

**Telecom Regulatory Authority of India (TRAI)**

**TRAI Strengthens Consumer Protection with Amendments to TCCCPR, 2018**

**New Delhi, 12.02.2025** – The Telecom Regulatory Authority of India (TRAI) has amended the Telecom Commercial Communications Customer Preference Regulations (TCCCPR), 2018 to further strengthen consumer protection against Unsolicited Commercial Communication (UCC). The revised regulations aim to deal with evolving methods of misuse of telecom resource and promote a more transparent commercial communication ecosystem for consumers.

2. Since its implementation, TCCCPR-2018 has made breakthrough use of technology for spam control through blockchain-based regulatory framework. Despite the robust measures in place, spammers have evolved their tactics, necessitating further regulatory enhancements to safeguard consumer interests. Accordingly, TRAI issued a Consultation Paper (CP) on the Review of the TCCCPR 2018 on 28th August 2024 to seek stakeholders' views on key regulatory amendments needed to enhance consumer protection and curb Unsolicited Commercial Communications (UCC). The consultation focused on several vital issues, including redefining commercial communication categories, strengthening consumer complaint redressal mechanisms, tightening the threshold norms for action against UCC, bringing in higher accountability of senders and telemarketers, curbing the misuse of 10-digit numbers for telemarketing, implementing stricter measures against unregistered telemarketers (UTMs), etc.
3. The amendments introduced today build upon stakeholder feedback and extensive internal deliberations to reinforce consumer rights and prevent misuse of telecom resources while at the same time aiming that the legitimate commercial communication occur through registered entities, based on the preference and consent of the customers, thereby, balancing the interests of consumers with the need for supporting legitimate economic activities in the country.
4. **Salient Features of the consumer-centric amendments made to the regulations:**
  - i. **Ease of reporting spam and Revamped Complaint mechanism:**
    - a) Consumers will now be able to make complaint against spam (UCC) calls and messages sent by unregistered senders without the need of first registering their preferences for blocking or receiving commercial communications.

- b) To make the complaint process simpler and more effective, it has been mandated that if a complaint made by a customer contains bare minimum essential data such as number of the complainant, number of Sender from which the Spam/UCC has been received, date on which spam is received and a brief about the UCC Voice Call/Message, the complaint shall be treated as a valid complaint. Access Provider can collect additional information from the complainant to support the investigation.
- c) Further, a customer can now make a complaint about spam/ UCC within 7 days of receiving spam as compared to earlier 3-day time limit.
- d) The access providers have been mandated to display the options for registering spam/UCC complaints at a prominent and easy to find place in their mobile App and Web portal. Additionally, their mobile App should be able to auto capture call logs, SMS details after obtaining permission from the subscriber and extract necessary details through it for complaint registration. Moreover, the mobile app should also have the facility to register complaints using screenshots provided by the complainant.
- e) Time limit for taking action by the access providers against the UCC from unregistered senders has been reduced from 30 days to 5 days.
- f) To ensure prompt action against the senders of UCC, the criterion for taking action against them has been revised and made more stringent. As compared to earlier criterion of 'having 10 complaints against the sender in last 7 days' to trigger action, it has been modified to "having 5 complaints against the sender in last 10 days'. This would enable faster action and at the same time, covering more number of spammers.

**ii. Empowering Customers:**

- a) Improved mechanism for opting out from promotional communication: Telecom operators must now provide a mandatory option in the promotional messages using which a customer may opt out of receiving such messages, thereby, making preference modification simpler and easier for the consumers.
- b) Message headers will now carry standardized identifiers to help consumers easily distinguish between promotional, service, and transactional messages. Customers will be able to identify the type of commercial message by just looking at its header as "-P", "-S", "-T", and "-G" will be suffixed to the message header for identification of promotional, service, transactional, and government messages, respectively.
- c) A separate category for messages sent by government has been created so that customers do not miss important government communications beneficial to them.

