

11/10/2017

https://mail.gov.in/iwc_static/layout/shell.html?lang=en&3.0.1.2.0_15121607

Subject: **Fwd: UCC Consultation Paper and Press Release**
To: rajender@traigov.in

Date: 11/09/17 03:01 PM
From: "Asit Kadyan, Advisor" <advqos@traigov.in>

Unsolicited Commercial Communication Questionnaire... (180kB)

----- Original Message -----

From: **Asit Kadyan** <asit.kadyan@gmail.com>
Date: Nov 8, 2017 9:34:50 PM
Subject: Fwd: UCC Consultation Paper and Press Release
To: "Asit Kadyan, Advisor" <advqos@traigov.in>, Pavan Gupta <pkg20672@gmail.com>

----- Forwarded message -----

From: **Sunil Gupta** <skgupta2009@gmail.com>
Date: Wed, Nov 8, 2017 at 9:14 PM
Subject: Fwd: UCC Consultation Paper and Press Release
To: Asit Kadyan <asit.kadyan@gmail.com>
Cc: Shaji Abraham <shajimanamel@gmail.com>

Sir,

fyi pl

With Thanks & Regards,
S.K.Gupta,
TRAI

----- Forwarded message -----

From: **Ajay Narang /CARDS/IBANK/DLI** <ajay.narang@icicibank.com>
Date: Wed, Nov 8, 2017 at 7:08 PM
Subject: RE: UCC Consultation Paper and Press Release
To: Sunil Gupta <skgupta2009@gmail.com>

Dear Mr. Gupta,

Greetings from ICICI Bank!

This is pertaining to UCC consultation paper released by authority and mail shared by you on Sep 15, 2017. Thanks for giving us the opportunity for submitting our views.

We have consulted internally with business and compliance teams and suggestions against questionnaire in consultation paper are attached for your consideration.

Trust this would serve the purpose, we would be pleased to serve queries/clarifications, if any.

Regards

Ajay Narang
Assistant General Manager
ICICI Bank Ltd., New Delhi
+91 9560241166

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 (Provider customer preference register), NCPR (National customer preference register), CPDB (Customer preference database) may be required? Will providing scrubbing as a service for RTM (registered tele marketer) reduces time? Please give your suggestions with reasons.

The time lines can be reduced to 48 to 72 hours (currently 7 days) for registration and enforcement. This can be done by ensuring availability of all nodes of registration 24/7 and also automating the process at every node involved in the registration process. Providing scrubbing as a service would definitely help in enforcement as it would eliminate the need for downloading the NCPR data by the RTM and they would also have the ready list of numbers to be contacted.

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.

TRAI mobile app can be white labeled for bundling on mobile devices. App availability to be mandated through the telecom service provider.

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.

The customer preference should be continued with mobile number even in case of MNP. Change/modification/deletion should only be initiated by the customer and not by telecom provider. At the time of customer opting for MNP customer should be given an option to continue with the existing preferences or make changes in the preferences.

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.

Bulk registration may be allowed as an option on the apps and through OTP confirmation from all the listed numbers for verification and completion. For registration of business phone no's documents such as authority letter duly signed by authorized signatory or power of attorney etc. may be provided.

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.

Yes it is advisable so that customer can receive calls for specific products/services being offered/desired. Also, preferences with respect to preferable time/day will also help RTM's to reach out to more customers and will also lead to reduction of complaints.

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.

Yes they should be included so that unauthorized calls by impersonators/fraudsters can be avoided which can cause reputational damage to the organization concerned. TRAI can coordinate with other regulatory/enforcement authorities on Threat calls etc. to ensure strict action.

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.

Usage of silent calls is being used as a tool of bypassing TRAI regulation since it goes undetected, hence strict action to be taken on such non-compliance activity if established. Addendums/Declaration should be taken from all the RTM's including penalty clauses in case of violation for Robo & Silent calls.

Telecom providers need to deploy technological solutions to through pattern detection/honeypots etc. to identify Robo & Silent calls which will also help identify such international calls.

