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.

III. For avoidance of doubt, in 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 respective Telecom Service Provider (TSP) shall be final and binding.

IV. The CoP will take effect from the date mentioned in Section-I Effective Date. It’s technical and system solutioning and implementation will start post said Effective Date and its timelines would be as per Section I.

V. Any modification to this CoP would be well within the right of TSP, 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. Effective Date

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Section I. Effective Date

1. Being a huge change in the entire chain of ecosystem (i.e. system, business processes and functions to be performed by associated parties), there is a need for seeking guidance of the TRAI on the first version of this CoP, before solutioning the architecture, its development and deployment.

2. As per Regulation, TRAI can direct TSPs to make changes in CoP post its submission. This CoP being first of its kind involving huge change in the ecosystem and development, it is fair at TSP end to wait for TRAI’s inputs before further steps are taken towards its implementation. Therefore, this CoP will be effective after 15 days from the date of submission to TRAI (“CoP Effective Date”). In case of any observations from TRAI within such 15 days, this CoP will be effective once such observations are addressed by TSP and agreed with TRAI.

3. The solutioning of architecture, processes, its development and deployment activities will start after finalization of CoP as per point no. 2 above.

4. The estimated timelines for point no 3 mentioned above is at least 6 months (on best effort basis) post CoP Effective Date (except Migration of existing, wherever applicable), though it would be subject to Vendor finalization, Solutioning & actual requirements emanating from finalized CoP and hence subject to review subsequently.

5. Migration of existing information, Entities, Telecom resources, Headers, consent etc. is a mammoth activity and would depend on finalized and approved CoP and system/processes being put in place. For effective implementation without causing any inconvenience to customers and/or disruption of business of Telemarketers and Principal Entities, it is envisaged that migration should be started only once system and processes are commissioned, implemented and stabilized.

6. The effectiveness of new ecosystem and processes would depend on its concurrent deployment by all TSPs on a common date.
Section II. Scope

The Scope of this CoP is to:

1. Effective control of Unsolicited Commercial Communication.

2. Comply with the TCCCP regulation, 2018.

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 Content Providers) and their obligations, who will be assigned and allocated the headers (SMS or voice CLIs), Consent Template, Consent Acquisition, Content Template, Content Verification and Scrubbing etc.

    Shall provide network system functioning conditions including SLAs and architecture once the solution is finalized

5. Provide minimum set of information which will be put on DLT system for sharing with different Entities and in between TSPs.

Section III: Appointment of Entities

1. The Access Provider, through wireless network or through wireline network, at its sole discretion, may choose to perform the functions of an Entity(s) by its own or may also choose to delegate the same to a third party or a combination of both.

2. If delegated to a third party:

   a. TSP will have proper authorization of such Legal entity through legal agreements, which should at least contain strict conditions for safety, security and confidentiality of the information being made available over the DLT system.

   b. TSP to check that the third party is not an individual but, a reputed legal entity. (i.e. public or private listed company or proprietorship/partnership firm, LLP or any Society registered under the Society Act, Trust, etc. as per Indian laws)
c. TSP may choose to appoint one third party for performing the functions of various Entities, or may choose multiple third parties to perform different activities or may choose multiple third parties for an individual activity.

Section IV: Types of Entities Registration and their functions:

There are seven types of Entities which are to be appointed by a TSP, 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 to carry out various functions, e.g. scrubbing function from the registered telemarketers for scrubbing, delivery function from telemarketer;

   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), header root(s) reserved for specific purpose;

   e) Synchronize records, in real time, among all header ledgers available with participating nodes in Header Registration Functionality in an immutable and non-repudiable form.

   f) maintain with minimum performance requirements as specified;

   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) Assign Header for SMS via Header Registration Functionality, on its own or through its agents, 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 three characters will be fixed as: First being an alphabet as indicator of TSP name, Second being an alphabet as indicator of licensed service area name and Third being an alphabet as indicator of whether purpose of SMS intended to be pushed is promotional or service or transactional or Government (i.e. ‘P’ or ‘S’ or ‘T’ or ‘G’), followed by a hyphen ‘-‘. Rest 7 characters or numbers are free and can be used for assignment. Header will be valid for a period of one year and after respective Entity will re-register the header with the TSPs.

