

This document is a detailed examination of the challenges faced in implementing TCCCPR 2018 and suggests several regulatory changes aimed at enhancing consumer protection and reducing the prevalence of UCC. Stakeholders are encouraged to provide their input by September 25, 2024.

Sr. No.	Consultation Questions	RML Suggestions
1.	<p>Stakeholders are requested to submit their comments in respect of definitions of messages and calls and their categorizations, as suggested in the paragraphs 2.14 to 2.19 along with necessary justifications.</p> <p>(Please Note 2.14 to 2.19 is the above proposed category clause)</p>	<p>"An entirely new numbering series shall be instituted specifically for the generation of one-time passwords (OTPs) and to address fraudulent users. This measure is implemented to ensure that OTPs. TRANS, PROMO and government related communications are distinctly managed and to mitigate risks associated with fraudulent activities."</p>
2.	<p>Whether explicit Consent be made mandatory for receiving Promotional Communications by Auto Dialer or Robo Calls? What can be other possible measures to curb the use of Auto Dialer or Robo Calls without the consent of the recipients? Stakeholders are requested to submit their suggestions quoting best practices being followed across the world.</p>	<p><b>Data Filtering, Number Series, and Opt-Out Procedure:</b></p> <p><b>-Data Filtering and Scrubbing:</b> All campaign data shall be transmitted in its entirety to the telecommunications operator for thorough filtering and scrubbing to identify and exclude non-compliant or fraudulent numbers.</p> <p><b>-Number Series:</b> A distinct number series shall be allocated exclusively for calling purposes to ensure proper categorization and management.</p> <p><b>-Opt-Out Notification:</b> In the event that a recipient rejects a call, a message may be triggered to the recipient offering the option</p>

		for permanent opt-out from future communications.
3.	As most of the pre-recorded calls have pre-defined content, stakeholders are requested to comment on the process to be followed to scrub such content before the delivery to consumers. The comments should be supported with suitable justifications and practices being followed in other parts of the world.	Central platform should be created where such content should be submitted and there should be a clean SLA given. Approval has to be triggered to all telecom operator should lift the recorded file from platform only.
4.	<p>Stakeholders are required to submit their comments in respect of Headers identifiers categories as suggested in paragraphs 2.31 of Chapter-II or any other type of identifiers which may facilitate consumers to identify senders distinctly. Suggestions if any, should be suitably brought out with necessary justifications.</p> <p>2.31- To make the header structure more useful, following may be the possible options – Option-I: After revised categorisation of the commercial communications, there shall be three categories viz., Transactional Promotional and Government communications. Separate header identification for each of these categories of messages may help the customers to identify and respond promptly if required. Suffixing of -T, -P and -G to headers to identify Service, Promotional and Government messages respectively may be one of the options. In fact, as of now, the Access Providers are working on a system for suffixing of -P, -S, -T to headers for Promotional, Service, Transactional messages respectively.</p> <p>Option-II- The prefix attached to the header for identification of the Access Provider and Service area may be removed. It may simplify the header structure and help in clubbing messages from the same headers. Right now, even the messages from the same headers are shown separately due to separate prefixes.</p>	<p>All categories (otp/fraudulent call) should have different number series.</p> <p>By removing the prefix the brands will have more space for characters to elaborate upon the nature of the msg content. We can add suffixes as stated to position the messages clearly to end users.</p> <p>To insist and create an ecosystem where OEM/ Handsets manufacturers , Embeds all such issued numeric header in the address book memory for easy identification by end user.</p>

	Option-III- To permit the Sender to have the same numeric header for message and transactional/service voice calls. It may help in easy identification of the Sender.	
5.	Whether current provisions in the regulations for redressal of consumers' complaints in a time-bound manner are sufficient? If not, what provisions should be made for improving the effectiveness of the complaint handling processes including identifying and fixing the responsibilities of the violators?	<ul style="list-style-type: none"> <li>• <b>Website Requirement:</b> Each telecommunications operator shall maintain an official website.</li> <li>• <b>Publication of Dates and Timelines:</b> The website must clearly publish relevant dates and timelines associated with service updates, operational changes, or other pertinent information.</li> <li>• <b>Solution Posting:</b> The telecommunications operator shall also publish detailed solutions or responses to any issues or inquiries on the website.</li> </ul>
6.	Whether facilities extended by the Service providers through Apps, Website and Call Centres for handling UCC complaints are accessible and consumer-friendly? Is there a need to add more facilities in the current systems? What measures should be taken by the service providers to make their Apps, Website and Call Centres easily accessible to the Consumers for registering UCC Complaints and tracking the same for a time-bound disposal of complaints? Please provide your answer with full details on the facilities needed.	Current services provided by to are no efficient and it should be designed in a way tat it can be reviewed and a available for public consumption. A forum should be created on responses within stipulated time.
7.	What additional modes of complaints registration, preference registration and consents registration through a very easy and quick process can be implemented?	"All telecommunications operators (TOs) shall be mandated to establish and maintain dedicated communication channels on over-the-top (OTT) messaging platforms, such as WhatsApp,

