



17 April 2026

**Shri Deepak Sharma,
Advisor (QoS-2),
Telecom Regulatory Authority of India
Tower F, NBCC World Trade Centre,
Nauroji Nagar,
New Delhi-110029**

Subject: Tata Communications Limited's comments to TRAI Consultation on Draft "Telecom Commercial Communications Customer Preference (Third Amendment) Regulations, 2026"

Dear Sir,

This is with reference to the TRAI consultation dated 13-03-2026 titled "**Draft Telecom Commercial Communication Preference (Third Amendment) Regulations, 2026**".

In this regard, please find enclosed herewith Tata Communication Limited's response for your kind consideration as **Annexure**.

We earnestly request TRAI to kindly consider our submissions while finalizing the amendment to the Regulation and would be happy to provide any additional information, if required.

Thanking You

Yours Sincerely,

**Alka Selot Asthana
Global Head - Regulatory
Tata Communications Limited**

Encl: as above

**Tata Communications Ltd. Comments on TRAI Consultation Paper on Draft
Telecom Commercial Communications Customer Preference (Third Amendment)
Regulations, 2026**

At the outset, we thank TRAI for providing us with an opportunity to share our comments/ inputs on this significantly important consultation paper pertaining to the Telecom Commercial Communications Customer Preference Regulations, 2018 (Third Amendment). We acknowledge TRAI's continued efforts to strengthen the framework for curbing Unsolicited Commercial Communications (UCC) and protecting consumer interests.

In the proposed amendment, TRAI has focused on strengthening measures against Unsolicited Commercial Communications (UCC) and proposed enhanced obligations on various stakeholders to improve accountability and effectiveness of UCC control mechanisms. Draft amendment also proposed to seek enhanced role of AI-based detection and analytics in terms of detection of spam patterns, identification of bulk or fraudulent communication behaviour and proactive blocking of UCC before delivery to end users. The Amendment also proposed to impose stricter obligations on Principal Entities (PEs) and Telemarketers and strengthening consumer control, consent, and grievance redressal aspects of the regulations.

Tata Communications Limited, in its capacity as a Telemarketer, performs a clearly defined and limited role within the overall value chain of stakeholders responsible for implementation and compliance with TRAI's regulations, directions, and instructions relating to Unsolicited Commercial Communications (UCC). The primary and decisive role in preventing, detecting, and controlling UCC lies with the Telecom Access Service Providers, given their direct control over subscriber access, originating networks, and enforcement mechanisms.

As a Telemarketer, Tata Communications functions solely as a facilitative conduit or intermediary between the Telecom Access Service Provider and the Principal Entity (i.e., the sender). Our activities are restricted to executing the specific technical and operational functions prescribed under the Regulations to enable the delivery of legitimate promotional and transactional communications on behalf of enterprise customers. Tata Communications neither originates such communications nor exercises control over their content, purpose, or intent.

In view of above context, please find below Tata Communications Ltd suggestions / modifications in the proposed TRAI TCCCPR 2018 (third amendment) regulations:

Sl. No	Regulation Reference number	Sub-regulation/ Item number	Modification proposed to the draft amendment	Reasons/ justification for the Proposed modification(s)
1.	25	Sender herein shall mean a sender or telemarketer, who has been allotted the telecom resource by	Sender herein shall mean a sender, who has been allotted the telecom resource by the access	The role of a Telemarketer is limited to acting as a technical and operational intermediary or communication channel between the Telecom Access

		<p>the access provider, that has been used for making such communication, and against which the UCC complaint has been made.</p>	<p>provider, that has been used for making such communication, and against which the UCC complaint has been made.</p>	<p>Service Provider and the Principal Entity, which is the actual originator and owner of the commercial communication content. The Telemarketer neither determines the purpose of the communication nor derives any commercial benefit from the message or call being transmitted.</p> <p>The scope of work of Telemarketer is specific to the extent of acting as bridge/channel between the Telecom Access Service Provider and Principal Entity (sender).</p> <p>Accordingly, the term “sender” should be strictly construed to mean only the Principal Entity. In view of the limited, facilitative role performed by Telemarketers, Sender should only mean the ‘Principal Entity’. Therefore, it is strongly recommended to remove specific name of Telemarketer from the proposed definition of Sender.</p>
2.	35A	<p>The Terminating Access Provider (TAP) may charge the Originating Access Provider (OAP) up to Rs. 0.05 (five paisa only) per minute for A2P calls</p>	<p>No Termination Charge</p>	<p>This may act as a significant deterrent to critical transactional communications such as Voice-based OTPs and payment alerts, which rely exclusively on A2P voice services for reliable and time-sensitive delivery. Further, prescribing an A2P call charge is likely to have adverse cost implications for telemarketers, as such costs</p>

				<p>are ultimately passed down by Principal Entities, thereby increasing the overall cost of legitimate and essential communications.</p> <p>In view of the above, no separate A2P call charge should be prescribed. It is also pertinent to note that alternative regulatory and technical mechanisms are already in place and continue to be strengthened to effectively control spam and unsolicited calls.</p>
3.	25.4.d.ii	<p>in case of non-compliance with the regulations, within two three business days from the date of receipt of complaint by the OAP, take action against the defaulting entity and communicate to TAP to inform the complainant about the action taken against his complaint as provided for in the Regulations and Code(s) of Practice.</p>	Five instead of Three	<p>We respectfully request TRAI that the timeline should be increased to five business days from the proposed three days to take action against the complaint by OAP. This will provide adequate time to investigate the complaint.</p>
4.	25.4.f.ii	<p>Proposed to introduce enabling provisions in the regulations to classify the senders based on different criteria.</p>	Telemarketer should be kept outside the purview of such classification	<p>Under the TCCCPR framework, a Telemarketer is defined as an entity that facilitates the transmission of commercial communications on behalf of a Principal Entity, without originating, owning, or determining the purpose or content of such communications.</p>

