Fwd: VIL comments to the TRAI Consultation Paper on TCCCPR 3rd amendment

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Mon, 20 Apr 2026 9:59:57 AM +0530

To "ASHOK KUMAR"<jtadv2-qos2@trai.gov.in>,"Sanjay Kumar"<jtadv-qos2@trai.gov.in>,"Jitender Yadav"<jitender.y@trai.gov.in>,"Yashika Goplani" <yashika.goplani@trai.gov.in>

Cc "advqos2"<advqos2@gmail.com>

========== Forwarded message ==========
From: Khurana , Ambika (COR), Vodafone Idea <ambika.khurana@vodafoneidea.com>
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Cc: <secretary@trai.gov.in>, "Mehta , Ajay (COR), Vodafone Idea"<ajay.mehta1@vodafoneidea.com>, "Pillay , Rachna (COR), Vodafone Idea"<rachna.pillai@vodafoneidea.com>, "Nagpal , Geeta (COR), Vodafone Idea"<geeta.nagpal@vodafoneidea.com>
Date: Sun, 19 Apr 2026 22:53:44 +0530
Subject: VIL comments to the TRAI Consultation Paper on TCCCPR 3rd amendment
========== Forwarded message ==========

Classification: C2 - VI Internal

VIL/P&O/TRAI/AK/2026/034

April 19, 2026

Advisor (QoS-II)
Telecom Regulatory Authority of India,
4th, 5th, 6th & 7th Floor, Tower-F,
World Trade Centre, Nauroji Nagar,
New Delhi – 110029

Kind Attn: Shri Deepak Sharma

Subject: Comments on the TRAI's Consultation Paper on "Draft Telecom Commercial Communications Customer Preference (Third Amendment) Regulations, 2026." issued on 13.03.2026.

Dear Sir,

This is in reference to the TRAI's consultation Paper on "Draft Telecom Commercial Communications Customer Preference (Third Amendment) Regulations, 2026" issued on 13.03.2026.

In this regard, kindly find enclosed herewith comments from Vodafone Idea Limited on the above-said consultation paper, at Annexure-A.

We hope our comments will merit the Authority's kind consideration please.

Thanking you,

Yours sincerely,
Ambika Khurana
Chief Regulatory and Corporate Affairs Officer
Vodafone Idea Limited

Enclosed: As stated above

1 Attachment(s)

Annexure-A - VIL comments to…
729.9 KB

Annexure-A

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
1	1	3	These shall come into force after 30 days from the date of their publication in the Official Gazette. The provisions being amended herein will come into effect on such date as prescribed by TRAI subsequently under consultation with industry.	1. While 30 days' timeline for making amendment effective per-se is fine. However, each and every change which will be brought out in the amendment, will require its own time for implementation. 2. The TCCP Regulation being a co-regulation, requires extensive deliberations and discussions among the Business, Technical, CS and Regulatory teams of all the TSPs, as well as engagement with Telemarketers and Principal Entities, besides numerous meetings with TRAI and submission of reports. The development over DLT and changes in field processes, can also be done in sequential manner and not in parallel. 3. Most of the items requiring implementation would be inter-dependent and crafting/developing multiple requirements simultaneously will be challenging and practically infeasible and may disturb/disrupt or lead to failure of the other. 4. In consideration to the breadth and complexity of regulatory and technical requirements under the guidelines issued by TRAI, it becomes necessary to adopt a procedure of prioritization framework for implementation. 5. Along with a prioritization framework, it is equally important that TRAI specifically defines the implementation process along with a list of priorities. It cannot be a case that the process implementation is left for the operators to deliberate. 6. For a successful implementation of the regulatory and technical requirements, both prioritisation and defining the process of implementation by TRAI is necessary to avoid any operational challenges, and sub-optimal outcomes for consumers.

				7. Therefore, we recommend that realistic timelines should be prescribed for implementing each step, including short-term and long-term milestones. Besides, a priority list should be created by TRAI providing 3 to 6 months for each such change. There should be provision for these timelines to be suitably re-prescribed after a thorough assessment by industry as well as through collaboration and engagement with TRAI.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
2	2	(ea)	An A2P call refers to a voice call that is initiated by an application, software system, or automated platform without direct human dialling and delivered to an individual telecom subscriber, including using autodialling, robocalls and/ or prerecorded/ artificial voice technologies.	**<u>Tariff level Intervention is Preferable over Inter-operator charge</u>** 1. While we agree for imposition of a inter-operator charge for all commercial voice communications being done through designated and separate series, we strongly recommend that tariff level intervention should be preferred over inter-operator charge. 2. **Uniform of charge without any sub-categories:** The tariff level intervention should be made applicable for all categories of commercial voice communication through designated and separate series and not for any sub-category, which would encourage bypass and misuse. There is no technical mechanism to check content of calls as such, the charge should not apply to any sub-category. 3. **No exemption for any sector:** If the charges are being prescribed, there should not be any preference or exemption from such deterrent charges to any sector. Any categorization will lead to bypass of charges while encouraging the entities to mix use cases for claiming such exemption. It was also seen in case of SMS, where such different charge in case of transactional and service were being misused during template registration and TRAI had rightly made the charges uniform across categories of commercial SMS through last TCCCPR amendment.
3	4		"Intimation regarding use of A2P calls.- Every Sender shall declare to the Originating Access Provider, in advance, about the use of A2P calls. Provided that any such call made by a sender without prior declaration to the OAP, shall be treated as unsolicited commercial communication (UCC), and the OAP shall take action against such sender as per the provisions of these regulations."	
4	35	A	35A. The Authority may subsequently prescribe a floor tariff or separate tariff based on slab of volume of calls, for the commercial communications voice calls. **OR**	

