

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



Dated: 24th June, 2024

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 under the Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018).

F. No. D-27/1/(1)/2021-QoS (E-141)---- Whereas the Telecom Regulatory Authority of India (hereinafter referred to 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

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the 19th July, 2018 (hereinafter referred to as the “regulations”), to regulate unsolicited commercial communications (UCC);

3. And whereas regulation 8 of the regulations, inter-alia, provides that every Access Provider shall, before allowing any commercial communication through its network, develop Codes of Practice for monthly reporting (CoP-Reports) to the Authority as per Schedule-V, in accordance with the provisions of the regulations;

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

5. And whereas regulation 20 of the regulations provides that every Access Provider shall comply with the provisions of Standard Code(s) of Practice;

6. And whereas sub-regulation (3) of regulation 26 of the regulations 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;

7. And whereas 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 TRAI Act and the provisions of the regulations, issued a Direction No. D-27/1/(1)/2021-QoS dated the 15th February, 2021, directing all Access Providers to submit compliance reports, on quarterly basis, separately for each calendar month in every quarter as per the Performance Monitoring Report formats specified in Annexure I, II, III, IV, V and VI of the said Direction, as a part of Standard Code of Practice for periodic reporting (CoP-Reports), within a period of twenty one days of quarters ending on the 31st March, the 30th June, the 30th September and the 31st December of the year respectively, starting from report for the quarter ending on 31st March, 2021;

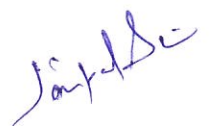


8. And whereas, after the issuance of the aforesaid Direction, a letter no D-27/1/(1)/2021-QoS dated the 15th February, 2021 was issued requesting all Access Providers to maintain records of information related to complaints and reports handled by them, both as Terminating Access Provider (TAP) and Originating Access Provider (OAP), as per the format annexed with the letter and submit the same to the Authority as and when sought, or make such records accessible to the Authority in a downloadable file and also provide details of the customers' complaints and preferences based on the query made for mobile number, docket number, registration number, header, etc.;

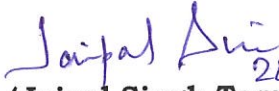
9. And whereas, while reviewing the information related to complaints and reports received in response to letter no D-27/1/(1)/2021-QoS dated the 15th February, 2021, the Authority observed that there is lack of uniformity in the manner each Access Provider is filling different entries and some information necessary for the analysis of complaints handling is not available in the report and therefore, the Authority is of the opinion that-

- (i) additional information as part of Performance Monitoring Report is necessary to effectively monitor overall performance of the measures taken by Access Providers for curbing UCC;
- (ii) all data fields in Performance Monitoring Report should be populated with standardized options; and
- (iii) for better analysis, the report may be separately segregated in respect of complaints related to Registered Telemarketers (RTM), complaints related to Unregistered Telemarketers (UTM) and information with respect to Mobile Number/Landline Number/SIP/PRI blacklisted/disconnected due to Third UTM violation.
- (iv) Performance Monitoring Reports are prepared separately for each calendar month but are submitted on quarterly basis. These reports should be submitted after each calendar month.

10. 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 (6 of 2018) hereby directs all Access Providers to submit, along with the compliance reports as per the Performance Monitoring Report formats specified in the Annexures to the Direction No D-27/1/(1)/2021-QoS dated the 15th February 2021, compliance reports, separately for each calendar month as per the Performance Monitoring Report formats specified in Annexure VII, VIII, IX, and X to this direction, as a part of Standard Code of Practice for periodic reporting (CoP-Reports), within ten days from the end of each calendar month starting from report for the month of July 2024.


