



Code of Practice for Entities of Ecosystem (CoP-Entities)



A. Foreword:

- I. This Code of Practice (CoP) is formulated to comply with TRAI's The Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018) ('TCCCP Regulations 2018').
- II. This CoP deals with various entities involved in performing various functions as required under the said regulation, and prescribes the functions to be performed by them. It also provides for the process for header registration, content template registration, consent template registration .
- III. For avoidance of doubt, in case of any difference between texts of this CoP and TCCCP Regulation 2018, 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 Bharat Sanchar Nigam Limited (BSNL) shall be final and binding.
- IV. It is to be clearly understood by all stakeholders that any modification to this CoP would be well within the right of BSNL, with no liability of any financial claim or damages or any other adverse action, subject to suitable information of such changes being provided to concerned stakeholders.
- V. Unlike other regulations issued by TRAI, TCCCPR 2018 is a unique regulation, which is not prescriptive in nature, but based on co-regulation approach, wherein regulations lay down the principles and desired outcomes rather than specify details on how to achieve them. In line with this co-regulation approach, there may be some processes/procedures/activities which may not exactly be in sync with methods/ways/timelines laid down in the TCCCPR 2018, but have been adopted/undertaken by BSNL to comply with the Regulations in most-practical manner. Any disconnects in the approach with that suggested in the TCCCPR 2018 may not be deemed to be non-compliance of the Regulations so far as the desired outcome is believed to be achievable through such approach.



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Section I. Scope

The Scope of this CoP is to:

1. Effective control of Unsolicited Commercial Communication.
2. Comply with the TCCCP regulation, 2018 and amendments thereto, and Directions associated with the same.
3. Provide for appointment of various Entities (internally within TSP or delegated to a partner entity) who would perform the respective functions assigned as per TCCCP Regulation and/or this CoP.
4. Cover process for registration of 'Sender(s)' (i.e. Principal Entities or Telemarketer) and their obligations, who will be assigned and allocated the headers (SMS or voice CLIs), consent template
5. Provide minimum set of information which will be put on DLT system for sharing with different Entities and in between TSPs.

Section II: Appointment of Entities/ Registrars

1. BSNL, at its sole discretion, may choose to perform the functions of Entity by its own or may also choose to delegate the same to a third party.
2. Entity Registration Functionality:
 - (1) All entities with associated functions, who will be carrying out given functions for effective control of Unsolicited Commercial Communications being delivered through them, shall be available with each Access Provider once they are registered;
 - (2) any legal entity may carry out one or more functions while keeping all records and execution of functions separately against each activity for internal audit by the access provider to ensure the effectiveness of Unsolicited Commercial Communications control to meet regulatory outcomes specified in the regulations;
 - (3) each functional entity shall be given unique identity by the access provider(s) to be used to authenticate and track the events;
3. Every Access Provider shall formulate structure and format for headers to be assigned for the purpose of commercial communications via sending SMS for Promotional SMS, Transactional SMS and Service SMS
 - a. Three types of entities may register & get allocated with a Unique ID post registration namely Principal Entity, Telemarketer (Delivery and Aggregation function) .
 - b. Legal entities/ organizations/Individual can register as an "Entity" at DLT



- c. Details such as Organization name, Industry Category (Govt/ Private Ltd/ Public Ltd/ SEBI/ Others), PAN or TAN, Address, Unique Mobile number & type of entity are mandatory at the time of registration which get updated at DLT.
- d. Only the above information filled in by the entity at the time of initial registration with the access provider who becomes his Parent/ Creator operator are updated on DLT.
- e. Any modifications to the Organization name, Industry Category (Govt/ Private Ltd/ Public Ltd/ SEBI/ Others), PAN or TAN, Address & type of entity information at DLT has to be initiated by the entity with his parent operator.
- f. During registration, entity has to upload his PAN / TAN document & proof of address which is further validated by the Entity-Registrar of the operator.
- g. Physical Verification is to be done before approving the Entity by BSNL's circle, Exceptions may be granted for government entities.
- h. Proof of Identification (as agreed between all operators) is the PAN / TAN & this is unique for an entity & his entity class (PE/TM/TA) across DLT .
- i. Validation through OTP on both mobile number & email id is done by the BSNL during the registration
- j. The details mentioned by the entity & the documents uploaded at the time of registration are maintained by the BSNL.
- k. In case of any issues observed during the registration validation by the Entity registrar, the request may be rejected which is duly communicated to the entity with reasons
- l. The validation is same for entities across Industry categories & Entity class, except for Government entities.
- m. Exceptional approvals may be granted for Government entities basis the Authorization letter shared by the entity in their office stationery or on the provision of GST document which has the PAN or TAN number in the GSTN
- n. In case of government entities, the Email IDs are mandated to be a government Email ID (Gmail or other domain IDs are not accepted).
- o. SEBI registration certificate is to be uploaded for the broker entities registering under SEBI industry category
- p. Entities are communicated on the registered mail Id post validation by the TSP on both successful & unsuccessful registration.