- d) A sender shall not make a request seeking consent of a customer who has opted out, before ninety (90) days from the date of such opt-out by the customer. However, customer will have the option to opt-in any time.
- e) The consent given by a customer for completing any ongoing transaction shall be valid only for 7 days so that businesses do not keep on making calls or sending messages to the customer indefinitely on the pretext of the consent given earlier.
- f) Further, consent of the customer which is implicit in case of transactional and service commercial communications, shall be valid only for the duration or discharge of the contract between the customer and the sender, and, therefore, no service call can be made to the customer by such a sender thereafter unless the customer gives explicit consent for it.
- g) The amendments bring in disclosure of the use of auto-dialers/ robo calls, and its regulation to prevent undue disturbance to the customers.

**iii. Stringent Measures against Spammers/ Senders of Unsolicited Commercial Communications**

- a) Access providers must suspend all telecom resources of a sender found guilty of repeated violations. For the first violation of the regulatory threshold, outgoing services of all telecom resource of the sender will be barred for 15 days. For subsequent violations, all telecom resources of the sender, including PRI/SIP trunks, will be disconnected across all access providers for a period of one year and the sender will be blacklisted.
- b) Any call made or message sent to deceive or attempt to deceive customers has been classified as UCC so far as misuse of telecom resources is concerned, thereby, enabling quick regulatory action against the telecom resources of the sender of such communication, including disconnection and blacklisting. This amendment will make disconnection of such telecom resources swift due to use of blockchain based technology.
- c) The amendment restricts senders from using normal 10-digit numbers for telemarketing, ensuring that all commercial communications originate from designated headers or specific number series. While the 140 series will continue to be used for promotional calls, the newly allocated 1600 series is designated for transactional and service calls, with implementation already in progress. This change enables recipients to easily identify the type of commercial communication based on the Caller Line Identification (CLI).

**iv. Stringent provisions to ensure compliance of regulations**

- a) In case of failure of the access providers to implement these regulations, provisions for imposing financial disincentives in graded manner have been introduced. A financial disincentive (FD) of Rs 2 lakh for first instance of

violation, Rs 5 lakh for second instance of violation and Rs 10 lakh per instance for subsequent instances of violation, shall be imposed on access providers in case of misreporting of the count of UCC. These FDs shall be imposed separately for registered and unregistered senders. Moreover, these FDs will be in addition to the FD imposed on access providers against invalid closure of complaints, and not fulfilling their obligations in respect of registration of Message Headers and Content Templates.

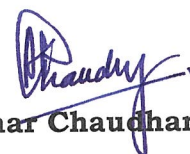
- b) The Access Providers have been enabled to prescribe a security deposit for the senders and telemarketers, which can be forfeited in case of violation of regulations by the senders and telemarketers. To make the provision more effective, access providers have been mandated to enter into a legally binding agreement with all the registered Senders and Telemarketers wherein their roles and responsibilities as well as the actions that can be taken against them in case of non-compliance, shall be incorporated.

**v. Strengthening the ecosystem:**

- a) Access providers are mandated to analyze call and SMS patterns based on parameters such as unusually high call volumes, short call durations, and low incoming-to-outgoing call ratios. This will help flag potential spammers in real-time.
- b) Telecom operators are required to deploy honeypots which are dedicated numbers that attract and log spam calls and messages, to analyze emerging spam trends and take pre-emptive action against suspected spammers.
- c) The revised regulations limit the number of intermediaries between the Principal Entity (PE) and the Telemarketer (TM) to ensure full traceability of messages. This will enhance accountability in commercial communication.
- d) Senders and telemarketers must undergo physical verification, biometric authentication, and unique mobile number linking during registration. Additionally, operators must maintain comprehensive records of complaints and sender details, ensuring that violators are quickly identified and penalized.
- e) To enhance accountability in commercial communication, TRAI has mandated strict Principal Entity (PE) - Telemarketer (TM) traceability. This ensures seamless tracking of messages from sender to recipient, reducing the risk of spam and unauthorized commercial communications.

- 5. TRAI has mandated that Access Providers to ensure strict compliance with these new regulations and take proactive measures to identify and block violators.

6. The revised regulations will enable TRAI in safeguarding consumer interests while promoting a more secure and trusted digital communication environment. All stakeholders, including businesses and telecom operators, are advised to align their systems with the amended framework to ensure seamless implementation.
7. For further information, Shri Deepak Sharma, Advisor (QoS-II), TRAI, may be contacted at 011-20907760 or at email-id [advqos@trai.gov.in](mailto:advqos@trai.gov.in)



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