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Sh. Asit Kadayan,
Advisor (QoS),
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi – 110002

Subject: COAI Response to the TRAI Consultation Paper on Unsolicited Commercial Communication

Dear Sir,

This is with reference to the TRAI Consultation Paper on Unsolicited Commercial Communication, released on September 14, 2017.

In this regard, please find enclosed COAI response to the Consultation Paper.

We hope that our submission will merit your kind consideration and support.

With Regards,

Yours faithfully,

Rajan S. Mathews
Director General



**Response to TRAI Consultation Paper on
Unsolicited Commercial Communication
Released on September 14, 2017**

Preamble:

- 1. Financial Position of Telecom Sector:** The Telecom Industry has invested over **INR 9.2 lakh crores** in setting up world class mobile networks over the last 20 years and is presently going through one its most disruptive phases. The sector is reeling under a heavy debt burden of **INR 4.6 Lakh Cr.** The Industry for the first time ever, has seen a revenue drop for the full financial year. The AGR of the Industry decreased to **INR 1,404bn** for FY17 with YoY decline of **4.9%**, while the AGR for the Q1FY18 decreased to **INR 283bn** with YoY decline of **27.06%**. Currently the Indian telecom sector is under extreme financial stress with a 1% return on investments and many operators are even making negative returns on their investments. **Hence we would like to submit that the Authority needs to undertake cost benefit analysis before coming up with any new Regulation on the Unsolicited Commercial Communications (UCC).**
- 2.** We would also like to highlight that our member operators have incurred substantial cost in the implementation of the “The Telecom Commercial Communications Customer Preference Regulations, 2010 (TCCCPR)”. The cost incurred is for implementing the filtering mechanism at the SMS and Voice channels, Separate Number Series ‘140’ for Telemarketers to facilitate easy identification of telemarketing voice calls by customers not registered on NCPR, logistics for revising the contracts with all the telemarketers etc. Implementation of these steps along with other Regulations of TRAI w.r.t Unregistered Telemarketers has considerably, though not fully, reduced problems associated with the UCC.
- 3. Amendment in the Legislation:** The menace of the unsolicited commercial communication through the unregistered telemarketers will be difficult to resolve fully and cannot be tackled through the proposed amendment to the Regulations. We would hereby like draw an analogy, that the car maker after having taken due precautions cannot be penalized for accidents caused by a person driving the car rashly. UCC is also akin to the offence committed by the doer himself, where the service provider is just a carrier and not the abettor to the offence and hence should not be made liable for the actions committed by the doer. This calls for reviewing the approach in dealing with the subject. Admittedly, there is no law on privacy in India. This

vacuum is sought to be filled through various regulations. The laws of privacy, UCC and freedom of speech and expression are very intricately and deeply interlinked to each other and there is also some of amount of overlap between these issues. Therefore, it is suggested that the Parliament, which is the representative of the people and elected body, is the only competent authority under the Constitution to make any law on this complex issue, taking into account the views of various stakeholders and TRAI is requested to consider making Recommendation on these lines.

4. **No Financial disincentive on the TSPs:** We believe that the intention of TRAI is to reduce the menace of UCC and not to earn revenue from the financial disincentive. We are of the view that operators have made all the efforts that have considerably reduced their UCC complaints to a very low level and hence should not be penalized for unwarranted actions of some subscribers.

Even the License Clause No. 39.17 (i) of UL which is presented below clearly puts the onus of use / misuse of the connection on the customer and the same too forms a part of our members CAF's Terms and Conditions.

“The Licensee shall ensure adequate verification of each and every customer before enrolling him as a subscriber; instructions issued by the Licensor in this regard from time to time shall be scrupulously followed. The Licensee shall make it clear to the subscriber that the subscriber will be responsible for proper and bonafide use of the service.”

From the above, it may be inferred that holding TSPs accountable for the unwarranted actions done by the subscribers is unjust and the Authority should consider the fact that any deviation from the above mentioned usage guidelines, on part of the customer, should be attributed to him and him alone.

Query-Wise Response:

Q1. 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.

