FIDC

Finance Industry Development Council

(A Self Regulatory Organisation for NBFCs in India)

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24th July, 2026

The Chief General Manager-in-Charge
Department of Regulation
Reserve Bank of India
Central Office
Mumbai

Sub: Comments on the Draft Guidelines for Prevention and Regulation of Pesky, Promotional and Unsolicited Commercial Communications, 2026 issued by the Department of Consumer Affairs

Respected Sir,

This has reference to your communication seeking FIDC's comments on the Draft Guidelines for Prevention and Regulation of Pesky, Promotional and Unsolicited Commercial Communications, 2026 prepared by the Department of Consumer Affairs.

At the outset, FIDC welcomes the initiative taken by the Department of Consumer Affairs to strengthen consumer protection against unsolicited commercial communications. The increasing incidence of unsolicited calls, promotional messages and fraudulent communications, particularly those misusing the names of regulated financial institutions, has become a matter of significant concern for consumers as well as regulated entities. Measures that enhance transparency, accountability and consumer choice are therefore both timely and necessary.

The NBFC sector is fully aligned with the objective of protecting consumers from unwanted commercial communications. Regulated entities themselves have increasingly become victims of impersonation, spoofed communications and unauthorised marketing undertaken by unscrupulous persons. A robust framework that promotes responsible communication practices while discouraging misuse of the names of regulated institutions would therefore be in the interest of both consumers and the financial system.

FIDC broadly supports the proposed Guidelines. At the same time, considering the unique nature of financial services, certain provisions may benefit from further clarification so that the intended consumer protection objectives are achieved without creating unintended operational or regulatory challenges for communications arising from existing customer relationships or statutory obligations.

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Our observations are summarized below:

Draft Provision	Observation	Reason
Definition of "Business Communication"	The draft may distinguish promotional communications from communications relating to existing customer relationships, statutory obligations and regulatory requirements.	Financial institutions routinely communicate with customers regarding loan servicing, KYC, fraud alerts, account statements, repayment schedules and regulatory disclosures. Such communications are integral to the financial relationship and should not be regarded as promotional communications.
Consent Requirements	It may be useful to clarify that consent requirements primarily apply to promotional communications and not to communications arising from an existing contractual or statutory relationship.	Financial institutions are required to communicate throughout the lifecycle of a financial product. These communications are necessary for customer protection and regulatory compliance.
Existing Customer Relationships	Consideration may be given to recognizing communications with existing customers separately from communications intended to solicit new business.	Communications relating to repayment reminders, restructuring options, statements of account and similar matters arise from an existing contractual relationship and are not in the nature of unsolicited marketing.
Regulatory and Consumer Protection Communications	Communications issued pursuant to RBI directions or other statutory requirements, including fraud prevention and cyber security advisories, may be expressly kept outside the scope of unsolicited commercial communications.	Such communications are intended to protect consumers and fulfil regulatory obligations rather than promote products or services.
Allocation of Responsibility	The provisions relating to responsibility may recognise the governance framework and due diligence exercised by regulated	Regulated entities remain responsible for outsourced activities; however, institutions that have established appropriate governance, contractual safeguards, oversight and

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Draft Provision	Observation	Reason
	entities where communications are undertaken through authorised service providers.	monitoring mechanisms may merit differentiated treatment where isolated violations occur despite such controls.
Transition Period	A reasonable implementation period may be considered for operational and technology changes, particularly for consent management systems.	Financial institutions may require time to align customer databases, communication platforms and internal processes with the revised framework.

General Observations

The proposed Guidelines appropriately seek to strengthen consumer confidence by improving transparency and accountability in commercial communications. FIDC supports this objective. However, financial services differ from many other sectors because communication with customers continues throughout the duration of the relationship. Many such communications are not promotional in nature but arise from contractual commitments, prudential requirements or regulatory obligations. A distinction between promotional communications and communications relating to servicing of existing customer relationships would therefore provide greater clarity and facilitate consistent implementation.

The proposed framework may also be aligned, to the extent possible, with the existing regulatory architecture applicable to banks and NBFCs, including the Reserve Bank's Fair Practices Code, Digital Lending Guidelines, outsourcing framework and customer service instructions. This would minimize the possibility of overlapping compliance obligations while ensuring a consistent approach to consumer protection.

FIDC also strongly supports the emphasis placed on caller identification and accountability. Given the increasing incidence of financial frauds involving impersonation of regulated entities, consideration may be given to expressly recognizing fraud alerts, cyber security advisories and other consumer protection communications as distinct from promotional communications.

With increasing reliance on outsourcing arrangements, digital channels and technology platforms, it may also be useful for the final Guidelines to recognize that responsibility should be accompanied by appropriate governance expectations. Institutions that have implemented robust oversight mechanisms, contractual controls, periodic monitoring and audit processes should be encouraged through a framework that

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recognizes reasonable due diligence while continuing to hold regulated entities accountable for the overall conduct of their authorized service providers.

Conclusion

FIDC reiterates its support for the objective of strengthening consumer protection against unsolicited commercial communications.

The observations contained in this representation are intended to assist in refining the proposed framework so that it remains consumer-centric while also recognizing the unique nature of communications arising from existing customer relationships and statutory obligations within the regulated financial sector.

We trust that the above suggestions will be found useful while finalizing the Reserve Bank's comments on the draft Guidelines circulated by the Department of Consumer Affairs.

While the above comments are confined to the Draft Guidelines issued by the Department of Consumer Affairs, we would also like to draw your kind attention to a related matter that may merit separate consideration by the Reserve Bank.

We refer to our detailed submission vide our letter dated 24th December 2025 on Prevention of Financial Frauds perpetrated using Voice calls and SMS based on "Telecom Commercial Communications Customer Preference (Second Amendment) Regulations, 2025" (TRAI Regulations). There have been some significant developments consequent to the implementation of the above said regulations. These developments in our view merit a review of the above said TRAI Regulations. We shall shortly submit our detailed representation on the same.

We shall be pleased to provide any further clarification that the Reserve Bank may consider necessary.

Assuring you of your full cooperation always & thanking you in anticipation.

Yours faithfully,
For Finance Industry Development Council (FIDC)

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