

## **The Unsolicited Commercial Communications (UCC) Code of Practice for Complaint Redressal Mechanism ("CoP –Complaint")**

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### **A. Foreword:**

- i. 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’).
- ii. This document can be here after named as “Code of Practice-Complaint handling or CoP-Complaint”.
- iii. 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.
- iv. For avoidance of doubt, in the case of any difference between texts, the text set out in the TCCCP Regulations, 2018 shall take precedence. In case of any confusion in interpretation or clarification needed, the clarifications thus provided by QTL shall be final and binding.
- v. The CoP will take effect from the date mentioned in Section-I Effective Date. Its technical and system solutioning and implementation will start post said Effective Date and its timelines would be as per the Section I.
- vi. Any modification to this CoP would be well within the right of QTL.
- vii. 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
- II. Process for Complaint registration, verification and resolution
- III. Process for Complaint Resolution and Remedial action against sender(s)
- IV. Information handover over DLT to Entities and/or other TSPs
- V. Consequence management
- VI. Amendment to CoP
- VII. Definitions
- VIII. Version History

## Section - I Scope

### **The Scope of this CoP is to:**

1. Comply with the TCCCP Regulation, 2018.
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.**

S. 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. <ol style="list-style-type: none"> <li>a) Date of UCC communication received.</li> <li>b) SMS Header or Telephone number from which UCC received.</li> <li>c) Brief description of UCC received.</li> <li>d) Referred telephone number(s), if any.</li> <li>e) TSP can add time requirement to the format as optional field.</li> <li>f) On Successful registration of complaint, customer will get unique reference number within 15 mins of complaint registration.</li> <li>g) If validation unsuccessful, the customer care executive will inform the customer accordingly.</li> </ol>

<b>2</b>	<p><b>Customer to write to <a href="mailto:customercare@infotelconnect.com">customercare@infotelconnect.com</a> to register the UCC complaint.</b></p>
	<p>Customer to provide following details to customer care executive.</p> <ol style="list-style-type: none"> <li>a) Date of UCC communication received.</li> <li>b) SMS Header or Telephone number from which UCC received.</li> <li>c) Brief description of UCC received.</li> <li>d) Referred telephone number(s), if any.</li> <li>e) TSP can add time requirement to the format as optional field.</li> <li>f) Post address mail and on Successful registration of complaint, customer will get unique reference number within 15 mins of complaint registration.</li> <li>g) If validation unsuccessful, the customer care executive will inform the customer accordingly.</li> </ol>
<b>3</b>	<p><b>Procedure for UCC Complaint registration through Web Portal (<a href="http://www.connectzone.in">www.connectzone.in</a>).</b></p>
	<ol style="list-style-type: none"> <li>a) Customers to provide connect number on which UCC is received.</li> <li>b) Below inputs to be mandatory filled by the customer. <ul style="list-style-type: none"> <li>• Date &amp; approx time of UCC received.</li> <li>• SMS Header or Telephone from which UCC received.</li> <li>• Brief description of UCC received.</li> </ul> </li> <li>c) After providing all inputs, customer will get an option to generate OTP.</li> <li>d) Customer to enter OTP on UCC complaint registration page.</li> <li>e) An automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration.</li> </ol>
<b>4</b>	<p><b>Procedure for UCC Complaint registration through <a href="#">Connect mobile APP mode</a>:</b></p>
	<ol style="list-style-type: none"> <li>a) Customer to visit Connect APP for registering UCC complaint.</li> <li>b) Customers to enter his/her connect number, below inputs to be mandatorily filled by the customer. <ul style="list-style-type: none"> <li>• Date &amp; approx time of UCC received.</li> <li>• SMS Header or Telephone from which UCC received.</li> <li>• Brief description of UCC received.</li> </ul> </li> <li>c) After providing all inputs, customer will get an option to generate OTP.</li> <li>d) Customer to enter OTP on UCC complaint registration page.</li> <li>e) An automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration.</li> </ol>

**2. Procedure for UCC Complaint registration through Any Other mode:**

QTL may choose to take and register UCC complaints from customer on any other mode / platform as decided by QTL 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.

Alternatively, DL-Complaint should be auto-updated for complaint status and action taken when the complaint status is updated in CRM.