Section III: Types of Entities Registration and their functions:

There are seven types of Entities which are to be appointed by a BSNL, either to be done within its organization or for delegation to a third party, for performing the functions as per TRAI TCCCP Regulation, 2018. The functions and process steps to be followed by such Entities are given as follows:

1. Header Registrar (Entity – HR)

A. Broad Functions:

- a. Establish and maintain header register as distributed ledger to keep headers, in a secure and safe manner, and make accessible relevant information for identifying the assignee at the time of request.
- b. carry out Header Registration Function;
- c. manage record of headers throughout its lifecycle, i.e. free for assignment, assigned to an entity, withdrawn, surrendered, re-assigned etc
- d. keep record of header(s), reserved for specific purpose;
- e. Once a header has been registered by a PE, it can be used only by that PE;
- f. Keep record of header(s), header root(s) reserved for specific purpose. In case of voice header(s), header root(s) will refer to the dedicated number series specified for this purpose;
- g. carry out additional authentications in case of a request for headers to be issued to SEBI registered brokers or other entities specified by Authority by directions, orders or instructions issued from time to time;
- h. carry out additional authentications in case of a request for headers to be issued to government entities, corporate(s) or well-known brands
- i. carry out additional checks for look-alike headers which may mislead to a common recipient of commercial communication, it may also include proximity checks, well-known brands while assigning headers irrespective of current assignments of such headers.
- j. synchronize records, in real time, among all header ledgers available with participating nodes in Header Registration Functionality in an immutable and non-repudiable manner;

B. Process steps to be followed:

- a. Assign header for SMS via Header Registration Functionality, as per allocation and assignment principles and policies, to facilitate content provider or principal entity to get new headers;

Process for Allocation and Assignment Principles and policies:

- i. Total length of a SMS Header is 11 alphabets or numbers or alphanumeric. First two characters will be fixed as: first character indicates TSP, second LSA, followed



by a hyphen '-'. Rest 8 characters or numbers are free and can be used for assignment.

- ii. No absolute right or ownership of Sender on the header(s). In case of any dispute or otherwise, under pure discretion of the BSNL, the assignment of header(s) can be revoked, with or without notice. BSNL under its discretion, can disallow allocation of any specific headers as well.
 - iii. The assignment of header(s) will as per commercial terms prescribed by BSNL.
- b. carry out pre-verifications of documents and credentials submitted by an individual, business entity or legal entity requesting for assigning of the header;

Process for Pre-verification Checks and request for assignment of header:

- i. Only the PE can raise request for headers. PE will mention the header name & purpose of the same – whether Promotional or Service/ Transactional, purpose of the header utilization should also be recoded.
 - ii. The entity has to select the “Category” while requesting for the header
 - iii. BSNL shall check that the header(s) should be related to company name or initial alphabets of the words in the company name or said individual or the brand name such Sender holds. In case the header does not fall into any of these categories, the Entity-HR to check whether the header can have a correlation with any of the Government entities/projects, well known brands, corporates, eminent personalities, political parties, renowned groups/associations, objectionable keywords, abuses, derogatory remarks, etc. If there is no correlation with the list, then the request can be considered else to be declined.
- c. bind with mobile number(s), in a secure and safe manner, which shall be used subsequently on regular intervals for logins to the sessions by the header assignee;
- d. Quarterly Re-verification of Headers to be done by the Entity. If not re-verified by the PE in a quarter the Header will be made into suspended status automatically.

Process to bind mobile number and its role:

- i. Entity-HR should also aim to launch a mobile app/website or any other mode, (wherever applicable), enabling Sender(s) to login securely and safely for using different services which BSNL may choose to provide through such mode. The mobile app should have authentication based on the registered mobile number and/or email id of the Sender.



- e. Carry out additional authentications in case of a request for headers to be issued to SEBI registered brokers or other entities specified by Authority by directions, orders or instructions issued from time to time;

Process for Additional Authentications – SEBI related: The Sender should be a SEBI registered investment advisor or broker or sub broker or portfolio manager or merchant banker and should provide its SEBI registration document.

- f. carry out additional authentications in case of a request for headers to be issued to government entities, corporate(s) or well-known brands, including specific directions, orders or instructions, if any, issued from time to time by the Authority;

Additional Authentications – Government entities, corporate/well-known brands:

- g. carry out additional checks for look-alike headers which may mislead to a common recipient of commercial communication, it may also include proximity checks, similarity after substring swaps specifically in case of government entities, corporate(s), well-known brands while assigning headers irrespective of current assignments of such headers, and to follow specific directions, orders or instructions, if any, issued from time to time by the Authority;

Process steps for Additional checks for look-alike headers:

