

We take this opportunity to thank TRAI for landmark regulation in the Indian market and for being, in our opinion, a great new generation regulator that is responsive to consumer rights and the true voice of the industry.

We had welcomed the “opt out” proposal, a landmark proposal at that time, in October 2007. Not only did it result in a qualified, focused database for the BPO companies, also resulted in addressing consumer’s right to privacy limit her inconveniences. A win-win situation, it was, that took care of consumer rights, increasing business efficiency at the same time. It was a great effort by TRAI to push the industry towards a DNC regime and we pledge to further the cause by working within the industry and with TRAI.

We, however, wish to take a very cautious view of the recently proposed “opt in”, or “Do Call” registry. We need to very carefully analyze the implications of implementing the “Do Call” regime.

The “push-SMS” is a Rs. 200 crore industry by itself that will be adversely affected. Not to talk of the adverse effect on the approximately Rs. 11,000 crore telemarketing industry and the millions of people employed by this industry. Will this loss of revenue by the Telcos, not be an added burden on the consumer? Are we not creating a recipe to take India from a “lowest” telco tariff country to a high tariff scenario? Does the consumer really benefit with the implementation of the DC registry?

Some developed countries have an “opt-in” system in place that TRAI is proposing. But these are few of the mature economies where robust trade mechanisms are in place. Also, it may be interesting to have some statistics on the response to the “opt-in” registry, in these countries. There are plenty of examples of a negative fall-out of the “opt-in” system. In some South American countries revenues of telemarketing companies went down as much as 95% and business in general went down significantly upon implementation of the “opt-in” system. Can we afford a 95% wash-out of an 11,000 crore industry?

According to the TRAI, a total of 3, 40,231 UCC complaints were received, from subscribers, till March 2010. What is interesting to note, here, is most of these complaints were from people who were part of NDNC registry. Does it not mean to say that there is a need to beef up the existing system rather than proposing an “opt in” system which has a likely negative impact on industry and may even adversely affect consumers who benefit from Commercial communication (sometimes unsolicited)?

World-wide, people have realized the enormous potential of the telemarketing channel. In India, the telecom industry, including the telemarketing channel is a part of our vibrant economy growing at the second fastest rate in the world. A free flow of information, trade and commerce is an integral part of a growing economy. As the world moves towards liberalizing economies with necessary checks, we believe, India must keep pace. Any move to prevent such trade and commerce would only be detrimental to the economy and therefore the Indian consumer.

Agreed, there may be a need to regulate the thousands of unregistered tele-marketers, who freely call up anyone they wish to. But this issue, though of utmost importance, needs to be dealt with differently. Unless the ministry gives more teeth to TRAI to bring the errant telecom companies/tele-marketers to book, unless TRAI shows the rigor to throw whatever power they have, on the erring companies/ callers, no one benefits.

We will be glad to work with TRAI for a more stringent implementation of the existing regulation. We are with TRAI for a stricter penal action on violators to DNC. However, will not recommend an “Opt – in” system at this stage considering the loss to industry and ultimately to the consumer.

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