

Code of Practice for Complaint Redressal Mechanism ("CoP –Complaint")

A. Foreword:

- i. This document is formulated to comply with “The Telecom Commercial Communications Customer Preference Regulations released dated July 19th, 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 by BSNL from its own subscribers and those from subscribers of other TSPs, for Unsolicited Commercial Communication originating from BSNL network.
- 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 BSNL shall be final and binding.
- v. 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 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 against the SMS/Call received within 7 days are allowed. Complaints which are within 3 days of UCC will be considered as valid and complaints beyond 3 days will be considered as Report. Customer would be educated about the process TAT.
 - a. Process for complaint handling, verification and resolution, including necessary action on UCC made by RTM & UTM.
 - b. Provide user manual.
 - 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.

S. No.	Procedure
1	Customer to dial Toll Free number 1909 to register the UCC complaint.
	<p>Customer to provide following details to customer care executive.</p> <ol style="list-style-type: none"> a) Call center agent will verify the BSNL customer. b) Date of UCC communication received. c) SMS Header or Telephone number from which UCC received. d) Brief description of UCC received. e) Referred telephone number(s), Header's details, if any. f) g) After successful validation, the customer care executive will register the complaint in respective system and communicate the unique complaint number to customer. Further, an automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration. h) If validation unsuccessful, the customer care executive will inform the customer accordingly.

2	Procedure for UCC Complaint registration through Web Portal (www.ucc-bsnl.co.in/customers/)
	<ol style="list-style-type: none"> a) Customer to visit BSNL's website for registering UCC complaint. b) Portal will verify the BSNL customer through OTP. c) Customer to select respective Circle and mode of UCC (Voice or SMS). d) Customer to provide the number on which UCC is received. e) Below inputs to be mandatorily filled by the customer. f) Date & approx time of UCC received. g) SMS Header or Telephone from which UCC received. h) Brief description of UCC received. i) After providing all inputs, Complaint will be auto raised in BSNL's system and confirmation of successful validation will be flashed to the customer during the session itself. j) Further, an automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration.

3	Procedure for UCC Complaint registration through SMS mode:
	<p>a) Customer to send SMS in below format on Toll Free number 1909 to register the UCC complaint.</p> <p>b) Format: Brief description of the UCC call/SMS, Telephone Number/sender ID of the caller/SMS, date of UCC in dd/mm/yy format".</p> <p>Explanation: The telephone number or header and the date of receipt of the unsolicited commercial SMS may be appended with such SMS, while forwarding to 1909, with or without space after comma. In case of UCC over voice, customer may provide content of communication in brief.</p> <p>c) If SMS format is incorrect, an automated error reply SMS will be sent to customer along with correct format.</p> <p>d) If format is correct, the complaint will be registered in BSNL system and an automated SMS with unique complaint number will be sent to customer within 15 minutes of complaint registration.</p>
4	Procedure for UCC Complaint registration through BSNL self care App mode:
	<p>a) Customer to login to the BSNL self care APP.</p> <p>b) Click on the DND on the first page of the App.</p> <p>c) Click on the book UCC complaint.</p> <p>d) Select UCC through SMS or UCC through Voice.</p> <p>e) Customer to enter all the details on the complaint page for SMS/Call and submit.</p> <p>f) The complaint will be registered in BSNL system and an automated SMS with unique complaint number will be sent to customer within 15 minutes of complaint registration.</p>
5	Procedure for UCC Complaint registration through TRAI-DND App :
	<p>The TRAI DND app supports registration of customer complaints through an API- based flow. Customers can register their complaints on the TRAI DND App.</p> <p>An API-based flow has been created with BSNL's DLT platform wherein the complaint details are received from the TRAI DND app through dedicated APIs and the complaint gets registered in BSNL's systems and an automated SMS containing unique complaint number is sent to customer within 15 minutes of complaint registration.</p>

2. Procedure for UCC Complaint registration through Any Other mode:
BSNL may choose to take and register UCC complaints from customer on

any other mode / platform as decided by BSNL 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 mentioning the reason.
2. Post receipt of complaint through above-said modes, Terminating Access Provider (TAP) shall verify the complaint and record on DL-Complaints. TAP shall also 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 is not established, then, complaint/report to be updated as invalid.
4. After the TAP pre-checks the UCC may be either closed at TAP end as invalid with proper remark or may be forwarded to the concerned OAP for further action.
5. **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. DND Status of the complainant.
 - iii. Complaint received within 3 days of UCC.
 - iv. Sender and Header/CLI was registered.
 - v. Check the scrub logs.
 - vi. OAP will check whether the content was a transactional message or not, basis the transactional template

In case, pre-checks are not completed the complaints may be closed with the proper remarks. e.g. CDR not match, Preference not registered, complaint-Report, Incomplete information, Complaint wrongly routed, Duplicate complaint etc.