S. No	Process for Complaint Handling	Action taken process
1)	<b>Complaint Handling Process In case the Complaint is related to Registered Telemarketer (RTM)</b>	Offence against PE/RTM will be registered up to 12 instances of non-compliance and penalty as per the agreement between OAP and Telemarketer.
2)	<b>Action Taken against RTM</b>	Warning issued & penalty levied on RTM and resource disconnection & blacklisted for 2 years on 12 <sup>th</sup> Instance.
3)	<b>Complaint Handling Process In case the complaint is related to Unregistered Telemarketer (UTM)</b>	Offence against UTM del will be registered up to 4 instances of noncompliance.

<b>4)</b>	<b>Action Taken against UTM</b>	Warning issue on 1 <sup>st</sup> & 2 <sup>nd</sup> instance and Barring for 7 days on 3 <sup>rd</sup> instance followed by Telecom resource and disconnection on 4 <sup>th</sup> instance and blacklisting for 2 years.
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I. **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. If content was a Service message, whether related customer consent was taken or not.
- iv. DND Status of the complainant.
- v. OAP will check whether the content was a transactional message or not, basis the transactional template
- vi. Complaint received within 3 days of UCC.
- vii. Customer Preference

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 (as per Direction No 311-04/2017-QoS dated 06.08.2019) 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”.

<b>Sr. No</b>	<b>Type of Rejection</b>
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
6	UTM complaint tagged as RTM
7	Duplicate complaint
8	UCC > 3 Days Old

With respect to Sr. no 2 in the table above, these communications are invariably found to have been sent by senders claiming a bona fide business relationship with the complainant basis which these messages were sent as service messages and were not UCC. All these complainants have, at some time or other, shown interest in the products/ services being offered by these senders, and have willingly shared their contact details/consent/Opt-in.

It may be noted, however that there is no conclusive mechanism with TSPs to establish the veracity of the consents/opt-ins, hence we rely on their submission from the PEs/RTMs only. Till the time we move to a digital consent regime, the consents/opt-ins provided by the senders will be trusted on their face value. The current consent data from the PEs is under migration to the DL with a premise that these will be valid for a limited period, of say six months, after which only digital consents will be considered valid.

- i. In case, any of the regulatory pre-checks were not carried out, the OAP shall within three 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 up to 12 instances of non-compliance and penalty as per the agreement between OAP and Telemarketer. Financial penalty for each instance of 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.

Incase Template is Service Implicit or Transaction, complaint will be closed as Invalid and no Opt-ins will be seeked from TM/PE.



- ii. In case, 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.
- iii. Violation counter to reset on every Calendar Year i.e. Violation will be counted only from 1<sup>st</sup> Jan to 31<sup>st</sup> Dec and on next year 1<sup>st</sup> Jan counter will reset to 0 for all the Telemarketers.
- iv. In case of voice UCC, however, if complaint mentions use of Auto-dialer and the caller has not informed use of Auto-dialer to OAP, the OAP will additionally, issue a notice to the calling entity seeking explanation and adherence of the thresholds of the abandoned and silent calls provided as per the Regulation.
- v. 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.

**II. 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;
- d) 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 QTL from time to time. All UTMs are found under Bulk communication assuming QTL 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. D. below. (Usage capping technically not feasible).
- In case, sender has not sent commercial communications in bulk, the OAP shall warn such sender through a notice to be delivered.

**Action against UTM:**

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

- a. 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, warning shall be given. Warning is issued to UTM. Provided that the second 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
  - iii. For the Third instance of violation, Outgoing Services will get barred for 07 days (Usage cap functionality not available in Wire line 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 QTL from time to time.

## Section - IV

### 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 - V

### Consequence Management

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

## Section - VI Amendment to CoP

This CoP can be amended by QTL 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 - VII Definitions

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

## Section - VIII Version History

<b>Sr. No</b>	<b>Version Number</b>	<b>Date of Submission to TRAI</b>	<b>Effective Date of CoP</b>	<b>Main/Amendment Number</b>
1	QTL_CoP_Complaints 1.0	10 <sup>th</sup> Oct 2018	As per clause mentioned in CoP	Main
2.	QTL_CoP_Complaints 1.1	21 <sup>st</sup> Jan 2021	As per clause mentioned in CoP	Amendment