



## Code of Practice for Complaint Handling (CoP –Complaints)

## 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 refers to the complaint handling related to the complaints received by RJIL from its own subscribers, and those from subscribers of other TSPs, for Unsolicited Commercial Communication originating from RJIL 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 RJIL shall be final and binding.
- v. Any modification to this CoP would be well within the right of RJIL, 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.
- vi. Unlike other regulations issued by TRAI, TCCCP-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 suggested in the TCCCP 2018, but have been adopted/undertaken by RJIL to comply with the Regulations in most-practical manner. Any disconnects in the approach with that suggested in the TCCCP 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.

## **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. Publication of CoP**
- VIII. Definitions**
- IX. 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, & those received beyond 7 days will be rejected and the customer would be educated about the complaint registration 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 Registered and Unregistered Telemarketers (RTMs & UTMs).
- b. Provide Network system functioning conditions including SLAs.
- c. Provide minimum set of information which will be put on DLT system for sharing with different Entities and in between TSPs

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

### A Modes of Complaint Registration

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

Sr.no.	Procedure
1	Customer to dial Toll Free number 1909 to register the UCC complaint.
2	Customer to provide following details to customer care executive. a) Date of UCC communication received. b) SMS Header or Telephone number from which UCC received. c) Brief description of UCC received. d) Referred telephone number(s), if any.
3	Customer care executive will validate the complaint for below conditions: a) The subscriber is registered in DND with preference of related category being blocked. b) Consent given for such Commercial Communication(s) on a best effort basis c) The call is being made from the same number on which UCC received.
4	a) 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. b) If validation is unsuccessful, the customer care executive will inform the customer accordingly.

#### 2. Procedure for UCC Complaint registration through SMS

Sr.no.	Procedure
1	Customer to send SMS in below format on Toll Free number 1909 to register the UCC complaint. “The details of unsolicited commercial communication, XXXXXXXXXX, dd/mm/yy” Where XXXXXXXXXX– is the telephone number or header of the SMS, as the case may be, from which the unsolicited commercial communication has originated. 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.
2	If SMS format is incorrect, an automated error reply SMS will be sent to customer along with correct format.
3	If format is correct, the complaint will be registered in TSP system and an automated SMS with unique complaint number will be sent to customer within 15 minutes of complaint registration.

### 3. Procedure for UCC Complaint registration through Web Portal

Sr.no.	Procedure
1	Customer to login in his account on the TSP's website for registering UCC complaint.
2	Customer to provide below inputs mandatorily : a) Date of UCC received. b) SMS Header or Telephone from which UCC received. c) Brief description of UCC received. d) Referred Telephone Number, if any
3	Complaint will be auto raised in TSP's system and an automated SMS containing unique complaint number will be sent to customer within 15 minutes of complaint registration.
4	TSPs may choose to have this OTP validation option at any stage depending upon the solution architecture.

### 4. Procedure for UCC Complaint registration through TRAI-DND App :

Currently, the TRAI DND app is supporting in registration of customer complaints through SMS channel. Customers who have downloaded the TRAI DND App can register their complaints on the app in the designated format, the app then converts the captured information into an SMS, and forwards to toll-free short code 1909. This SMS reaches the TSP systems and information from the SMS is used to register a UCC complaint in the customer account.

We will soon move from this SMS flow into an API-based flow where the complaint details are received from the TRAI DND app through dedicated APIs and the complaint gets registered in RJIL's systems.

### 5. Procedure for UCC Complaint registration through Any Other mode: RJIL may choose to take and register UCC complaints from customer on any other mode / platform as decided by RJIL from time to time. Also, other modes as indicated by the Authority from time to time may be reasonably considered.

