



## Code of Practice for Complaint

### **A. Foreword:**

1. This document is formulated to comply with “The Telecom Commercial Communications Customer Preference Regulations released dated July 19<sup>th</sup>, 2018 by the Telecom Authority of India (TRAI). (‘TCCCP Regulations 2018’) and the relevant TRAI directions and Guidelines
2. This document can be here after named as “Code of Practice-Complaint handling or CoP-Complaint”
3. The Code of Practice formulated in this document only refers to the complaint handling related to the complaints received to Access provider by its subscribers for Unsolicited Commercial Communication.
4. For avoidance of doubt, in the case of any difference between texts, the text set out in the TCCCP Regulations, 2018 and the relevant TRAI directions and Guidelines shall take precedence. In case of any confusion in interpretation or clarification needed, the clarifications thus provided by “TSP name” shall be final and binding.
5. Any modification to this CoP would be well within the right of “TSP name”.
6. With no liability of any financial claim or damages or any other adverse action, subject to suitable information of such changes being provided to concern Entities.

### **B. Sections**



- I. Scope
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## Section I. Scope



### The Scope of this CoP is to:

1. Comply with the TCCCP Regulation, 2018 and the relevant TRAI directions and Guidelines.
2. Effective and timely handling and resolution of UCC complaints raised by customers.
3. Cover process and modes for registration of complaints by customers-Complaints received within 7 days of UCC will be accepted & complaints received beyond 7 days, customer would be educated about the process TAT. Here complaints which are within 3 days of UCC will be considered as valid and complaints between 4 days to 7 days will be considered as Report.
  - a. Process for complaint handling, verification and resolution, including necessary action on UCC made by RTM & UTM.
  - b. Provide Network system functioning conditions including SLAs and architecture.
  - c. Provide minimum set of information which will be put on DLT system for sharing with different Entities and in between TSPs.

## Section II. Process for Complaint registration, verification and resolution

### A Modes of Complaint Registration

#### 1. Procedure for UCC Complaint registration through Voice Call

Sr.no.	Procedure
1	<b>Customer to dial Toll Free number 1909 to register the UCC complaint.</b> Customer to provide following details to customer care executive. a) Date of UCC communication received. b) SMS Header or Telephone number from which UCC received. c) Brief description of UCC received. d) Referred telephone number(s), if any. e) TSP can add time requirement to the format as optional field f) On Successful registration of complaint, customer will get unique reference number within 15 mins of complaint registration.
2	<b>Procedure for UCC Complaint registration through TSP Web Portal () and click on UCC Complaint Registration hyperlink.</b> a) Customer to provide mobile number/ Del number on which UCC is received.



	<p>b) OTP will be generated and sent to customer mobile number or registered email address.</p> <p>c) customer to enter OTP and enter the UCC complaint registration page.</p> <p>d) customer to provide details as mentioned in Point 1 and on successful registration of complaint unique reference number will be sent to customer email id or mobile number.</p>
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- 2. Procedure for UCC Complaint registration through Any Other mode:** TTL may choose to take and register UCC complaints from customer on any other mode / platform as decided by TTL from time to time. Also, other modes as released by Authority time to time.

### **Section III. Process for Complaint Resolution and Remedial action against sender(s)**

#### **A. Complaint Mechanism:**

1. TAP shall also verify if the date of receipt of complaint is within three days of receiving commercial communication and in case the complaint is reported by the customer after three days, the TAP shall communicate to the customer about the closure of his complaint in accordance to this CoP and change status of complaint on DL-Complaint as a report instead of complaint.
2. Post receipt of complaint through above-said modes, Terminating Access Provider (TAP) shall record the complaint on DL-Complaints and shall notify the details of the complaint to the concerned Originating Access Provider (OAP).
3. Post above, TAP shall examine within one business day from the date of receipt of complaint, to check the occurrence of complained communication between the complainant and the reported telephone number or header from which UCC was received and update the findings on DL-Complaints. In case, occurrence not available then, complaint/report to be updated as invalid.

