



Dated: 04-05-2026
IAFI/2025-26/L-526

To,

Shri Deepak Sharma,
Advisor (QoS-II),
Telecom Regulatory Authority of India,
World Trade Centre, Tower-F, (4th to 7th Floors),
Nauroji Nagar, New Delhi- 110029

Subject: IAFI Counter-comments on TRAI Consultation Paper regarding Telecom Commercial Communication Customer Preference (Third Amendment) Regulations, 2026

Ref:

1. TRAI Consultation Paper No. RG-25/(25)/2023-QoS dated 13-March-2026.
2. IAFI Comments dated 09-10-2024 on TRAI Consultation Paper dated 28-08-2024.
3. IAFI letter to Chairman, TRAI dated 16-04-2026.

Dear Sir,

The ITU-APT Foundation of India (IAFI) sincerely appreciates the opportunity provided by the Telecom Regulatory Authority of India (TRAI) to submit counter-comments and suggestions regarding the Consultation Paper on the Telecom Commercial Communication Customer Preference (Third Amendment) Regulations, 2026.

We commend TRAI's continuous efforts to curb the menace of Unsolicited Commercial Communications (UCC) since the inception of the TCCCP in 2018. We understand that based on stakeholder feedback and the recent implementation of AI/ML-based UCC detection by major access providers, the Authority has identified the need to amend existing provisions and introduce new measures to enhance the framework's efficacy.

In this context, we draw your attention to our letter dated 16 April 2026, which reiterated our earlier submissions from August 2024. These documents outlined IAFI's detailed and considered views on the evolving challenge of unsolicited and fraudulent communications in India.

As the Authority is well aware, India today faces a serious and rapidly escalating threat from scam and fraudulent communications. Reports consistently indicate that Indian consumers are losing thousands of crores every month. These are not mere instances of nuisance communication, but sophisticated, multi-

layered cybercrimes that undermine trust in digital systems and impose severe financial and psychological costs on citizens.

The core issue, in IAFI's view, lies in the attempt to regulate two fundamentally different phenomena, Unsolicited Commercial Communication (UCC) and Scam/Fraud communications, under a single regulatory framework. Attempting to address both issues within the same architecture not only dilutes enforcement but also creates unintended consequences, sometimes leading to harsh actions against legitimate enterprises.

Therefore, IAFI strongly recommends that TRAI consider a structural shift towards a **Dual-Track Regulatory Framework**:

- **Track 1: UCC Compliance Framework:** This track should continue to focus on legitimate enterprises. It may retain its emphasis on consent management, template registration, distributed ledger technologies, and graded enforcement mechanisms. Importantly, enforcement actions should be proportionate, ensuring that legitimate entities are not subjected to abrupt service disruptions for minor or inadvertent violations.
- **Track 2: Scam and Fraud Prevention Framework:** This must be a dedicated track designed specifically to address malicious actors across all platforms, including OTT services. This framework should prioritize network security, stringent KYC norms, real-time detection, and immediate enforcement actions (such as blocking, blacklisting of devices, and mandatory reporting to law enforcement). Furthermore, TSPs should be provided with explicit safe harbor protections to enable the deployment of advanced AI/ML-based detection systems without the risk of litigation from fraudulent entities.

A Copy of our letter to the Chairman, TRAI dated 16-04-2026 is attached for your ready reference, explaining the problems and proposed remedies in detail.

We remain available for any further discussions and would be glad to participate in any Open House Discussions (OHD) or stakeholder meetings convened by TRAI to provide further clarifications.

Warm Regards



Bharat Bhatia, President,
ITU-APT Foundation of India (IAFI), 504, World Trade Center, New Delhi-110001
Vice Chairman, Asia Pacific, Wireless World Research Forum (WWRF)
Chairman ITU-R WP5D WG General Aspects
Vice Chairman, APT Preparatory Group for WRC-27
Special Advisor, APT Wireless Group.

Copy to:

1. Secretary, TRAI



ITU-APT/L/26/1020

April 16, 2026

To,

**Shri Anil Kumar Lahoti, Chairman
Telecom Regulatory Authority of India (TRAI) World
Tarde Center
New Delhi**

**Subject: Strategic Need to Decouple UCC Regulations from Scam Communications
and Establish a Dedicated Scam Prevention Framework**

Dear Shri Anil Kumar Lahoti Ji,

The ITU-APT Foundation of India (IAFI) would like to place on record its considered views on the evolving challenge of unsolicited and fraudulent communications in India, in continuation of our earlier submission of August 2024 and subsequent inputs provided in response to the ongoing consultation on the review of the Telecom Commercial Communications Customer Preference Regulations (TCCCPR), 2018.

At the outset, we acknowledge the significant efforts made by the Authority in strengthening the regulatory framework governing commercial communications. The TCCCPR-2018 has played an important role in improving consent management, enhancing traceability, and bringing discipline to enterprise messaging. However, it is increasingly evident that the present framework addresses only a limited dimension of a much larger and more complex problem.

