

Information Note to the Press (Press Release No. 58/2018)

For Immediate Release

Telecom Regulatory Authority of India

New Delhi, the 29th of May, 2018: Telecom Regulatory Authority of India (TRAI) today notified draft **Telecom Commercial Communication Customer Preference Regulation, 2018**, that is proposed to curb the problem of Unsolicited Commercial Communication (UCC). It has been made available on TRAI website at <http://traigov.in/release-publication/regulation>.

2. Unsolicited commercial communication, or spam, is a major nuisance to telecom subscribers. To curb the menace, TRAI established a “Do Not Disturb” registry under regulations made in 2010.
3. Twenty-three crore subscribers have registered themselves on the DND Registry since then. But the problem was not fully contained because unscrupulous elements started obtaining customers’ consent, often surreptitiously, or resorted to use of unregistered telemarketers that call or message from a ten-digit number. In more recent times, the incidence of fraud calls has also been on the rise.
4. To overcome these problems, TRAI initiated public consultation by releasing a consultation paper on the subject on 14/09/2017. After considering the written submissions and the inputs received during the Open House Discussion held on 15/12/2017, TRAI has now formulated regulations which leverage technology and offer a more agile process to deal with the dynamic nature of this problem.
5. The problem is addressed in the new regulations by requiring that consent be explicitly recorded by a third party and be activated only after



subscribers' confirmation. Furthermore, the subscriber is given the option to revoke his or her consent, if it's abused or is no longer relevant.

6. The business entities are also given the facility to assert their identity through the header directly registered in their name, better control over when and who uses it, and presentation of their brand name during voice calls.
7. Numerous tweaks and new features have been introduced in these regulations, which may appear minor, but which allow subscribers, businesses, telcos and telemarketers to work together to do their work or obtain the results they are looking for, without causing spam to annoy the hapless subscriber.
8. The important new features of this regulation are:

- a) Adoption of Distributed Ledger Technology (or blockchain) as the RegTech to enforce regulatory compliance while allowing innovation in the market.

Blockchain has proven useful where the objective is to cryptographically secure information and make it available only on need to know basis. Yet none may deny their actions or tamper with records, once recorded on the distributed ledger, which uniformly enforces compliance.

It appears to be the first instance anywhere in the world to use this technology at such a scale in the telcom sector.

- b) Co-regulation where Telecom Service Providers/ Access Providers establish and arrange framework, which is legally backed by regulation.

Since the telcos can be expected to guard the interests of their subscribers, TRAI has opted for co-regulation to develop the solutions that can better serve the needs of all stakeholders. This would, of course, be allowed only within the framework prescribed in the regulations.

- c) Enabling compliance through innovation in technology solution that are demonstrated in a regulatory sandbox.

Since the Authority has opted for a technology driven solution and allowed continual development, it's been decided to permit a regulatory sandbox where these solutions can be demonstrated to everyone, including the regulator, before they are deployed.

- d) Provision of better control over all entities in the ecosystem and in the flow of commercial communications.
- e) Detection of unregistered telemarketers through collaboration and in a more intelligent manner.

9. The draft regulation issued today shall be open for comments up to the 11th of June, 2018.

10. In case of any clarifications Shri Asit Kadayan, Advisor (QOS), TRAI may be contacted at mail id: advqos@trai.gov.in or at Telephone Number +91-11-23230404,


(S.K. Gupta)
Secretary, TRAI

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