

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 of Telecom Commercial Communication Customer Preference Regulation, 2018

You have said "Twenty-three crore subscribers have registered themselves on the DND Registry since then. But **the problem was not fully contained** because unscrupulous elements started"

Current Issues which I have Experienced with Variuos Telecom Operators for UCC Related Complaint.

In my view the Telecom Operators are Not at all Serious in curbing the menace of the UCC. In Fact Many of them own do the same by calling for New Number or Portability and Pre Paid to Post Paid Conversion.

In my view the TRAI is also Not ay all Serious in curbing the menace of the UCC inspite of Complaint so many time in Past to TRAI for Complaint Rejection by Telecom Operators. I have made Multiple Complaint to TRAI against the Wrong Rejection of Complaint by Telecom Operator and There is No Proper Reply. I Just got one Standard Reply from TRAI that You need to Approach Appellate Authority for My Issues.

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) Incomplete/ Incorrect

Complaint No	Complaint Description
1897056840	Call from HDFC Bank for Loan
1746048658	Call for AC Service and for AMC for Split and Windows AC
1698410402	Call from Reliance Capital for 0 Percent Loan
1688981182	Hollywood Optician the Multi Brand Outlet Offer Buy 1 Get 2 Free on Branded Frames, Call on 8879777082
1687429010	Hollywood Optician the Multi Brand Outlet Offer Buy 1 Get 2 Free on Branded Frames, Call on 8879777082
2266261806	Call from Bajaj Finance for Loan at 0 Percent Rate of Intrest
1848737362	Call from Bajaj Finance for Personal Loan
1541703912	Call for AC Service

Is Telecom Operator Correct in Rejecting the complaint Saying This is Incomplete/ Incorrect ? I am not able to find any thing missing or Incomplete. In Fact all the Details has been Given while making Complaint. What is that Telecom Operators are Looking More ? Kindly Specify.

(b)If your complaint is not registered even after three days of lodging, please contact your Access Provider.

Complaint No	Complaint Description
2350583170	Call from Abhishek from Antraweb Regarding Tally AMC Tally Customization and Tally Enhancement as per Requirement
2350585238	30 Plus Loan Options for Salary more then 30K MO. Lowest Intrest Rate Starting at 10.75 PC Max Loan Amount upto 30 Lakh
2314040548	Call from Second Home Concept for some Plot Sales in Goregaon
2268057678	Ready Possession 1 2 Residence 45L and 65 L in 484 Unit complex BHOOMI GARDENIA Roadpali near kharghar NO GST 8108157003
2264091662	Call from Indian Health Care India for OPD Health Care Plan
2210444318	Book UR Dream Car earliest delivery New verna test drive Booking contact mithila Hundai at 8108182396 or 02242577777 78
2206947936	Call from Spice Jet for Purchase of Add on Spice Max Which gives Meals and Priority Check In Seprate Boarding Counter
2203428356	Call from Spice Jet for Purchase of Add on Spice Max Which gives Meals and Priority Check In Seprate Boarding Counter
2203426666	Call from One assist for Purchase of Mobile Assist Plans and Offer Buy 1 Get 1 Free
2203427252	Call From Godrej Properties for Property Investement
2166314068	Its clash of for the Title. Its final. Cheer with Dominos. Get 2 Med Pizzas starting at 239 each. Order 68886888 TNC
2165466740	Call from Busy Accounting Software for Inventory and Accounts amd for Business Proposal
2159718194	Call from Club Accord for Club Membership of their Club
2159722292	Call from Club Accord for Club Membership of their Club
2125387692	Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
2125385996	Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
2076505840	Call from RBL Bank for Credit Card Offer
2058752274	This Season lose weight Naturally. Get MY DIET by Anjali Mukerjee. No Machine For Free Consultation send SLIM to 560700
2001810696	Call from Finance Consultant for Business Loans, Home Loan and Mortgage Loans and Transfer of Loans to Others
1947439924	Launching River Side Villa by Hema Malini WollyWood, Wada. Just 2 Hrs Drive from Mumbai Special Launch Call 8030636076
1937835778	Loose weight upto 2 kg Per Week naturally. 50 Off on all plans Anjali Mukherjee with Success. Missed call on 8030636199
1915092838	Buy Semi Furnished Appts LODHA PALAVACITY at DOMBIVALI E, KALYAN SHIL ROAD AC 42 LAC BoOk with 2 PC GetDiscnt 9210396412
1910159548	Call from Busy Accounting Software for Inventory and Accounts amd for Business Proposal
1912486202	Dear MR. PATEL: You are confirmed on flight SG 438 dated XX-May-XX departing at