India today faces a serious and rapidly escalating threat from scam and fraudulent communications. Reports consistently indicate that Indian consumers are losing thousands of crores every month due to such activities. These are not mere instances of nuisance communication, but sophisticated, multi-layered cybercrimes that undermine trust in digital systems and impose severe financial and psychological costs on citizens.

The core issue, in IAFI's view, lies in the attempt to regulate two fundamentally different phenomena—Unsolicited Commercial Communication (UCC) and scam/fraud communications—under a single regulatory framework. This has resulted in operational inefficiencies, disproportionate compliance burdens on Telecom Service Providers (TSPs), and, most importantly, an inadequate response to the real threat of fraud.

UCC is, at its heart, a matter of regulatory compliance. It involves identifiable, legitimate entities engaging in commercial outreach, sometimes in violation of consumer preferences. The intent is commercial, the actors are known, and the issue is one of consent and governance.

Scam and fraudulent communications, on the other hand, are criminal in nature. They are driven by malicious actors who deliberately obscure their identity, exploit technological vulnerabilities, and deploy psychological manipulation to defraud consumers. These activities span multiple platforms—telecom networks, messaging applications, social media, email, and financial systems—and often involve coordinated attacks across channels.

Attempting to address both these issues within the same regulatory architecture not only dilutes enforcement but also creates unintended consequences. TSPs are placed under disproportionate compliance pressure, sometimes leading to harsh actions against legitimate enterprises, while sophisticated fraudsters continue to exploit gaps in the system.

In light of the above, IAFI strongly recommends that TRAI consider a structural shift towards a dual-track regulatory framework.

The first track should continue to focus on UCC compliance for legitimate enterprises. This framework may retain its emphasis on consent management, template registration, distributed ledger technologies, and graded enforcement mechanisms. Importantly, enforcement actions should be proportionate, ensuring that legitimate entities are not subjected to abrupt service disruptions for minor or inadvertent violations.

The second track must be a dedicated Scam and Fraud Prevention Framework, designed specifically to address malicious actors. This framework should prioritize network security, stringent KYC norms, real-time detection, and immediate enforcement actions such as blocking, blacklisting of devices, and mandatory reporting to law enforcement agencies. TSPs should be provided with explicit safe harbor protections to enable the deployment of advanced AI/ML-based detection systems without the risk of litigation from fraudulent entities.

IAFI's recommendations are further reinforced by recent findings from a comprehensive GSMA¹ study, which clearly demonstrates that scam communications in India are widespread, financially damaging, and increasingly sophisticated. The study highlights that over half the adult population has been exposed to scams, with a significant proportion suffering financial losses and emotional distress. It also underscores that these scams operate across multiple digital channels, far beyond

¹ <https://www.gsma.com/about-us/regions/asia-pacific/wp-content/uploads/2026/02/Examination-of-Anti-Scam-Frameworks-GSMA-ACAST-Report-Final-26-Feb.pdf>

the traditional telecom domain, making a purely telecom-centric regulatory approach insufficient.

Given the cross-sectoral nature of the threat, a purely telecom-centric regulatory approach is insufficient. IAFI advocates for an effective mitigation through strong inter-ministerial coordination. While TRAI regulates telecom infrastructure, issues relating to digital platforms, data protection, and cybercrime fall within the domains of the Ministry of Electronics and Information Technology (MeitY) and the Ministry of Home Affairs (MHA). A siloed approach will not be adequate to tackle a threat of this scale.

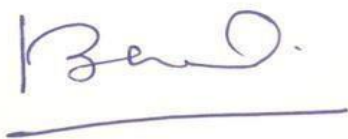
Accordingly, we recommend that TRAI take the lead in advocating the creation of a unified, cross-ministry task force to develop a cohesive legal and operational framework for scam prevention. Such coordination would enable seamless information sharing, faster response mechanisms, and more effective enforcement across sectors.

In this context, we would also draw attention to global best practices, particularly the Australian model, which has established a National Anti-Scam Centre. A similar institutional mechanism in India, under the aegis of the Department of Telecommunications or in coordination with TRAI, could serve as a central hub for intelligence sharing, real-time monitoring, and coordinated action involving telecom operators, financial institutions, digital platforms, and law enforcement agencies.

The scale and complexity of the scam ecosystem today demand a paradigm shift in regulatory thinking. Treating scams as an extension of spam or UCC is no longer tenable. A clear legal and operational separation between compliance-related communication and criminal activity is essential to protect consumers, restore trust in digital systems, and enable the telecom industry to function efficiently.

IAFI remains committed to supporting the Authority in this endeavor and would be pleased to engage further in developing a robust and future-ready framework.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Bhatia', with a horizontal line underneath it.

Bharat Bhatia, President,
ITU-APT Foundation of India (IAFI)
Vice Chairman, Asia Pacific, Wireless World Research Forum (WWRF)
Chairman ITU-R WP5D WG General Aspects
Vice Chairman, APT Preparatory Group for WRC-27
Special Advisor, APT Wireless Group.