- i. When a header request is raised, it is first validated against the entity's name along with its brand, goods & services dealt by him.
 - ii. It is also checked whether the same has any resemblance to well known/ popular brand or company or Government activities etc to the best of the Entity-HR's knowledge in the absence of a defined/ available list for the same
 - iii. If there is no striking resemblance the header may be approved if the relation or connection can be established with the entity's name, brand, products or services through the justification provided/ valid documents shared such as TM certificate, Fssai certificate, website link etc
 - iv. If there is a striking resemblance to any well known/ popular brand or company or Government authority – the request is rejected & reason for the same communicated to the entity.
 - v. If, despite all best efforts as above, a header is allocated to an entity, and the bonafide entity approaches BSNL later for the header or for preventing the other entity from using it, BSNL may withdraw or re-allocate the header.
- h. **Process steps for Registration of Sender and/or Header:** Post successful checks and documents availability as per above sub-clause from a) to g), the Entity-HR will register the Sender and/or assign the header/header root and make respective



entries in the system. Despite the above checks & balances at the Header registrar end, if duplicate or look alike headers get created, such cases are treated as exceptions & settled b/w TSPs with the help of TRAI.

- i. **Process steps for De-registration of Sender and/or Header:** The Entity-HR will temporarily or permanently de-register a Sender and/or Header in following scenarios
 - i. In case of repeated complaints as defined in the complaint handling CoP.
 - ii. In case limited period mentioned in the Authorisation letter provided by Government agency or Corporate/well-known brand.
 - iii. On direction from LEAs, Regulators or other competent authorities
 - iv. Any other scenarios, as emanating from CoP-Detect or as defined by BSNL from time to time.
 - v. If multiple fraud activities are reported against the Header.

Such de-registration of Sender or Header(s) should be immediately informed to the respective Sender on their registered email id, along with process of re-allotment as defined by TSP from time to time.

- j. Above process steps as defined from sub-point a) to h) are to be followed in case a Sender or Telemarketer seeks allocation of telecom resource for voice calls, except the provisions which are specific to SMS as a bearer. Resources for voice calls should be given to Entity/Telemarketer from number series (GSM/Wire-line i.e. 140/160) allocated to BSNL for telemarketer activity. Depending upon technical feasibility, BSNL may choose to allocate naming feature to be displayed as CLI for commercial voice calls made to its own subscribers.
- k. **Process Steps in case Header already allocated:** There could be following scenarios:
 - i. In case, a header is already allocated to an entity and a different, seemingly bonafide entity approaches BSNL later for the header or for preventing the other entity from using it, BSNL may withdraw or re-allocate the header.
 - ii. In case, two entities at one point of time seek a particular header. BSNL may frame a guiding framework to resolve such issues, on case to case basis.

Header Delinking Process

- i. Principal Entity to reach out to BSNL SPOC and register their concern on the unavailability of Header. SPOC to do preliminary validation of the claim such as if the requested header is created & registered by BSNL or other TSP. If Other TSP than the customer to be informed to be taken up the respective TSP.
- ii. Cases to considered:
 - ✓ BSNL Donor and BSNL Recipient.
 - ✓ BSNL Donor and Other TSP Recipient.



If the header is created & registered with BSNL, then claim to be verified like if the header name is a subset of the company name or its brand or registered trademark with related documents received. If no match observed then the request would be denied.

If connection between the entity & the header can be established, then the request would be taken, and separate communication would be sent to the original entity (Donor Entity) for Header release.

If original Entity (Donor Entity) agrees to release the Header and gives consent, then Transfer of ownership request to be raised by Customer Care.

On release of Header in free pool post Header is deleted from Donor Entity, Recipient Entity to raise request for Header (Follow same process of Header Registration).

In case Donor Entity is of other Operator, Principal Entity has to approach Other Operator to get the header released.

For look alike Headers allotted to different Principal Entities, necessary guidelines issued by TRAI to be followed.

Proposed rules

- i Preference to the TSP who has created the header the first time.
- ii Creator TSP to take lead for all the duplicates of the header first created by it.
- iii Check for rightful entitlement basis PE name, brand, identity, reputation, trademark, etc.
- iv Low preference to be given to marketing PEs, software PEs, bulk SMS PEs who may have registered these headers randomly.
- v Use Registration & Last-Use date as a tiebreaker in case of deadlocks.
- vi Inform the impacted PEs time before any action.

2. Consent Template Registrar (Entity-CsTR) and Consent Registrar (Entity-CR)

A. Broad Functions:

- a. establish and maintain consent register as distributed ledger to keep consent, in a secure and safe manner, and make accessible relevant data for the Scrubbing Function.
- b. establish Customer Consent Acquisition Facility (CCAF), to record recipient's consent to receive commercial communications from the sender or consent acquirer;
- c. establish Customer Consent Verification Facility (CCVF) for the purpose of facilitating:
 - i. customers to verify, modify, renew or revoke their consent in respect of commercial communications, through a web interface



- ii. Access Providers to verify the consent in case of complaint;
- d. keep consent for each consent acquirer, in a manner that client data of entity is adequately protected;
- e. Keep record of revocation of consent by the customer, whenever exercised, in an immutable and non-repudiable manner.
- f. synchronize records, in real time, among all consent ledgers available with participating nodes in Consent Acquisition Functionality in an immutable and non-repudiable manner;
- g. perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance;

B. Process steps to be followed:

- a) **Record consent** via Customer Consent Acquisition Functionality on Consent Register, on its own or through its agents, to facilitate consent acquirers to record the consent taken from the customers in a robust manner which is immutable and non-repudiable and as specified by relevant regulations;

Process Steps for Recording Consent: Subject to Functionality availability

- i. The sender will share the consent template which should explicitly convey the purpose, with the consent template registrar (Entity-CsTR), which is to be presented to the customer for acquiring consent and clearly mention purpose of the consent and details of the sender.

