



9th Nov 2017

Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
(Old Minto Road)
New Delhi - 110002

Kind Attn.: Shri Asit Kadayan
Advisor (QoS)

Subject: Consultation Paper on "Unsolicited Commercial Communication".

Dear Sir,

This is in reference to your Consultation Paper issued by the Authority dated 14th Sep 2017 on "Unsolicited Commercial Communication".

As desired, we hereby enclose our response to the questions raised in your above mentioned Consultation Paper. We hope our response will be given due consideration. We shall be obliged to address any further queries from your good office in this regard.

Thanking you and assuring you of our best attention always.

Yours sincerely,

Satya Yadav
Addl. Vice President – Corporate Regulatory Affairs
Tata Teleservices Limited
And
Authorized Signatory
For Tata Teleservices (Maharashtra) Limited

Encl: As above

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**TTL response to Consultation Paper on
"Unsolicited Commercial Communication"**

Question 1: To what extent, time required for registration and enforcement can be reduced? For achieving reduced time lines, what changes in processes or in different entities e.g. PCPR, NCPR, CPDB may be required? Will providing scrubbing as a service for RTM reduces time? Please give your suggestions with reasons.

Question 2: How to ensure availability of Mobile Apps for registering preferences and complaints and for de-registration for all types of devices, operating systems and platforms? Whether white label TRAI Mobile App may be bundled along with other Apps or pre-installed with mobile devices for increasing penetration of app? For popularizing this app, what other initiatives can be taken? Please give your suggestions with reasons.

Question 3: In case of Mobile Number Portability (MNP), what process may be defined for retaining the status of customer for preference registration? Please give your suggestions with reasons.

Question 4: How bulk registration may be allowed and what may be the process and documents to register in bulk on behalf of an organization or family? Please give your suggestions with reasons.

Question 5: Is there a need to have more granularity in the choices to actually capture customers interest and additional dimensions of preferences like type of day, media type(s)? What will be impact of additional choices of preferences on various entities like CPRF, PCPR, NCPR, CPDB etc.? Please give your suggestions with reasons.

Question 6: Should the scope of UCC regulation be enhanced to include unwanted calls like silent, obnoxious, threatening calls etc. and unauthorized communications? What role government or constitutional organization may play in curbing such activities? Please give your suggestions with reasons.

Question 7: What steps may be taken to address the issues arising from robo-calls and silent calls? What are the technical solutions available to deal with the issue? How international co-operation and collaboration may be helpful to address the issue? Please give your suggestions with reasons.

TTL Response:

TTL is of the view that NPCR and PCPR can be updated online without delays through APIs at both the end and the same may be hosted at a cloud based platform. Scrubbing of the data can be done by the telemarketers through cloud based platform. This approach will help in



reducing the timelines for registration and enforcement of Customer Preference Registration System as every new registration may get included in the NCPR data in a real time or Near Real Time basis. Also there is a need to focus on availability of TRAI Mobile App in all Android, IOS and other OS devices, to ease the process of DND registration and de-registration for the customers. In order to ensure the availability of Mobile Apps for registering preference and complaints for all types of devices, operating systems and platforms, the authority may mandate all device manufactures in India to pre-load/ pre-install the TRAI Mobile App in all new IOS and Android devices.

There is also a need to bring a process in place, which can ensure retaining customer's preference of registration during MNP. In order to so, the customer may be informed to register his preference of registration or de-registration during the porting process, leading towards retaining customer preference status under the MNP process. We also recommend continuing with the existing process of bulk registration/ de-registration for families and organisation.

In the current market scenario, we suggest not to add further choice of preferences on various entities. We instead recommend extending option to the customer, wherein the customer can give his explicit consent to specific entities for receiving calls. For example, the customer can give consent to his bank allowing for promotional and transactional calls/ messages on his mobile number. Adding additional categories may puzzle the customer and may also be misused by existing telemarketers. The issue of unwanted calls like silent, obnoxious, threatening calls etc are currently being managed by Circle Nodal Office. We believe that there is no benefit of bringing such calls under the scope of UCC regulation. The current process of handling such unwanted obnoxious calls may continue to be handled by the circle Nodal Officer. However handling of Robo Calls and Silent calls is a critical issue as these calls not only add to the nuisance value to the customer but may also lead to a threat of financial losses to the customers, hence it may require a larger Government intervention both for calls origination from within India and from International locations.

