

**Q. 1. Which service(s) when provided by the OTT service provider(s) should be regarded as the same or similar to service(s) being provided by the TSPs. Please list all such OTT services with descriptions comparing it with services being provided by TSPs.**

**The services offered by OTTs are entirely different to what tsps are providing.**

Take the example of whatsapp. Here a user on whatsapp can only call or send a message to another whatsapp user and not able to send a text from whatsapp to a tsp or viceversa. A whatsapp user also cannot call another mobile or landline.

Hence the argument of same service same rules doesn't hold any water. I would like to highlight this using below example:-

1. Take the business of candle manufacturers. They used to provide light to people. As soon as electricity came in it did the same but with added benefits and was different than the candles. So does that mean that electricity and candle are one and the same business.

Similarly whatsapp is an enhanced messaging service that has brought a lot of ease and good things to the society. Nobody had stopped TSPs from investing and enriching their sms or launch something like Whatsapp. Instead they chose to stay on this outdated technology at exorbitant rates to mint money.

In a gist as time progresses innovations and inventions upend the previous technologies and those who don't see the writing on the wall and make investments would always be left out. That's why TSPs today are whining about same service same rules.

Coming to the question of the services same to TSPs:-

I can't provide one because whatsapp is in no way similar to messaging, Telegram or whatsapp is not similar to TSPs messaging or calls which can call across networks which these apps lack.

**Q. 2. Should substitutability be treated as the primary criterion for comparison of regulatory or licensing norms applicable to TSPs and OTT service providers? Please suggest factors or aspects, with justification, which should be considered to identify and discover the extent of substitutability**

If any TSPs should be less regulated and not the other way round. OTTs have in fact been the major driver behind exponential data consumption and now are slowly but surely replacing voice and are in fact driving the revenues of telcos up by leaps and bounds. Had it not been for the OTT services the need for data consumption on such a large scale would be impossible.

So in order to provide a level playing field telcos should be in fact less regulated thereby removing an excuse for them not to innovate and grow.

**Q. 3. Whether regulatory or licensing imbalance is impacting infusion of investments in the telecom networks especially required from time to time for network capacity expansions and technology upgradations? If yes, how OTT service providers may participate in infusing investment in the telecom networks? Please justify your answer with reasons.**

This is a oft repeated ploy by TSPs that this loss of revenue which is a big lie is effecting investments. The telcos business is to provide the pipes for the transmission of data and as consumption increases hence its in their business interest to invest to make these networks robust so that their customer base remains intact. Its just like electricity companies having to invest and purchase electricity as the consumption increases in order to sustain their business. If any not regulating OTT will only increase consumption and thereby pushing for investment.

**Q.4 Would inter-operability among OTT services and also inter-operatbilty of their services with TSPs services promote competition and benefit the users? What measures may be taken, if any, to promote such competition? Please justify your answer with reasons.**

Interoperability isnt needed. Tspd and OTTs are entirely different.

**Q.5 Are there issues related to lawful interception of OTT communication that are required to be resolved in the interest of national security or any other safeguards that need to be instituted? Should the responsibilities of OTT service providers and TSPs be separated? Please provide suggestions with justifications.**

It would be better if the Govt and the regulators in the name of national security and investment stop meddling with OTTs and better allow the platforms to self regulate. Competition would ensure better services and consumers are the best judge of any product or service and that would in turn would make the OTTs to be better.

**Q.6 Should there be provisions for emergency services to be made accessible via OTT platforms at par with the requirements prescribed for telecom service providers? Please provide suggestions with justification.**

If data services are available i think these services will be used by consumers as they find fit. This question doesnt make much sense to me.

**Q. 7. Is there an issue of non-level playing field between OTT providers and TSPs providing same or similar services? In case the answer is yes, should any regulatory or licensing norms be made applicable to OTT service providers to make it a level playing field? List all such regulation(s) and license(s), with justifications.**

As mentioned time and again during previous consultations including the consultation paper on OTT in 2015 i would like to stress here that there is no question of a level playing field as these are entirely different things. The licenses provided to TSPs are a lot different than what the OTTs that use these networks can do. In turn its the OTTs that have made the data usage explode in the last few years and the decline in voice revenues have more or less been made up by the exponential data growth YOY. Also as is evident now competition has already made voice free and its data thats the next growth driver and OTTs are the reason for the data growth. Less regulation and allowing the OTTs to grow unfettered will in future create more profits for the telcos as competition and consumer choice drive these

services to innovate. If anything this should be a lesson to the govt that telcos should be regulated less rather than thinking of regulating OTTs more.

**Q. 8. In case, any regulation or licensing condition is suggested to made applicable to OTT service providers in response to Q.7 then whether such regulations or licensing conditions are required to be reviewed or redefined in context of OTT services or these may be applicable in the present form itself? If review or redefinition is suggested then propose or suggest the changes needed with justifications.**

There should be entirely no licensing condition or regulation of any kind prescribed for OTTs. In turn regulate the telcos less.

**Q. 9. Are there any other issues that you would like to bring to the attention of the Authority?**

The authority should stop paying heed to the constant whining of telcos that OTTs are eating into their revenues when we know that their announcements to shareholders are on the contrary.

OTTs - sms or call or videos is why people are increasingly purchasing more and more data and even with Net Neutrality regulations you can see how data usage has skyrocketed and how Jio has led to the growth of 4g in india. Consider the promise of more investment declared by respective telcos which in itself contradicts the less investment scenario.

TRAI should lay this regulation mania of OTTs to rest once and for all and stick to strict Net neutrality regulations and competition and consumers would lead the way ahead thereby breaking cartels as we see already.