S.No	Process for Complaint Handling	Wireline	Wireless
1)	<b>Complaint Handling Process In case the Complaint is related to Registered Telemarketer (RTM)</b>	Offence against PE/RTM will be registered upto 12 instances of non-compliance and penalty as per the agreement between OAP and Telemarketer	Same as Wireline



2)	Action Taken against RTM	Warning issued & penalty levied on RTM and resource disconnection & blacklisted for 2 years on 12 <sup>th</sup> Instance	Same as wireline
3)	Complaint Handling Process In case the complaint is related to Unregistered Telemarketer (UTM)	Offence against UTM del will be registered up to 3 instances of noncompliance	Not applicable
4)	Action Taken against UTM	Warning issued and Barring of Outgoing Services of the violating Del on 2 <sup>nd</sup> & 3 <sup>rd</sup> instance followed by Telecom resource disconnection on 4 <sup>th</sup> instance of violation initiated by the Del and blacklisting of the Entity for 2 years.	Not applicable

4. **In case the Complaint is related to Registered Telemarketer (RTM):** The OAP (it includes the TSP who is both TAP and OAP), in case the complaint is related to RTM, shall examine, within one business day from the date of receipt of complaint, whether all regulatory pre-checks were carried out in the reported case before delivering Unsolicited Commercial Communications.

a. Pre-checks would involve checking:

- i. CDR to check occurrence of complained communication
- ii. Sender and Header/CLI was registered
- iii. DND Status of the complainant.
- iv. Complaint received within 3 days of UCC

b. In case, all regulatory pre-checks were carried out and delivery of commercial communication to the recipient was in confirmation to the provisions of the regulation and related CoPs, OAP shall communicate to TAP to inform basis complainant about the closure of complaint as 'No Action required' basis the reason of such action- For example in case of CDR showing no such occurrence of complained communication, the OAP shall communicate to TAP to inform complainant about the closure of complaint as "CDR Not Match".



- c. The following scenarios / rejection reasons are those where no action is required to be taken against the reported RTM/ Sender. The reason for each one of these is self -explanatory, and these complaints do not require any further investigation on the DL nor seek any further information/ justification from the RTM /Sender.

All these scenarios will collectively be treated as invalid/insufficient and will be reported in the PMR () under line item “Number of complaints rejected on account of insufficient details” as there are no separate reporting heads/line items for the specific reasons listed in the table below. As stated above, these are complaints where no further investigation is required, and, for want of clear headings in the report format, are being clubbed under the head “insufficient details”.

Sr. No	Type of Rejection
1	Not a UCC
2	Service SMS/Call & Not promotional in nature (basis opt-in from RTM/PE)
3	Incomplete /incorrect info
4	Customer not registered
5	Complaint wrongly routed
7	UTM complaint tagged as RTM
8	Duplicate complaint
9	UCC > 3 Days Old

- d. In case, any of the regulatory pre-checks were not carried out, the OAP shall within two business days from the date of receipt of complaint, take actions against the defaulting entity and communicate to TAP to inform the complainant about the action taken against his complaint through DL-Complaints.

Offence against PE/RTM will be registered upto 12 instances of non-compliance and penalty as per the agreement between OAP and Telemarketer. Financial penalty for each instance non-compliance will be levied. On the 12<sup>th</sup> instance PE/RTM will be blacklisted on the DL. These actions will apply to both SMS and Voice UCC reported against PEs/RTMs.

- e. Incase, any violation occurs due to incorrect template registered, complaint to be closed as Valid and routed to Original Registrar TSP to blacklist the Template in DL. No Violation to be tagged against the Telemarketer and no penalty applicable to TM or OAP.



- f. In case of VNO/Aggregators/Audiotex, separate process to be formulated so that the underline entity resource is applicable for disconnection/blacklisting in case of complaints.
  - g. The OAP shall take appropriate remedial action, as provided for in the agreement between the PE /RTM and the OAP, to control Unsolicited Commercial Communications.
5. In case the complaint is related to Unregistered Telemarketer (UTM): The OAP
- a. Shall examine communication detail records (CDRs), within one business day from the date of receipt of complaint, to check the occurrence of complained communication between the complainant and the reported telephone number or header from which unsolicited commercial communication was received.
  - b. In case of no occurrence of complained communications under sub-regulation (5)(a), OAP shall communicate to the TAP to inform the complainant about the closure of complaint as 'CDR not match-OAP'.
  - c. In case of occurrence of complained communications under sub-regulation (5)(a), OAP shall further examine, within two business days from the date of complaint, whether there are similar complaints or reports against the same sender; and
    - i. In case it is found that number of complaints against the sender are from less than ten unique recipients over a period of last seven days (for this complaint information from all TSPs available over DLT to be used), the OAP shall, from the previous thirty days data of CoP UCC\_Detect System, check whether suspected sender is involved in sending Commercial Communication in Bulk or not. Bulk for this purpose would be as defined by TTL from time to time. All UTMs are found under Bulk communication considering TTL is into Enterprise WLN Business model.
      - In case, sender has sent commercial communications in bulk, the OAP initiate investigation as provided for in point no. F. below. (Usage capping technically not feasible for EBS WLN Solutions)
      - In case, sender has not sent commercial communications in bulk, the OAP shall warn such sender