COAI Comments:

1. The linking of mobile numbers to Aadhaar should considerably reduce the problem of UCC in the future. Care should be taken not to impose any overburdening regulations that increase responsibilities of telecom operators.
2. We agree that the timelines for the process of Registration or Change or Deregistration of Preference for Unsolicited Commercial Communication (UCC) needs to be reduced.
3. In this regard, we suggest following mechanism that could be adopted by TRAI:
 - a. TRAI to establish a central registry (NCPR) wherein the subscriber can directly register his/her preference w.r.t to UCC through a short code.
 - b. The request of subscriber to be confirmed by TRAI within 24 hours after verifying the completeness and validity.
 - c. All the TSPs & Telemarketers are to be connected with the NCPR through an API, to have real time update regarding the registration/change/deregistration of the subscriber preferences.
- 4. The above process will reduce the time considerably for the subscriber preference registration. This will also ensure that the updates will be available to the TSPs and the Telemarketers on the real time basis.**
5. Further, the above mentioned process will also handle the issue of recycled numbers. The current process requires the TSPs to register the preference for a particular subscriber and update the NCPR. Once the mobile number of such subscriber gets terminated and reissued to any new subscriber, the preference in the registry remains as per the previous subscriber unless the TSPs make an extra effort to reinstate the same mobile number as per the preference of the new subscriber. Creating a central NCPR with real time updation will stop any occurrence of such events.

Q2. 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.

COAI Comments:

1. We agree with TRAI that Mobile App is one of the most effective channels for the subscribers for registration/deregistration/change of preferences, checking the status and handling complaints pertaining to UCC.
2. However, we are of the view that bundling of apps should not be a binding regulation. Apps of telecom operators will stop being lightweight if forced to be bundled with TRAI's app.
3. TRAI may advertise about this APP through various channels. The Committee for Utilization of Telecommunication Education and Protection Fund (CUTCEF) could be used for monitoring this activity. Operators may also send SMS informing their subscribers about the features of the APP.

Q3. 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.

COAI Comments:

1. In case of MNP, we are of the view that the customer preference in the NCPR should be retained i.e. there should not be any de-registration or re-registration of the preference during the time of porting. Recipient Operator should update its PCPR database basis NCPR database for all ported customers.

Q4. 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.

COAI Comments:

1. We are of the view that the bulk registration should not be allowed. Bulk Registration facility if allowed may be misused for e.g. a person's number might get registered against his/her choice or without his/her Knowledge.

2. Further, it will be very difficult to register the preference of each person in the Bulk registration process as each person might have different preference choices.

Q5. 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.

COAI Comments:

1. We believe that the customer's choice need to be given importance, however, as highlighted in the preamble we would like to submit that there should be cost benefit analysis done before implementing any such solution i.e. providing more granularity in the choices of the preferences.

Q6. 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.

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Q7. 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.

COAI Comments:

1. It would not be technical feasible for segregating the calls into robo-calls, VoIP calls obnoxious, threatening calls etc.
2. Further, the scope of UCC regulations should not exceed the reasonable restrictions to Freedom of Expression under Article 19(2) of the Constitution of India. Classifications such as "obnoxious" or "threatening", which are undefined terms, are not considered reasonable restrictions and may lead to chilling effect on free expression. Reference may be drawn to the case of Shreya Singhal vs Union of India, in which the court explored the constitutionality of Section 66A of the IT Act that criminalised communications that were "grossly offensive" or which caused "annoyance" or "inconvenience". Here the court noted that such classifications are based on undefined terms which take into the net a very large amount of protected and innocent speech. In fact the court noted that such words can be so

widely interpreted that virtually any opinion on any subject would be covered by it, as any serious opinion dissenting with the mores of the day would be caught within its net. The court also noted that even if such terms were to withstand the test of constitutionality, the chilling effect on free speech would be total. Taking into account these factors, the court struck down Section 66A as unconstitutional.

3. Extending scope of UCC regulations to “obnoxious” or “threatening” will impose unfair financial burden on the TSPs to add additional legal resources to determine whether unwanted calls fall in these unwanted categories. Further, it is unreasonable to expect TSPs to put on the hat of the judiciary to determine the veracity of a claim/allegation as it will not be privy to all facts and circumstances. Such a requirement will also deny a hearing to all affected parties in a fair manner.
4. An affected party can block calls from an unwanted number using tools available on the phone. All operating systems (such iOS or Android) provide facilities to block numbers.

Q8. 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.

