

Information note to the Press (Press Release No. 13 /2021)

For Immediate Release

Telecom Regulatory Authority of India (TRAI)

Press release on implementation of the 'Telecom Commercial Communications Customer Preference Regulations (TCCCPR), 2018'

New Delhi, 12.03.2021- Unsolicited Commercial Communication (UCC) is a major source of inconvenience to the public and also impinges on the privacy of individuals. Often fraudsters use these communications to cheat and defraud gullible customers. To curb the menace of UCC, TRAI has issued the Telecom Commercial Communications Customer Preference Regulations, 2018 ("TCCCPR, 2018") on 19th July, 2018, which put in place a framework for controlling UCC. The regulations entirely came into force w.e.f. 28.02.2019. Since, then TRAI has been through, Telecom Service Providers (TSP), communicating with the Principal Entities to fulfill the regulatory requirements.

2. As per the provisions of the regulation and Code(s) of Practices published by the Access Providers, following activities are required to be completed by any sender (OTP, Transactional messages, Service messages or commercial messages) for sending bulk communication:

- (a) Registration as Principal Entity (PE)
- (b) Assignment of header
- (c) Registration of Content Template
- (d) transmission of PE id, header, Content id while offering for delivery of messages to TSPs
- (e) Registration of consent template (if any)



(f) Acquisition of consumer consent (if any)

3. These provisions enable enhanced control for the Principal Entities over their client data, which, if leaked, could also be misused by the fraudsters. The regulatory provisions not only help in preventing spam but also help in preventing fraudulent messages purporting to originate from banks, financial institutions or other trusted sources. It also helps the Principal Entities to enhance it reach by registering the consent of the customers.

4. Access Providers have published the regulatory requirements in the leading newspapers from time to time and also communicated to the Principal Entities, periodically. However, when SMS scrubbing was activated by the Access Providers w.e.f. 8th March, 2021, some failure of A2P SMS traffic was observed. It was observed that some of the principal entities have not fulfilled the requirements as envisaged TCCCPR, 2018, even after two years, despite being fully aware of the regulations and the consequences. In order to protect the interest of consumers, TRAI had to request TSPs to temporarily suspend the scrubbing of SMS for seven days to enable the principal entities to register the template of SMS so that no inconvenience is faced by the customers.

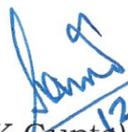
5. Hon'ble High Court of Delhi vide order dated 3rd February, 2021 has directed TRAI for strict implementation of the provisions of the Telecom Commercial Communications Customer Preference Regulations, 2018 and other related regulations, issued from time to time, to curb the UCC and take action against the violators in accordance with the law.

6. Accordingly, it has been decided that those Principal Entities which do not comply with the regulatory requirements, will be notified by the Access Providers to comply with the regulatory requirements within 3 days time period failing which the names of defaulting entities would be displayed on the website. Even after this period, if they fail to fulfill the regulatory requirements, they would not be allowed to send bulk communication using telecom resources.



7. TRAI hereby, once again requests all the Principal Entities (Sender or Businesses, Private as well Government bodies) who are using the telecom resources to send bulk messages to their customer, to fulfill the regulatory requirements immediately so that there would not be any disruption in their business activity and inconvenience to the public and at the same time businesses work in a safe and trusted environment.

8. In case of any clarification, Shri Asit Kadayan, Advisor (Quality of Services) may be contacted at 011-23230404 or email advqos@trai.gov.in.


(S.K. Gupta) 12/31/2024

Secretary, TRAI