For e.g. TMS-OLACABS (Tata Mumbai Service – OLA Cabs)
[Operator: TATA, Circle: Mumbai, Category: Service]

Min: 3, Max: 7 characters

Numeric Headers to support interactive messages:

Prevalent regulation supports interactive messaging through numeric headers starting with “5”

Tata Tele proposes to continue the numbering principle for numeric headers starting with “5” with minimum length of 5 digits and maximum of 11 digits

For e.g. 51460, 575756

All Headers shall be registered in the name of the Principle Entity or Sender only.

ii. Sender will not have right or ownership on the header(s) allocated. In case of any dispute or otherwise, under pure discretion of TSP, the assignment of header(s) can be revoked, with or without notice. TSP under its discretion, can disallow allocation of any specific headers as well.

iii. The assignment of header(s) will be subject to applicable commercials as per Annexure-I. Refer Annexure 1

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. Sender/TM shall fill an universal application form (proposed to be standard across all operators) with 2 factor authentication (Header registration will happen through login credential and further OTP validation will also be done)

ii. Sender/TM shall submit KYC documents as per existing process for new customer acquisition

iii. In case of TM placing the request, Authorization letter from the Principal Entity / Sender authorizing the TM to use the Headers on its behalf
   a. Authorization letter should consist the complete list of Headers to be used
   b. Purpose of Messages / Calls against each Header

iv. In case of Govt. Agencies registering Headers directly – KYC documents may not apply and request letter for registration along with purpose of message/call may suffice. In case of RTMs willing to register Headers on behalf of the Govt. Agencies, an authorization letter by the said Govt. Agency is required.

v. Check that the requested Header carries the initials of the company name of the requesting Entity(Sender); or is related to the company name or the brand name of the Entity.

vi. At the time of Header registration, Sender/RTM should declare if the requested Header shall be used for sending SMS/Voice message related to investment advice or stock tips. If yes, then the following steps to be followed:
   a. To ensure that the Sender/Principal Entity is a SEBI registered investment advisor, stock broker, sub broker, portfolio manager and merchant banker, willing to send messages / voice calls related to investment advice/stock tips either directly or through a Registered Telemarketer
      The list of such registered / authorized persons / entities can be accessed at:
      http://www.sebi.gov.in/sebiweb/other/OtherAction.do?doRecognisedFpiFilter=yes
      http://www.sebi.gov.in --> Intermediaries / Market Infrastructure institutions --> Entities permitted to send stock tips using Bulk SMS
   b. Verify through the URL mentioned above whether the person or entity on whose behalf the message shall be sent is a SEBI registered investment advisor or stock broker or sub broker or portfolio manager or merchant banker and also collect the requisite document so as to confirm and verify the identity of the person/entity and verify the same with details provided in the URL mentioned above. Such verification of the person or entity shall also be done by the registered telemarketer, and only after such verification any Header relating to investment advice or stock tip shall be registered for sending SMS / Voice calls

vii. All documents collected for verification purpose above shall be kept for a period of one year and shall be made available upon request to the authority or its agency

c) 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. Data set for this is the well-known brand list formulated  
ii. Headers should not be allocated with ‘well known string’ as defined in the list for initial three months.  
iii. In case, the said brand wants the above string or a part thereof, to remain blocked with a particular TSP, they may approach the said TSP and agree on the commercial basis.  
iv. Above to be done on a best effort basis.  
v. If, despite all best efforts, a header is allocated to an entity, and another entity approaches the TSPs, TSP, on its own discretion, will have a dispute resolution mechanism to redress the same.

d) **Process steps for Registration of Sender and/or Header:** Post successful checks and documents availability as per above sub-clause from b) (i) to (vii), the Entity-HR will register the header and make respective entries in the system.

e) **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:

- In case of repeated complaints as defined in the complaint handling CoP.
- In case limited period mentioned in the Authorisation letter provided by Government agency or Corporate/well-known brand.
- On direction from Regulators or other competent authorities
- Any other scenarios, as emanating from CoP-Detection or as defined by TSP from time to time.