			35A. The Terminating Access Provider (TAP) may charge the Originating Access Provider (OAP) upto Rs. 0.05 (five paisa only) per minute for ~~A2P~~ commercial communication voice calls made through designated series; Provided that there shall be no termination charge on: - (i) any A2P calls made by or on behalf of the Central Government or State Government; (ii) any A2P calls made by or on behalf of bodies established under the Constitution; (iii) any A2P calls made by or on the directions of the Authority; (iv) any A2P calls made by any agency authorized by the Authority from time to time; ~~(v) any A2P calls made by using number resources assigned from 140xx, 1600xx or any other series designated by the Authority for commercial communications from time to time.~~	**4.** Further, the charge should be applied on the basis of calls attempted and not calls answered. Such charges will discourage random dialing of large number of end-consumers by the Senders, with hit and trial approach. 5. Also, there can be a restriction as a higher pulse duration (15 or 30 seconds) which is more likely to act as a deterrent for such users engaging in bulk calling, where substantial number of calls are of short duration. 6. **Methodology to arrive at charges:** The charging methodology should be kept simple, so that it is well understood and implemented. As a session generally translate into one concurrent call, a threshold on number of attempted calls per session can be defined by TRAI, post which, a specific deterrent charge should be made applicable. The specific deterrent charge should be over and above the present charging which is around Rs.0.02/minute and hence, the deterrent charges can be 25-30% higher. 7. **Ensuring no cross-subsidization:** There should be a process for taking compliance confirmation on periodic basis from all TSPs that the Senders are not being cross-subsidized on other services, as a means to bypass the tariff level intervention. 8. **Technical developments and timelines:** This would require Billing integration, storage capacities and entire technical solutioning for additionally having unanswered calls, which will require time and can be comprehensively assessed once complete requirement is indicated. **<u>Inter-Operator Charge</u>** 9. While we support the tariff-level intervention as a preferred way for introducing deterrence as the same is more simple and better approach however, incase the Authority do not agree with it, inter-operator charges can be pursued with.

				10. There does not seem a requirement to introduce a separate definition of “A2P Calls” within the TCCCP Regulations. The Regulations already define “Commercial Communication” under Clause 2(i), which adequately encompasses all forms of commercial interactions, including both Application-to-Person (A2P) and Person-to-Person (P2P) communications. 11. However, this narrow scope of including only A2P calls, instead of all voice commercial calls, may lead to unintended consequences like the enterprises may reroute A2P call as non-A2P commercial communication which will not have inter-operator charge. Hence, category-wise inter-operator charge and thus, their tariffs to the enterprise would encourage bypass mechanisms thereby, undermining regulatory objectives. 12. From TSP perspective, there is no mechanism at the point of call origination or termination, to identify with a certainty that whether a particular call is originated by a human or an Application/Robo-call. In such cases, it would be left to self-declarations by PEs, with no way to check the veracity of such declarations as well as if there are customer complaints around this. 13. Further, using of Applications for intermittent periods will also cause practical challenges and it would be operational challenging for TSPs to accommodate any post-facto examination or complaint handling. 14. Therefore, to address this issue, inter-operator charge should be extended to all calls for commercial communications and not just A2P voice calls (as defined). The charge should be made applicable only once all resources being used for commercial communications are available on DLT, else it will end bypassing the mechanism and defeat the intent of Regulatory measure. 15. The broader applicability would eliminate regulatory arbitrage, strengthen compliance enforcement and also ensure uniform treatment of all commercial traffic.