	7:45 AM from Bengaluru to Mumbai. Your PNR is HYMA. To choose from an expanded menu and to get discounted rates, please pre-book your meal through "Manage My Booking" at http://goo.gl/8ZuG . 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.
1897057620	Call from HDFC Bank for Loan
1880739914	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.
1880741762	Own Godrej Smart Home THE THREE in Vikhroli E Mumbai only 1.64 cr 200 mtr from Eastern Xpress. 4 meting call 7827586873
1865804782	Loose weight upto 25 kg more 15 inches in 90 days money back guarantee 100 auyrvadic no side effects sms RR to 56161
1861707896	Invest in Indias hottest property Godrej Central Chembur 1 2 3BHK Book at 10L Limited inventories Call 09210177908
1861707682	Pay 1.7 lacs for 1BHK Car Parking at Sai OrchidDombivali .Rest payment after 2yrs.No EMI. No Floor Rise Call 7039408529

Why No Complaint has been Logged by Terminating Access Provider (in the above case it is Vodafone, Mumbai) ?

(c) Not A Telemarketer

Complaint No	Complaint Description
2369888086	Call from Spice Jet for Purchase of Add on Spice Max Which gives Meals , Priority Check In and Priority Baggage Handling
2022296370	Call from MegaHertz for any Requirement of HP , Lenovo, Dell, IBM as they are their Partnet
1978449170	Call from Vodafone for a Pre Paid to Post Paid Number Offer
1556110180	Call for some Software Solution

On What Basis has it been Concluded that it is Not a Telemarketer ? What would you Term a call from SpiceJet Trying to Sell Add on Package for Meal, Priority Check IN and Priority Baggage Handling Service to a Passenger ?

Isn't a call from Vodafone for a Pre Paid to Post Number not Tele Marketing ? if not then what it is and What is Tele Marketing ?

(d) Not a UCC

Complaint No	Complaint Description
2070425846	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-MAA at INR 8000 only. To Upgrade Visit
2070425086	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-MAA at INR 8000 only. To Upgrade Visit

2068542258	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-MAA at INR 8000 only. To Upgrade Visit
2034429900	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from VTZ-BOM at INR 7000 only. To Upgrade Visit
2034429782	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-VTZ at INR 7000 only. To Upgrade Visit
1903550596	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.
1897967754	Download that Video Messenger to Talk http://j6b.nowmsg.us/mNg
1884495638	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.
1880739528	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.
1887396028	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.
1885570676	Reduce interest cost on credit card balance by 50 percent SMS CCBT to 7045458686 or missed call. will get in touch with u.

Jet Airways Sending SMS to Upgrade from Economy to Premier NOT UCC ? What it is a Service SMS ? What is UCC then ? I Can understand Jet Airways Calling me at 3 AM in Night for Update of My Flight Status. This Service SMS or Call. But Commercial Call / SMS for Upgrade should not be Treated as Service SMS and should be Treated as UCC

Some one asking to Reduce cost on credit Card by 50 Percent NOT UCC ? ? What it is a Service SMS ? What is UCC then ?

(e)Not Promotional In Nature

Complaint No	Complaint Description
2339617240	Call from Ranjita from HDFC Life for Financial Planning and Future Secure and Loan Insurance Cover
2196286870	Lodhas Amara Biggest Better Cheaper. 1 2 BHK in Thane, Mumbai No Stamp Duty.Benefit GST Offer till 6 Aug call 9211198277
2175572770	Call from Spice Jet for Purchase of Add on Spice Max Which gives Meals and Priority Check In
2122687342	Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
1910734936	Dear MS. PATEL, for your upcoming trip PNR WC6N to BOM on XX-May-20XX, 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/Cr. For exciting fares and promos, download the official SpiceJet Mobile App at http://goo.gl/3m. We look forward to welcoming you on board.
1894165692	Get your medicines delivered at a flat 20 pc discount via PharmEasy. Download app now https://bnc.lt/m/ .
1865804308	Why Book Underconstruction. Readt posession w oc kink rd malad w 2 bhk 1.82 cd all inclusive min 790 carpet 9820263054
1863080066	call from Cox and Kings for Holiday Package
1833106960	Call from MakeMyTrip for Holiday Requirement Booking

1584932290	Call from Jetairways for some offer on Partner and american Express cards
1524716092	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

Are Above SMS Not Promotional In Nature ? If they are Really Not then we all are Wasting Time and Resources in name of DND as then There is no DND. Every thing is allowed.

