

TCCCPR 2018

Telecom Regulatory Authority of India (TRAI) notified Telecom Commercial Communication Customer Preference Regulation, 2018 dated 19th July 2018 to curb the problem of Unsolicited Commercial Communication (UCC).

2. Meanwhile, the menace of fraudulent calls and messages has also emerged in a big way and this issue has been red-flagged by other sectoral regulators, like SEBI (Securities and Exchange Board of India) and RBI (Reserve Bank of India), who have sought TRAI's assistance in controlling these activities. Both imposters and fraudsters have taken advantage of loopholes in verification of identities by putting distance between themselves and the Telecom Service Providers through multiple intermediaries controlled by weak and unverifiable agreements.

3. The objective of the new regulation notified is to effectively deal with the nuisance of spam experienced by the subscribers. The salient features of the regulation are:

- a) Adoption of Distributed Ledger Technology (or blockchain) as the RegTech to ensure regulatory compliance while allowing innovation in the market.
- b) Co-regulation where Telecom Service Providers/ Access Providers establish and arrange the framework, which is legally backed by regulation.
- c) Enabling compliance through innovation in technology solutions that are demonstrated in a regulatory sandbox.
- d) Enhanced controls and new options for all entities to perform their functions and to carry on their businesses efficiently.

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4. The regulations provide for:

- a. Registration of senders (businesses(Entities) and telemarketers): The business will be able to assert their identity and build trust of the clients. This diminishes the ability of unknown entities reaching their customers with calls and messages that are fraudulent or otherwise of dubious nature.
- b. Registration of Headers: Using headers intelligently to segregate different types of messages.
- c. Registration of Message template: The concept of registered templates for both SMS and voice communication to prevent deliberate mixing of promotional messages into the transactional stream.
- d. Registration of subscribers' consent
- e. Fine-grained control over preferences

5. The DLT portal “www.ucc-bsnl.co.in” is live and all registration of Telemarketers, Entities, Headers & Templates have to be done in DLT portal.

6. To curb the menace of UCC, active support and responsible participation from Telecom subscribers and business entities is required as under,

Telecom Subscribers are advised,

- i. Not to use their mobile/landline number for sending any commercial communication of any type (Transactional/Promotional/Service) in any form like call and SMS. Such unauthorized use may lead to restrictions/capping on the subscribers usage or even disconnection of subscriber's all numbers and blacklisting for two years.
- ii. To set their preferences based on product category, day, time, mode of communication for which they wish to receive promotions or block them.
- iii. To report complaints related to receipt of unwanted calls/SMS through their service providers call centre @ 1909, SMS to 1909, IVR, Website, app etc. and also through TRAI DND app.
- iv. Telemarketers to use only designated number series for commercial calls and/or authorized web-connectivity for commercial SMSs after proper registration and onboarding on the DLT platform of BSNL.

Principal Entities are advised,

- i. To send all commercial communication to their subscribers/prospects have to mandatorily register on the DLT platform with BSNL as Principal Entity.
- ii. Registration of all Headers/SMS sender IDs/Numbers from which they want to send Commercial communication.
- iii. Call and SMS content templates of all Commercial Communication have to be pre-registered on the DLT portal.
- iv. Submission of all existing subscriber consents (not older than six months) in the migration phase.
- v. All future consents will be obtained, verified and recorded digitally only.
- vi. All commercial communication, going forward, will only be permitted for entities/businesses/ organizations who have registered themselves, their headers and templates on the portal.
- vii. All commercial communication will be pre-verified with the subscribers Preference and consent before being delivered to them.

For details of regulation visit:
<https://main.tra.gov.in/sites/default/files/RegulationUcc19072018.pdf>

BSNL DLT portal : www.ucc-bsnl.co.in.

7. The Circle/SSA shall be fully responsible for conducting the above mentioned activity. If there is failure on part of Circle in executing the above activity concerned GM will be held responsible for the penalty if any imposed on BSNL.

8. Circles/SSAs/Zones are also instructed to strictly adhere to the regulations and to send any bulk push traffic through DLT only after 3rd February, 2020. If in this process business is suffered, let it get suffered because the amount of penalty which will be imposed on BSNL will be many folds higher than the bottom line revenue earned by BSNL.