

National Stock Exchange of India

Circular

Department: Compliance	
Download Ref No: NSE/COMP/ 62297	Date: May 31, 2024
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To All Members,

Sub: Instructions to Principal Entities under Telecom Commercial Communication Customer Preference Regulations, 2018

This is in continuation to Exchange Circular no. NSE/COMP/56114 dated March 24, 2023. The Exchange is in receipt of an email from SEBI directing to implement guidelines issued by TRAI (Telecom Regulatory Authority of India) regarding Instructions to Principal Entities under Telecom Commercial Communication Customer Preference Regulations, 2018.

Telecom Regulatory Authority of India (“TRAI”) has requested to direct all institutions/ departments under the ambit of SEBI to expedite and complete the reverification of headers and message templates by Principal Entities (“PEs”) so as to stop their misuse by fraudsters who have managed to get access to such headers or message templates. In view of the challenges faced by securities market intermediaries and MIs in respect of implementing TRAI’s earlier directions dated February 16, 2023, TRAI had issued the revised directions on May 12, 2023. Further, in order to strengthen the process so that only genuine communications go to the consumers, TRAI has also issued the following directions which need to be implemented by the PEs in coordination with their Telemarketers/Service providers: -

a) Whitelisting of URLs / Apks / OTT links / call back numbers by PEs

TRAI has issued directions for PEs to ensure that only whitelisted URLs / Apks / OTT links / call back numbers are allowed in the content templates. Message containing other URLs / Apks / OTT links / call back numbers shall be stopped from further transmission. Variables, if any, being used in message content templates need to be pre-tagged for the purpose they are to be used so as to avoid misuse.

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b) Digital Consent Acquisition (“DCA”)

On June 02, 2023, TRAI has issued a Direction to all the Access providers to develop and deploy the DCA facility for creating a unified platform to register customer consent digitally across all service providers and PEs. No other mechanism of consumer consent shall be accepted for ease of confirmation and prevention of misuse. Accordingly, PEs need to acquire digital consent of their consumers in co-ordination with their service provider.

Members are also hereby advised to refer to attached directions dated May 12, 2023 and June 02, 2023 (Refer Annexure A and Annexure B) from Telecom Regulatory Authority of India (“TRAI”).

Further, SEBI has advised the Exchange to direct the Trading Members to take necessary measures for effective implementation of the guidelines for sending commercial communication using telecom resources through Voice Calls or SMS, as per Telecom Commercial Communication Customer Preference Regulations, 2018 (“TCCCPR-2018”) and various directions issued thereunder, for prevention of Unsolicited Commercial Communication (“UCC”) and hence potential misuse by fraudsters, as advised by Telecom Regulatory Authority of India (“TRAI”).

The above-mentioned guidelines issued by TRAI are attached as Annexure C. Members are advised to take necessary measures for effective implementation of the same and ensure compliance.

For and on behalf of
National Stock Exchange of India Limited

Ankit Kothari
Senior Manager