Rules for Consent Template

- ii. The Entity-CsTR will cross check the consent template with purpose, Header and sender and approve/disapprove the same for the registration. In case of rejection, the sender to share the revise template. Entity-CsTR will assign a unique ID to each approved consent template.
- iii. BSNL under their discretion, can disallow/ cause deregistration of some/particular consent template(s) based on any specific content through keywords or otherwise.
- iv. The Entity-CsTR will register and record the approved consent template along with sender and header name in its register (will replicate at Header Registration)



- v. BSNL/Entity-CsTR may charge sender for such template registration as per their commercials.
- b) Presenting content of consent acquisition template to the customer before taking consent;
- c) Taking agreement to the purpose of consent and details of sender;
- d) Authenticate customer giving the consent through OTP QR Code scan/Missed call or any other mechanism or combination thereof;

Process Step for Presenting content of consent acquisition, taking agreement and authentication:

- i. The sender may have multiple consent templates registered with Entity-CsTR.
 - ii. Sender will initiate a trigger to Entity-CR along with registered consent template ID and MSISDN (individual or in batches) for presenting the same to the consumer seeking his consent.
 - iii. Entity-CR will share the registered consent template containing details of the sender and Header (Principal Entity name/brand name e.g. Amazon) and OTP with the consumer through short code/Long code as SMS. Consumer will respond back on the same short code/Long code with OTP, to provide consent for the stated consent template.
 - iv. The Entity-CR will cross check the OTP and do the automated Authentication. On the successful confirmation of OTP, the consent is recorded in the system paired with the MSISDN along with date and time of such consent from the consumer (time when it hits the system). Post consent recording, a confirmation is sent to the consumer through SMS/other mode, and also to the Sender.
 - v. Once the consent is acquired, same will be valid for twenty-four months (or other duration, as may be agreed upon amongst stakeholders) period from the date of recording of the consent, unless customer revokes his/her consent before expiry of such period.
 - vi. In case of OTP mismatch or validation failure, consumer and sender/consent acquirer will be notified.
- e) **record revocation of consent** by the customer via revoke request in a robust manner which is immutable and non-repudiable and as specified by relevant regulations;

Process Step for recording revocation of Consent: --- Subject to Functionality Availability

The revocation of consent can happen through various modes mentioned below:



- i. sending SMS to short code 1909 with Label <Revoke> and <Sender ID> or to telephone number mentioned in the message or during the voice call received from the sender(s); or
- ii. calling on 1909 or number mentioned for revoking the consent during the voice call received from the sender(s); or
- iii. calling on customer care number; or
- iv. Interactive Voice Response System (IVRS); or
- v. Mobile app developed in this regard either by the Authority or by any other person or entity and approved by the Authority; or
- vi. Web portal with authentication through OTP; or
- vii. Any other means as may be notified by the Authority from time to time.

3. Content Template Registrar

A. Broad Functions:

- a) Content Template Registrar (Entity-CTR) to carry out content template registration function;
- b) Keep records of registered templates in immutable and non repudiable manner;
- c) Maintain with minimum performance requirements as specified;
- d) Register and whitelist URL/APK/OTT Links/CTA/Call back numbers as submitted by the Sender in their DLT account, under digital undertaking for their bona fide usage
- e) Perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance;

B. Process Steps to be followed:

- a) to check content of the template being offered for registration as a transactional template and service message template;

Process Steps for checking Content offered for registration:

- i. Sender will share with Entity-CTR the proposed template to be registered under the category of transactional, Promotional or service message. Further, the sender will also provide consent template id (as provided during registration) for the proposed template of Promotional messages. The template should carry both fixed and variable portion, distinctly identified. Sender to provide the sample message



to be sent through the template including the sample values of the variable part of the template.

