

Guidelines for Access Providers

1. Every Access Provider shall provide toll free short code 1909, with sufficient number of lines for registration of preference/change of preference/deregistration of customers on National Customer Preference Register and for registration of complaints.
2. Every Access Provider shall, ensure that no telecom resource is provided to a telemarketer unless he has registered itself with TRAI.
3. Every Access Provider shall, before providing any telecom resource to a telemarketer, obtain a copy of the application form filed while registering with TRAI as a telemarketer, verify the details furnished by the telemarketer in its application form, the registration number issued by TRAI and comply with the subscriber verification guidelines issued by the Department of Telecommunications, from time to time.
4. Every Access Provider shall, ensure that no telecom resource is provided to a telemarketer whose telecom resource has been disconnected and details have been entered in Blacklist Register available on www.nccptrai.gov.in.
5. Every Access Provider shall, before allotting telecom resources to a telemarketer for sending promotional messages, enter into agreement with such a person in accordance with the provisions specified in Schedule IV to “The Telecom Commercial Communications Customer Preference Regulations, 2010”.

6. Every Access Provider shall, before allotting telecom resources to a telemarketer for sending transactional messages, enter into agreement with such a person in accordance with the provisions specified in Schedule V to these Regulations.
7. Every Access Provider shall, within one month of entering into an agreement with the telemarketer or transactional message sending entity, as the case may be, submit to the Authority an authenticated copy of the agreement along with a softcopy of such agreement. Soft copy of such agreement shall be uploaded using the access provider login on website www.nccptrai.gov.in.
8. Every Access Provider shall, allocate telecom resources to the telemarketers from the number series allocated by the Department of Telecommunications vide their letter No. 16-5/2009-AS.III/(Pt.)/(3)/1124 dated 18th October 2010. A copy of the said number series has already been provided to Access Providers vide TRAI's letter no. 305-17/2010-QoS dated 3rd December 2010.
9. Every Access Provider shall ensure that telecom resources provided to a telemarketer for making voice calls do not have facility for receiving incoming call and sending of SMS.
10. Every Access Provider shall, ensure that telecom resources provided to a telemarketer or transactional message sending entity for sending messages do not have facility for receiving incoming call or SMS.

11. Every Access Provider shall, before activating any telecom resource provided to a telemarketer, ensure that details of all telecom resources provided to a telemarketer are entered into the National Telemarketer Register through website www.nccptrai.gov.in against the registration number of the telemarketer
12. Every Access Provider shall provide separate telecom resources to telemarketers, for sending transactional message and promotional messages.
13. Every Originating Access Provider shall ensure that the telecom resources provided for sending transactional messages are not used for sending promotional message.
14. Every Originating Access Provider shall ensure use of correct header for sending promotional or transactional message, as the case may be, in accordance with the agreement entered into by such Access Provider with the sender of promotional or transactional messages.
15. Every Access Provider shall ensure that a telemarketer shall, before sending any SMS to a telecom subscriber, scrub the telephone number of the subscriber with the database received from National Customer Preference Register.
16. Every Originating Access Provider shall filter all voice calls received through the telecom resources allocated to the telemarketers to ensure that no commercial voice call is made to any subscriber, registered with the National Customer Preference Register.

17. Every Originating Access Provider shall filter all promotional SMS received through the telecom resources allocated to the telemarketers to ensure that only promotional SMSs, preferred by a customer in his preference registered with the National Customer Preference Register, are sent to him.
18. Every Access Provider shall ensure that commercial communication including SMS is sent to a customer only between 0900 Hrs to 2100 Hrs.
19. No Access Provider shall provide to any person, other than a telemarketer registered with TRAI, any tariff plan or SMS package in any form such as special recharge voucher, student pack, seasonal pack etc. permitting sending of more than one hundred SMS per day per SIM except on 'blackout days' and additional days as may be specified by TRAI by direction issued from time to time.
20. No Access Provider shall send any commercial communication, either directly or by mixing such communication with service communication, through voice call or SMS or Unstructured Supplementary Service Device (USSD) unless specifically opted, to a subscriber whose name is registered in the National Customer Preference Register.
21. Every Terminating Access Provider shall ensure that details of customer complaints related to unsolicited commercial communications (UCC) are uploaded on the website www.nccptrai.gov.in through the link 'Violation details'.

22. Every Originating Access Provider shall ensure that details of action taken on customer complaints related to unsolicited commercial communications (UCC) are uploaded on the website www.nccptrai.gov.in through the link 'Notice to telemarketers'.