SMS from Spice Jet

Dear MS. PATEL, for your upcoming trip PNR WC6N to BOM on XX-May-20XX, **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/Cr>. For exciting fares and promos, download the official SpiceJet Mobile App at <http://goo.gl/3m>. We look forward to welcoming you on board.**

The Intent of Sending SMS is to Sell Service and Not to give any Details of Transaction.

(f) Opted Preference

Complaint No	Complaint Description
2346876416	Upto 50 Percent Discount on All Your Medicines and Free Home Delivery. Just Upload Your Prescription here
2346162602	Get upto 71L of free fuel at 1200 authorised IndianOil outlets with IndianOil Citi Platinum Credit Card Zero Annual Fees
2345307906	Introducing Axis ASAP Instant Bank account. Open Now with only Aadhar and PAN Number. No Paper work No minimum Balance
2341731884	Introducing Axis ASAP Instant Bank account. Open Now with only Aadhar and PAN Number. No Paper work No minimum Balance
2341733750	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from MAA-BOM at INR 12450 only. To Upgrade Visit
2122851102	AC not Working enough. Raghukaka Hai Na. AC Service at Rs 299. includes cleaning. To Book Missed call on 8010554040
2122686324	Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 02261934644
2122689964	Last Day to Book Rs 1000 Full Body Check up Lipid, Kidney, Thyroid, Sugar, Liver Free Home Collection Call 9210144210
2055660126	Congratulations Get Free 6 Nights Holiday in India Singapore Bangkok Malaysia Dubai. Give a missed call on 09210527136
1842731990	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
1538273544	Dear Bhavesh Patel, based on your last hotel booking with us (ref no. 549) we are happy to offer you an exclusive discount of FLAT 7% for your next hotel booking. Visit travelguru.com use code TVGUR to avail this. Hurry, offer ends soon!

What do you mean by Opted Preference ? We have not Given. We ask Vodafone to Give Documentary Evidence of the same. They Deny saying Third Party Information. We ask them How have we Given Preference ? They say that you have done a on Line

Registration on Web Site. The Original Company Says that they Never had Web Site Registration and Then No Reply from Vodafone Appellate Authority

For Example for the Complaint No 2346876416 Dated 23/03/2018, Vodafone has Rejected the Complaint Saying that "Opted Preference" When asked the Details of Opting of Preference They have Said "Registration Date & time: 29 March 2016, 11:29am. Registration Link visible in below snapshot: cms.pharomeasy.in/user/login"

As Per them I have Registered with Pharm Easy be Their Web Site on **29/03/2016**. While the SMS Complaint Date is **23/03/2016** and YET They call the same as "Opted Preference"

SMS has been Received (23/03/2016) Before the Registration with them (23/03/2016)

I am sure that Vodafone and Pharm Easy must have Great Prediction Technology and they must have Predicted that I would be Registering with them after 1 Week and Hence they have send SMS in Advance and Vodafone and Appellate Authority at Vodafone has Rejected the Complaint Dated 23/03/2018 Saying that I will Registryer them with Them in Future which is 29/03/2016.

Can anyone do UCC in Advance and Yet go Unpunished by Claiming that I will do Registratoin with them in Future ?

Pharm Easy also confirms on Twitter that They Never had Registration Via Web Site at all. They allow Registration via App Only.

I am sure that I have never Installed any APP and Never Registered with them at all. Then Why Vodafone and Appellate Authority has Ignored this. I have given all the above to them and They appear to Remain Silent and had not Given any Order on this Appeal since Last 2 Years.

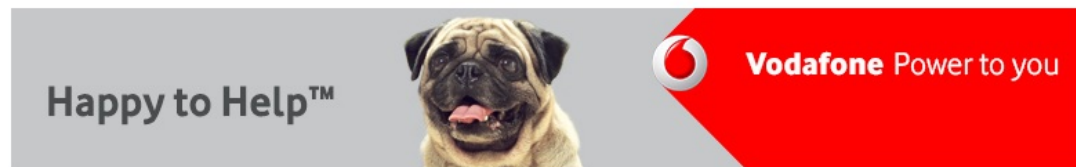


Appeal case 1920184334 : Sending of DND Complaint to Wrong Operator

Pop-out Print

From: mum, Appellate, Vodafone India (External) <Appellate.mum@vodafone.com> replied on Mon, 10 Oct 2016 16:48:58 | Add to address book

To: You | See Details



Dear Mr. Patel,

Thank you for your email regarding queries related to your Vodafone number

We regret the delay in reverting to you.

