

Subject: **Fwd: "Consultation Paper on Unsolicited Commercial Communication"** Date: 11/03/17 02:28 PM

To: rajender@traf.gov.in

From: "Asit Kadayan, Advisor" <advqos@traf.gov.in>

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

From: **ShilpV** <shilpv@gmail.com>

Date: Oct 14, 2017 11:55:38 AM

Subject: "Consultation Paper on Unsolicited Commercial Communication"

To: advqos@traf.gov.in

Dear Shri Asit Kadayan  
Advisor (QoS), TRAI

1. Despite the various and admirable steps taken by TRAI to prevent customers from the menace of unsolicited commercial communication, the system in place seems to be falling apart as businesses have discovered inventive ways of getting around reasonable restrictions.
2. Registration in the DND database is now meaningless as despite registration under "fully blocked" category, thousands of mobile users continue to receive unsolicited calls and promotional SMS.
3. Since Feb 2017, I alone have received multiple promotional messages and calls from several registered and unregistered marketeers including OlaCabs, Uber, Amydus, Mochi, Jabong, Tata AIG, Landmark, Lenskart, Vodafone, Caratlane, Windex Tours and Standard Chartered Bank. I have registered complaints against each of these with Airtel (my service provider) but I have not seen even one of them getting penalized for their actions.
4. If no action is taken against these defaulters, what is the use of having an elaborate system of DND registration and complaints? It is obvious that unless swift and decisive action is taken against defaulters, these practices will continue to bother customers.
5. Several marketeers are using inventive excuses for sending promotional messages. When I contacted their customer care, all of them said that since I have been their customer and have willingly entered by mobile number in their system, this gives them the right to send me promotional messages despite my DND registration. This is nonsense and I cannot believe that anyone with half a mind can accept such lame excuses. TRAI needs to come down heavily against such practices.
6. The mobile app developed by TRAI to report defaulters needs to be more user friendly. TRAI should also make sure that mobile service providers do not share customers' numbers with marketeers - another harmful practice that TRAI has so far been unable to check.
7. A common excuse for "no action could be taken" is that the telemarketer originated with some other service provider. TRAI needs to develop a system that can work seamlessly across service providers.
8. Another excuse used is that the message was "not promotional in nature". This decision should be left to the wisdom of the customer who should have the right to decide whether or not they want to receive a particular type of unsolicited message from marketeers or not.
9. Finally, while there should be severe penalties for all defaulters, the penalty should be several times more for defaulters who keep sending unsolicited and promotional messages despite repeated customer complaints. In addition, the service providers should also be punished for allowing such calls and messages through their system.

best regards,

Shilp

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