6. **Action** against UTM:



- a. OAP shall issue notice, within three business days from the TAP upload date to give opportunity to such sender(s), under clauses E(iii)(a) and (b) above to represent their case and shall investigate, within 7 business days from the date of receipt of complaint and shall conclude whether the communication so made was UCC or not; and conclusion of the investigation was that sender was engaged in sending unsolicited commercial communications, OAP shall take action against such sender as under:
- i. For first instance of violation, due warning shall be given. Warning is issued to UTM. Provided that the first instance of the violation shall include all the complaints against the sender within two business days after the date of receipt of the first complaint, against which the sender is to be warned under this sub-regulation.
  - ii. For the second instance of violation, voices services of the Del will get restricted for the period of 30 days and will only be activated on customer request (as Usage cap functionality is not available in Wireline N/w) Provided that the second instance of the violation shall include all the complaints against the sender after the issuance of first warning within two business days after the date of receipt of the complaint against which second warning is being given to the sender.
  - iii. For the Third instance of violation, voice Services of the Del will get restricted for 60 days and will be activated on customer request ( as Usage cap functionality is not available in Wireline N/w) Provided that the third instance of the violation shall include all the complaints against the sender after the issuance of first warning within two business days after the date of receipt of the complaint against which third warning is being given to the sender.
  - iv. For Fourth and subsequent instances of violations, all telecom resources of the sender shall be disconnected for a period up to two years and OAP shall put the sender under blacklist category and communicate to all other access providers to not to allocate new telecom resources to such sender for up to two years from the date of such communication.

*Provided* that the fourth instance of the violation shall include all the complaints received against the sender after the date of second warning within two business days after the receipt of the complaint against which telecom resources are being disconnected.

*Provided* further that one telephone number may be allowed to be retained by such sender with the Outgoing barred for a period up to two years, subject to payment of commercial consideration to such effect as decided by TTL from time to time.





## **Section V. Information handover over DLT between TAP and OAP**

### **1. By TAP: On receipt of Complaint**

- a. Date and time (if reported by complainant) of UCC
- b. Date and time of receipt of complaint
- c. Sender and recipient of complained UCC
- d. Unique reference number
- e. Text as captured during the registration of complaint
- f. Reference number mentioned in complaint, if any.

### **2. By OAP, after investigation**

- a. Unique reference number
- b. Date and time of receipt of complaint
- c. Date and time (if reported by complainant) of UCC
- d. Complainant Number
- e. Header/number from which UCC is received
- f. TAP name
- g. TAP Service area
- h. Date of UCC referred to OAP
- i. UCC TYPE (Voice or SMS)
- j. Description of UCC
- k. CDR status (Matched/Not Matched)
- l. Action Taken
- m. Remarks

## **Section VI. Consequence management**

1. In case of UCC emanating from telecom resources allocated to RTM, TSP may impose suitable and deterrent penalty, as per the agreement signed between TSP and RTM.

## **Section VIII. Amendment to CoP**

This CoP can be amended by TSP at any given point in time subject to following:

- a. It is understood that CoPs stipulate various requirements which are interlinked with CoPs of other TSPs as well. Considering the same, wherever the amendment can lead to change in information sharing with other TSP and/or billing, processing etc with other TSP, such



amendment should be shared with two weeks advance intimation before actually implementing the same.

- b. Wherever there is any material change for any existing Sender(s) which impacts performance of its obligations, an advance notice of at least 7 calendar days along with changes and its effective date for such existing Sender(s), should be given on their respective registered email-id.

#### Section IX. Publication of CoP

This CoP may be published by TSP on its website after the implementation of the new systems and processes.

Further, on any amendment to the CoP, same may be updated by TSP over its website.

Note: TSPs shall make necessary changes

#### Section X. Definitions

The definitions would be as per the definitions contained in TRAI's TCCCP Regulations, 2018.

#### Section XI. Version History

Sr. No	Version Number	Date Submission of to TRAI	Effective Date of CoP	Main/Amendment Number
1	TTL_CoP_Complaints 1.0	10 <sup>th</sup> October 2018	As per clause mentioned in CoP	Main
2.	TTL_CoP_Complaints 1.0	31 <sup>st</sup> Jan 2019	As per clause mentioned in CoP	Amendment
3	TTL COP Complaints	31 Jan 2021	As per clause mentioned in CoP	Amendment