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

f) Above process steps as defined from sub-point b) (i) to (vii) 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 from number series allocated to TSPs for telemarketer activity. Also there is no mechanism to identify header of voice calls whether it is transactional/service or promotional. Depending upon technical feasibility, TSP may going forward choose to allocate naming feature to be displayed as CLI (CName) for commercial voice calls made to its own subscribers.

g) **Dispute resolution:**
• In case of header dispute, between two entities within the same TSP – TSP will decide based on valid documents submitted by the Principal Entity/Sender. TSP decision shall be final and binding

• In case of dispute between two different TSPs / DLT ecosystem: Industry process to be formulated. First come first serve with valid documents shall be considered. For genuine cases, matter can be escalated to TRAI

h) Exclusions:
- No special characters (including currency symbols, etc.)
- Aphanumeric headers cannot contain only numbers
- Abusive, curse words, hate words, generic industry names,
- Country, City, State, Town names etc. unless requested by / authorized by Govt. agencies

2. Consent Template Registrar (Entity-CsTR) and Consent Acquisition Registrar (Entity-CsAR)

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 to the registered telemarketers for scrubbing.

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, and
   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) maintain with minimum performance requirements as specified;

h) 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:**

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 mentions the purpose of the consent and details of the sender (Header).

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. TSPs under their discretion, can disallow registration of certain 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. TSPs/Entity-CsTR may charge sender for such template registration as per Annexure-I:

**Examples of the Consent templates shall be included as Annexure-II**

b) **Presenting content of consent acquisition** template to the customer before taking consent; and

c) **Taking agreement** to the purpose of consent and details of sender; and

d) **Authenticate** customer giving the consent through OTP;

Above process will be applicable for SMS, in case of voice calls standard guideline shall be incorporated in the contract agreement with RTM

**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-CsAR along with registered consent template ID and MSISDN (individual or in batches) for presenting the same to the consumer seeking his consent.
iii. Entity-CsAR will share the registered consent template containing details of the sender and Header (Principal Entity name/brand name e.g. Amazon) with the consumer over a URL and generate an OTP to the consumer for authentication. The consent template may be presented to the consumer either directly by the Entity-CsAR/TSP or through the Principal Entity App or Web-page. Consumer shall enter the OTP and provide the consent on the stated template.

iv. The Entity-CsAR 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, and also to the Sender.

v. Once the consent is acquired, same will be valid for twelve (12) months period from the date of recording of the consent, unless customer revokes his/her consent before expiry of twelve month period.

vi. In case of OTP mismatch, 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:**

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

i. calling on 1909 or number mentioned for revoking the consent during the voice call received from the sender(s); or

ii. calling on customer care number; or

iii. Interactive Voice Response System (IVRS); or

iv. Web portal with authentication through OTP; or

v. Any other means as may be notified by the Authority from time to time.

**SMS to short code and Mobile App will not be applicable for TTSL**

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) 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 or Telemarketer on behalf of the Sender, will share with Entity-CTR the proposed template to be registered under the category of transactional or service message. Further, the sender will also provide consent template id (as provided during registration) for the proposed template of service messages. The template should carry both fixed and variable portion, distinctly identified. Sample Templates with fixed and variable portions will be prescribed and shared with senders during Registration.

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. Any violations in this regard shall attract strict penalties on the Sender/Telemarketer

iii. Entity-CTR to cross check the content of the service message templates and transactional message template as well as checking the service message template falling under the purpose (Commercial Communication) as defined in the consent template.

iv. TSPs under its discretion, can disallow registration or cause deregistration of any content template based on any specific keywords or otherwise.

b) to identify fixed and variable portion(s) of the content in the offered 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;
Transactional and Service message sample messages would be as per illustrations as provided in Annexure 2

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 length of the variable portion for a typical transactional and service message should not be more than 40% of the total length. Entity-CTR along with TSP, would put in place a process for approval of exception to this percentage threshold.

d) to de-register template or temporarily suspend use of template;

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 of the template for a period of 180 days.
   c) As per inputs arising from CoP Detect or otherwise as per discretion of TSP

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;

Process Steps:

Post the CoP Effective Date, the solution will be worked out. During the solutioning the process of hashing/reading etc. will be detailed and subsequently, suitably incorporated in the CoP as well.

f) To check content of the template being offered for registration as a promotional message from perspective of content category;

Process Steps for checking content of template:

Sender to categorise the template message into promotional category if the same falls under the definition of promotional message as defined in regulation to do the necessary check.
g) Assigning unique template identity to registered template of content;

Process Steps for assigning unique template identity:

i. Entity-CTR to assign unique id to each template against each registered sender id and update the system.

