



We thank the Telecom Regulatory Authority of India (TRAI) for providing us with the opportunity to submit our comments on the *Draft Telecom Commercial Communications Customer Preference (Third Amendment) Regulations, 2026*.

**DHL Express India** appreciates the Authority's continued efforts to strengthen the regulatory framework governing commercial communications, particularly in addressing the challenges of Unsolicited Commercial Communications (UCC) and enhancing consumer protection across India's telecommunications ecosystem.

As a responsible enterprise engaged in customer communications, *DHL Express India* is committed to ensuring full compliance with applicable regulatory frameworks while maintaining high standards of consumer trust.

We acknowledge that the proposed amendments introduce several progressive measures aimed at improving transparency, accountability, and the overall effectiveness of the regulatory regime. These steps are critical in fostering greater trust among consumers while promoting responsible communication practices by businesses.

However, we would like to highlight that certain provisions outlined in the draft amendment may have unintended operational and compliance implications for legitimate enterprises engaged in bona fide commercial communications.

In this context, our suggestions are intended to support the Authority's objectives while ensuring practical implementability, proportionality, and regulatory certainty. We respectfully submit our detailed comments and recommendations below in the prescribed format as **Annexure-I**.

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**Annexure I**

Sl. No.	Regulation Number	Sub-regulation / Item	Modification Proposed to the Draft Amendment	Reasons / Full Justification
1	<b><u>Regulation 21A (a)</u></b>	<b>AI-based spam detection framework</b>	It is proposed that the Authority may provide detailed clarification and guidance on the parameters used for AI/ML-based spam detection, including volume, velocity, diversity, duration, and temporal patterns, along with clear definitions, indicative thresholds, and contextual interpretation, <b>to the extent feasible</b> , to ensure consistent and transparent implementation across all Telecom Service Providers (TSPs).	<p>While the use of parameters such as volume, velocity, diversity, duration, and temporal patterns can strengthen spam detection mechanisms, the absence of clear definitions and thresholds creates ambiguity for enterprises.</p> <p>In practice, legitimate business communications particularly service-related and transactional calls may inherently exhibit similar characteristics (e.g., high volume or specific calling patterns), leading to potential misclassification (<i>e.g. flagged as "Suspected Spam"</i>).</p> <p>In the past, we have observed instances where, despite adhering to all applicable regulatory and compliance requirements, genuine service and transactional communications were</p>

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				flagged by Telecom Service Providers. This highlights the risk of false positives due to lack of clarity and standardized interpretation of these parameters. Therefore, detailed guidance, <b>to the extent feasible</b> , is essential to ensure uniform implementation, reduce unintended disruptions to legitimate communications, and enhance overall regulatory certainty.
2	<b><u>Regulation 21A (b)</u></b>	<b>Notification to sender upon flagging of CLI as suspected UCC</b>	It is proposed that the notification issued by the OAP to the registered sender upon flagging of CLI should clearly specify the reasons and underlying basis for such classification, including indicative factors or parameters that led to the CLI being flagged as suspected spam, to the extent feasible.	<p>While the requirement to notify the sender upon flagging of CLI is a positive step towards transparency, the effectiveness of such notification depends on the clarity of information provided. In the absence of specific reasons or indicative causes, the sender may not be able to identify the root cause of the issue or take appropriate corrective actions.</p> <p>Clearly communicating the basis of flagging will enable registered senders to understand the triggering factors (such as communication</p>

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				patterns or thresholds) and take timely remedial measures to ensure compliance. This will not only reduce repeated instances of false positives but also improve overall compliance and trust in the regulatory framework established by the Telecom Regulatory Authority of India.
3	<u>Regulation 21A (e) (i)</u>	<b>Absence of CLI whitelisting/de-flagging procedure post first instance of SPAM flagging</b>	It is proposed that the Authority define a clear procedure for <b>re-evaluation and whitelisting/de-flagging</b> of CLIs in cases where they are determined to have been falsely flagged as spam by AI/ML-based mechanisms, including defined timelines and conditions for restoration of the CLI to normal status	<p>While the draft regulations specify the actions to be taken when a violation occurs for the first time (including KYC re-verification), they do not define the process to be followed thereafter for the restoration or whitelisting of CLIs that are found to have been falsely flagged as spam in the first instance. In particular, there is no clarity on how and when such CLIs may be re-evaluated and reinstated to normal status.</p> <p>Safeguards such as reputation scoring, historical behavior analysis, and enterprise verification should be evaluated prior to any subsequent flagging, to minimize the risk of</p>

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				legitimate enterprises being incorrectly classified due to volume-based or pattern-based misclassification. This will help prevent repeated penalization of compliant entities, reduce false positives, and ensure fair and balanced enforcement in line with the objectives.
4	<b><u>Regulation 25 (6)</u></b>	<b>Classification of senders for differentiated enforcement</b>	It is proposed that the Authority specify indicative industry-wise classifications (e.g., logistics, banking, healthcare, etc.) along with use-case-based categorization (e.g., transactional, OTP, service communications), with clear criteria for determining criticality, to the extent feasible.	In the absence of defined industry and use-case categories, there may be ambiguity and inconsistent implementation. Certain sectors (e.g., logistics) and use cases (e.g., OTPs, delivery updates) are time-sensitive and critical in nature. Clear classification will ensure consistency, prevent disruption of legitimate communications, and support effective compliance in line with the objectives of the Telecom Regulatory Authority of India.

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