				16. **Uniform of charge without any sub-categories:** Considering all above, the inter-operator charge should be made applicable for all categories of commercial voice communication being made through designated and separate series and not for any sub-category, which would encourage bypass and misuse. There is no technical mechanism to check content of calls as such, the charge should not apply to any sub-category. 17. **No exemption for any sector:** If the charges are being prescribed, there should not be any preference or exemption from such deterrent charges to any sector. Any categorization will lead to bypass of charges while encouraging the entities to mix use cases for claiming such exemption. It was also seen in case of SMS, where such different charge in case of transactional and service were being misused during template registration and TRAI had rightly made the charges uniform across categories of commercial SMS through last TCCCPR amendment. 18. **Ensuring no cross-subsidization:** There should be a process for taking compliance confirmation on periodic basis from all TSPs that the Senders are not being cross-subsidized on other services, as a means to bypass the inter-operator charge. 19. **Technical developments and timelines:** This would require Billing integration, storage capacities and entire technical solutioning, which will require time and can be comprehensively assessed once complete requirement is available.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
5	2	(y)	Explicit Consent" means such consent which has been either verified directly from the Recipient in a robust and verifiable manner and recorded by Consent	There is no direct mechanism of verifying the Consents by TSPs. If the process followed under the CRF Pilot is to be followed, the consents have to be recorded on the DLT platform basis a declaration from PE that the said consents are lawful and valid. There is no

			Registrar; or, obtained by the sender through any verifiable means prior to or outside the Consent Registration Function framework and subsequently registered in the Consent Register in accordance with the procedure specified by the Authority. **{No change is proposed in this definition but, the compliances in subsequent sections related to this definition should be directly enforced on Principal Entities}**	check possible at TSP end and hence, such compliance should be mandated at PE level and compliance is also assessed directly through PE.

SL. No	**Regulation no.**	**Sub-Regulation/Item no.**	**Modification proposed to the draft amendment**	**Reasons/ full justification for the proposed modifications**
6	2	(bb)	"Relationship" means a prior or existing relationship (i) for business or commercial reasons, between a person or entity and a subscriber with or without an exchange of consideration, (ii) on the basis of application regarding products or services made by or submitted by recipient to sender within the three months immediately preceding the date of the receiving of communication, which relationship has not been previously terminated by either party;" **No change is proposed in this definition but, the compliances in subsequent sections related to this definition should be directly enforced on Principal Entities**	This is a subjective definition and the compliance of ensuring related provisions should apply directly on Sender.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
7	2	(bn)	"Subscriber" means a person or legal entity who subscribes any service for communication through licensed TSPs or through APP based communication service providers ~~telecommunication~~.	1. We strongly recommend that App-based communication service providers should also be included for the purpose of application of regulatory norms on commercial communication and for protection of consumers from spam. 2. Similar to the existing licensees, App-based communication service providers also provide communication services including message and voice to consumers. These players also provide commercial communication services including messaging and voice, as is provided by TSPs. 3. There has been widespread issue of spam and scam being reported over such App-based communication service providers however, neither concrete actions are being taken nor there is sufficient transparency and accountability in their processes. In absence of any regulated measures, the consumer is biggest sufferer and continues to face spam, with no credible mechanism whatsoever for ensuring their complaints are addressed properly and technical measures are taken to protect them from spam. 4. As TSPs, while we continue to take several measures, the high usage of App-based communication service providers like WhatsApp by customers at large, continues to present a source of risk, extent of which is neither visible in scale nor is adequately controlled/regulated. It is important that the Authority should take appropriate measures and evaluate App-based communication service providers like WhatsApp in a similar manner as is done in the case of TSPs. 5. We request the Authority that in interest of protecting consumers from spam irrespective of the channel where it is received, it should push for removal of such arbitrage and horizontal application of regulatory norms on commercial communications, be it through TSPs or App-based communication service providers. Besides making the scope of TCCCP Regulation applicable on App-based

				communication service providers, we also request TRAI to issue working advisory/guidelines for the App-based communication service providers and also suitably ask MEITY for strict implementation of these norms. 6. In addition to the level-playing field on compliance norms, we request Authority to also strive for ensuring level-playing field in terms of cost of providing commercial communication service and recommend applicability of revenue share to be paid by App-based communication service providers to DoT

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8	21	A	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	1. Inherently, the AI based solutions which are based on behavioral patterns may contain false positives therefore, action to be taken on cases should be based on confidence scores. 2. Action of disruption of services is a strong deterrent step and hence, should be taken only on the cases with very high confidence score through AI based solution. Given that suspected spam flagging doesn't lead to disruption of service hence, it could work even on cases which do not have high confidence score. 3. Treating all flagged instances as actionable may lead to a large number of false positives, resulting in unintended hardship to legitimate subscribers, including genuine enterprises and individuals engaged in lawful communication. 4. Considering that mobile phones have become a critical identity and lifeline for consumers, enabling banking, payments, e-commerce, and e-governance as such, any wrongful disconnection or restriction of services can cause significant unintended hardship to legitimate users due to false positive flagging.
9	25			

