP(s) including itself | | Number of Reports as OAP received from TAP(s), including itself | | Number of senders against whom Reports were reported under "D" | | Number of complaints received against senders (reported under "E") | | Action Taken on Reports found under "D" (UCC_Detect System/ any other action in accordance with CoP & regulations) | |
| COLUMN--> | A | B | | C | | D | | E | | F | | G | |
| | | For Registered Sender | For Un-Registered Sender | For Registered Sender | For Un-Registered Sender | For Registered Sender | For Un-Registered Sender | For Registered Sender | For Un-Registered Sender | For Registered Sender | For Un-Registered Sender | For Registered Sender | For Un-Registered Sender |
| 01/MM/YYYY | Unregistered | | | | | | | | | | | | |
| | >3 days compliants | | | | | | | | | | | | |
| | <Reason> | | | | | | | | | | | | |
| | <Reason > | | | | | | | | | | | | |
| 02/MM/YYYY | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 31/MM/YYYY | | | | | | | | | | | | | |

* To be submitted electronically by TSPs.