Appeal number 1915457172, kindly find below registration details with Pharmeasy.

- Registration Date & time: 29 March 2016, 11:29am
- Registration Link visible in below snapshot: cms.pharmeasy.in/user/login
- Link for Terms & conditions for more clarification with regards to sms: <http://www.pharmeasy.in/terms-and-conditions.php>

Mr. Patel, we are unable to provide any further details with regards to Pharmeasy registration. You may reach out them directly for further information.

A screenshot of a web browser displaying the Telecom Commercial Communications Customer Preference Portal. The browser's address bar shows the URL: www.nccptrai.gov.in/nccregistry/UCCComplaintSearchSub.misc. The page header includes the TRAI logo and the text "Telecom Commercial Communications Customer Preference Portal" and "Telecom Regulatory Authority of India". The main content area displays "UCC Complaint Registration Status" and provides the following details:
Complaint number 2346876416
Complaint date 23-03-2018
Complaint against VK-GetMed
Complaint Status Opted Preference
At the bottom, a note states: "Above information is provided based on the data submitted by Access Provider to TRAI."

(g) Service Call / SMS

Complaint No	Complaint Description
2177700362	Vistaras Great Moonsoon sale ends tonight. Get all inclusive fares starting 799. hurry last few hours
2177703854	Book Your Dinner with Eazy Dinner at Top Resturant like Pa Pa Ya, Firazi Café, Tuskaras and more. Avail Discounts from 10 to 50 percent
2177702334	what if could only choosen between wrong and very wrong. Discover the answer in MOM at PVR Cinemas
2177703154	For 48 Hours only. Vistaras Great Moonsoon Sales Returns with all inclusive fare Starting at Rs 799. Book Now
2168701940	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
2168235786	Enjoy Enhanced comfort with an upgrade to Premier for your Flight from BOM-DEL at INR 9500 only. To Upgrade Visit
2160351442	Will Fate bring Shiv and Saira toghther again? Watch Raabta at PVR to find out ! Book Now
1808328052	We are adding a little more joy to your.SMS Diwali to 199 and get FREE 100 MB Data for usage on 11th Nov 15 T and C Apply
2374854142	Call from IndusInd Bank for Loan of Rs 93000 on EMI
2299050934	Give a missed call at 7208085710 and Protect your loved ones by getting 60 health checks done at 999 only free pickup
2283482530	Spacious Homes at Auralis Teen Hath Naka with o Booking Offer 30 70 PlanNo Floor Rise over 21st Floor Call 02261908416
2283481726	The Marwari Shopping Fiesta is back with bang New Year and weddin exhbn on Dec 15 at Bhatia Wadi Free Mehendi Free Entry
2070424668	Call from ICICI Bank for Mediclaim and Travel Insurance

How is SMS from Vistara for Great Moonsoon sale and inclusive fares starting 799. Which will last few hours be Called as Service SMS ?

“Will Fate bring Shiv and Saira toghther again? Watch Raabta at PVR to find out ! Book Now” SMS from PVR be Treated as “Service SMS”

How is SMS From Jet Airways asking for Rs 9000 for Upgrade to Premium be called as Service SMS ?

IF Telecom Operator Continue to Proetct UCC doers then Nothing would work out. Every SMS and Call would be Rejected and TRAI would be a mute Spectator and would not take any Action at all Saying that We would need to Approach Appellate Authority and They would not be able to do any Thing as this are Customer Complaint and they do not have any Mandate to Deal with Customer 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. At Least 50% of the Revenue should be Shared with the Person for Every Successful Complaint as Compensation.

Many Telecom Operators are using Non 140 Number Series (Mostly 10 Digit Mobile Numbers) for making Marketing Activity. This are for New Number, Portability, Pre Paid to Post Paid Number Conversion etc...

When You make complaint by Giving the Details of the Caller, Agency and Other Inputs Still the Telecom Operators do not take any Action at all.

Comments on to some of Your Questions in Consultation.

