COP- Performance Monitoring Report

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-Performance Monitoring Report or CoP-PMR"

iii. The Code of Practice formulated in this document only refers to the code of practice related to the periodic monthly reports to be prepared by BSNL for monitoring Unsolicited Commercial Communication.

iv. This document will be effective from 01.08.2023.

v. For any change, modification, amendment to this document will cause 30 days prior written communication to Authority & respective stakeholders of BSNL.

Section I. Effective Date

1. This CoP will be effective from 01.08.2023. In case of any observations from TRAI, the CoP will be effective once such observations are addressed by BSNL and agreed with TRAI.

Section II. Scope

The Scope of this CoP is to:

1. To prepare reports for TRAI

2. Comply with the TCCCP Regulation, 2018

3. To monitor the performance

4. To automate the reports with the use of DL- Complaints register

5. To take action based on reports captured through DL complaints systems.

6. To reduce the UCC instances by analyzing the reports.

7. Take action/ report action on senders violating the UCC regulation.

Section III :Process for collation of reports on daily basis by TSPs :

1. The suggested reports have been provided in schedule V of TCCCPR, 2018, under the heading – "Action items for preparing code of practice for periodic monthly reporting".

2. The following data has been desired as per schedule V :

   a. Data regarding registered senders against whom complaints are received
   b. Data regarding unregistered senders against whom complaints are received

3. BSNL shall maintain records on **daily basis** and separately **for each Service Area**.

4. Registered Senders: In this case specified at clause 2a, following information is to be maintained and provided by all the Access Providers :
   a. Total number of complaints received on each day from its customers and registered by TAP against any Registered Sender /RTM)
   b. Total number of complaints transferred on each day to OAP including itself, against any registered Sender.
   c. Total number of complaints to be resolved as an OAP, according to the date of receipt of complaints.
   d. Total Number of Complaints rejected on account of insufficient details for further examination, according to the date of receipt of complaint.
   e. Total number of senders against whom complaints were reported under clause (c).
   f. Total number of complaints out of reported complaints which has been found to be valid complaints after completion of investigation.
   g. Total number of senders found to be non-compliant as per the provisions provided in CoP.
   h. Total number of Senders who were put under restricted limits of usage as specified in CoP during the investigation phase.
   i. Action taken against Sender/ other entity such as TM etc

j. Refer reporting formats in section IV. "Format 1 COP-PMR (registered sender)" and "Format 2 COP-PMR (count of UCC and complaints against sender)".

1. TAP LSA Wise

a) Total Complaints received by TSP as TAP
b) Total Complaints rejected by TAP
    i. Number of complaints rejected on account of insufficient details
    ii. Number of complaints where CDR not matched
    iii. Number of complaints rejected due to other reasons*
c) Total Complaints transferred by TSP as TAP to OAP(s) including itself
d) Number of complaints recorded as Reports (these complaints are not rejected, it will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).
e) Total Complaints received by TSP as OAP from TAP(s) including itself
f) Number of complaints to be resolved as OAP (including backlog complaints from previous month)*
g) Number of senders against whom complaints were reported under "f".
h) Number of complaint(s) found valid, after completion of investigation
i) Total complaints found invalid**
    i. Number of complaints found invalid on account of insufficient details
    ii. Number of complaints where CDR not matched
    iii. Number of complaints found invalid as Customer has opted preference, as per the Regulations
    iv. Number of complaints found invalid as Customer has given consent to Sender, as per the Regulations
    v. Number of complaints found invalid due to Other Reasons***
j) Number of senders found non-compliant as per TCCCPR, 2018 regulations or Code(s) of Practice (CoPs)
k) Number of complaints recorded as Reports (these complaints will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).

2. OAP LSA Wise

a) Total Complaints received by TSP as OAP from TAP(s) including itself

b) Number of total complaints received against the UCC from SMS mode

c) Number of total complaints received against the UCC from Voice call mode

d) Number of complaints to be resolved as OAP (including backlog complaints from previous month)*

e) Number of senders against whom complaints were reported under "d"

f) Number of complaint(s) found valid, after completion of investigation

g) Total complaints found invalid**

    i. Number of complaints found invalid on account of insufficient details

    ii. Number of complaints where CDR not matched

    iii. Number of complaints found invalid as Customer has opted preference, as per the Regulations

    iv. Number of complaints found invalid as Customer has given consent to Sender, as per the Regulations

    v. Number of complaints found invalid due to Other Reasons***

h) Number of senders found non-compliant as per TCCCPR,2018 regulations or Code(s) of Practice (CoPs)

i) Number of complaints recorded as Reports (these complaints will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).

