Subject: **Fwd: MTNL's comments on TRAI Consultation paper on "Unsolicited Commercial Communication" dated 14th September 2017.**   Date: 11/09/17 05:23 PM

From: "Asit Kadayan, Advisor" <advqos@trai.gov.in>

To: rajender@trai.gov.in

MTNL_Comments on UCC.doc (53kB)

-------- Original Message --------
From: **Alok Kumar** <alok.mtnlra@gmail.com>
Date: Nov 9, 2017 4:36:39 PM
Subject: MTNL's comments on TRAI Consultation paper on "Unsolicited Commercial Communication" dated 14th September 2017.
To: advqos@trai.gov.in

Sir,

Kindly find attached herewith MTNL's response on the consultation paper on "Unsolicited Commercial Communication" dated 14th September 2017. The hard copy of the comments is being sent through Dak.

Best Regards

Alok Kumar
SDE
Corporate Office
Regulatory Affairs Unit
MTNL

MTNL's response on TRAI Consultation paper on Unsolicited Commercial Communication dated 14th September 2017

Q.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, and CPDB may be required? Will providing scrubbing as a service for RTM reduces time? Please give your suggestions with reasons.

Comment: If NCPR Data is updated thrice a week, time for enforcement can be reduced. It will significantly reduce from 7days to 4days.

Q.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.

Comment: TRAI may approach different handset manufacturers to get bundle the APP by default. More publicity will be given to different media.

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.

Comment: Every operator may update its CRM whenever a number is ported-in as per the preference opted by the customer in the previous operator.

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.

Comment: At the time of registration of new connection, request is captured regarding DND registration preference. Same may be implemented.

Q.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.

Comment: More preference may be included

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.

Comments: No

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.

Comments: Not possible technically right now.

Q.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.

Comment: Telemarketer opting for registration may be asked to submit last 3 yrs balance sheet duly attested by CA & turnover may be fixed. This will be eliminating registration of run by night operators.

Q.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.

Comment: Standard agreement may be specified for principal, intermediaries as well as content providers.

Q.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.

Comment: No

Q.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.

Comment: New system should be on voluntary basis.

Q.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.

Comment: NCPR data may be made available only to those RTM who have direct agreement with the AP. An undertaking to maintain confidentiality of NCPR data may be taken in this regard.

Q.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.

Comment: A centralised Header Register may be conceptualised by the TRAI to maintain allotment of headers. This will facilitate to trace the sender.

Q.14   What changes do you suggest in header format and its structure that may be done to deal with new requirements of preferences, enti-ties, 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.

Comment: If more preference choice will be added , the header length may has to be increased upto 10 digit Alpha numeric .

Q.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 flexibility it may provide to TMSEs in operating it and having control on its authorized entities? Please give your suggestions with reasons.

Comment: TMSEs may be given voice call facility with new special number series.

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

Comment: If identity of last entity sending the message is ensured, the sanctity of Transactional SMS will be automatically maintained.

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.

Comment: 72 hrs given to customer to register the complaint may be reduced to 24 Hrs. 72 Hrs given to Access Provide for resolution of complaints is minimum possible time.

Q.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.

Comments: NO

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 promotional commercial communication during roaming or call forwarding cases? Please give your suggestions with reasons.

Comment: Yes. The number may be block listed after receiving complaints from Customers.

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.

Comment: As given on no 2.

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.

Comment: Present structure may be continued.

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.

Comment: Not possible in present scenario.

Q.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.

Comment: No Comment.

Q.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.

Comment : No Comment.

Q.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.

Comment: No Comment.

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.

Comment: Yes

Q.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.

Comment: RTM may be charged for scrubbing as a Service model on per SMS basis.

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.

Comment: If false complaint is established, the telephone number of complainant should be de-registering from the NCPR for 1 year. Disconnection or suspension of services or resources of caller may be done on receipt of second UCC.

Q.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.

Comment: No Comment.