				5. Further, a large-scale action against the false positive cases may cause panic with customers. This will not only will this disrupt their experience of using telecom services but will also distress them in turn to start calling the customer care and saturate the TSP's capability to address the customer's queries. 6. Therefore, any regulatory intervention must be carefully designed to ensure that such hardship is avoided, and legitimate consumers are adequately protected. Accordingly, regulatory enforcement should be restricted to high-confidence cases, where there is strong and corroborated evidence of spam behavior, ensuring that actions are accurate, proportionate, and defensible. 7. **Common set of Parameters:** The Authority is also aware that the AI based spam flagging solutions are already implemented and operational across TSPs. However, these solutions are diverse and do not follow same rules. For any regulatory action to be taken, it is imperative that common parameters are laid out, so that the regulatory action is not different across TSPs and do not provide any opportunity to an unregistered telemarketer to bypass the AI solution of a TSP by moving to another TSP.

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10	21	A	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	1. One of point which should be carefully examined is that while such pre-intimation are beneficial for genuine users, they may serve contradictory objective w.r.t. spammers, who may try to taking evasive actions like change the calling pattern, using new/ another telecom resources, thus may dilute the intended regulatory impact. 2. Another significant impact would be the likely surge in customer queries to call centres of TSPs, with users seeking explanations for flagging and requesting its removal. This will impact call centres KPIs as it would not be possible to predict a pattern of surge in numbers identified through a AI based solution. Thus, any impact to call center KPIs due to surge of calls basis this requirement, has to be exempted from call center's QoS KPIs.

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11	21	A	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	The AI solution generates huge numbers and it would be technically challenging to exchange such large numbers through DLT systems. Besides, the timelines mentioned are quite aggressive and there is a need to have relaxed timeline of few days for initial phase. After 2 quarter of process stabilization, the timelines can be reviewed.

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12	21	A	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	The process mentioned is quite cumbersome and would make it quite challenging to build such processes and frequent exchange of data and actioned information. We request that TRAI should adopt a simplified framework, which should involve enhanced action on complaints, if numbers (except resources being declared and used for commercial communications) is also flagged through AI based solutions.

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13	21	A	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	1. We strongly disagree with conducting re-verification or physical verifications of lakhs of numbers being identified through an AI based solution. 2. Reverification/Physical verification will not add any value in curbing the spam or acting as an efficient deterrent for spammers, instead it may put genuine users through the vagaries of such process. There is no facts/scientific rationale provided in the consultation which supports re-verification/physical verification acting as an efficient deterrent for spammer. 3. Also, no such norms or procedures have been prescribed by the Department of Telecommunications (DoT) for undertaking physical verification of customer KYC. Further, such a requirement is not supported by any provision under the applicable license conditions. 4. Besides enhanced action on complaints including suspension/disconnection of numbers, we strongly recommend that the devices used by the said spammers should also be blocked by TSPs – it can be done by sharing the IMEI number by the TSP to whom spammer belonged. By making the device unusable, it would induce a substantial deterrent for the spammers.

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14	22	(1) (a)(i)	"(a) in case of misuse of Headers and/or Content Templates, (i) immediately suspend the use of such misused Header(s) and/or Content Template(s) across all Access Providers as the case may be, and the OAP shall issue a	While we are fine with the clause however, the 24 hour time-period should be considered from the time the complaint is formally registered with OAP.

			notice to the sender in whose name such Header(s) and/or Content Template(s) are registered, within 24 hours of reporting of misuse to the OAP and complaint is formally registered with OAP. Such suspension shall remain in force until the conditions specified under sub-clause (ii) are fully complied with by the sender.	

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15	22	(1)(A)(2)	2. File a formal complaint with the appropriate law enforcement agency under the applicable laws, within 2 business days of receipt of notice from the OAP, clearly identifying whether the misuse arose due to— i. compromise of login credentials, ii. unauthorized access to systems, iii. misuse by an associated Telemarketer, Aggregator, or Delivery Entity, or iv. any other identifiable cause, to be specified by the sender; and share with the OAP a copy of the complaint filed. Provided that, if any Telemarketer is an accomplice in the misuse of Headers or Content Templates, the Sender shall file a complaint against such Telemarketer with the law enforcement agencies under relevant laws;	Complaint lodging process as per the misuse cases should rest only with the PE. OAP can act on getting the header/template/entity removed from blacklist once it receives formal communication from the PE regarding filing of FIR/complaint against the fraudulent RTM. However, this action should be applicable only on those which are "individual/sole proprietorship/partnership/trustees". For "PSU/Private/Govt" enterprises, the decision would be taken by respective OAP on case to case basis considering such steps should not lead to disruption of genuine messages to consumers.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
16	22	(1)(A)(ii)	~~".....3. Where the Sender claims or the OAP determines that misuse occurred due to leakage, cloning, or compromise of credentials, the Sender, within next 5 business days shall mandatorily de-register all its Headers and Content Templates including those reported as misused, and get them re-registered to obtain new header and template ids using the bulk tool provided by the concerned registrar access provider(s) to the sender for this purpose; and the sender shall ensure that previously compromised identifiers are not reused;....."~~ **We request removal of this sub-regulation.**	Since the PE is revoking the access credentials, there would be no need of de-registering all headers and content templates. Such step may add to more problems as may lead to disruption of messages to genuine consumers.