- ii. Sender to ensure not to send any objectionable, obscene, unauthorized or any other content, messages or communications infringing copyright and intellectual property right etc., in any form, which is not permitted as per established laws of the country. TSPs to be indemnified for any such misuse by sender/aggregator through relevant clause in the agreement.
 - iii. Entity-CTR to check the content of the Promotional message, service message templates and transactional message templates submitted by the sender.
 - iv. All content template should preferably have Brand/Trademark/Entity name in the template.
 - v. BSNL under its discretion, can disallow registration of any content template based on any specific keywords or otherwise.
 - vi. Senders will submit URLs/APKs/OTT Links/CTAs/Call back numbers which they intend to use in all their commercial communications in the CTA Whitelisting module. Only those URLs/APKs/OTT Links/CTAs/Call back numbers whitelisted by sender therein will be allowed to be sent in the messages sent by the respective sender. No such URLs/APKs/OTT Links/CTAs/Call back numbers which have not been whitelisted as above will be allowed to be sent/delivered.
 - vii. The Scrubbing mechanism in the OAPs' DLT systems to ensure no messages with URLs/APKs/OTT Links/CTAs/Call back numbers which have not been pre-whitelisted as above are allowed to be sent to any subscribers.
 - viii. Header not mandate to be registered with all the Access provider, Header registered with other TSP will also be allowed for Content template registration,
- b) to identify fixed and variable portion(s) of the content in the offered Promotional template, transactional template and service message template with identification of type of content for each portion of variable part of the content, e.g. date format, numeric format, name of recipient, amount with currency; reference number, transaction identity;(Through sample message)

Process Steps:

- i. Entity-CTR is required to ensure the above.
- c) to estimate the total length of variable portion, viz. total length of fixed portion for a typical transactional message, service message for offered template;



Process Steps:

- i. Entity-CTR to ensure that the Minimum 30% of the message should comprise of fixed part. Also, there shall be no more than 2 consecutive and 3 overall variables in the template. Any exceptions to this percentage threshold to be approved by BSNL on receipt of proper justification from the sender.
- d) to de-register template or temporarily suspend use of template;----Subject to Availability of Functionality for template deregistration

Process Steps:

- i. Entity-CTR will de-register/ temporarily suspend use of a content template (transactional or service) in case of following scenarios:
 - a) In case of repeated complaints as defined in the complaint handling CoP.
 - b) In case of non-usage or non-re-verification of the template for a month and for a Quarter respectively.
 - c) As per inputs arising from CoP Detect or otherwise as per discretion of BSNL.
- e) to generate one-way hash for fixed portion of content of template and ways to extract fixed portion and variable portion(s) from actual message for carrying out pre and post checks of actual content of actual message offered for delivery or already delivered;
- f) To check content of the template being offered for registration as 'promotional' from the perspective of content category;

Process Steps for checking content of template:

- i. Sender to categorise the template message into promotional category if the same falls under the definition of promotional message as defined in this CoP. Entity-CTR to do the necessary check and same will be applicable for the subscribers of BSNL, who has appointed the said Entity-CTR.
 - ii. In case the entity wants to send promotional messages via DND Preference scrubbing, the consent template is not required. Consent template will be required to be associated with a content template only if the sender wants to send the proposed template to DND customer.
- g) assigning unique template identity to registered template of content;
- h) The Content templates are to be re-verified every quarter by sender, the Content templates not re-verified by the PE will made under Suspended status automatically. Moreover, if any Content template is not used in last 30 days to send the A2P SMS is liable to be in suspended status as per TRAI directions.



4. Telemarketer functional Entity Registrar (Entity-TFER)

I. Process Steps:

- i. BSNL itself or through an entity (Entity-TFER) will register Telemarketer functional Entities i.e. TM-SF, TM-DF, TM-AF and TM-VCF and arrange execution of respective agreements with them, as per the format specified by BSNL.
- ii. These Telemarketer functional entities will perform respective functions as mentioned hereinafter.
- iii. It is in complete discretion of BSNL to appoint and register one or multiple entities as TM-SF.
- iv. BSNL may formulate process and scenarios for de-registration of Telemarketer Functional Entities

1. Process for Pre-verification checks before registration of templates

- a. Check the content of the template being offered – whether promotional, service or transactional template
- b. Sender will also provide the consent template ID (as provided during registration) for the proposed template of promotional messages.
- c. Template should carry both fixed and variable portions, distinctly identified.
- d. Sender to ensure that the template does not consist of any objectionable, obscene, unauthorized or any other content, messages or communications infringing copyright and intellectual property rights etc., in any form, which is not permitted as per established laws of the country. Any template requests in contravention of the above will be rejected by the registrar.
- e. Maximum count of Header and Templates registration based on PE category.
- f. For any unused templates of last 1 month or any template not re-verified in last quarter, a notification along with details of such templates will be shared with PE to validate, if the PE is using the Templates. If PE does not validate within the given time frame, all such templates will be deactivated/Suspended.
- g. **BSNL to check below details in the templates registered under Promotional category:**

“Content Template for Promotion” means a template of content registered by any sender with the access provider for sending promotional message or promotional voice call for the purpose of commercial



communication and contains content which is fixed content and common across all commercial communications sent to different recipients for same or similar subject;

- i. Further, Promotional messages means commercial communication message for which the sender has not taken any explicit consent from the intended Recipient to send such messages.
- ii. Thus, any message sent with an intention to promote or sell a product, goods or service will fall in the category of Promotional Message. Service content mixed with promotional content will also be treated as promotional. These messages will be sent to the customer after performing the preference and consent scrubbing function as defined in the Regulation.
- iii. Content template must have Principal Entity/Brand name
- iv. Header should not be used as brand name/Entity name in template.
- v. Content should be relevant to the nature of the business of the Brand/Entity. Approver to try and establish relevance on a best-effort basis
- vi. An aggregator/TM should not be allowed to register itself as a PE unless it evidences/establishes that the requirement is for their own captive purpose.

