

To,

**Shri. Asit Kadayan,**  
**Advisor (QoS),**  
Telecom Regulatory Authority of India,  
New Delhi

Dear Sir,

I would like to Thank You for giving Opportunity to Present Views on the subject by bringing Consultation Paper

In my view the Operators are Not Serious in curbing the menace of the UCC.

The Telecom Operators are Rejecting the Valid UCC complaint on Fancy Ground or do not give Proper Reply at all even after Escalation.

The Various Grounds on which complaint are getting Rejected are

**a) Notice sent to subscriber**

There is No Provision Now (This used to be Few Years Back) to Send the Notice on 1<sup>st</sup> Occurrence, But still They Reject or Take No Action the complaint based on this Ground

**b) Not A Telemarketer**

This is a Bizarre Reason for Rejection of the complaint. How does the Telecom Operator Know that the person who called me was a Telemarketer or not ?

Many Telemarketers do not use 140 Series Number to make a call

**c) Not a UCC**

This is Favorite Reason again used by Many Operators to Reject the Complaint Following are the some of the SMS or complaint has been Rejected

- I. **IM-JetAir** :- Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-MAA at INR 8000 only. To Upgrade Visit
- II. Call from Spice Jet for Purchase of Add on Spice Max Which gives Meals and Priority Check In
- III. **IM-JetAir** :- Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-VTZ at INR 7000 only. To Upgrade Visit
- IV. **IM-HDBFSL** :- Reduce interest cost on credit crd balance by 50 percnt SMS CCBT to 7045458686 or mised call. will get in touch with u.
- V. Download that Video Messegner to Talk <http://j6b.nowmsg.us/mNg>

- VI. **VM-SPICEJ** :- Dear MS. x, for your upcoming trip PNR xxxxxx to BOM on xx-xxx-2016, for a hassle free journey we recommended you pre-book Bag Out First, SpiceMax Seats, Hot Meals, Priority Check-in, SpiceLounge now at nominal charges. Log on to <https://goo.gl/xxxxx>. For exciting fares and promos, download the official SpiceJet Mobile App at <http://goo.gl/xxxxx>. We look forward to welcoming you on board.
- VII. **VM-SPICEJ** :- Dear MR. x: You are confirmed on flight SG xxx dated xx-xxx-16 departing at xx:xx from Bengaluru to Mumbai. Your PNR is xxxxx. To choose from an expanded menu and to get discounted rates, please pre-book your meal through "Manage My Booking" at <http://goo.gl/xxxxxx>. You can also select SpiceMAX seats that offer extra legroom, complimentary meal and much more, as well as select other useful add-on products and services to enhance your travel experience. Please also note that you have purchased a Hand Baggage Only fare. Check-in baggage is not permitted on this fare. We look forward to welcoming you on board.

If I have Booked the Ticket Through Jet Airways, then Jet Airways has all the Right to Contact me any Number of Time for the Booking Related Information like Flight is Departing on Time or Flight has been Delayed or Preponed or cancelled. Even They can call me in Middle of Night as well to inform me about the Status of the Flight. But They Can not Contact me for the Up gradation to Premier as this is Maketing and Not Booking Related Service

Could the above complaints are not UCC in Nature. If they are Not then How do you Define UCC ?

- d) If your complaint is not registered even after three days of lodging, please contact your Access Provider

This Error is there even after 3 Days as well. Even After Months You do not get any Update

- e) SMS Received on your number was service related.

This is Favorite Reason again used by Many Operators to Reject the Complaint Following are the some of the SMS or complaint has been Rejected

- i. **VM-VFCARE** :- Dear Vodafone customer, choose from our wide range of available data packs. Dial 116 (toll free) from your Vodafone mobile and press 1 and 1
- ii. Call from ICICI Bank for Mediclaim and Travel Insurance

- iii. **HP-CLINIC** :- Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
- iv. **AM-PVRCIN** :- Will Fate bring Shiv and Saira together again? Watch Raabta at PVR to find out ! Book Now
- v. **AD-JetAir** :- Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-DEL at INR 9500 only. To Upgrade Visit
- vi. **AD-PVRCIN** :- Be a Part of Salman Khan journey in Tubelight at PVR. Use Code PVRNEW50 to get Rs 50 Flat Off on PVR Website and APP
- vii. **AM-VISTAR** :- Vistar's Great Moonsoon sale ends tonight. Get all inclusive fares starting 799. hurry last few hours
- viii. **AM-PVRCIN** :- what if could only choose between wrong and very wrong. Discover the answer in MOM at PVR Cinemas
- ix. **AM-VISTAR** :- For 48 Hours only. Vistar's Great Moonsoon Sales Returns with all inclusive fare Starting at Rs 799. Book Now
- x. **AM-EZYDNR** :- Book Your Dinner with Eazy Dinner at Top Restaurant like Pa Pa Ya, Firazi Café, Tuskar's and more. Avail Discounts from 10 to 50 percent