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17	22	(1)(a)(iii)	iii. Where the Sender fails to fully comply with the obligations under sub-clause (ii) within the stipulated timeframe, or provides an incomplete or false intimation, all commercial communication traffic from such Sender shall be suspended by all the Access Providers until compliance is achieved to the satisfaction of the OAP. Provided that the Authority may, from time to time, prescribe any other procedures, safeguards, timelines, and conditions to safeguard the security of the commercial communications. **We request adequate clarity is provided so that it doesn't lead to traffic disruption.**	This action across TSPs should happen for those Senders which are "individual/sole proprietorship/partnership/trustees". In case of "PSU/Private/Govt" enterprises, the decision would be taken by respective OAP on case to case basis considering such steps should not lead to disruption of genuine messages to consumers.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
18	23	(1)(C)	~~"(c) to appeal to the Appellate Authority within a period of 15 days from the date of receipt of information about the resolution of the complaint when the consumer is not satisfied with the redressal of the complaint by the Access provider, or the complaint remain unaddressed, or no intimation of redressal of the complaint is received by the complainant within a period of fifteen(15) days from the date of registering complaint, whichever is earlier. The complainant shall be able to prefer such appeal through any of the modes specified for lodging a complaint or report under these Regulations. The Appellate Authority shall resolve and reply to such appeal within a period of fifteen (15) days from the date of its receipt.~~ ~~Every Access Provider shall designate a permanent employee working at senior management level as the Appellate Authority. The name and contact details of such designated officer shall be duly published at a prominent place on the official website of the concerned Access Provider."~~ **We request removal of above sub-regulation.**	1. In our view, the introduction of the appellate process for complaint redressal of UCC complaints warrants reconsideration, as it does not seem to deliver any meaningful improvement in the outcomes other than adding an additional procedural layer. 2. Firstly, the appeal is taken on CRM and not on DLT. Customer's appeal against complaint is accepted at CRM at TAP end. This does not flow on DLT not to any other TSPs. In case this flow needs to be built, entire system development on DLT for both TAP & OAP end will incur huge costs and efforts. We suggest, there is already a set process for appeal under TCCRR, same can be utilized. 3. **Complexity of process**: Further, a appellate framework already exists for all complaints within the Telecom Consumer complaint Redressal Regulation (TCCRR) ecosystem, which is adequately equipped to handle consumer grievances. A separate redressal mechanism for only UCC complaints will only create a duplication. This may also create confusion for the consumer, without commensurate benefit to consumers. 4. **No substantive value addition in outcomes**: There is no separate appellate framework required for complaint redressal, as in case of UCC complaints, there would be no change in the outcome of the original resolution even in case of an appeal. In both the cases the resolution of the complaint will rely on the same system records and CDRs. For instance, if a customer was not on any DND preference and complaint is closed under 'Preference not blocked', if this complaint is again raised or if any appeal is raised, there will be no different outcome. 5. **Compliance burden**: Creating such separate appellate would not commensurate any benefits for consumers or TSPs. In fact, it will increase the burden of compliance and the operational costs for

				maintaining a separate appellate system for UCC. This is in contrast of the principle of Ease of Doing Business. 6. **Hence, we strongly suggest that there is no need for a separate appellate ecosystem for UCC complaints**, and even if the Authority decides to introduce such a system then instead of a parallel system, it **should be addressed under the existing TCCRR appellate framework**.

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19	24	(3) and (4)	(3) to record one ~~three~~ years' history, complainant-wise, with details of all complaints including appeal, if any and alleged violations reported by the complainants, with date and time, and status of resolution of complaints including the supporting documents used by the access providers for resolving the complaints; (4) to record three years history of sender(s) against which complaint ~~including appeal~~, if any is made or reported with details of all complaint(s) ~~including appeal, if any~~, with date(s) and time(s), and status of resolution of complaints; Provided that for UTM or unregistered Sender, the details of the Sender such as name of the Sender, category of the Sender as a telecom Customer (individual or ~~enterprise~~), address and other relevant details to uniquely identify the Sender shall be recorded.	The details of complaints are stored on DLT alongwith date/time and status of resolution. However, this is recorded against each CLI/number of the complainant, as a separate record. Building such repository against each Complainant (Sender) and that too for three years, would require huge changes in the DLT, internal systems, their infrastructure and would also impact the processing of information in these systems. Without any rationale or substantial facts, we request such requirement is not insisted upon.