h. TSP to check below details in the templates registered under Transactional category

“Content Template for Transaction” means a template of content registered by any sender with the access provider for sending transactional message, service message or transactional voice call, service call for the purpose of commercial communication and contains content which may be a combination of fixed part of content and variable part of content, where

- a. *fixed part of content is that part of content which is common across all commercial communications sent to different recipients for same or similar subject;*
- b. *variable part of content is that part of content which may vary across commercial communications sent to different recipients for same or similar subject on account of information which is very specific to the particular transaction for a particular recipient or may vary on account of reference to date, time, place or unique reference number;”*

“Transactional message” means a message triggered by a transaction performed by the Subscriber, who is also the Sender’s customer, provided such a message is sent within thirty minutes of the transaction being performed and is directly related to it.



Provided that the transaction may be a banking transaction, delivery of OTP, purchase of goods or services, etc.

- i. All Transactional Templates should be bound to alpha Header.
- ii. The Entity registering the transactional template may be Bank (Nationalized/Private/PSU/wallets, /International/Co-operative) or any Principle entity involved in the transactions for goods, service etc.
- iii. Content should have Entity/Brand name.

i. TSP to check below details in the templates registered under Service Implicit category.

- i. It should be bound to alpha Header.
- ii. Content should have Brand name or Entity name and content should be relevant to the nature of the business of the Brand/Entity.
- iii. Approver to try and establish relevance on a best effort basis.
- iv. Content should not have promotional content mixed with service content.
- v. Content should consist of maximum 3 variables and variables should be appropriately placed, i.e., should not be continuous.
- vi. Exceptional approval can be provided for more number of variables on case-to-case basis like doctor prescriptions, Hospital appointments, Stock related messages etc.

Brand name has to be clearly mentioned in the template. Header should not be used as brand name/Entity name in template.

5. Telemarketer for Various Functions

A. Telemarketer - Scrubbing Function (TM-SF):

Broad Functions:

- a) carry out scrubbing;
- b) keep record of all numbers scrubbed for complaints resolution;
- c) maintain with minimum performance requirements as specified;



- d) perform any other function and keep relevant details required for carrying out pre and post checks for regulatory compliance;

Process Steps to be followed:

- a) to process scrubbing as defined, in a secure and safe manner, using preferences and consent of customer(s) and category of content;

Process Steps for processing Scrubbing:

- i. The Telemarketer or Sender submits target numbers, headers and template for the scrubbing function.
 - ii. Scrubbing function can be for either category of commercial communication i.e. promotional and service.
 - iii. The Scrubbing function would mean checking of customer's Del number against registered preference or consent, depending upon the message type being promotional or Service Explicit respectively. The TSP may choose, at its own discretion, to have Scrubbing function and Content Template verifier function based on the template ID, to be done simultaneously, through a single entity or a single system.
 - iv. The Telemarketer or Sender through OAP, will provide the MSISDNs and content of message along with the category of content (i.e. promotional or service) to the TM-SF as per the format prescribed by the DL/TM-SF.
 - v. The DL TM-SF will scrub the promotional message and Service Explicit with the Preference register and the Consent Register (including checking the preferred time slots and types of days for delivery) and generate a Token which should also contain preferred time slots and types of days for delivery.
- b) take necessary measures to protect Preference Register and Consent Register data during scrubbing, e.g. by Generating virtual identities and tokens for each number for the messages and voice calls and not disclosing real identities to any other entity than authorized to know it;

c) Process Steps for Protection of Data during scrubbing:

The Tokens generated by the TM-SF will not disclose the real identities (i.e. MSISDNs) to the Telemarketer/Sender. TM-SF will share the OAP Token with OAP and TAP Token with TAP. These Token are to be used by respective OAP and TAP for ascertaining the content of message, SMS header and actual list of MSISDNs on which the SMS is to be sent. OAP may charge the Sender/Telemarketer for the scrubbing and decrypting of token, through TM-SF or directly.



- d) TM-SF will make available relevant details of scrubbed list to corresponding OAPs for carrying out reverse mapping of virtual identities to real identities for further delivery;
- e) to identify and report probable instances of request received for scrubbing of list of phone numbers collected through harvesting software or instances of dictionary attack to relevant entities authorized to take action;

Process Steps for identifying and reporting instances of harvesting software or dictionary attack:

- i. TM-SF and TSP should put in place system to identify probable instances of list of phone numbers collected through harvesting software or instances of dictionary attack.
 - i. The broad rules for such identification should be fixed by TSP and its' TM-SF from time to time.
 - ii. Once identified, TM-SF should report such instances to Entities-HR for further necessary action.