**It can be seen that above complaints are not UCC in Nature..But Yet No Action has been Taken by Various Telecom Operators and Rejected the Complaint**

**f) Originating Access Provider Reject the Complaint :- CDR does not match**

**This is Logically not Possible.** For Every Successful complaint the Validation has to be done by Terminating Access Provider with the Call logs of my Incoming Number /SMS and it is found that there was an incoming call or sms then any only then the Complaint is send to Originating Access Provider.

If I am making the complaint then I must have Got a Call or SMS and the same has also been verified by Terminating Operator then how the same can not be seen by Terminating Service Provider ?

**Currently it is Not Possible to Prove by an Customer weather they had got a call from that Number or Not as the Telecom Operator do not give the Incoming Call Details. Currently they are giving only Outgoing Details.**

**Telecom Operators should be asked to Give Detailed Incoming Call as well. This can be incorporated in Itemized Bill, Which can be currently opted by Customer**

**on Payment of Fees. In any case, Operators are supposed to keep the Records of incoming call as well and this would not lead to any issue at their end.**

**g) Complaint wrongly routed**

In this Rejection, The Terminating Operator sends the Complaint to Wrong Circle and/or Wrong Operator. The Wrong Operator Rejects the Complaint

**h) Not Promotional In Nature**

This is again Favorite Reason again used by Many Operators to Reject the Complaint Following are the some of the SMS or complaint has been Rejected

- i. **DT-YDEALS** :- Yebhi Deals : FLAT 20% Off on All Products. Flat 50% Off on PUMA, Adidas, CK and Many more on Summer Collections. Visit Now!!! URL : [www.yebhi.com](http://www.yebhi.com)
- ii. Call from Jetairways for some offer on Partner and american Express cards
- iii. Call from MakeMyTrip for Holiday Requirement Booking
- iv. call from Cox and Kings for Holiday Package
- v. **BZ-NXTREL** :- Why Book Underconstruction. Readt posession w oc kink rd malad w 2 bhk 1.82 cd all inclusive min 790 carpet 9820263054
- vi. **VM-PHEASY** :- Get your medicines delivered at a flat 20 pc discount via PharmEasy. Download app now <https://bnc.lt/m/xxxxxx>.
- vii. **HP-PROIND** :- Lodhas Amara Biggest Better Cheaper. 1 2 BHK in Thane, Mumbai No Stamp Duty.Benefit GST Offer till 6 Aug call 9211198277
- viii. **HP-CLINIC** :- Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection

**i) Opted Preference**

Many Complaint gets Reject on this Ground. Where as the Person might not have opted for the same.

- i. **DM-HEALTH** :- Get 25% off on your first medicine order of above Rs 1000. Refer a friend and get Rs 500 off\* conditions apply. Call +912261699484 HealthSaverz

- ii. **VK-CLUBMH** :- Congrachulation Get Free 6 Nights Holiday in India Singapore Bangkok Malaysia Dubai. Give a missed call on 09210527136
- iii. **VM-CLINIC** :- Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 02261934644
- iv. **VK-CLINIC** :- Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
- v. **VK-RaghuK** :- AC not Working enough. RaghuKaka Hai Na. AC Service at Rs 299. includes cleaning. To Book Missed call on 8010554040

In One Case Got the SMS **VM-PHEASY** :- Get your medicines delivered at a flat 20 pc discount via PharmEasy. Download app now <https://bnc.lt/m/xxxxxx>

Complained to Vodafone, Mumbai and they Rejected the Claim Saying **No action has been taken as the SMS made to you was service related. Kindly opt-out to stop these SMS.VM-PHEASY**

When asked the about the Opt In Process, They said that I had gone to their Web Site and did the Registration and They also Provided the Link.

