

**AP & PARTNERS COMMENTS ON THE TELECOM REGULATORY AUTHORITY OF
INDIA'S (TRAI) CONSULTATION PAPER ON THE INTRODUCTION OF CALLING
NAME PRESENTATION IN TELECOMMUNICATION NETWORKS**

A summary of our inputs to the TRAI Consultation Paper on 'Introduction of Calling Name Presentation in Telecommunication Networks' dated 29 November 2022¹ is provided below.

The introduction of any calling name presentation ("CNAP") supplementary services in telecommunication networks in India in the current scenario serves a limited purpose from the aspect of both the subscribers and the telecom service providers.

- (a) ***Need-based assessment of the CNAP feature:*** The government of India should identify the need for the CNAP feature and determine if the costs that it would add to telcos justify the regulatory burden that it will impose. In our view, current third-party solutions already identify caller details with significant accuracy. Further, in many cases, crowd-sourced data provides greater context on the caller (such as suspicious or spam calls) than what would be possible for any CNAP feature that relies on registration data.

While we understand that the government views CNAP technology as a method to reduce spam, in our view, this may be better served by providing more teeth to anti-spam regulation as it stands today.

As all of us may have experienced, currently spam calls are made by telemarketers using unregistered numbers as well as through over-the-top communication/ messaging services. These services are often unregistered and are as a result not regulated by telecom service providers in the manner provided by the Telecom Commercial Communications Customer Preference Regulations, 2018. Instead of a CNAP feature, in our view, the government could consider bringing in a comprehensive anti-spam regulation (potentially as sub-regulation under any data protection legislation) instead. Any such regulation must be technology neutral and should govern unsolicited communications through legacy telecom services as well as over-the-top services (currently outside the purview of regulation by the TRAI and the Department of Telecommunications).

- (b) ***Increase in compliance burden and costs for telecom licensees:*** As discussed previously, we see limited benefits for customers in enabling CNAP on telecommunication networks. On the other hand, implementing any such service will increase the cost of operations, which would ultimately be passed on to consumers in India.
- (c) ***Privacy and safety concerns for subscribers:*** In addition to serving a limited purpose for subscribers, the proposed CNAP feature also carries privacy and safety concerns for users. A mandatory CNAP feature may disclose the name of the caller to the receiver even in cases where the caller does not wish to disclose their name (for example, in case of a person calling a wrong number). As a result, should the government consider the implementation of CNAP, we believe

¹The Consultation Paper can be accessed [here](#)

customer protection measures, such as data protection and privacy legislation should be a necessary pre-condition to the implementation of the CNAP feature in India.

Basis the above, we have provided our query-wise responses below:

1. **Whether there is a need to introduce the calling name presentation (CNAP) supplementary service in the telecommunication networks in India?**

In our view, current third-party solutions effectively solve any customer concerns as of today. Hence, the implementation of CNAP has limited additional benefits and adds to the regulatory burden and costs of telecom service providers in India.

Instead, in our view, the government should look to improve anti-spam regulation, which is a widespread problem currently faced by users in India.

2. **Should the CNAP service be mandatorily activated in respect of each telephone subscriber?**

No, even if the government should consider implementing the CNAP feature, any such feature should be based on an opt-in system and not result in mandatory enrolment. Further, customers should have the ability to granularly control the manner in which their data is shared with third parties.

3. **In case your response to the Q 2 is in the negative, kindly suggest a suitable method for acquiring consent of the telephone subscribers for activation of CNAP service.**

As discussed previously, in our view, CNAP should be built on an opt-in basis.

4. **Should the name identity information provided by telephone consumers in the customer acquisition forms (CAFs) be used for the purpose of CNAP? If your answer is in the negative, please elaborate your response with reasons.**

In our view, CAF information may not always accurately reflect the manner in which a mobile number is being utilised in the Indian context, and often in such cases, crowd-sourced information may be a more accurate marker.