B. Telemarketers for Delivery Function (TM-DF) of Messages with telecom resource connectivity to AP:

Broad Function:

- a) carry out delivery function
- b) insert its Unique identity with delivery processing reference number along with identity through which scrubbing was carried out;
- c) authenticate source of the messages submitted for delivery by header assignee or by aggregator and ensure their identity is part of content of message for traceability;
- d) maintain with minimum performance requirements as specified;
- e) perform any other function and keep other relevant details which may be required for carrying out pre and post checks for regulatory compliance;
- f) To create the Hash of PE-TM chain and submit to the OAP along with the traffic.

Process Steps to be followed:

- a) deliver messages to OAP along with Hash for PE-TM chain, in a secure and safe manner, during specified time slots and types of days of delivery in accordance to the preferences of the customer(s);



Process Steps: TM-DF to follow above including broad functions.

- b) In the case of voice call above mentioned scrubber function will not work due to non availability of Consent. Only scrubbing will be done against preferences of customer.
- c) TM will convey to Scrubber for generating tokens for corresponding OAP to access information of list of messages which would be required to be delivered by it;

Process Steps:

i. TM-DF to follow above including broad functions.

- ii. In line with the Token generating provisions mentioned in section related to TSP's TM-SF, the same activity related to Token generation, decryption should be carried out by TM-SF of TSP. The Token containing virtual identities should be shared by TM-SF with OAP, and which can then share it with TM-DF.

C. Telemarketers for Aggregation Function for messages to other Telemarketer for delivery function (TM-AF):

Broad Functions:

- a) carry out aggregation function;
- b) keep record of all numbers aggregated for complaints resolution and traceability;
- c) authenticate source of the messages submitted for delivery by header assignee or by aggregator and ensure their identity is part of content of message for traceability;
- d) maintain with minimum performance requirements as specified;
- e) perform any other function and keep other relevant details which may be required for carrying out pre and post checks for regulatory compliance;
- f) Appending its TM-AF ID in the TLV parameter of the traffic.

D. Telemarketer for voice calling function with Telecom Resource Connectivity for voice calls to Access Provider (TM-VCF)

Broad Functions:

- a) to carry out voice calling function;
- b) take necessary measures to protect Preference Register and Consent Register data during voice calling, e.g. using virtual identities to make voice calls on a secure Internet



Protocol (IP) based Virtual Private Networks (VPN) with OAP and not disclosing real identities to any other entities than authorized to know it;

- c) take initiatives, based on technical feasibility , to enable calling name display (CNAM) based on Intelligent Network or ISDN based protocols, enhanced calling name (eCNAM) functionality as defined in 3GPP technical specifications TS 24.196 for providing services to terminating user with the name associated with the originating user and optionally delivering metadata about that originating user;
- d) maintain with minimum performance requirements as specified;
- e) perform any other function and keep other relevant details which may be required for carrying out pre and post checks for regulatory compliance;

A. Process Steps to be followed:

- (a) deliver voice calls to OAP, in a secure and safe manner, during specified time slots and types of days of delivery in accordance to the preferences of the customer(s);
- (b) select OAP for particular customer(s) or voice calls and conveying selected OAPs to Scrubber for generating tokens for corresponding OAP to access information of list of messages which would be required to be delivered by it;

Process Steps for delivery of voice calls:

- i. Above to be followed including the broad functions.
- ii. In line with the Token generating provisions mentioned in section related to TM-SF, the same activity related to Token generation, decryption should be carried out by TM-SF and TAP for voice calls as well and the Token containing virtual identities should be shared by TM-SF with OAP/TM-VCF.

Section IV.

1. Action on registered templates on the basis of complaints-fraudulent SMS/misuse of templates/for ILD messages.

- a. Fraudulent Content: If the content of the SMS is fraudulent (inputs gathered basis the customer complaints, market intelligence, details received from authorities etc.), immediate blacklisting of the template to be done by TAP and/or OAP. If OAP or template registering TSP seeks information on the reason for blocking, same to be provided by TAP/OAP in two working days. Review all other templates of the PE as well based on the Customer complaint/dispute, Market Intelligence, Partner intelligence.
- b. If there has been misuse of the template (observed through complaints or otherwise) -, Brand/Entity name not mentioned, category of message not clear, TAP to share the details of the templates with the TSP (who has registered the template) along with details



of the complaints, if any, and reasons. The said TSP to act upon on this within two working days and blacklist the template and confirm back to TAP. In case the said TSP is of the view that the template should not be blacklisted, it should provide detailed justification to the TAP.

- c. The above activity to be done at the DLT- Module.
- d. If 10 valid complaints are received against a template then TAP itself can blacklist the template and inform the TSP (who has registered the template. Registrar to be informed for every such blacklisting. Unblacklist if justified by OAP/registrar. Review all other templates of the PE as well.