COAI Comments:

1. We are of the view that the current Registration process for Telemarketers is sufficient; however TRAI may consider implementation of suggestions, as highlighted in the consultation paper i.e. introduction of measures like eKYC, online or digital payment channels, online verification of documents, verification of email and phone number through one time password (OTP) etc.

Q9. 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 for playing any role in the chain? Please give your suggestions with reasons.

COAI Comments:

1. While registration requirement for aggregators (akin to RTM) may be considered, such registration may not be mandated for content providers working through aggregators or other intermediaries.
2. Mandating registration of content providers working through aggregators will negatively impact revenues of telecom operators without furthering the intended objective. For example, many content providers are Internet based companies (or start-ups) which depend

on aggregators for local country compliance across hundreds of jurisdictions. Such content providers may find it to be a cumbersome process to register with DoT creating additional friction in the ecosystem resulting in loss of customers. It is recommended that once aggregators are registered, there should not be additional obligation for all content providers to also register. The aggregators should continue to ensure that content providers are in compliance as per current framework.

3. Registration of content providers may organically encourage the ecosystem to create another layer of intermediary making the objective of registration redundant

Q10. 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.

COAI Comments:

1. We agree that new systems need be established for the purpose of header registration, execution and management of contract agreements among entities. Further, as highlighted in response to the previous question only the registration of aggregators may be considered, and registration may not be mandated for content providers working through aggregators or other intermediaries.
2. This new portal based system need to be established, operated and maintained by TRAI or jointly by the Industry. We suggest following measures for header registration;
 - Header should be managed through TRAI or jointly by industry for ensuring uniqueness.
 - Header owner will authorize RTM to make use of sender ID in centralized portal.
 - The complete ownership of allocated header is with the owner of header and thereby, accountable for giving rights to RTM.
 - TSP will ensure traffic from requested header only after validation through central database (portal) wherein desired header is authorized to particular RTM.

- TRAI may authorize the header usage period to owner (3 to 5 years) and also, may decide the timeline for each leg of activities for header management.
3. Further, with respect to the recording of the consent, registration of content template and verification of content, we would like to make following submissions.
 - a. **Uploading of consent:** Requiring consent forms to be uploaded on a central repository may not be feasible. Consent is usually taken as part of a larger service contract as individual contracts cannot be signed for every term/condition. Such contracts may therefore contain commercial secrets and personally identifiable information, which are not relevant to this purpose. Further, such consent is often taken in the form of an electronic click-wrap agreement. Uploading of such electronic templates will not serve any purpose and will merely increase the workload and costs for delivery of services. Consent forms should be demanded ex-post during an investigation pursuant to a complaint. Such case-by-case review (in comparison to a blanket requirement to upload) will be a more efficient and cost-effective method of achieving the same objective.
 - b. **Content template approval:** The requirement for prior approval of message templates will be inconsistent with the larger objective of the paper to streamline the process and reduce lead time for sending transactional/promotional messages. Such a requirement for approval may cause significant delay and disruption as companies often make minor tweaks in templates to make improvements, optimize, etc. Getting the SMS templates approved prior to sending the same out might cause delay and negotiations with the approval authority. The preferred approach will be that TRAI prescribes broad guidelines/principles for such templates rather than approving every single template. While preventing misuse, the regulator should ensure that the proposed regulation should not become a bottleneck to innovative services.
 - c. **Tracking and Accountability:** Once messages are passed onto Aggregators, the content providers do not have visibility into whether a message is delivered or the path a message has taken (or number of intermediaries). As a result, Aggregators cannot be held accountable by content providers creating a gap in market based methods of enforcing accountability. In order to enable this, registered aggregators should be required to provide a technological interface to content providers that facilitates the process of content providers holding Aggregators accountable.
 4. We would also, like to submit that any new system should not increase the burden of telecom operators.
 5. New system may be funded from the CUTCEF and from the registration fee received from various entities.

Q11. 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.

COAI Comments:

1. We suggest that the new system should be implemented full-fledged since beginning and every entity should mandatory participate in this system

Q12. 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.