4. Content Template Verifier (Entity-CTV)

A. Broad Functions:

a) carry out content verification;

b) keep records with all relevant details for future references;

c) To identify the content type and category of messages to be delivered or already delivered via an automated tool or utility software;

B. Process Steps to be followed:

Entity-CTV should identify the content type and category of messages to be delivered or already delivered via an automated tool or utility software. For this, a percentage of messages (i.e. different types of content templates) to be checked, which can be static or dynamic, as decided by Entity-CTV and TSP from time to time.

5. Telemarketer / Sender Register

A. Process Steps:

I. Customer acquisition form along with PO will be collected from the customer and therefore it will be entered / processed in TTSL workflow system for generating the work order for provisioning / implementation

II. Security deposit as per regulation and Sender / TM registration charges will be collected via cheque and DD

III. All required documents (CIN number/Registration number/Registered email ID/Authorised person details/Company Address ) as per TRAI policy will be collected from the customer while processing the order & will be thoroughly verified and validated

IV. Validation of information will be done through SMS & webmail

V. Physical verification will also be done to make it more authentic and robust to avoid any kind of fraudulent activity

VI. Once order is closed login credential of web portal will be generated and mailed to Sender/TM.

VII. A unique Entity ID will be generated and communicated to sender / TM
vi. Telemarketer functional Entity Registrar (Entity-TFER)

I. Process Steps:
   i. TSP 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 TSP.

   ii. These Telemarketer functional entities will perform respective functions as mentioned hereinafter.

   iii. It is in complete discretion of TSP to appoint and register one or multiple entities as TM-SF.

   iv. TSP may formulate process and scenarios for de-registration of Telemarketer Functional Entities

Telemarketer for Various Functions
6(a). Telemarketer - Scrubbing Function (TM-SF):

1. 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;

2. 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;
   b) provide details about preferred time slots and types of days for delivery;

   Process Steps for processing Scrubbing:
   i. The Telemarketer or Sender can both approach for the scrubbing function. The Originating TSP (OAP) will send the request for scrubbing to TM-SF/DL and TM-SF/DL will do the scrubbing and generate token for OAP and also retain the OAP token with itself.

   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 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. It would be at TSP’s discretion to do dynamic dipping i.e., based on random percentage, pattern or all transactions.

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 with the Preference 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.

vi. Define process to consider various retry policies at voice dialers and SMS gateways to adhere to preferred timeslots.

    Adherence to the time preference needs to be maintained at TM/Sender dialer logic based on the scrubbed output for voice and SMS. Retry should be done only during the preferred timeslot and days. Same to be added in the TM agreement T&C. At network level for SMS no retry logic would be built. For voice at network level this functionality is not feasible.

vii. Similarly, DL TM-SF will scrub the service message with the Consent Register and generate a Token.

c) 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;

Process Steps for Protection of Data during scrubbing:

(i) 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) make available relevant details of scrubbed list to corresponding OAPs and TAPs for carrying out reverse mapping of virtual identities to real identities for further delivery;

Process Steps for reverse mapping:
Make available relevant means to identify the actual subscriber to which the message needs to be delivered

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.

ii. The broad rules for such identification should be fixed by TSP and its’ TM-SF from time to time. If required, same should be shared with TRAI for guidance.

iii. Once identified, TM-SF should report such instances to OAP, for further necessary action against the Sender / Telemarketer. OAP will be bound to take action and inform TAP within 3 working days of such information being received.

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

A. 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;

A. Process Steps to be followed:

a) deliver messages 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);

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 scrubber 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.

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

A. 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;

B. Process to be followed:

a) deliver messages to RTM having telecom resource connectivity with access provider(s), in a secure and safe manner;

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

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

A. 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;

B. 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 V. Network/System Functioning Conditions

1. Network/System Architecture

   i. Depending upon CoP finalization and discussions with vendor, the Network/system architecture freezed by TSPs for implementation should be incorporated in this CoP as well.

   ii. All TSP should implement the DL system which should be interoperable and ensure that requisite functions are performed in a non-repudiable and immutable manner.

2. Standards, Specification and SLAs

   An SLA will be agreed between TSPs interconnecting over DLT layer, from time to time and same will be translated into technical SLAs.

3. Flowchart of Sender/Telemarketer registration process
Section VI. Consequence management

1. In case of default/breach in functions to be performed by respective Entities registered/appointed by TSP, TSP may take strict action against the same which may include warning notice or show cause notice or penalty or temporary/permanent termination etc.