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20	25	(4) (b & d ii)	**To be added:** "……If 80% or more content templates of the sender are blacklisted due to wrong category registration, then the entity should also be blacklisted….."	We recommend additional step that if 80% or more content templates of the sender are blacklisted due to wrong category registration, then it should be mandated that the entity should also be blacklisted.

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21	25	(4)f (i)	if it is found that there are five or more complaints against the sender from unique recipients during the last ten days, immediately suspend the outgoing services of all the telecom resources of the sender (except SIP/PRI where barring of outgoing is not feasible) which were utilized for sending UCC and initiate investigation by issuing a notice to the sender, to give opportunity to the sender to represent its case within five business days; thereafter investigate within five business days from the date of receipt of representation from the sender or expiry of the five business days period given to sender for representing the case, whichever is earlier, and record the reasons of its findings. and If the conclusion of the OAP is that the sender was engaged in sending the UCCs, it shall act within 3 business days against such sender as under;	1. The OAP has to wait for five business days from the date of Notice, for the Sender to represent its case before the TSP. Incase Sender doesn't send any representation, the OAP has to act. For this step atleast 3 business days should be provided to the OAP. 2. An opportunity to the Sender to provide suitable justification / consent proofs, after their resources including SIP/PRI are disconnected for 15 days. 3. Also, it is imperative to submit that it is not technical feasible to bar outgoing services for PRI/SIP links, which is an industry challenge.

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22	25	(5) (d)	**Clause related to AI solutions should be deleted in the form proposed in the draft Regulation and should be replaced by a new one basis the proposal shared by COAI vide its letter DG/COAI/ TECH2026/ 3021 dated 27 March 2026 with TRAI.**	Pls refer comments given above to Regulation 21. This would require substantial development within TSP's own systems as well as on the DLT systems. Also, the requirement of multiple exchange of information should be simplified. Therefore, we request TRAI to provide adequate time for its implementation through a simplified process. This topic relies heavily on the AI based solution therefore, the process timelines should not be hardcoded in the Regulation and instead should be fixed separately through comprehensive technical deliberations with TSPs.

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23	25	(5) (d)(ii)	**We request that the proviso related to the sender classification should be deleted.**	1. It is not possible to keep so much variable in the process based on an entity's classification, both technically as well as operationally. 2. Further, such comprehensive and granular information for classifying the senders in different categories, is not part of any onboarding/KYC guidelines and hence, is not available with TSPs. 3. Such extensive and micro regulatory actions would cause more and more operational hassles as well as will be prone to non-compliance.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
24	25	(6)	……in case of occurrence of complained communications under sub regulations (5)(d)(i) above, OAP shall, immediately issue a notice to the sender to give opportunity to represent its case within five business days; thereafter, shall investigate within five business days from the date of receipt of representation from the sender or expiry of the five business days period given to sender for representing the case, whichever is earlier, and record the reasons of its findings within five working days. And If the conclusion of OAP is that the sender or its TM was engaged in sending the UCC, OAP shall take action against such sender within 3 business days as under: …….	For Enterprise resources, a timeline of additional 3 business days will be required for executing barring/suspension, as there are multiple tasks across different system are involved.
25	25	(6)(b)(iii)	**The proviso related to the Sender classification should be removed.**	1. It is not possible to keep so much variable in the process based on an entity's classification, both technically as well as operationally. 2. Further, such comprehensive and granular information is not part of any onboarding/KYC guidelines and hence, is not available with TSPs. 3. Such extensive and micro regulatory actions would cause more and more operational hassles as well as will be prone to non-compliance.

26	26	(4A)	**This Regulation should be removed.**	1. CDRs can be provided only to security agencies designated by Department of Telecommunications, under the Telecommunication Act 2023 and corresponding rules. 2. Considering the sensitive nature of the CDRs, we request Authority not to keep any such provision in the Regulation. 3. If Authority intends to audit the complaint handling process, same can be done by checking the technical system built for checking CDRs and providing Yes/No as output, instead of seeking the CDRs.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
27	27	27	**TRAI should provide a suitable and comprehensive Sender (Principal Entity) centric accountability and financial disincentive framework, for all the compliances to be ensured by Sender.**	The Financial Disincentive should be put directly by TRAI on the Senders (Principal Entities / Telemarketers) and not on TSPs. In this regard, we submit as follows: 1. **Current State of UCC:** Despite successive regulatory interventions, UCC remain pervasive in India, indicating a structural failure in the allocation of accountability within the current framework. Recent articles also mentions the huge number of spam calls/SMS being blocked by Telecom operators through their AI based spam protection solutions. This indicates that the senders are not getting discouraged and continues to indulge in spam activity. While the DLT framework has already produced tangible results through structural processes, leading to reduction in complaints however, no technical solution or structural processes are fool-proof and need to be augmented and supported through direct regulatory actions against the originators of spam. 2. **Structural Misalignment of Accountability in present framework:** **a.** Under TCCCPR, the commercial communications chain is well defined with the Principal Entity (PE) deciding what to communicate, who to communicate to and what commercial advantage to gain; the Registered Telemarketer (RTM) facilitating the communication; and the Access Provider (TSP) network transmitting the traffic. However, this allocation is not followed by actions including financial disincentives directly on Senders of spam.