COAI Comments:

1. As highlighted by us above, all the TSPs & Telemarketers to be connected with the NCPR with the API, so that there is real time update of the registration/change/deregistration of the preference of the subscriber. We suggest that as an additional measure TRAI can assign data security responsibility to authorized agency for the scrubbing as a service model which may help in protection of NCPR database. Thus, there is no need for providing the scrubbing as a service model for the protection of NCPR.
2. However, OTP based system may be put in place wherein the OTP based authentication may be done before fetching the data from the NCPR, through the API, by the TSPs or telemarketers. However, this will not guarantee complete protection of NCPR data.

Q13. 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.

COAI Comments:

1. We recommend that TRAI may replicate the process of 'Domain Name Registration', which is a well-established process in Internet space, for the purpose of 'Header assignment'. In such process, TRAI should create a web-based interface in public domain to be accessed by individual or entities. TRAI should design this web-based system with an objective of not allowing the reselling of headers. Otherwise, the sole objective of using unique header i.e. easy identification by customer, by principal organization will be lost and it may give opportunity for misuse of the details by other competing organizations.

2. A header registrant is the organization who has the header authorization from TRAI or TRAI appointed header registrar. The header registrant will apply online to TRAI or TRAI appointed header registrar. The header registrant is bound by the terms and conditions of header registrar with which it registers its header. In parallel to domain name registrants, TRAI may incorporate certain responsibilities in these terms and conditions like adequate payment of fee for header usage, submission of timely update of accurate data etc. However, in view of business necessity, the present header users should be given the first right of refusal for such headers which are already in use.

Q14. 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.

COAI Comments:

1. We believe that the first two digits of header should clearly convey the nature of communication like 'PR' for promotional communication and 'TR' for transactional communication followed by organization's header. In this manner, customer will get an advantage of having a transactional SMS from particular entity with a unique header.
2. In present scenario, it is difficult to view banking transactions in a single screen on account of the fact that RTMs might be using services of different TSPs for sending SMS or making voice calls. For example, ICICI bank's customer has made four cash withdrawal from ATM in a single day, then there is a strong possibility that customer may get four SMSs with different headers, on account of TSPs been assigned unique first two digits of headers.
3. We suggest an increase in the length of header up to 11 digits for covering maximum entities with unique headers. Long header will give more clarity to customers about the principal origination.
4. As suggested in our response to Q13, TRAI may adopt the web-based interface like domain name registration for the header assignment. The Authority may decide the adequate fee for the usage of header with a defined timeline given for usage like for 3 to 5 years etc. In case, assigned headers are not used in the last 6 months, then such authorization of header usage may be treated as withdrawn. In this regard, TRAI can seek periodic compliance (say every 6 months) from all registered header users.

Q15. 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.

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Q16. What steps need to be initiated to restore the sanctity of transactional SMS? What framework needs to be prescribed for those transactional SMS which are not critical in nature? Please give your suggestions with reasons?

COAI Comments:

1. We understand that TRAI can allot separate series for voice calls to manage alarming situations such as high transaction value, effective disaster management etc. We believe this would give control to authorized entities and would also facilitate an easy identification by customers.
2. We believe that when communication is solicited then there is a dedicated channel which is opened for establishing communication. In case of transactional SMS, when a customer is expecting a communication from principal organization and if, in same communication, additional information is provided to the customer then it should not be treated as a promotional SMS. To clarify, if a customer gets an SMS from a bank with respect to balance deduction and in the same SMS the customer is informed about reduced home loan rate then there is no inconvenience to the customer.
3. We suggest that routing of transactional SMS (A2P) on anti-spam filtration (signature filtration) to check the authorization for such communication will help in controlling UCC spam.

Q17. 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.

COAI Comments:

1. With regards to the reduction of the timelines for resolving the UCC complaints, we will like to submit that the current timelines should be continued with.
2. Most of our member operators are already following the automated process to resolve the complaints wherein checking and verification of complaints are done through online mechanism.

3. However, we agree that structured and pre-validated inputs from complaints using Mobile Apps and web portals may be helpful to quicken the process and reduce the instances of rejection of complaints.

Q18. 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.

COAI Comments:

1. As highlighted in our response to previous question, we agree that structured and pre-validated inputs from complaints using Mobile Apps and web portals may be helpful to reduce the instances of rejection of complaints.

Q19. 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.

COAI Comments:

1. We believe that we should not allow UCC complaint for non-DND customers, as this will create a major junk in the complaint database which will delay the resolution of complaints made by DND customers. As suggested above, fraudulent types of messages or calls are out of ambit of UCC regulations and such cases should be dealt as per legal proceedings

Q20. 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.