(Jaipal Singh Tomar) 24/06/2024
Advisor (QoS-II)

To

All Access Providers (including BSNL and MTNL)

Total number of complaints registered against Sender till date	Total number of unique complainants who registered complaint against Sender till date	TAP Name	TAP LSA Name	CDR matched (Yes/No) (TAP end)	Time taken by TAP to match CDR (days)	If UCC Complaint Rejected by TAP, Specify the Reason	Registered as Complaint [Fill "C"]/ Report [Fill "R"]	Specify Reason for registration as Report (at TAP end), If Report in Column "P".	Action-Taken OAP Name	Date [DD-MM-YYYY] , OAP received complaint from TAP
M	N	O	P	Q	R	S	T	U	V	W
		Airtel	Andhra Pradesh	Yes		Invalid/ Incomplete header or Telephone number	R	UCC > 3 days old REPORT	Airtel	# Date should be captured as per [DD- MM-YYYY]
		BSNL	Assam	No		NA	C	NA	BSNL	
		MTNL	Bihar						MTNL	
		QTL	Delhi						QTL	
		RCL	Gujarat						RCL	
		RJIL	Haryana						RJIL	
		TTL	Himachal Pradesh						TTL	
		VIL	Jammu & Kashmir						VIL	
		VMIPL	Karnataka						VMIPL	
			Kerala							
			Kolkata							
			Madhya Pradesh							
			Maharashtra							
			Mumbai							
			North East							
			Odisha							
			Punjab							
			Rajasthan							
			Tamil Nadu							
			Uttar Pradesh (East)							
			Uttar Pradesh (West)							
			West Bengal							

Time taken for Final Action by OAP [column "AK" minus "C"] (days)	Status [Pending/ Closed/ Recorded in UCC-Detect System (for Reports)]	Reason, if complaint pending beyond TAT
AT	AU	AV
	Closed	
	Recorded in UCC-Detect System	
	Pending	

TAP Name	TAP LSA Name	CDR matched (Yes/No) (TAP end)	Time taken by TAP to match CDR (days)	If UCC Complaint Rejected by TAP, Specify the Reason	Registered as Complaint [Fill "C"/ Report [Fill "R"]	Specify Reason for registration as Report (at TAP end), If Report in Column "P".	Action-Taken OAP Name	Date [DD-MM-YYYY] , OAP received complaint from TAP	Whether complaint being automatically transferred to OAP in real time?	If complaint is not transferred to OAP in real time then Time taken by TAP to transfer complaint to OAP [column "AA" minus "C"] (days)	OAP LSA Name	CDR matched (Yes/No) (OAP end)	Complainant's DND Preference	Number of Mobile Connections allotted to Sender
P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD
Airtel	Andhra Pradesh	Yes		Invalid/ Incomplete header or Telephone number	R	UCC > 3 days old REPORT	Airtel	# Date should be captured as per [DD-MM-YYYY]	Yes		Andhra Pradesh	Yes	Fully Blocked	
BSNL	Assam	No		NA	C	NA	BSNL		No		Assam	No	Promo Blocked	
MTNL	Bihar						MTNL				Bihar		Partially Blocked	
QTL	Delhi						QTL				Delhi		Customer not registered on DND	
RCL	Gujarat						RCL				Gujarat			
RJIL	Haryana						RJIL				Haryana			
TTL	Himachal Pradesh						TTL				Himachal Pradesh			
VIL	Jammu & Kashmir						VIL				Jammu & Kashmir			
VM IPL	Karnataka						VM IPL				Karnataka			
	Kerala										Kerala			
	Kolkata										Kolkata			
	Madhya Pradesh										Madhya Pradesh			
	Maharashtra										Maharashtra			
	Mumbai										Mumbai			
	North East										North East			
	Odisha										Odisha			
	Punjab										Punjab			
	Rajasthan										Rajasthan			
	Tamil Nadu										Tamil Nadu			
	Uttar Pradesh (East)										Uttar Pradesh (East)			
	Uttar Pradesh (West)										Uttar Pradesh (West)			
	West Bengal										West Bengal			