				b. Regulation 27 provides graded financial disincentives (FDs) on Access Providers but, it fails to impose direct deterrent on the PEs and RTMs albeit it provides for indirect deterrent through TSPs. This gives rise to two structural defects: (i) First, Non-compliance consequences are not borne by the decision-making entity, undermining deterrence; (ii) Second, Enforcement functions are also effectively devolved to commercial actors who are also revenue-dependent counterparties to the entities they are requested to punish - a conflict of interest in a competitive market. The structure thus confuses transmission liability and origination liability. The primary accountability placed on TSPs is not congruent with control, capability and beneficiary status. 3. **Global Regulatory Frameworks: Sender-Centric Liability** a. Globally, many countries who have successfully dealt with mass UCCs, all come to one structural principle i.e. financial liability should be directly attributed to the entity that causes it and enforced by the regulator. TSPs are viewed as neutral intermediaries with technical, rather than financial, responsibility. b. **Canada:** The Canada Anti-Spam Legislation imposes penalties directly on spam sending organisations including personal liability up to directors and officers who authorise or condone violations as well as also supported by reputational consequences in addition to financial deterrent. It considers telecommunications service providers only as facilitating transmission, without any liability of spam. c. **USA:** In the Telephone Consumer Protection Act and CAN-SPAM Act, the liability is directly placed on the sender or initiator and cannot be assigned to intermediaries. The structure followed is the same: technical requirements on carriers, financial liability on originators. d. **Singapore:** The regulatory model of Singapore also holds the sending or authorising entity liable, and TSPs are given a specific technical gate keeping responsibility, through a combination of the Spam Control Act, the Personal Data Protection Act, and the mandatory SMS Sender ID Registry ("SSIR").

				The financial penalties, including turnover-based penalties of up to 10 per cent of annual revenue, can be imposed directly on the sending organisations, instead of TSPs. Thus, it ensures that the impact of non-compliance is directly on the originating entity by requiring the registration of senders and blocking of unregistered Sender IDs. 4. **For a successful regulatory framework, it imperative that it focusses upon putting direct accountability on the violators, without seeking to delegate its regulatory mandate (of putting deterrence to violations) to other actors in the ecosystem.** 5. **Recommendation:** a. VIL does not seek any dilution of the technical obligations imposed upon Access Providers under TCCCPR viz setting up and operating Distributed Ledger Technology ("DLT") platform, enforcement of registration and header requirements, template registration, deployment of detection mechanisms etc. However, it is imperative to see global examples as to how sender-centric norms have been put in place by various countries. b. Therefore, this submission sets out the consequences of such misalignment and proposes a limited yet appropriate set of structural corrections. c. **In the light of the foregoing, it is submitted that the regulatory framework requires a limited but fundamental realignment. Access Providers should continue to discharge their technical obligations, but should not be subject to operational vagaries of examining operational compliances to be performed by PEs/TMs and imposing/realizing corresponding FDs on them. Financial and regulatory consequences for UCCs should attach directly to Principal Entities and Registered Telemarketers through mechanisms administered by the Authority itself. Further, TRAI should also prescribe a DLT based 'Direct Sender-side consequence model', operated by TRAI.**

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
28	27	(a)	without prejudice to any penalty which may be imposed under its licence or under any Act for the time being in force, OAP shall be liable to pay, by way of financial disincentive, an amount of one thousand rupees per count of valid complaint that is declared invalid: Provided that where UCC has originated due to Headers registered by another Access Provider in violation of the regulation thereon and OAP has taken action against such UCC as per regulation 25 of these regulations, the financial disincentive at the rate of one thousand rupees per count of valid complaint shall be imposed on the Access Provider that has registered such Headers. Provided further that where UCC has originated due to (i) wrong categorisation of Content Templates registered by the OAP, or, (ii) Content Templates registered under wrong category by another access provider and the traffic has been sent by the OAP under the wrong category, the financial disincentive shall be imposed at the rate of one thousand rupees per count of valid complaint on ~~the OAP as well as~~ the access provider that has registered such Content Templates under wrong category.	The liability of financial disincentive should rest with the Access Provider who has registered the Header and not with OAP. During live traffic, OAP has to technically scrub it with the information available on DLT, as per TCCCP Regulation.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
29	29	(1)	" (1) The Authority may on receipt of a complaint from the sender or telemarketer, within thirty ~~sixty~~ days of action taken against ……."	The time period for The Authority to receive a complaint from the sender or telemarketer, should be capped at 30 days on the action taken against it by the Access Provider

