



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार / Government of India



12th May, 2023

DIRECTION

Subject : Direction under section 13, read with sub clauses (i) and (v) of clause (b) of sub-section(1) of section 11, of the Telecom Regulatory Authority of India Act, 1997(24 of 1997) regarding measures to curb misuse of Headers and Content Templates under Telecom Commercial Communication Customer Preference Regulation, 2018 (6 of 2018)

F. No. RG-25/(6)/2022-QoS - Whereas the Telecom Regulatory Authority of India (hereinafter referred as the "Authority"), established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as "TRAI Act"), has been entrusted with discharge of certain functions, inter-alia, to regulate the telecommunication services; ensure technical compatibility and effective inter-connection between different service providers; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such services provided by the service providers so as to protect the interest of the consumers of telecommunication service;

2. And whereas the Authority, in exercise of the powers conferred upon it under section 36, read with sub-clause (v) of clause (b) and clause(c) of sub-section (1) of section 11, of the TRAI Act, made the Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018) dated the 19th July, 2018 (hereinafter referred to as the "regulations"), to regulate unsolicited commercial communications;

3. And whereas regulation 17 of the regulations provide that the Authority may direct Access Providers to make changes, at any time, in CoPs and Access Providers shall incorporate such changes and submit revised CoPs within fifteen days from the date of direction issued in this regard;

4. And whereas, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11 of the TRAI Act and the provisions of the regulations, issued a Direction No.RG-25/(6)/2022-QoS dated 16th Feb, 2023 to all Access Providers pertaining to headers and content template, and a copy of the said direction is enclosed as Annexure to this Direction;

5. And whereas after the issue of the said Direction dated 16th February, 2023, the Authority received representations, not brought to the notice of the Authority in earlier discussions including discussion in JCOR, from various Principal Entities and Access Providers, stating, inter alia, that -

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"प्रभावी विनियमन - सुगम संचार"
 "Effective Regulation - Ease of Communication"

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(a) there are quite good number of genuine templates, like templates for IRCTC Ticketing information, Stock Trading information, information with respect of sugarcane procurement and settlement, etc., which require more than three variables and hence limit of upto three variables in content template is not sufficient to convey the intended message to the recipients; and

(b) certain variables, such as names, addresses, etc., require more than thirty characters, as such not allowing two consecutive variables restricts the completeness of information in respect of name, address, etc.;

6. And whereas after examination of the aforesaid representations, the Authority has observed that -

(a) there is a need to review the maximum number of variables and their placements allowed in a content template; and

(b) at the same time, there is also a requirement to keep a check on usage of variables so as to ensure that the intent/information of the original message, for which the content template was approved, is not changed by the intermediaries;

7. Now, therefore, in continuation of its earlier direction dated 16th February 2023, the Authority, in exercise of the powers conferred upon it under section 13, read with sub-clauses(i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997(24 of 1997) and the provisions of the Telecom Commercial Communications Customer Preference Regulations, 2018 (6 of 2018) hereby directs all the Access Providers to-

(a) allow, in special circumstances and on requisition with reasons and proper justification from Principal Entity, more than three variables in the content templates, with the condition that-

(i) after examining the sample message, reasons and proper justification for more variables shall be recorded by the competent authority designated by the Access Provider for this purpose and such authority shall be different from the authority designated for the approval of content templates;

(ii) each variable in the message template should be pre-tagged for the purpose it is proposed to be used and no information other than those defined in pre-tagging shall be included in the variables;

(iii) minimum thirty percent characters in the content template shall be fixed content;

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- (b) allow, where it is not possible to put the contents of a variable within the limit of thirty characters, more than one contiguous variable of the same type, after proper examination and justifications supported by sample message;
- (c) ensure the use of only whitelisted URLs/Apks/OTT links/call back numbers in the content template;
- (d) ensure that, in case of an URL containing both fixed and variable parts, the fixed part of URL is whitelisted;
- (e) monitor the use of content templates and further, stop any misuse of special templates; and
- (f) update the Code of Practice accordingly within fifteen days and furnish compliance report of the above direction within forty five days from date of issue of this direction.

Jaipal Singh
(Jaipal Singh Tomar)
Advisor (QoS-II) 12/05/2023

To

All Access Providers (including BSNL and MTNL)

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