Question 8: For robust verification and authentication of telemarketer getting registered, what changes in the process of registration, may be introduced? Please give your suggestions with reasons.

Question 9: Should registration of other entities such as content providers, TM-SEs, Principal Entities, or any other intermediaries be initiated to bring more effectiveness? Whether standard agreements can be specified for different entities to be entered into for playing any role in the chain? Please give your suggestions with reasons.

Question 10: Whether new systems are required be established for the purpose of header registration, execution and management of contract agreements among entities, recording of consent taken by TMSEs, registration of content template and verification of content? Should these systems be established, operated and maintained by an



independent agency or TRAI? Whether agency should operate on exclusive basis ? What specific functions these systems should perform and if any charges for services then what will be the charges and from whom these will be charged? How the client database of TMSEs may be protected? Please give your suggestions with reasons.

Question 11: Whether implementation of new system should full edged since beginning or it should be implemented in a phased manner? Whether an option can be given to participate on voluntary basis? Please give your suggestions with reasons.

Question 12: Whether scrubbing as a service model may be helpful for protection of NCPR data? Whether OTP based authentication for queries made by individuals on NCPR portal may be helpful to protect NCPR data? What other mechanisms may be adopted to protect the data? Please give your suggestions with reasons.

Question 13: What interface and functionality of NTR system may be made available to Principal entities for managing header assignments of their DSAs and authorized agents? How it may be helpful in providing better control and management of header life cycles assigned to DSAs and authorized entities? Please give your suggestions with reasons.

Question 14: What changes do you suggest in header format and its structure that may be done to deal with new requirements of preferences, entities, purpose? How principal entities may be assigned blocks of headers and what charges may be applied? What guidelines may be issued and mechanism adopted for avoiding proximity match of headers with well known entities? Please give your suggestions with reasons.

Question 15: Whether voice calls should be permitted to TMSEs and how these can be identified by the customers? How intelligent network (IN) or IP Multi-media subsystem (IMS) based solutions may be useful for this purpose and what exibility it may provide to TMSEs in operating it and having control on its authorized entities? Please give your suggestions with reasons.

Question 16: What steps need to be initiated to restore the sanctity of transactional SMS? What framework needs to be prescribed for those transactional SMS which are not critical in nature? Please give your suggestions with reasons?

TTL Response:

In order to ensure robust verification and authentication of telemarketers, the Authority may mandate registration of all intermediate entities in the chain and introduce the system of e-KYC and digital payments for RTMs and all other intermediate entities. The authority may also discourage the RTMs doing business with non-registered entities by introducing penalties on being found of RTMs indulging in such activities. The authority may also introduce the provision of online verification of documents, verification of email and phone



number through OTP. The authority may introduce agreement templates for various intermediate entities in the chain from regulatory perspective and mandate submission of copies of these agreements and relevant documents with the authority.

TTL suggests that the recording of consent by TMSEs may be done in a immutable and non-repudiable manner. The authority may suggest a reference template for recording the explicit consent of the customer, which may be shared/ submitted with the authority by TMSEs on a regular interval, which may be audited by the Authority or an agency appointed by the authority, on a regular interval OR as deemed fit by the authority.

Protecting NCPR data shall also be a key focus. The authority may introduce the scrubbing of data as a service and shall not allow downloading of NCPR data. In order to further tighten the misuse of NCPR data through creation of a parallel data base by querying NCPR Portal for a series of individual numbers, the authority may introduce the option of authentication though OTP.

