



## Curbing Unsolicited Commercial Communications

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### Why in News

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Recently, the Delhi High Court (HC) ordered the **Telecom Regulatory Authority of India (TRAI)** to ensure “complete and strict” implementation of the regulation issued by it in 2018 for curbing **Unsolicited Commercial Communications (UCC)**.

UCC means any Commercial Communication which a **subscriber opts not to receive**, but does **not include**- any transactional message or any message transmitted on the directions of the Central Government or State Government or agencies authorized by it.

### Key Points

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- **Background:**

A plea was filed by a company in the HC claiming that millions of its customers have been defrauded by the **phishing activities over the mobile networks and the failure of the telecom companies** to prevent the same has **caused financial and reputational loss**.

- It claimed that under the regulations, **the telecom companies are required to verify purported telemarketers seeking registration** (called registered telemarketers or RTMs) with them before granting access to their customer data and also take action immediately against all fraudulent RTMs.
- **Phishing** is a **cybercrime** in which a target or **targets are contacted by email, telephone or text message** by someone posing as a legitimate institution **to lure individuals into providing sensitive data** such as personally identifiable information, banking and credit card details, and passwords.
- It contended that the telecom companies are violating their obligations under the **Telecom Commercial Communications Customer Preferences Regulations (TCCCPR) 2018**, to curb the problem of unsolicited commercial communications.

- **High Courts Direction:**
  - **To TRAI:**

Ensure “complete and strict” implementation of the regulation issued by it in 2018 for curbing UCC.
  - **To Telecom Service Providers (TSPs):**

Ensure strict compliance with the TCCCPR 2018 issued by TRAI.

### **Telecom Commercial Communications Customer Preferences Regulations (TCCCPR) 2018**

- It replaced the **Telecom Commercial Communications Customer Preference Regulations, 2010 (2010 Regulations)**.
- It was issued by the TRAI to provide a revised regulatory framework **aimed at regulating 'unsolicited commercial communication' (UCC) in India**.
- The new regulatory framework has devolved **control and regulatory powers to access providers**, who are now required to **establish their own codes of practice (CoPs)** to deal with UCC.
- It provides for a wide range of customer preferences which are to be implemented in near real time using **Distributed Ledger Technology (DLT)** to make communications traceable and capable of being controlled effectively.
- It also provides for the use of **cloud-based solutions for handling complaints, the registration of headers and preferences**, and use of smart contracts for automated allocation of roles between entities in the commercial communication ecosystem.

The technology-based solutions are required to be tested in **regulatory sandboxes** under the oversight of the TRAI.

**Source:TH**