भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

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To,
  Advisor (QoS),
  Telecom Regulatory Authority of India,
  Mahanagar Doorsanchar Bhawan,
  Jawahar Lal Nehru Marg,
  (Old Minto Road), New Delhi-02

(Kind attention: Sh. Asit Kadayan)

No: Regln/1-48/2017/ 5290   Dated: 14 Nov, 2017

Sir,

Sub:- Comments on Consultation paper on "Unsolicited Commercial Communication (UCC)".

   Kindly refer to your office press release dated 14th Sep, 2017 regarding Consultation Paper on "Unsolicited Commercial Communication (UCC)". In this context, kindly find herewith the BSNL comments on the above mentioned Consultation Paper:

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

Comments: DND services may completely run on cloud maintained by TRAI/DOT designated licensees. TSP/Telemarketer may scrub the cloud based data to get relevant details. This will not only reduce time but also upscaling and upgradation of infra as per need will be much easier.

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.

Comments: TSP customer care App may integrate with TRAI DND registration service eliminating the need of developing and popularizing one another App.

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.

Comments: Customer may be sent SMS for the need to re-register in case of MNP.

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.

Comments: This practice may lead to customer complaint, may not 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

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be impact of additional choices of preferences on various entities like CPRF, PCPR, NCPR, CPDB etc.? Please give your suggestions with reasons.

Comments: Large number of categories may lead to overlapping and may add to customer confusion. Existing categories may continue.

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, such calls are difficult to define. Such case may be left to law enforcement agencies to deal with in case to case manner.

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: No cost-effective technical solution for this menace is available. Best way to deal with such cases is to establish a user friendly complaint registration mechanism and refer the cases to law enforcement agencies.

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.

Comments: An additional measure of authentication of email and phone number through one time password (OTP) and further verification of mobile number and email, e-KYC on regular basis may be introduced to strengthen the process. Aaadhar enabled authentication system of RTM may also be introduced.

Q.9 Should registration of other entities such as content providers, TMSEs, 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.

Comments: Yes, this will bring responsibility to all entities in the chain. In case of any malpractice tracing of source may be easier.

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.

Comments: There should be a central registry to register such entities to be maintained by TRAI to maintain privacy of customer data. The charges for this service may be taken from TMSEs.

Q.11 Whether implementation of new system should full-fledged 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.

Comments: It should be on compulsory basis. Full-fledged services from beginning may be launched after ensuring proper customer education.

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.

Comments: Yes.

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.

Comments: Such central system shall be maintained by TRAI. Shorter length of header may be assigned PEs whereas rest of digits may be assigned to DSAs by PEs. PEs shall have complete control over the headers assigned to DSAs.

Q.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.

Comments: Existing header format to continue with shorter length of header allotment to PEs. The responsibility of checking the proximity issue should be with PEs.

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.

Comments: Voice calls may not be permitted to TMSEs.

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?

Comments: The provision of scrubbing of Transactional SMSs with new central TMSE registry and registration of such TMSE with TRAI will minimize the misuse.

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.

Comments: A cloud based complaint redressal system access of which is extended to each TSP shall ensure real time data updation may ensure faster resolution of complaints.

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: If the complaint is made by the complainant via 1909 which he can do through any phone (smart/feature) and which seems to be quite easy. Requirement of another method/medium vide mobile app is not felt.

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.

Comments: No, access providers are in no way responsible for UCC from UTM, so Access Providers may not be asked to entertain any complaints. Such complaints may be complex in nature and may be handled by law enforcement agencies on case to case basis.

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.

Comments: Customer may be educated to give proper permission to such Mobile App to function properly.

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.

Comments: Yes. No penalty should be levied on TSPs in cases where timely action has been taken.

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.

Comments: No. Such mechanism may be misused against genuine use of auto generated calls.

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.

Comments: Exiting Signature solutions along with other measures like quick and easy registration of complaints and its redressal will help in reducing the menace to considerable extent.

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.

Comments: AI is still in very nascent stage and it is not advisable to use the same at this stage.

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.

Comments: Honeypots are useful to detect and collect evidences for UCC. Honeypots may be monitored and maintained by TRAI.

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

Comments: The data from such mobile app may be utilized and analyzed by TRAI. The doubtful cases may be shared with TSPs for further investigation if required.

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.

Comments: The introduction of additional categories, sub-categories and dimensions may involve lot of complexity so it is not suggested to be introduced.

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.

Comments: There should be mechanism to refer such cases to law enforcement agencies. TRAI should not investigate such cases on its own.

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.

Comments: Such techniques are prone to misuse. Use of Mobile Apps and cloud based centralized system for registration and redressal of complaints can help in reducing UCC. Moreover clear responsibilities of RTMs/PEs/Agents etc. may be defined.

The Hon'ble Authority is requested to kindly consider the BSNL's views/ comments on above mentioned Consultation paper.

Yours sincerely

Ved Prakash Verma
AGM (Regln-II)