For example, a mobile number may be acquired by an individual but utilised by a ward of the individual. Often individuals use certain numbers to make fraudulent calls, a CNAP feature will provide CAF information, however, crowd-sourced identification may be more accurate in this case.

5. **Which among the following models should be used for implementation of CNAP in telecommunication networks in India?**

(a) Model no. 1, in which a CNAP database is established and operated by each TSP in respect of its subscribers and the name information is sent by the originating TSP to the terminating TSP during the process of call set up; or

(b) Model no. 2, in which a CNAP database is established and operated by each TSP in respect of its own subscribers. The terminating TSP dips into its MNP database to determine the originating TSP of the calling party and then performs a CNAP lookup on the CNAP database of the originating tsp; or

(c) Model no. 3, in which a centralized CNAP database is established and operated by a third party with an update mechanism from each TSP in respect to their subscribers; the terminating TSP performs CNAP lookup from the centralized CNAP database at the time of receiving a call; or

(d) Model no. 4, in which a centralized CNAP database is established and operated by a third party, and individual CNAP databases are established by all TSPs; the TSPs keep a copy of the centralized database and perform local CNAP lookup at the time of receiving a call; or

(e) any other suitable model for implementation of CNAP along with a detailed description of the model.

In our view, the regulations should not result in the creation of a centralised CNAP as it creates risks to consumer data at large. Any centralised database of information is prone to unauthorised access by bad actors and can result in risking customer privacy at large. Instead, either Models 1 or 2 may be preferred (if any CNAP feature is implemented), where TSPs maintain federated databases, which are then accessed from time to time to implement the feature.

6. What measures should be taken to ensure delivery of CNAP to the called party without a considerable increase in the call set up time?

We have no comment to this question.

7. Whether the existing telecommunication networks in India support the provision of CNAP supplementary service? If no, what changes/additions will be required to enable all telecommunication networks in India with CNAP supplementary service? Kindly provide detailed response in respect of landline networks as well as wireless networks.

We have no comment to this question.

8. Whether the mobile handsets and landline telephone sets in use in India are enabled with CNAP feature? If no, what actions are required to be taken for enabling CNAP feature on all mobile handsets and landline telephone sets?

We have no comment to this question.

9. Whether outgoing calls should be permitted from national toll-free numbers? Please elaborate your response.

Yes, in our view national toll-free numbers should be permitted to make outgoing calls as well.

10. **In case the response to the Q 9 is in the affirmative, whether CNAP service should be activated for national toll-free numbers? If yes, please provide a mechanism for its implementation.**

In our view, CNAP should be enabled for national toll-free numbers.

11. **Whether CNAP service should be implemented for 140-level numbers allocated to registered telemarketers?**

Yes, in our view, users should be permitted to identify numbers associated with registered telemarketers. This in our view is a natural extension of any anti-spam regulation.

12. **If your answer to Q 11 is in the affirmative, then kindly elucidate the technical considerations for implementing CNAP service for registered telemarketers so that the name identity of the principal entity may be presented to the called party.**

We have no comment to this question.

13. **Whether the bulk subscribers and national toll-free numbers should be given a facility of presenting their 'preferred name' in place of the name appearing in the CAF? Please elaborate your response.**

In our view, a preferred name system should be available to all users and not only bulk subscribers and toll-free numbers.

14. **In case the response to Q 13 is in the affirmative, what rules should govern the implementation of such a facility?**

In any such system, the preferred name given by the user should be displayed to all parties receiving a call from the specified number.

15. **Whether there is a requirement of any amendment in telecommunication service licenses/ authorizations in case CNAP is introduced in the Indian telecommunication network? Please provide a detailed response.**

Please see our response to Q 1.

16. **Whether there are any other issues/ suggestions relevant to the subject? If yes, the same may be furnished with proper justification.**

Please see our comment above on the need for an effective anti-spam regulation.