- a) In case, all regulatory pre-checks were carried out the following action on the complaint is to be taken:
- i. Check content of the message received by complainant. If the content is fraudulent the content template need to be blacklisted immediately and information regarding blacklisting of the template is to be sent to the content template approving TSP. action on the UCC complaints is to be taken as per below table.
 - ii. Category of the content template (Service, Promotional or Transactional). In promotional content is sent using the Service template, necessary action need to be taken on the content template/PE and action taken to be sent to the content template approving TSP. action on the UCC complaints is to be taken as per below table.
 - iii. If the template under promotional/service category does not contain the Entity/brand name, Information of such templates is to be shared with the approving TSP to get the brand/Entity name included in the template within 3 working days. If no action is taken by the approving TSP in time, OAP may blacklist such template and inform to the approving TSP.
 - iv. Information of blacklisting of the content templates of BSNL registered PE is to be sent to the PE registered on BSNL DLT for information and re registration of new proper template if required.
 - v. If content was a promotional using promotional template, whether related customer consent was taken or not. action on the UCC complaints is to be taken as per below table.

Template type	Action	
Service Implicit	Service SMS/Call	
Transactional	Service SMS/Call	
Promotional	Promo not Blocked/ Preference not matched/ DND not registered	

OAP shall communicate to TAP to inform complainant about the closure of complaint basis the reason of such action.

- b) 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/Invalid”.As stated above, these are complaints where no further investigation is required under the head “Invalid Complaints”.

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

Only the consent acquired Digitally from the Mobile customer will be considered for promotional message.

- 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 12th instance PE/RTM will be blacklisted on the DL. These actions will apply to both SMS and Voice UCC reported against PEs/RTMs.

- ii. 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.
- iii. 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.

I. 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 ten or more than ten recipients over a period of last seven days, the OAP shall put sender under Usage Cap (Usage cap means a limit of 20 calls and 20 SMS per day) and at the same time shall initiate investigation as provided for in sub-regulation (6);

Provided that such Usage Cap shall be valid till investigation is completed or thirty days from the date of effect of restrictions, whichever is earlier;

- ii. in case it is found that number of complaints against the sender are from less than ten recipients over a period of last seven days, 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; and
 - A. in case, sender has sent commercial communications in bulk, the OAP shall put the sender under Usage Cap, and at the same time initiate investigation as provided for in sub-regulation (6);
Provided that such restrictions shall be valid till investigation in this regard is completed under relevant regulations or thirty days from the date of effect of restrictions, whichever is earlier;
 - B. in case, sender has not sent commercial communications in bulk, the OAP shall warn such sender through appropriate means as provided for in Code(s) of Practice;

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 c(i) and c(ii) above to represent their case and shall

- a. investigate, within 30 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, Usage Cap shall continue for a period of six months. 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 third 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 Third 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 BSNL from time to time.

Summary of penal action against RTMs/UTMs

S. No	Process for Complaint Handling	Action taken process
1)	Complaint Handing Process In case the Complaint is related to Registered Telemarketer (RTM)	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)	Action Taken against RTM	Warning issued & penalty levied on RTM and resource disconnection & blacklisted for 2 years on 12 th Instance.
3)	Complaint Handing Process In case the complaint is related to Unregistered Telemarketer (UTM)	Offence against UTM del will be registered up to 3 instances of non-compliance.
4)	Action Taken against UTM	Warning issue on 1 st instance, Usage Cap shall continue for a period of six months on 2 nd instance. Disconnection of Telecom resource for a period of 2 years on 3 rd and subsequent instances and put under blacklist category.

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 along with CDR match status, 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, BSNL may impose suitable and deterrent penalty, as per the agreement signed between BSNL and RTM.

Section - VI **Amendment to CoP**

This CoP can be amended by BSNL 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 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

Sr. No	Version Number	Date of Submission to TRAI	Effective Date of CoP	Main/Amendment Number
1	BSNL_CoP_Complaints 1.0	17 th Dec' 2018	As per clause mentioned in CoP	Main
2.	BSNL_CoP_Complaints 1.1	23 rd Feb'2021	As per clause mentioned in CoP	Amendment
3.	BSNL_CoP_Complaints 1.2	7 th Dec'2022	As per clause mentioned in CoP	Amendment
4.	BSNL_CoP_Complaints 1.3	12.09.2024	As per clause mentioned in CoP	Amendment
5	BSNL_CoP_Complaints 1.4	21.11.2024	As per TRAI letter 11.09.2024	Amendment