

9. Sistema Shyam Teleservices Limited

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Cc: Sunil Gupta <Sunil.Gupta@MTSIndia.in>
Date: Wed, 12 Feb 2014 08:08:35 +0000
Subject: Draft of 15th Amendment to the Telecom Commercial Communications Customer Preference Regulations

Dear Sir,

We appreciate the Authority's decision of reviewing TCCCP Regulations and pleased to submit our views on this issue which impacts large section of the society.

The errant telemarketers by sending unsolicited commercial messages cause disturbance and inconvenience to telecom users and invade their privacy. Therefore, they should not be left off easily. We feel any request for restoration of telecom resources in the normal course should not be allowed. The restoration of telecom resources can be considered only in exceptional cases when the Authority is satisfied that the telemarketer has taken concrete demonstrable steps to stop sending UCCs either directly or through its affiliates like channel partners, dealers, agents etc.

Telemarketers violate TRAI's Regulation when they send Unsolicited Commercial messages to subscribers registered in the Do Not Call register. Thus they are liable to be prosecuted under Section 29 of the TRAI Act. Therefore, a meager penalty of Rs 500 per telecom resource is not proportionate to their crime. We suggest few major violators must be prosecuted for causing inconvenience to users. As these errant telemarketers invade privacy should be charged penalty of atleast Rs. 5,000/- per telecom resource which is equivalent to the highest grade as per operator penalty payout.

Low penalty rates or routine restoration of resources may lead to increasing violation of TRAI Regulation on Unsolicited Commercial Communication, Thus we reiterate that resources restoration should be allowed only when telemarketers satisfies the Authority that it will not send UCCs again.

We do hope that the Authority will consider our views while reviewing the Telecom Commercial communications Customer Preference (Fifteenth Amendment) Regulations, 2014.

This is for your information and records.

Thanking you,

Best regards

Tara Popli

Executive Assistant to Deputy CEO, Head Of Regulatory
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