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.

At the time of registration, telemarketer should declare the origination of calls and SMS. Also, there should be a proper segregation of geographical area. The access providers

should ensure all the information provided are verified and correct to ensure no black marketed telemarketers are allowed to enter into an agreement.

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.

To have better control and checks, standard agreement should be introduced for all the entities. RTM's license number should be used for each and every activity of the registration.

Q.10 Whether new systems are required to 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.

New systems are required for header registration, execution and management of contract agreement among entities recording of customer consent taken by TMSE's, registration of content templates & verification. Header registration should be unique to the business entity sending the message. The system should be independently monitor/governed by TRAI as a regulatory body. The cost of such expense should be charged to the stakeholders involved. System should keep record of logs encrypted to keep the database protected.

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.

System should be implemented in the phased manner to know the exact requirement and drawback of the system. In initial stages of implementation participation may be voluntary. Once the drawbacks/glitches are weeded out and the new system is more robust participation should be gradually increased.

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.

Yes scrubbing as a service model will be helpful for protection of NCPR data. Authentication through OTP will ensure data scrubbing by authorized persons. All

scrubbing requests should only provide the registration status and no other data should flow from NCPR to the RTM's. Scrubbing should be done basis the customer preference vis-à-vis product/services required and on time/day.

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.

TRAI should assign unique headers to all principal entities registered. These registered headers in turn can be used by the DSA's or authorized agents. This will help in identifying any breach/offence by the concerned agency and also help the regulator initiate penal action.

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.

The Header should be unique to business entities. There should be a standard prefix to identify Promotional & Transactional messages. Charges should be included at the time of registration process.

Additional characters should be allowed to be incorporated in the headers to avoid proximity match of headers with well-known entities.

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.

Not required unless we can ensure there is no scope for misuse.

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?

The unique SMS Header along with a set "prefix" can be used to indicate if the transactional message is critical or not.

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.

The current time frame for examining and resolving a complaint is 72 hrs each for TAP's & OAP's. The time frame can be reduced for TAP's to 2 working days.

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.

The app would have pre-loaded details on customer preferences. Also, since the data will flow through TAP's they will be able to monitor complaint trends and initiate action accordingly.

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.

Yes access providers should provide resolution to customer complaints from customers who are not registered with NCPR. This will help the access provider to identify the UTM's or RTM's which are not compliant with the regulations.

Customers should be provided with an option to avoid promotional and commercial communication during roaming or call forwarding when registering their preferences through PCPR.

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.

The APP should feature close ended questions and should cover all aspects pertaining to a UCC complaint.

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.

The present structure of financial disincentive for access providers can be continued. Access providers will have to employ incremental technology solutions like geo tagging, machine learning, calling patterns from call originating location to identify UCC calls.

Q.22 Whether strict financial disincentives should be levied for different types of techniques like robocall, autodialer calls for UCC? Please give your suggestions with reasons.

Yes, strict penalties should be levied in case of UCC calls as this would indicate compromised data being utilized and also not adhering to process.

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.

- For TSP's

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.

- For TSP's

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.

Honeypots will be helpful in detecting unsolicited communications as the unsolicited communications would be made to dummy numbers especially assigned for this purpose. The deployment should be done by authorized TRAI representatives and the numbers should be guarded from unscrupulous elements to avoid misuse.

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.

Data should be analyzed at central locations as this will help with developing the mitigation measures and better control and tracking mechanisms.

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.

The RTM's will have to ensure their communication is according to the categories, sub-categories and dimensions as per customer preferences which in turn will help the RTM avoid complaints.

The RTM's will submit the list and details to be scrubbed as per the categories & sub-categories template and may be charged for the service provided.

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.

False complaints cannot be completely eliminated, but they can be identified through the preferences registered on NCPR.

Yes there should be a provision to issue notice before taking any action against service provider and reasonable timeframe should be provided to address the complaint.

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.

- For TSP's