				<p>The Principal Entity, as defined under the Regulations, is the entity that initiates commercial communication and derives the commercial or transactional benefit therefrom. Accordingly, the role of a Telemarketer is limited to acting as a technical and operational intermediary or communication channel between the Telecom Access Service Provider and the Principal Entity. Moreover, the scope of work of Telemarketer is specific to the extent of acting as bridge/channel between the Telecom Access Service Provider and Principal Entity (sender).</p> <p>In view of this clearly delineated role under the TCCCPR, the term “sender” should be interpreted to mean only the Principal Entity. Extending sender-level classification or regulatory obligations to Telemarketers would be inconsistent with the definitions and role-based accountability envisaged under the TCCCPR framework; therefore, Telemarketers should remain outside the purview of such classification.</p>
5.	21.A	KYC of voice numbers	Deployment and use of AI/ML systems for identifying and declaring	For effective whitelisting of numbers, access to a common DLT-based platform should be enabled, rather than reliance on fragmented

			<p>suspected spam communications.</p>	<p>or individual whitelisting mechanisms.</p> <p>A unified platform is essential to ensure transparent submission, validation, and resolution of inputs, particularly in cases where genuine and legitimate use cases are inadvertently flagged as spam. Such an approach would help maintain continuity of essential and lawful communications, while preserving the integrity and objective of the anti-spam framework.</p>
6.	21A.e	Accuracy of AI Based Blocking	<p>AI System should only be used for detection of the spam and blocking should only be done after proper validation of the use case for which suspected number is being used.</p>	<p>The accuracy and reliability of number-blocking solely based on AI-driven modules remain unclear. A key concern is how such AI models will reliably distinguish between A2P (Application-to-Person) calls and legitimate high-volume P2P (Person-to-Person) calls. In practice, there are several scenarios—such as ride-hailing, food delivery, logistics, and customer service callbacks—where a large volume of genuine P2P calls are generated on a daily basis. These calls serve essential service functions and are not commercial spam in nature. Accordingly, it is critical that any AI-based detection or blocking mechanism incorporates robust validation processes to accurately identify legitimate use cases, so as to prevent erroneous blocking</p>

				and avoid customer inconvenience or disruption of lawful communications.
7.	25.3	7 days consent window	It is strongly recommended to make the period to 30 days with an option to “opt out’	<p>In our view, a seven-day validity period does not align with the actual customer engagement and decision-making cycles prevalent across several industries, including loan applications, travel planning, and insurance purchases. In such use cases, customers often expect and welcome follow-up communications over a longer duration as part of the transaction lifecycle. From an enterprise perspective, these transactions remain active and cannot be considered dormant merely due to the passage of seven days. Requiring consent to be re-sought at such short intervals would introduce unnecessary operational complexity and friction, without yielding commensurate consumer benefit. On the contrary, this approach is likely to result in customer inconvenience and degraded service experience, rather than enhanced consumer protection.</p> <p>Accordingly, it is strongly recommended that the consent validity period be extended to 30 days, with a clear and simple “opt-out” mechanism available to customers at any time.</p>

8.	25.4.f	Revised Threshold for enterprise senders	Complaint threshold may kindly be revised to 50 complaints within 7 working days.	<p>It is recommended that the proposed complaint threshold for Enterprise sender may kindly be revised to 50 complaints within a period of seven working days.</p> <p>Such a revision would ensure proportionality with the volume of legitimate commercial and transactional communications, particularly for high-frequency use cases, and would significantly reduce the likelihood of false or inadvertent triggers leading to unintended blocking or enforcement actions.</p>
9.	General Comment	Bulk SMS	SMS Termination charge on promotional SMS should be reviewed upward from up to 5 paise (₹0.05) termination charge to 7 paise, in order to further curb misuse and discourage spam.	<p>Market dynamics have evolved significantly, with growing reliance on SMS for critical and time-sensitive use cases such as OTPs, banking alerts, and public service communications, alongside a substantial increase in bulk SMS usage by enterprises and government entities. In this context, the prevailing termination charge needs to be examined to ensure it remains reasonable and equitable in terms of recovering actual costs and ensuring a level playing field for all market participants.</p> <p>Further, SMS termination charges should be cost-based and aligned with the “work done” principle. An operator who has established only an SMSC (Short</p>

				<p>Message Service Centre) should not be compared with full-fledged Telecom Service Providers (TSPs) who have established large mobile networks (BTS/BSC/MSC) and should be liable to pay proportionately more termination charges.</p> <p>In view of above submission, it is requested that the SMS termination charge applicable to promotional SMS should be reviewed upward and increased from the current level of up to 5 paise (₹0.05) to 7 paise per SMS, as an additional measure to deter misuse and discourage spam.</p>
10.	General	Inadequate timeline for evidence submission	Proposed 12 working days to collect and submit the evidence.	<p>The currently prescribed timeline for submission of evidence is inadequate. Given the multi-layered dependencies involved—spanning Telemarketers, Aggregators, and Principal Entities (enterprises)—additional time is required to collate, validate, and compile the necessary information.</p> <p>Accordingly, it is requested that a minimum of 12 working days should be provided for evidence collection and submission to ensure accuracy, completeness, and procedural fairness.</p>