### 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, but within seven 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 is not established, then, complaint/report to be updated as invalid.
4. **In case the Complaint is related to Registered Telemarketer (RTM):** The OAP (it includes the TSP who is both TAP and OAP), in case the complaint is related to RTM, shall examine, within one business day from the date of receipt of complaint, whether all regulatory pre-checks were carried out in the reported case before delivering Unsolicited Commercial Communications; and
  - i. Pre-checks would involve checking:
    - a. CDR to check occurrence of complained communication
    - b. Sender and Header/CLI was registered
    - c. If content was a Service message, whether related customer consent was taken or not.
    - d. OAP will check whether the content was a transactional message or not, basis the transactional template
    - e. Customer Preference
  - ii. 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 complainant about the closure of complaint as 'No Action required as Consented Commercial Communication'. 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 'No Occurrence found at OAP'

end’, or ‘CDR not match’. **OAP will update the status of complaint in CRM. CRM should update automatically in DL along with the remarks and status.**

- iii. In case, any of the regulatory pre-checks were not carried out, the OAP shall within two business days from the date of receipt of complaint, take actions against the defaulting entity and communicate to TAP to inform the complainant about the action taken against his complaint through DL-Complaints. **OAP will update the status of complaint in CRM. CRM should update automatically in DL along with the remarks and status.**
- iv. 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 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.

In case Template is Service Implicit or Transactional, complaint will be closed as Invalid and no Opt-ins/Consent will be sought from TM/PE.

- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. With respect to rejection reasons ‘Service SMS/Call’ & ‘Not promotional in nature’ (basis opt-in from RTM/PE), 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 have to be trusted on their face value.

## **5. In case the complaint is related to Unregistered Telemarketer (UTM):**

The OAP -

- a. Shall examine communication detail records (CDRs), within one business day from the date of receipt of complaint, to check the occurrence of complained communication between the complainant and the reported telephone number or header from which unsolicited commercial communication was received.
- b. In case of no occurrence of complained communications under sub-regulation (5)(a), OAP shall communicate to the TAP to inform the complainant about the closure of complaint as 'No Occurrence found at OAP end' or '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 is from ten or more than ten Recipients/complainants over a period of last seven days, the OAP shall put Sender under Usage Cap and at the same time shall initiate investigation as provided for in point number F. below. Usage cap means a limit of 20 calls and 20 SMS per day, and no data.

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.
  - iii) 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 point no. F. below.

Provided that such restrictions shall be valid till investigation in this regard is completed under the CoP or thirty days from the date of effect of restrictions, whichever is earlier.

- iv) In case, sender has not sent commercial communications in bulk, the OAP shall warn such sender through a notice to be delivered at registered postal address or email id.

## 6. 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 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. 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 after the issuance of first warning within two business days after the date of receipt of the complaint against which second warning is being given to the sender.
- iii. For the Third instance of violation, 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 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. *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 Usage Cap for a period up to two years, subject to payment of commercial consideration to such effect as decided by RJIL from time to time.

The RJIL CS team calls the customer to inform of the disconnection and blacklisting and asks if there is one number that the customer would like to retain with restricted usage.

**Summary of penal action against RTMs/UTMs**

S.No.	Process for Complaint Handling	Wireline	Wireless
1)	<b>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	Same as Wireline
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	Same as wireline
3)	<b>In case the complaint is related to Unregistered Telemarketer (UTM)</b>	Offence against UTM header will be registered up to 4 instances of non-compliance	Offence against UTM header will be registered up to 3 instances of non-compliance
4)	<b>Action Taken against UTM</b>	Warning issued and Barring of Outgoing Services on 2 <sup>nd</sup> & 3 <sup>rd</sup> instance followed by Telecom resource disconnection on 4 <sup>th</sup> instance and blacklisting for 2 years.	Warning issued and Barring of Outgoing Services on 1 <sup>st</sup> & 2 <sup>nd</sup> instances followed by Telecom resource disconnection on 3 <sup>rd</sup> instance and blacklisting for 2 years.

**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, RJIL may impose suitable and deterrent penalty, as per the agreement signed between RJIL and RTM.

## Section VI. Amendment to CoP

This CoP can be amended by RJIL 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. Publication of CoP

This CoP may be published by RJIL on its website after the implementation of the new systems and processes. Further, on any amendment to the CoP, same may be updated by RJIL over its website.

### Section VIII. Definitions

In this Code of Practice, unless the context otherwise provides, 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 IX. Version History

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

S.no	Date	Version	Remarks
1.	16.10.2018	1.0	CoP-Complaints_RJIL-base document
2.	07.02.2020	1.1	Reviewed before publication on Jio.com
3.	12.01.2021	1.2	Reviewed in line with the recent implementations
4.	10.05.2021	1.3	Reviewed basis comments from the TRAI