

Sub.: Comments on 'Consultation Paper on Review of Telecom Unsolicited Commercial Communications Regulations'

With reference to the above Consultation paper published by the TRAI, we provide our response below for the Authority's consideration.

Overview

Telemarketing as a channel has been used effectively in promotion of products & services across various industries ranging from banking, financial services, telecom, insurance, FMCG, IT, public sector enterprises, etc.

Telemarketing & SMS or mobile marketing has been actively used to inform prospects & consumers on introduction of various products & services which they can avail of to make their interaction with the manufacturers & distributors easier, faster & direct.

Telemarketing including SMS based marketing in a widely dispersed country like India offers an efficient mechanism to reach the farthest ends of the country riding on the backbone of the success of telecom revolution and is helping the industry further the cause of financial inclusion. The key benefits of using telemarketing channels are:

- *Providing access to financial and other services:* thus furthering the cause of financial inclusion
- *Creating awareness:* Dissemination of information & promotion of products & services.
- *Operational feasibility, efficiency & productivity:* Cost efficiently reach out across the country, enables outsourcing telemarketing processes to domain experts (domestic call centers) & focus on core businesses.

The TRAI is attempting to address this concern by proposing a National Do Call Registry (NDCR), effectively meaning an "opt-in" method of allowing consumers to register themselves in such a list. However such a move suggests that it may put an end to the telemarketing industry itself. To highlight a few facts on the domestic telemarketing industry:

The Domestic telemarketing (India centric tele-marketing) is approximately a Rs. 10,000 crores (2.36 billion) business in India. An estimated 5.5 lakh people are currently employed by the domestic telemarketing industry. Most of these people are students in their early twenties who study & work & also opt of part time courses. Some of them are also sole bread earners for their families. Further, owing to cost advantages most domestic telemarketing agencies are shifting their operations in smaller towns thus creating new employment opportunities.

Further we understand from the consultation paper that most companies continue to operate under an 'opt-out' regime for telemarketing.

Given the valid concerns raised by the Authority regarding mitigating the risk of customers who have registered for Do Not Call, not receiving telemarketing calls we provide some suggestions below.

#### Additional measures to facilitate NDNC compliance

Keeping the above in mind, our insurance company would be willing to put the following additional processes in place, as “self regulation” measures, to facilitate compliance with the NDNC framework already in place:

1. We will of course ensure that prior to entering into arrangements with telemarketing companies, such companies are registered. The same would be covered in all our contractual agreements with such companies. Similarly we will ensure that in all our Corporate Agency agreements such a clause is inserted and we will obtain confirmation from them regarding their registration and process for compliance to NDNC data scrubbing. Further we will also insert penalty clauses in all our agreements for non compliance to NDNC guidelines. We believe that this would help increase the penalties substantially from the current levels as per the Authorities regulations which should act as a suitable deterrent.
2. Further the Company would institute a disciplinary action framework which will provide for imposition of penalties for violation of TRAI regulations - on employees/agents of insurance company if they indulge in Unsolicited Customer Calling on DNC registered customers.
3. We will increase our efforts in creating awareness of this compliance requirement in the branch offices to ensure that all persons within the Company are aware of the regulatory requirement and implications of non compliance thereto.

Further we request the Authority to evaluate taking the following steps:

1. Evaluate further steps to increase the levels of awareness by educating the general public with regard to registering on NDNC. The current registration base can be increased by conducting awareness campaigns, running education series through various modes of media, such as newspapers, magazines, television, etc. Even telephone bills, customer service centers/ outlets and websites of service providers could indicate NDNC numbers for the purpose of registration, especially highlighting the easy to use SMS based registration. In fact, statements pertaining to this may be mandated across all telecom customer communication in a minimum font size of 12 in a visible colour, placed prominently in the document to attract attention.
2. NDNC Registry could be tailored to suit customer needs on the basis of various categories. As such, if customer were to register in to the registry for not receiving calls pertaining to a particular category, e.g. home appliances, healthcare, financial services, etc, then his details would be scrubbed accordingly only.

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Request in summary

In view of the above, we request the Authority to continue with the existing regime of “National Do Not Call Registry”.

Further, the matter has been discussed at the industry level and we believe companies are fully seized of the importance of adherence to compliance with TRAI regulations and are always available for extending necessary support to the Authority in it’s initiatives to enforce compliance with the TRAI regulations.

Thanking you,

Yours sincerely