

To,
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VOICE's COMMENTS on

The draft “The Telecom Commercial Communications Customer Preference (Tenth Amendment) Regulations, 2012” and consultation paper on review of measures taken for curbing unsolicited commercial communications

Q1: Rather than blocking the bulk SMS it will be preferable if TSPs develop an algorithm (not very difficult I believe) to identify such SMS senders and take suitable legal actions within the TRAI framework.

Q2: No limit can be prescribed as with every limit there will be exceptions like TSPs themselves send out a large no. of SMS, some of which definitely can be termed as promotional. Similarly Banks, insurance companies, airlines, Railways etc. send out large nos. of SMS.

Q3: Yes, mandate to engage only a registered telemarketer is required. These entities (telemarketers etc.) should also be termed as subcontractors with all the associated legal responsibilities and residual liabilities because these entities are carrying out the promotional activities on behalf of product or service providers.

Q4: Action is definitely warranted against these entities on whose behalf the promotional messages are being sent after repeated violation. 10 violations are on the higher side, the limit should be maximum 5 violations as many a time multiple agents are used to promote the same entity.

Q5: Instead of disconnecting telecom resources of such repeat violators, it is better to block all the incoming calls or SMS to these designated nos. thereby making their illegal promotional activity void.

Q6: 30 days are more than sufficient to develop, deploy and implement this facility as all the parameters and processes are already well established and known to the consumers. E-mail facility is also very much in use and only needs to be publicized and responses to e-mail complaints by TSPs need to be streamlined.

Q7: It is possible to develop an application wherein all the UCC SMS can be forwarded to a dedicated no. which automatically populates the required fields for making the whole complaint redressal process automatic. This will help the consumer in lodging complaints easier, help TSPs handle the complaints faster and TRAI to audit the process painlessly.

Here we would like to emphasise that role of the TSPs in the whole process needs to be scrutinized as well as some TSPs definitely are suspect in knowingly provide telecom resources to REPEAT DEFAULTERS. Individuals/entities buying many SIM cards need to be scrutinized properly.

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