

## **PROCEDURE FOR COMPLAINT REDRESSAL**

1. Every Access Provider shall set up a **toll free** customer complaint registration facility having short code **1909** for registration of the complaint of the customer regarding receipt of unsolicited commercial communications.
2. The customer complaint registration facility shall have adequate telecom resources for receipt of customer complaints by way of a voice call and SMS.
3. In case any subscriber receives unsolicited commercial communication after expiry of seven days from the date of his registration in the Provider Customer Preference Register, he may make a complaint to his Access Provider (i.e. Terminating Access Provider) through voice call or SMS, mentioning therein the particulars of telemarketer, the telephone number from which the unsolicited commercial communication originated, the date, and the time of such unsolicited commercial communication. Provided that such complaint by a customer shall be made within three days of receipt of the unsolicited commercial communication.
4. The customer can register the complaint either by dialing 1909 from his telephone or by sending SMS to 1909 from his telephone in the format “The Unsolicited Commercial Communication, XXXXXXXXXXXX, dd/mm/yy”, with or without space after comma. Where XXXXXXXXXXXX – is the telephone number or header of the SMS, as the case may be, from which the unsolicited commercial communication has originated.

5. On receipt of a complaint, the Terminating Access Provider shall,-
  - a) immediately acknowledge the complaint by providing a unique complaint number;
  - b) verify whether, at the time of receiving unsolicited commercial communication, a period of seven days has expired from the date of registration of the customer in the Provider Customer Preference Register;
  - c) verify the correctness of the complaint as per the available Call Detail Record (CDR); and
  - d) complete the steps at (b) and (c) within seventy two hours from receipt of the complaint.
  
6. If, on verification, the complaint is found to be correct, the Terminating Access Provider shall, within seventy two hours of the receipt of the complaint, forward the complaint, under simultaneous transmission to Telecom Commercial communication customer preference portal, and to the Originating Access Provider from whose network such unsolicited commercial communication has originated.
  
7. In case, on verification, the Terminating Access Provider finds that no such unsolicited commercial communication has been made to the complainant, he shall inform the complainant accordingly.
  
8. The Originating Access Provider, to whom the complaint has been forwarded, shall within seventy two hours of the receipt of the complaint by it, investigate the nature of call or SMS and if after such investigation, it finds that such call or SMS is an unsolicited commercial communication-

- e) issue a notice to the telemarketer, forwarding the detail of the unsolicited commercial communication made by him and informing him of the deduction from the security deposit of an amount as agreed upon in terms of Schedule IV or Schedule V to these regulations;
  - f) intimate, the result of the investigation and the action taken by it on the basis of the complaint, to the Terminating Access Provider which forwarded the complaint;
  - g) deposit the amount so deducted in an account specified by the Authority; and
  - h) update the action taken by it on Telecom Commercial communication customer preference portal.
9. The Terminating Access Provider shall, upon receipt of the intimation from the Originating Access Provider, intimate to the complainant, within twenty four hours, the result of the investigation and the action taken by the Originating Access Provider on his complaint.
10. Notwithstanding any delay on the part of the Terminating Access Provider to forward the complaint, to the Originating Access Provider, it shall be incumbent upon the Originating Access Provider to take action on such complaint.
11. In case the Originating Access Provider to whom a complaint has been forwarded finds that the unsolicited commercial communication originated from a subscriber who is not registered with the Authority as a telemarketer, it shall disconnect all telecom resources allotted to such subscriber and enter the name of such subscriber into the blacklist.