2. TSP may formulate an internal process on above.

3. Action of blacklisting can be taken against Telemarketer or aggregator sending 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 VII. 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 (to be shared over DLT by OAP)
   a. Sender ID
   b. Header
   c. Sender Name and Address

2. Header (to be shared over DLT by OAP)
   a. Header
   b. Date-Time of registration
   c. Purpose (Transactional, Service, Promotional or Government)
   d. Linked Sender

3. Consent Template (to be shared over DLT by TSPs)
   a) Consent Template registration unique number
   b) Consent template format including fixed and variable portion
   c) SMS header
   d) Sender ID

4. Consent Register (to be shared over DLT by TSPs)
   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

g) Linked Telemarketer or Sender as applicable

5. Content Template (to be shared over DLT by TSPs)
   a) Sender ID
   b) SMS header
   c) Consent Template registration unique number
   d) Content Template
   e) Fixed portion and Variable portion
   f) Linked Telemarketer or Sender as applicable

Section VIII. Migration of Existing Information / Processes

i. It is to be understood that Migration of existing information, Entities, Details of existing
   Telemarketer, Telecom Resources, Headers & Sender ID’s, Consent etc. is a mammoth
   activity and would depend on finalization of CoP and system/processes being put in
   place. For effective implementation without causing any inconvenience to customers
   and disruption of business communication to Telemarketers and Principal Entities, it is
   envisaged that migration should be started only once system and processes are
   implemented and stabilized. TSP may also aim to start collection of information for
   migration, prior to implementation of system and processes, wherever technically and
   operationally feasible.

   ii. Further, TSP may choose to implement the provisions of new regulations in phases.

New Telemarketers who do not have TRAI registration as per previous TCCCP Regulation, shall be
registered by TSP in an offline mode till the new system/processes over DLT is implemented by all
TSPs. For this, TSP may take suitable CAF, identification documents, agreements from the
Telemarketers. For Existing Telemarketers who approaches TSP in case of expired/expiring TRAI
registration, they can be allowed continuation of resources under existing agreements and
documentation, which can be extended for a period of 3 years at a time. TSP would be free to
charge for such registration of new telemarketers or extension to existing telemarketers, at a price
decided by TSP from time to time. Also, till the new system/processes as per the TRAI TCCCP
Regulation, 2018 is implemented, the penalties in case of UCC, as per previous regulations will apply
and TSP can continue to take security deposit from Telemarketers as per previous regulations.

Section IX. 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 may be published by TSP on its website after the implementation of the new systems and processes. A digital copy of the same should be sent to below, on their appointment/registration:

a) Entity - HR  
b) Entity – Consent Template Registrar  
c) Entity - Consent Registrar  
d) Entity - Content Template Registrar  
e) Entity – Content Template Verifier  
f) Entity - Telemarketer functional Entity registrar  
g) All registered Sender(s)  
h) All registered Telemarketers  
i) All registered Aggregators

Further, on any amendment to the CoP, same may be published by TSP over its website and also sent to above over their registered email-ids.

Section X. Definitions

The Definitions would be as per the Definitions contained in TRAI’s Telecom Commercial Communications Customer Preference Regulations, 2018.
Annexure-I

Commercial structure:

1. Header registration:
   - 20% markup on cost incurred to TTL; or
   - As per Industry benchmarking

2. Consent template registration:
   - (20%+ on cost to TTL)
   - As per industry benchmarking

3. Telemarketer registration
   - (20%+ on cost to TTL)
   - As per industry benchmarking
Consent template formats

Transactional:

----------

**Purpose of consent:** Payment transaction confirmation

**Header:** TMT-ICICIBK

**Details of Sender:**
Name of Entity: ICICI Bank
Address: <xxxxx>
Industry: Banking

**Content template:**

Dear Customer, payment of **INR 1234** has been received on your ICICI Bank Credit Card Account **5xxx1234** on **15-JAN-19**. Thank you

----------

**Purpose of consent:** OTP Delivery

**Header:** TMT-URBCLAP
Details of Sender:
Name of Entity: UrbanClap
Address: <xxxxx>
Industry: Ecommerce

Content template:
Your Urbanclap OTP: 1234. Note. Please DO NOT SHARE this OTP with anyone.

Service:

Purpose of consent: Payment due notification

Header: TMS-ICICIBK

Details of Sender:
Name of Entity: ICICI Bank
Address: <xxxxx>
Industry: Banking

Inferred Consent | Content template:
Dear Customer, stmt for Credit Card xx1234 has been sent to abc@tata.com. Total amt of Rs. 1234 or Min. amt of Rs.123 is due by 07-FEB-19

Purpose of consent: ITR processing

Header: TMG-ITDCPC

Details of Sender:
Name of Entity: Income Tax Dept
Address: <xxxxx>
Industry: Govt.