When I ask the Original Company about the Web Site Registration, They said that, I would be able to Register through Mobile Application Only. I would not be able to Register via their Web Site.. They also Said that They Never Had Web Site Registration

**This indicates that the Telecom Operators are Not Serious in Stopping UCC at all**

#### **j) Incomplete/incorrect info**

Many Complaint gets Reject on this Ground. Where as the Person might not have opted for the same.

- i. Call for AC Service
- ii. **DM-HWOODD** :- Hollywood Optician the Multi Brand Outlet Offer Buy 1 Get 2 Free on Branded Frames, Call on 8879777082
- iii. Call from Reliance Capital for 0 Percent Loan
- iv. Call for AC Service and for AMC for Split and Windows AC

- v. Call from Bajaj Finance for Personal Loan
- vi. Call from HDFC Bank for Loan
- vii. Call from Bajaj Finance for Loan at Zero Percent Interest

**I am Unable to Understand What is Incomplete in the above Complaint. Kindly Update us as to What More Details are Required or Expected ?**

**The Worst Part is that Telecom Operator does not wish to Communicate the Issue to Other Operator and They say that we Forward the Complaint to TRAI and all the action is taken by TRAI and we are not answerable to the Rejection done by Other Operator. The Other Operator Says that You are not our Customer and You need to Contact the Your Operator and we can not Reply to You.**

**In Short Ringa Ringa Rosses gets Played between Terminating Operator and Originating Operator and No Resolution being Given by any one.**

**There is No Proper Reply from the NCCPTRA Help Desk either and No Ombudsman to take the Complaint**

**The above are Real Incidents and can Provide with all Complaint Numbers and Communication Received from the Respective Telecom Operators.**

**Currently No Compensation is Given to the Person who is Suffering due to UCC. The 50% of the Revenue should be Shared with the Person for Every Successful Complaint.**

## **Answers to some of Your Questions in Consultation.**

**Q. 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..**

In case of MNP, the system should auto Forward the Details DND Preference to New Operator. Customer should not be asked to give the Preference once Again and There should be No Waiting Period.

**Q. 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.**

Option can be Given to the In charge of the Organization for the Commercial Connection. In case of Family, the Person should use the Regular Methods to get DND Preference Activated

**Q. 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 organizations may play in curbing such activities? Please give your suggestions with reasons.**

Silent Calls or Missed Call should be included in the Valid Reason for UCC Complaint where a call back was done to that Number. The Intension of the Silent Call or Missed call was for UCC and Hence one should be able to complaint

**Q. 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.**

Silent Calls Should be Banned and Strict action needs to be Taken if any one makes Silent Calls

**Q. 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.**

There is a scope of the Further Reduction in Complaint Resolution

**Q. 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 pro-motional commercial communication during roaming or call forwarding cases? Please give your suggestions with reasons.**

Currently Originating Access Providers are not accepting the Complaint.

There may be case like OAP has Rejected the complaint on Fancy Ground and if I have not complaint then they are not allowing Such Complaint and tries to Play Ringa Ringa Rosses by asking to go their Network Provider. They should be asked to accept such Complaint.

**Q. 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.**

Mobile App can be Developed for Submission of the Complaint

**Q. 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.**

Financial disincentive should continue and There should be Strict Penalty for wrongful Rejection or Late Action by OAP. **The Penalty must be at least 10 times the Financial disincentive Per Wrong Complaint Rejection or Late Action**

There needs to be a Neutral Organization like Ombudsman who can be approached in case if there is No Reply or No Proper Reply or Complaint Rejection by OAP.

**The 50% of the Revenue should be Shared with the Person for Every Successful Complaint.**

**Q. 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.**

RoboCalls or Auto dialers should not be allowed. Heavy Penalty should be Imposed.

**Q. 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.**

The Complaint must be Analyzed at Central Locations

**Q. 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.**

No Notice should be Issued.

Just having Commercial Relation should not mean that the Person should UCC. Say, I am purchasing from Party A. But should not give Right to Party A to call me for Promotion or Marketing Calls.

In case of False Complaint, What Can be done is that Person should have Right to Appeal and During that Period Incoming Calls and SMS should be allowed. Outgoing Call and Outgoing SMS should be Blocked and Appeal Should be Disposed in Reasonable time say 2 Weeks. If the Complaint is found to be False then Outgoing should be Restored and if the complaint is found to be Correct then Connection should be Terminated.

Thanking You,

**Bhavesh Harish Patel**