		<p>Viber, WeChat, and similar services. Users must be afforded the capability to register complaints through these channels. This requirement aims to facilitate accessible and efficient resolution of user grievances in relation to the services provided by the telecommunications operators."</p>
8.	<p>Stakeholders are required to submit their comments on the following-</p> <p>a. Measures required for pro-active detection of spam messages and calls through honeypots and norms for the deployment of Honeypots in a LSA, and rules or logics required for effective use of AI-based UCC detection systems including training of AI models for identification, detection and prevention of spam</p> <p>b. Proactive actions needed to stop further communications of messages or calls identified as spam through UCC detect systems and actions on the senders.</p>	<p>To initiate a numbering series for the categorization of call types, it is required that, in the event a call is rejected, the telecommunications operator must seek and obtain explicit permission before proceeding with any further actions related to the call.</p>
9.	<p>Stakeholders are required to submit their comments in respect of:</p> <p>(i) Financial disincentive proposed in Section F of Chapter II on the access providers against violations in respect of RTMs</p> <p>(ii) Financial disincentive proposed in Section F of Chapter II on the access providers against violations in respect of UTM</p> <p>(iii) Financial disincentive against wrong approval of Headers and Message Templates proposed in Section F of Chapter II on the Access Providers.</p>	

	(iv) Measures needed to assign the responsibilities of telemarketers (both RTMs and UTMs) and Principal Entities (Senders), involved in sending UCC and disincentivize them financially including legal actions as per law.	
10.	<p>Whether there is a need to review five paisa exemptions accorded to transactional messages and bring them at par with other commercial messages? If yes, please give your answer with necessary justifications?</p> <p>If no, what additional measures are required to discourage senders, telemarketers or service providers from using transactional message templates for sending promotional messages?</p>	<p><b>Exemption Removal and Misuse Prevention Clause:</b></p> <p>"To completely eliminate the potential for misuse of this segment by telemarketers, the current exemption shall be removed. It is noted that banks already impose a monthly fee for similar services, which further justifies the removal of the exemption. This measure is intended to ensure equitable treatment and prevent the exploitation of the segment in question."</p>
11.	<p>Stakeholders are requested to offer their comments on the following issues:</p> <p>(i) Whether there is a need to strengthen the provisions of Common Code of Practice templates with Standard Operating Processes further to enable Access Providers to take actions including imposing financial disincentives and actions as per law, against entities registered and not following the regulations? If so, what could be additional provisions and essential processes which should be made part of CoPs?</p> <p>(ii) Whether there should be provision for minimum security deposits from the entities registering with any of the Access Providers, against the misuse or breach of regulations? If so, what should encashment/replenishment of</p>	<p>"Monetary amounts due from the telecom operator shall be recovered in full. Furthermore, the telecom operator shall be required to ensure strict adherence to all applicable regulations, policies, and contractual obligations. Compliance with these requirements shall be closely monitored and enforced to uphold the integrity and operational standards stipulated herein."</p>

	security deposits against the breach of the regulations? Please provide your answers with suitable justifications.	
12.	What effective steps can be taken to control the menace of UCC through tariffs? Please justify your answer.	<p><b>Exemption Clause:</b></p> <p><b>Removal Clause:</b></p> <p>"To mitigate the risk of misuse and ensure the integrity of the transmission channel, any existing exemptions shall be rescinded. This action is deemed necessary to uphold compliance standards and prevent potential abuse of the transmission channel's capabilities."</p>
13.	Whether differential tariff for SMS and Voice calls beyond a certain limit should be introduced to disincentivize UCC through UTMs? Please justify.	"Until the Distributed Ledger Technology (DLT) platform is capable of accurately identifying and distinguishing between various categories of calls and messages, the implementation of [specific functionality or process] shall be deferred. This condition is established to ensure that the requisite categorization and differentiation mechanisms are fully operational and validated prior to any deployment or execution of said functionality.
14.	If differential tariff is introduced, what could be the limit beyond which differential tariff could be introduced for:  i. Voice Calls ii. SMS.  Please justify with rationale.	No.
15.	If differential tariff is introduced, what could be the tariff beyond a limit for:  i. Voice calls. ii. SMS.	No

	Please justify with rationale.	
16.	Whether differential tariff should be introduced in a graded manner? If so, please suggest the methodology with justification	No