(az) "Relationship" means a prior or existing relationship

(iv) on the basis of the purchase or transaction made by or done by the recipient with the sender within the **twelve months immediately preceding the date of the communication; or**

twelve months are on a Very Higher Side, This should be reduced to One Month and that too for that Transaction only. This Purchase should not be used to Promote or Market other Products..... Typically Calls come Is this Product Working Properly is the Start of the Call and then it goes on to Say about the Other Product or Services... This should not be Allowed at all. Camouflage on the Call / SMS on the Transaction should

(v) on the basis of inquiry or application regarding products or services made by or submitted by recipient to sender within the three months immediately preceding the date of the receiving of communication, which relationship has not been previously terminated by either party

Three months are on a Very Higher Side, This should be reduced to Fifteen Days and that too for that inquiry only and if the Person has Said NO then there should not be any Further call for the same.

(bf) "Service message or Service Call" means a message sent to a recipient or voice call made to recipient either with his consent or using a template registered for the purpose, the primary purpose of which is-

information relating to delivery of goods or services, including product updates or upgrades,

Can Spice Jet Call me or Send SMS for Sales of Add on Module like pre-booking Bag Out First, SpiceMax Seats, Hot Meals, Priority Check-in, SpiceLounge now at nominal charges ?

Can Jet Airways Send me SMS or Call me for Upgrading of My Economy Flight to Premier Class by Paying for the same ?

Would the above case be Called as "Service SMS or Service Call" ?

23. Customer Complaint Registration Facility (CCRF): Every Access Provider shall establish CCRF for its customers: -

to provide details about format and procedure to the customer, as given in the appropriate Code(s) of Practice, where a complaint is rejected by the access provider on the grounds of incomplete information or improper format;

Call from HDFC Bank for Loan

Call for AC Service and for AMC for Split and Windows AC

Call from Reliance Capital for 0 Percent Loan

Hollywood Optician the Multi Brand Outlet Offer Buy 1 Get 2 Free on Branded Frames, Call on 8879777082

Hollywood Optician the Multi Brand Outlet Offer Buy 1 Get 2 Free on Branded Frames, Call on 8879777082

Call from Bajaj Finance for Loan at 0 Percent Rate of Interest

Call from Bajaj Finance for Personal Loan

Call for AC Service

The Above UCC Complaint has been Rejected by Telecom Operators in Past.

How will be Situation Different at this Time ?

25. Complaint Mechanism: Every Access Provider shall establish system(s), functions and processes to resolve complaints made by the customers and to take remedial action against sender(s) as provided hereunder: -

How would the complaints for CDR Mis Match be Resolved ?

Currently in many cases, Terminating Access Provider (TAP) verifies the Call / SMS Through Call Records (CDR) but Originating Access Provider (OAP) Rejects the complaint saying CDR Does not Match.

When I complaint to My Provider, Terminating Access Provider (TAP) they say that Other Operator has Rejected the same What we can do ? **Terminating Access Provider (TAP) is not willing to Provide the Incoming Call Records for the same**

When I complaint to My Provider, Originating Access Provider (OAP) they say that You are not our Customer and Hence we can not do any thing and You need to Contact Your Operator for the same ?

Now a Ringa Ringa Rosses gets Played between Complainant, Terminating Access Provider (TAP) and Originating Access Provider (OAP).

TRAI Should Order the Terminating Access Provider (TAP) to Give Incoming Call Records as well

By Allowing Warning it seems the Existing Regulation is being Diluted.

26. Record keeping and reporting:

(4) The Authority may from time to time, through audit conducted either by its own officers or employees or through agency appointed by it, verify and assess the process followed by the access provider for registration and resolution of complaints, examination and investigation of the complaints and reporting to the Authority.

Has Authority done this till now ?

Had Authority Verified the Conduct of Vodafone, Mumbai Circle ? If Yes then what was the Report ?

Authority must make it Public announcement of the same and General Public Must also be allowed to give Complaint and Other Inputs of the same as well.

Details and Contact of the Team and Agency must also be Shared. A Separate Section may be Placed on the Web Site of the TRAI

27. Consequences for the Originating Access Provider (OAP) failing to curb the unsolicited commercial communications sent through its network(s): -

The total amount payable as financial disincentives under sub-regulations 27(1) shall not exceed rupees seventy lakhs per calendar month.

There Should not be any Upper Limit on the amount Payable. They must be made to make the Total Payment as per the Table

Currently No Compensation is Given to the Person who is Suffering due to UCC. At Least 50% of the Revenue should be Equally Shared with the Person for Every Successful Complaint as Compensation. If Authority does not wish to Share the same then Penalty Amount should be Doubled from the Proposed Amount. The amount should be given to Subscriber by the Way of Bank Transfer by asking Complaint to give the Details of their Bank Accounts to their Respective Providers.