2. Action on registered Headers on the basis of complaints-fraudulent SMS/misuse of templates

- a. Fraudulent Content: If the content of the SMS is fraudulent (inputs gathered basis the customer complaints, market intelligence, details received from authorities etc.), immediate blacklisting of the Header to be done by TAP and/or OAP, only for **sole proprietorship/partnership exception (BFSI & GOVT)**. If OAP or Header registering TSP seeks information on the reason for blocking, same to be provided by TAP/OAP within three working days. Should be automated through DLT-module.
- b. If there has been misuse of the template (observed through complaints or otherwise) - like promotional content is mixed with service content, Brand/Entity name not mentioned, category of message not clear (like service explicit content given in service implicit message), TAP to share the details of the templates with the TSP (who has registered the template) along with details of the complaints, if any, and reasons. The said TSP to act upon on this within two working days and blacklist the template.
- c. If the issue continues and recur and similar content are being sent from the Header which was being used earlier for sending such communication, TAP to share the details of the Header with the TSP (who has registered the Header) along with details of the complaints, if any, and reasons. The said TSP to act upon on this within 2 working days and de-register the Header and confirm back to TAP. In case the said TSP is of the view that the Header should not be blacklisted, it should provide detailed justification to the TAP.
- d. If 10 valid complaints are received against a Header then TAP itself can blacklist the Header and inform the TSP (who has registered the Header).TAP should block the template on the first complaint itself, and not wait for 10. Registrar to be informed for every such blacklisting. Unblacklist if justified by OAP/registrar. Review all other templates of the PE as well

Futher the following action are to be taken:

- (a) whenever misuse of Headers and/ or Content Templates is noticed or reported -



- i. traffic from concerned Sender is suspended by all the Access Providers immediately, till such time the Sender files a complaint/ FIR with the Law Enforcement Agency for such misuse of its Headers and Content Templates under the law of land, and the Sender reviews all its Headers and Content Templates and takes corrective measures as per the regulations to prevent misuse of its Headers and other credentials;
 - ii. Delivery-Telemarketer identifies the entity that has pushed traffic from such Headers or Content Templates into the network and files a complaint/ FIR for misusing Headers and Content Templates of other entity with the Law Enforcement Agency (LEA), under the law of the land, against such entity within two business days, failing which the Originating Access Provider (OAP) files a complaint/ FIR against the concerned Delivery-Telemarketer and traffic from concerned Delivery-Telemarketer is suspended by all the Access Providers immediately, till such time a complaint/ FIR is made by the Delivery-Telemarketer; and the entity that pushed the traffic is blacklisted by Originating Access Provider as well as all other Access Providers for a period of one year;
- (b) when a complaint is registered due to registration of Content Template in wrong category, the Content Template is blacklisted by the OAP; and if five Content Templates of such Sender are blacklisted for registration under wrong category, the OAP suspends the services of the Sender, for one month or till such time all the Content Templates of the Sender are reverified, whichever is later;
- (c) one Content Template is not linked with more than one Header;

Section VII. Consequence management

1. In case of default/breach in functions to be performed by respective Entities registered/appointed by BSNL, BSNL may take strict action against the same which may include warning notice or show cause notice or penalty or temporary/permanent termination etc.
2. Action of blacklisting can be taken against Telemarketer or aggregator doing the SMS or voice delivery function. For this, the TSP taking action of blacklisting should inform other TSPs along with details of default. The other TSPs then should examine the case and take further necessary action.



Section VIII. Information handover over DLT to Entities and/or other TSPs

Following information should be handed over by a TSP to all other TSPs:

1. Sender
 - a. Sender ID
 - b. Header
 - c. Sender Name and Address

2. Header
 - a. Header(s)
 - b. Date-Time of registration
 - c. Purpose (Transactional, Service, Promotional or Government)
 - d. Linked Telemarketer

3. Consent Template
 - a) Consent Template registration unique number
 - b) Consent template format including fixed and variable portion
 - c) SMS header
 - d) Sender ID

4. Consent Register
 - a) Customer Number
 - b) Consent Template registration unique number
 - c) SMS header
 - d) Date/time of OTP message generation
 - e) Date/time of OTP validation and consent recording
 - f) Validity of consent, if any

5. Content Template
 - a) Sender ID
 - b) SMS header
 - c) Consent Template registration unique number
 - d) Content Template
 - e) Fixed portion and Variable portion
 - f) Linked Telemarketer

6. URL/APK/OTT Links/CTA/Call back numbers
 - a) Sender Registration ID
 - b) URLs/APKs/OTT links/CTAs/Call back number whitelisted in the Sender account



Section VIII. Amendment to CoP

This CoP can be amended by respective TSPs 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 should be published by BSNL on its website.

Further, on any amendment to the CoP, same should be published by BSNL over its website

Section X. Definitions

In this Code of Practice, unless the context otherwise, the Definition of various terms used under different clauses of the document will be according to the Definitions given under Regulation 2 of the Telecom Commercial Communications Customer Preference Regulations, 2018.

Section XI. Version History

The space below is provided to keep a track and record details of Amendments of this Document

S.no	Date	Details	Remarks
1		V 1.1	
2.	18.08.2023	V 1.2	
3.	13.11.2024	V1.3	Updated as per recent directions