State/UT for Address of Sender	TAP Name	TAP LSA Name	CDR matched (Yes/No) (TAP end)	Time taken by TAP to match CDR (days)	If UCC Complaint Rejected by TAP, Specify the Reason	Registered as Complaint [Fill "C"/ Report [Fill "R"]]	Specify Reason for registration as Report (at TAP end), If Report in Column "P".	Action-Taken OAP Name	Date [DD-MM-YYYY], OAP received complaint from TAP	Whether complaint being automatically transferred to OAP in real time?	If complaint is not transferred to OAP in real time then Time taken by TAP to transfer complaint to OAP [column "AC" minus "C"] (days)	OAP LSA Name	CDR matched (Yes/No) (OAP end)
O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB
	Airtel	Andhra Pradesh	Yes		Invalid/ Incomplete Header or Telephone number	R	UCC > 3 days old REPORT	Airtel	# Date should be captured as per [DD-MM-YYYY]	Yes		Andhra Pradesh	Yes
	BSNL	Assam	No		NA	C	NA	BSNL		No		Assam	No
	MTNL	Bihar						MTNL				Bihar	
	QTL	Delhi						QTL				Delhi	
	RCL	Gujarat						RCL				Gujarat	
	RJIL	Haryana						RJIL				Haryana	
	TTL	Himachal Pradesh						TTL				Himachal Pradesh	
	VIL	Jammu & Kashmir						VIL				Jammu & Kashmir	
	VMIPL	Karnataka						VMIPL				Karnataka	
		Kerala										Kerala	
		Kolkata										Kolkata	
		Madhya Pradesh										Madhya Pradesh	
		Maharashtra										Maharashtra	
		Mumbai										Mumbai	
		North East										North East	
		Odisha										Odisha	
		Punjab										Punjab	
		Rajasthan										Rajasthan	
		Tamil Nadu										Tamil Nadu	
		Uttar Pradesh (East)										Uttar Pradesh (East)	
		Uttar Pradesh (West)										Uttar Pradesh (West)	
		West Bengal										West Bengal	

Annexure-10: List of Senders and Mobile Numbers/ Landline Numbers/ SIPs/ PRIs/ other telecom resources Blacklisted/ Disconnected due to UTM violation

Annexure-10(A): List of Senders and Mobile Numbers/ Landline Numbers/ SIPs/ PRIs/ other telecom resources Blacklisted/ Disconnected by the Access Provider (as OAP) due to UTM violation

Name of blacklisted Sender	List of all Mobile Numbers/ Landline Numbers/ SIPs/ PRIs/ other telecom resources allotted by the Access Provider to the Sender	Type of Connection (Individual or Enterprise)	Date of disconnection of Mobile Number/ Landline Number/ SIP/ PRI/ other telecom resources mentioned in Column B	List of Names of Access Providers with whom the information about blacklisting of the Sender shared	Date of sharing of blacklisting information with the Access Provider mentioned in Column E
A	B	C	D	E	F
				Airtel	
				BSNL	
				MTNL	
				QTL	
				RCL	
				RJIL	
				TTL	
				VIL	
				VMIPL	

Annexure-10(B): List of Senders and Mobile Numbers/ Landline Numbers/ SIPs/ PRIs/ other telecom resources Blacklisted/ Disconnected by the Access Provider due to UTM violation (as per information about Blacklisting received from other Access Providers)

Name of blacklisted Sender	Name of Access Provider who, as OAP, first blacklisted the Sender	Date of Receipt of Information about blacklisting of the Sender from the Access Provider mentioned in Column B	List of all Mobile Numbers/ Landline Numbers/ SIPs/ PRIs allotted by the Access Provider to the Sender	Type of Connection (Individual or Enterprise)	Date of disconnection of Mobile Number/ Landline Number/ SIP/ PRI mentioned in Column D
A	B	C	D	E	F
	Airtel				
	BSNL				
	MTNL				
	QTL				
	RCL				
	RJIL				
	TTL				
	VIL				
	VMIPL				

Note: As per provisions of TCCCPR-2018, OAP shall put the Sender under blacklisted category on UTM violation as defined in TCCCPR-2018. Once blacklisted, not only all the telecom resources of the Sender shall be disconnected for a period up to two years by OAP and all other Access Providers, but no new telecom resources to such Sender shall be allocated by any Access Provider for up to two years from the date of such communication. However, one telephone number may be allowed to be retained by such sender with the Usage Cap for a period up to two years. Accordingly, Annexure-10(A) is to be filled by OAP in respect of each of the Blacklisted Senders. Correspondingly, each other Access Provider shall give information as per Annexure-10(B) in respect of each of the Blacklisted Senders as shared with it by the respective OAPs.