28. Consequences for contravention of the provisions of regulations by Access Providers: -(1) Power of Authority to order inquiry: -

(a) Where the Authority has a reason to believe that any Access Provider has contravened the provisions of these regulations, it may constitute an inquiry committee, to inquire into the contravention of the regulations and to report thereon to the Authority.

This should have done long Back.

The total amount payable as financial disincentives under sub-regulations 28(2)(a) and 28(2)(b) shall not exceed rupees ten lakhs in a week.

There Should not be any Upper Limit on the amount Payable. They must be made to make the Total Payment as per the Table

Currently No Compensation is Given to the Person who is Suffering due to UCC. At Least 50% of the Revenue should be Equally Shared with the Person for Every Successful Complaint as Compensation. If Authority does not wish to Share the same then Penalty Amount should be Doubled from the Proposed Amount. The amount should be given to Subscriber by the Way of Bank Transfer by asking Complaint to give the Details of their Bank Accounts to their Respective Providers.

SCHEDULE-II

Code of Practice for Process of registration, modification or deregistration of Preferences, recording consent and revocation of consent

1. Procedure for registration or change of preference of Categories of content for

Commercial Communications: -

(1) Customer can opt-out of all categories or any of selected category(ies):

By Default it should be OPT-IN and not OPT-OUT. All the Customer should have All CC Categories (to be blocked) i.e. Block ALL

Block ALL should be Default Choice for all the Customers. Those who wants to Receive UCC Should send SMS or Call. Why it should be Assumed that They wish to Received UCC. In Fact it should be Other Way that by Default they should not be Disturbed unless they say that they wish to be Contacted for UCC

3. Procedure for registration or change of preference of Time band(s) for Commercial Communications: -

Time Bands (i), (ii), (iii) and (ix) shall be default OFF for all customers irrespective of the status of registration of customer i.e. for all customers including those who have not registered any type of preference(s), anytime unless customer has registered its preference(s) and switched ON;

All the Time Bands Should be default OFF for all customers. Why it should be Assumed that They wish to Received UCC. In Fact it should be Other Way that by Default they should not be Disturbed unless they say that they wish to be Contacted for UCC

Procedure for registration or change of preference of Day Type(s) for Commercial Communications: -

All the Date Should be default OFF for all customers. Why it should be Assumed that They wish to Received UCC. In Fact it should be Other Way that by Default they should not be Disturbed unless they say that they wish to be Contacted for UCC

Schedule-V

Action Items for preparing Code of Practice for Periodic Monthly Reporting (CoP-PMR)

1. Maintaining records of complaints on daily basis for each service area: -

There should be a Portal which should Display all of the above information and general Public should have access to view the same. This can be added to www.nccptrai.gov.in

Maintain records of complaints, from its customers and received from Terminating Access Provider(s), against unregistered sender(s) for sending unsolicited commercial communications on daily basis for each service area: -

There should be a Portal which should Display all of the above information and general Public should have access to view the same. This can be added to www.nccptrai.gov.in

Unclear Area.

1. Currently No Compensation is Given to the Person who is Suffering due to UCC. At Least 50% of the Revenue should be Equally Shared with the Person for Every Successful Complaint as Compensation. If Authority does not wish to Share the same then Penalty Amount should be Doubled from the Proposed Amount. The amount should be given to Subscriber by the Way of Bank Transfer by asking Complaint to give the Details of their Bank Accounts to their Respective Providers.

2. Whom can Customer Approach in case of the Wrong Rejection felt by Customer ?

I think I have listed many Instance of the Wrong Compliant Rejection by Various Telecom Operators. I am sure many other would be facing such a issue on a Regular Basis.

Whom can They Approach ? In My Case, I have done Following

I have Approached Vodafone Mumbai UCC Help Desk

I have Approached Vodafone Mumbai Appellate Authority

I have Approached Originating Telecom Operators

I have Approached nccptrai.gov.in

I have Approached TRAI

But Still No One from above is willing to do the needful as Every one wants to Play Ringa Ringa Rosses with each Other without acting on the Complaint and take the same to Logical Conclusion.

There Needs to be another Neutral Authority like Telecom Ombudsman to whom a Customer can Approach in case if the Customer thinks that Complaint has been Wrongly Rejected.

Thanking You,

Bhavesh Harish Patel