5. In case of 2 b, following information is to be maintained and provided by all the Access Providers :

    a. Total number of complaints received on each day, from its customers as TAP, against Unregistered Sender/Telemarketer.

    b. Total number of complaints transferred in each day to OAP, including itself, against any unregistered Sender.

    c. Total number of complaints to be resolved as an OAP, according to the date of receipt of complaints.

    d. Total number of complaints rejected on account of insufficient details for further examination.

    e. Total number of complaints out of reported complaints which has been found to be valid complaints after completion of investigation.

    f. Total number of senders against whom complaint were found to be valid

    g. Total number of Senders who were put under usage cap as provided in CoP during the investigation phase.

    h. Total number of Senders who were put under usage cap or disconnected

after completion of investigation:
- No of Senders who were given warning against first instance of violations:
- No of Senders found to be violating second time
- No of Senders found to be violating more than 2 instances.

6. The reports shall be codified in the DL complaint register so that TRAI can extract/ auto generate the reports using simple commands. Or there can be a functionality that DL-Complaints is able to send these reports to TRAI at a designated frequency. An option can also be developed so that these reports are made available at an observer node, accessible to TRAI.

1. BSNL as TAP UTM Complaints (TAP LSA wise)

a) Total Complaints received by TSP as TAP
b) Total Complaints rejected by TAP
c) Number of complaints rejected on account of insufficient details
i.   Number of complaints where CDR not matched
ii.   Number of complaints rejected due to other reasons*
d) Total Complaints transferred by TSP as TAP to OAP(s) including itself
e) Total Complaints transferred to all OAP(s) including itself
f) Number of complaints recorded as Reports (these complaints are not rejected, it will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).
g) Total Complaints received by TSP as OAP from TAP(s) including itself
h) Number of complaints to be resolved as OAP (including backlog complaints from previous month)*
i) Number of Unregistered senders against whom complaints were reported under "h"
j) Number of complaint(s) found valid, after completion of investigation
k) Number of complaints found invalid**
    i. Number of complaints found invalid on account of insufficient details
    ii. Number of complaints where CDR not matched
    iii. Number of complaints found invalid as Not a telemarketing or commercial communication
    iv. Number of complaints found invalid due to Other Reasons***
l) Number of unregistered senders against complaint(s) found valid
m) Number of unregistered senders (out of reported under N) were put under Usage Cap, during the investigation phase
n) Total number of unregistered Senders against action taken, after final completion of investigation
o) Number of unregistered senders who were given warning against first instance of violations, after completion of investigation
p) Number of unregistered senders found violated second time and usage cap imposed, after completion of investigation
q) Number of unregistered senders found violated third or more number of times and disconnected and blacklisted, after completion of investigation
r) Number of complaints recorded as Reports (these complaints will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).

2. BSNL as OAP UTM Complaints (OAP LSA wise)

a) Total Complaints received by TSP as OAP from TAP(s) including itself
b) Number of total complaints received against the UCC from SMS mode
c) Number of total complaints received against the UCC from Voice call mode
d) Number of complaints to be resolved as OAP (including backlog complaints from previous month)*
e) Number of Unregistered senders against whom complaints were reported under "d"
f) Number of complaint(s) found valid, after completion of investigation
g) Number of complaints found invalid**
    i.   Number of complaints found invalid on account of insufficient details
    ii. Number of complaints where CDR not matched
    iii. Number of complaints found invalid as Not a telemarketing or commercial communication
    iv. Number of complaints found invalid due to Other Reasons***
h) Number of unregistered senders against complaint(s) found valid
i) Number of unregistered senders were put under Usage Cap, during the investigation phase
j) Total number of unregistered Senders against action taken, after final completion of investigation
k) Number of unregistered senders who were given warning against first instance of violations, after completion of investigation
l) Number of unregistered senders found violated second time and usage cap imposed, after completion of investigation
m) Number of unregistered senders found violated third or more number of times and disconnected and blacklisted, after completion of investigation
n) Number of complaints recorded as Reports (these complaints will be considered as per the COPs/UCC-Detect system as per the provisions of Regulation 25 and Schedule-IV of TCCCPR, 2018).

IV. Monthly information formats: As prescribed by TRAI.