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
30	34	34 A	**Following proviso should be added:** The Call Management Applications should ensure spam tagging by consumers and its data retention, through non-repudiable systems and processes. The Authority can conduct audit of said systems/processes either directly or through 3rd parties appointed by it.	1. For making such regulatory provisions on dealing with the outcome of such actions being taken on the call management apps, it is important to put in place steps as to how such inputs have to be captured. 2. It must also be ensured that the call management app providers should have verifiable and auditable process in place, for taking on record the non-repudiable information from the consumers. 3. There should be provisions for audit of such process by TRAI as well as financial disincentives in case of violation of the process sought by TRAI.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
31	35	35	Terminating Access Provider (TAP) may charge Originating Access Provider (OAP) for Commercial communication messages as following: - Upto Rs. 0.08 ~~0.05~~ (Eight ~~five~~ paisa only) for each promotional SMS; Upto Rs. 0.08 ~~0.05~~ (Eight ~~five~~ paisa only) for each service SMS; Upto Rs. 0.08 ~~0.05~~ (Eight ~~five~~ paisa only) for each Transactional SMS; Provided that there shall be no Service SMS	1. Over the past many years especially due to TCCCP Regulation, 2018 and ensuing DLT based ecosystem, there have been mammoth changes required in the infrastructure setup, security protocols, stricter scrubbing rules, registration requirements, compliance with regulations, ongoing maintenance as well as change in field processes, operational requirements etc, to handle the commercial communications and also to put in place measures to protect the consumers from unsolicited commercial communications. 2. The present charge of Rs. 0.05 per SMS was introduced by TRAI through Regulation in the year 2011 and since then has not been increased.

			charge on disaster related messages. Provided there would Rs 0.02/sms charge on any Service message transmitted by or on behalf of the Central Government or State Government; any message transmitted by or on behalf of bodies established under the Constitution; any message transmitted by or on the directions of the Authority; any message transmitted by any agency authorized by the Authority from time to time;	3. As such, the current Rs 0.05 (five paisa only) is no longer cost-reflective and hence needs to undergo change and should be increased to **Rs 0.08 per sms (excluding the IUC charges of Rs 0.02)**. Various implementations done by TSPs in the past under the existing provisions of the TCCCP Regulation, required huge manual effort as well as development costs including for DLT system as well as internal systems. 4. One of the alternatives to SMS from TSPs i.e. the App-based communication service providers already operate at a price for enterprises, which is significantly higher than even Rs 0.10. One of the most used App-based communication service provider charges in the range of Rs 0.7 – Rs 0.9 per message for promotional message. Also, the shift towards OTT is largely organic and driven by use-case evolution, channel diversity etc, and not due to price differences. 5. **We strongly urge the Authority to enhance the Rs 0.05/SMS inter-operator commercial communication charge to a suitable upward level of Rs 0.08/SMS, for all categories of commercial communications including Government communications except disaster related messages.** 6. We strongly propose the Authority not to make commercial communication charge as Nil (zero) for Govt exempted headers (except for disaster management). **For such messages also, there is utilisation of resources including DLT and other systems, scrubbing etc hence, the inter-operator commercial sms communication charge for such messages should not be made NIL and can be at a reduced price i.e. Rs 0.02 per SMS (excluding Rs 0.02/SMS IUC).**

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
32	Schedule-I	2(h)	ensure that short code 127xxx, or any other code/header as prescribed by the Authority, shall be used by all Access Providers for sending consent related messages;	We are fine with the changes however, the consent related messages can also go from SMS headers as such, the word 'or any other code' should be modified as 'or any other code/SMS headers'.

SL. No	Regulation no.	Sub-Regulation/Item no.	Modification proposed to the draft amendment	Reasons/ full justification for the proposed modifications
33	Schedule-I	4.(3)(m)	**This sub-regulation should be deleted**	We disagree with the introduction of "Secondary Validation" of content templates as this goes against the basic tenets of a private DLT system, where every participant has equal rights to approve/blacklist templates The compliance responsibility as per the TRAI guidelines should only rest with the respective Access Provider who has registered the template in wrong category and should be liable for penalty/financial disincentives as applicable. We propose that for every incorrect instance of wrong registration, a financial disincentive of Rs 1000 per Header/Template should be imposed from a prospective date.

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