Inferred Consent | Content template:
ITR for PAN: ABCxxxxx3H, AY 2018-19 and Ack No. 093409842093 has been processed at CPC. Order u/s 143(1) will be sent by email

Purpose of consent: Card delivery update

Header: TMS-ICICIBK

Details of Sender:
Name of Entity: ICICI Bank
Inferred Consent | Content template:

Your shipment from ICICI Bk is dispatched through Blue Dart Awb#9832743245 will be delivered by 24-Dec-18. Track on http://bluedart.in/?9832743245

[Proofs for Inferred consent to be submitted for complaints:

- CRM snapshots showing the user as an active customer of the Sender/Principal Entity with date, name and mobile of the user
- Voice recording of call made to the user by the Sender regarding the user’s existing business relationship with the sender or in response to an interest shown by the user regarding the Sender’s business]

Purpose of consent: Information about services

Explicit Consent | Content template:

Dear Customer, you are now eligible for an increase in the credit limit on your Credit Card XX1234 from Rs.65000 to Rs.565000 without any charges. Simply SMS CRLIM <<last 4 digits of Card>> to 5676766 for this free increase in credit limit

Purpose of consent: Account information

Explicit Consent | Content template:
Your stock broker KOTAK SECURITIES reported your fund balance **Rs.1000** & securities balance **0** as on end of **Dec-18** for **UCC-M2Z75**. Note that balances do not cover your bank & DP balance. Check details at abc@tata.com. If email id not correct, kindly update with your broker

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**Purpose of consent**: Service maintenance updates

**Header**: TMS-KOTAKBK

**Details of Sender**:
Name of Entity: Kotak Bank
Address: <xxxxx>
Industry: Banking

**Explicit Consent | Content template**:

Dear Customer, for bringing you a smoother experience, our systems will undergo maintenance on **21/12/18 (02:30AM to 03:15AM) IST**. Your Kotak Debit and Credit card transactions at ATM/POS and ECOM will be impacted during the said period. We thought we should let you know in advance so that you can plan your transactions accordingly. We regret the inconvenience caused.

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**Purpose of consent**: Information about services

**Header**: TMS-UBREATS

**Details of Sender**:
Name of Entity: Uber
Address: <xxxxx>
Industry: Ecommerce

**Explicit Consent | Content template**:

Flat 50% off on pizzas, burgers and much more on Uber Eats for **Ridesmart** users. Use code **100GRUB**, valid on first 2 orders. TCA. Order now: t.uber.com/a0

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**Promotional**:

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**Purpose of consent**: Solicit new customers for dental services

**Header**: TMP-MYDENT

**Details of Sender**:
Name of Entity: Uber
Address: <xxxxx>
Industry: Ecommerce
Content template:
You need a dental checkup every 6 months! To book a FREE dental checkup give a missed call on 02261811234. Offer valid till next 2 days only!

Additional Notes:

Rules

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<thead>
<tr>
<th>Message</th>
<th>Explicit Consent</th>
<th>Inferred Consent</th>
<th>Preferences</th>
<th>Remarks</th>
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<td>Transactional</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not applicable</td>
<td>No consent required. Within 30 mins.</td>
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<tr>
<td>Service Message – Inform, advertise, solicit</td>
<td>Applicable</td>
<td>Not applicable</td>
<td>Applicable</td>
<td>Preferences supersedes explicit consent</td>
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<tr>
<td>Service Message – transaction related, account info, delivery</td>
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<td>Inferred based on relationship between sender and user</td>
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<tr>
<td>Promotion</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Applicable</td>
<td></td>
</tr>
</tbody>
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Inform, Advertise, Solicit:

**Explicit Consent:** service message to inform, advertise or solicit about goods or services, suppliers or business opportunity.

**Transaction related, Account info, Delivery updates**

**Inferred Consent:** Service messages to facilitate, complete transaction. Inform about warranty, product recall, account info, delivery and purchase updates etc.

Content template flags:

- **Red font:** Variable content
- **Black font:** Fixed content
Annexure – II

Flow Charts:

Flow - Entity.docx
**Section XI. Version History**

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

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