COAI Comments:

1. We agree with the suggestion highlighted in the paper for developing and enhancing the mobile App for the purpose of submitting complaints in the intelligent and intuitive manner.
2. We further agree with the suggestion that for making the Mobile App more intuitive certain permissions from device platforms like contact details, call logs, SMS content, interaction with remote entity, running process in the background etc. may be required.

3. We suggest that TRAI may issue necessary directions to device manufacturers for ensuring proper functioning of operating systems or platforms which are available to TRAI's UCC mobile app.

Q21. 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.

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Q22. 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.

COAI Comments:

1. As highlighted in the preamble we believe that there should not be any financial disincentive on the TSPs.
2. We are of the view that the provision of the financial disincentive on the TSPs should be revisited and the same should at most be applicable only if there is any violation by TSPs of the prevailing Regulations on UCC i.e. when TSPs are not taking appropriate action against the RTMs or UTMs within time frame.
3. There is no mechanism available in the industry to proactively identify the nature of calls/SMS. Since TSPs have no control over those customers who are making calls or sending UCC spam, therefore TSPs should not be unduly penalized for inappropriate action of customer. The strict financial disinvestment should be applied on the TSPs only once there is violation of the Regulation and not on the basis of such UCC calls being generated on their networks.

Q23. 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.

COAI Comments:

1. Our member TSPs already have put in place a robust signature solution in place and are continuously upgrading the rules & threshold criteria based on the new partners that are detected through various modes through Artificial Intelligence.

2. We agree that in order to enhance the signature solutions, all the TSPs need to collaborate and share the new patterns that are detected by them, so that the same may be applied by all the TSPs. This can be done through an automated process.
3. As highlighted in the consultation paper sharing information i.e. sharing of rules, criteria and threshold may need setting up of a framework.
4. It is submitted that TRAI, before finalising any framework in this regard, may discuss the architecture with the TSP and also conduct a proper cost benefit analysis.

Q24. 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.

COAI Comments:

1. Artificial Intelligence (AI) based solutions can be used to improve the performance of signature solutions. An artificially intelligent bot can be programmed that can be used to keep the Telemarketers on the line for as long as possible to learn new patterns.
2. These patterns than can be shared with the various TSPs for the implementation in their signature solution.
3. The implementation of the A.I solutions would require more discussion between TRAI, TSPs and vendors.

Q25. 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.

COAI Comments:

1. We agree that honeypots, which are dummy numbers but have characteristics of actual working numbers, may be created by the Access Providers in their network.
2. There is likelihood that messages or calls from Unregistered Telemarketers (UTM's) may land on honeypots and data collected by honeypots can be used for identifying UTMs and taking appropriate actions.
3. However, only new numbers should be used in honeypot i.e. no recycled number should be used in honeypot, as it may be possible to get solicited communication on such numbers.

Q26. 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.

COAI Comments:

1. The UCC complaints are centrally managed at NIC server through NCPR portal. We suggest that TRAI may allow all TSPs to access UCC complaints database pertaining to the entire telecom industry.

Q27. 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.

COAI Comments:

1. As submitted in our response to Q5, we can introduce more granularities in the choices to capture customers' interest and additional dimensions of preferences like type of day, media type(s) etc. The Authority may prescribe an appropriate fee for scrubbing as a service model which in turn might be levied on RTMs for using such services.

Q28. 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.

COAI Comments:

1. We agree with the suggestion that there is need to have mechanism which avoids or eliminates victimization.
2. As highlighted in the Consultation Paper there has been instances, wherein on the basis of complaints of single person may have resulted in the disconnection of the resources of the other person, who might not be guilty at all.

3. We agree with the suggestion of the reputation based analysis of customers before taking any action against them for the UCC related violation. Reputation based analysis may take into account various factors like age of subscription, authentication at the time of subscription, address verification method etc.
4. Common set of factors can be defined by TRAI that can be used by all the TSPs.
5. We also agree with the 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 by the TSPs.

Q29. 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.

COAI Comments:

1. We believe that the present signature filtration has capability for scoring/ ranking functionality. TRAI may recommend common rules for scoring of all TSPs. The source of UCC is identified based on the content analysis on A2P/ P2P SMSs.