In order to keep a tighter control and ensure effective management of Principal Entities, the authority may bring all DSAs and authorized entities of the Principal Entity under one umbrella, making them an identifiable single logical entity. It is also suggested that the length of the header, allocated to the PE, may be shortened at the root level and the PE may be authorized to allocated the remaining digits/ characters to the authorized entities under him. Also, such a system may include handling of complete lifecycle of the header, including assignment/ de-assignment of the header. Implementing this system will enable a complete visibility and record of all activities of PEs and verifiable in an independent manner.

Voice calls should be permitted to TMSEs for legitimate purpose, hence it is suggested to present the same number or a number from similar sub-series may help the subscriber to identify the Principal Entity. In order to implement the above given system wherein DSAs and authorized agents of Principal Entities using mobile solutions from fixed locations may not work, hence it is suggested that IN or IMS (IP Multimedia Sub-system) based solutions may be introduced and implemented to establish a system which may help the customer in identifying the PE through the displayed CLI.

For addressing the issue of some of TMSEs misusing transactional pipe for sending promotional messages, primary responsibility of the content of message may be fixed that of content provider and in case of non-compliance, CP may be held responsible.

Question 17: To what extent, present gap between time when UCC complaint was made and time when this was resolved can be reduced? What changes do you suggest to automate the process? Please give your suggestions with reasons.

Question 18: How the medium of Customer Complaint Resource Functionality (CCRF) with pre-validation of data e.g. Mobile App, Web Portal etc. may be helpful to achieve



better success rate in complaint resolution process? Please give your suggestions with reasons.

Question 19: Whether access providers may be asked to entertain complaints from customers who have not registered with NCPR in certain cases like UCC from UTM, promotional commercial communication beyond specified timings, fraudulent type of messages or calls etc.? What mechanism may be adopted to avoid promotional commercial communication during roaming or call forwarding cases? Please give your suggestions with reasons.

Question 20: How the mobile App may be developed or enhanced for submitting complaints in an intelligent and intuitive manner? How to ensure that the required permissions from device operating systems or platforms are available to the mobile app to properly function? Please give your suggestions with reasons.

TTL Response:

TTL is of the view that the current complaint resolution process is fine. The current gap between the time when the UCC complaint is raised and finally resolved, involves cross functional coordination and also coordination between different TSPs. Hence, we do not suggest any changes in the current time gap between a complaint getting registered and resolved.

It has been observed that at certain times, the resolution to customer complaint gets delayed or rejected due to incorrect or inadequate information. Customer Complaint Resource Functionality (CCRF) with pre-validation of data e.g. Mobile App, Web Portal etc. may be helpful to achieve better success rate in complaint resolution process. Introduction of TRAI Mobile App, with structured and pre-validated inputs, to register UCC complaint, in mobile devices, will enable the option of punching all relevant information in the form of a pre-designed template provided in the App, may enable faster resolution of UCC complaints. It will also minimize the rejection of UCC complaints on account of incorrect/incomplete information. The App may also have the provision of uploading the screen shot of Call/ SMS details from the mobile device.

We do not recommend Access Providers entertaining UCC complaints from customers, not registered in NCCPR, whether from RTMs or NTMs. However, complaints on fraudulent and obnoxious messages and calls are currently being entertained from customers not registered under NCCPR. These complaints are being handled by the circle Nodal Officer and the same process may continue to be followed.

Question 21: Should the present structure of financial disincentive applicable for access providers be reviewed in case where timely and appropriate action was taken by OAP?



What additional measures may be prescribed for Access Providers to mitigate UCC problem? Please give your suggestions with reasons.

Question 22: Whether strict financial disincentives should be levied for different types of techniques like robocall, auto-dialer calls for UCC? Please give your suggestions with reasons.

TTL Response:

TTL is of the view that the present structure of financial disincentive to the Access Provider should be reviewed and should be done away with as Access Provider only provide the resources to the RTMs and have no direct control over their activities. APs also follow the guidelines and regulations as laid down by the authority and take prompt action on the TMs when found violating the regulations. We recommend introduction of strict financial disincentives to TMs, Entities originating Silent Calls, Robo Calls and Auto Diallers for UCC etc and NOT on Access Providers, whose resources are being used by these entities. However, for Robo Calls and Silent Calls originating from outside India may require Government's intervention for International Co-operation.

Question 23: What enhancements can be done in signature solutions? What mechanism has to be established to share information among access providers for continuous evolution of signatures, rules, criteria? Please give your suggestions with reason.

Question 24: How Artificial Intelligence (AI) can be used to improve performance of signature solution and detect newer UCC messages created by tweaking the content? Please give your suggestions with reasons.

Question 25: How the honeypots can be helpful to detect and collect evidences for unsolicited communications? Who should deploy such honeypots? Please give your suggestions with reasons.

TTL Response:

It has been observed that Signature Solution has been cracked by unscrupulous elements and they bypass the defined keywords and phrases by tweaking the content. Enhancement of signature solution is possible through collaboration of Access Providers. It requires sharing the new patterns detected by any Access Provider, so that the same is adopted by other Access Providers immediately. To implement this mechanism, a central database/information system may be set-up by the authority, wherein such information on Signature Solution can be shared by the Access Provider. Signature solution may also include various factors such as location of the mobile number pushing UCC messages, Number of calls from the same number not being answered by majority of customers. Creation of logical entity with telephone numbers belonging to different access providers and individual access



provider providing total counts of SMS or voice calls originated from sub-set of logical entity.

Deployment of honeypots may also be helpful in collecting information on unsolicited communication. Honeypots may be set-up by Access Providers, in their network which are dummy numbers with characteristics of actual working numbers. There is a likelihood that messages or calls from UTMs may land on these honeypots and data collected by honeypots can be used for identifying UTMs and taking appropriate actions. Since set-up of honeypots require high volume of resource allocation, it's implementation needs discussion with all access providers.

Question 26: Should the data from mobile app or from any other source for registering complaints be analyzed at central locations to develop intelligence through crowd sourcing? How actions against such defaulters be expedited? Please give your suggestions with reasons.

TTL Response:

TTL is of the view that instead of analysing consolidated complaints which might not give the required actionable artefacts & might lead to confusion, information like blacklisting of defaulting telemarketer's Aadhar ID could help in further reducing the complaints by taking a proactive action against the defaulters. However, in order to do so, the mechanism of collecting the complaints in a central location and put intelligence for early detection of defaulters needs to be discussed and evaluated. We feel that collection of the data at a central location may be most viable through a cloud based solution.

Question 27: How the increased complexity in scrubbing because of introduction of additional categories, sub-categories and dimensions in the preferences may be dealt with? Whether Scrubbing as a Service model may help in simplifying the process for RTMs? What type and size of list and details may be required to be uploaded by RTMs for scrubbing? Whether RTMs may be charged for this service and what charging model may be applicable? Please give your suggestions with reasons.

TTL Response:

As mentioned in our response to the question 5, we have recommended not to introduce additional categories, sub-categories and dimensions in the preference as it may add to confusion and may also be misused by the TMs. We have also recommended introducing cloud based scrubbing model and Real Time or Near Real Time DND registration on cloud based platform. Cloud based platform scrubbing model will add a further layer of data protection as the TMs would not be able to download the NCPR data. Although we are of the view that Data Scrubbing as a service should not be charged, but we are fine if the authority may determine a minimal fees for data scrubbing service.



Question 28: How the cases of false complaints can be mitigated or eliminated? Whether complaints in cases when complainant is in business or commercial relationship with party against which complaint is being made or in case of family or friends may not be entertained? Whether there should be provision to issue notice before taking action and provision to put connection in suspend mode or to put capping on messages or calls till investigation is completed? Please give your suggestions with reasons.

TTL Response:

TTL recommends having a provision of complaint withdrawal, in cases where the complainant agrees to do so. Also, to handle complaints from users with a reputation of false complaints with utmost care.

Question 29: How the scoring system may be developed for UCC on the basis of various parameters using signature solutions of access providers? What other parameters can be considered to detect, investigate and mitigate the sources of UCC? How different access providers can collaborate? Please give your suggestions with reasons.

TTL Response:

No Comments