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TO:

RS Sharma  
Chairman, Telecom Regulatory Authority of India

CC: Vinod Kotwal  
Advisor (F&EA), Telecom Regulatory Authority of India

We are grateful to the TRAI for making available the comments on the TRAI Consultation Paper No. 8/2015, on Differential Pricing for Data Services for public counter comments.

On behalf of Indic Project ([www.indicproject.org](http://www.indicproject.org)) and its parent organization Swathanthra Malayalam computing we have responded with some counter comments to comments provided to the consultation paper herewith.

The Indic project is an Indian civil society initiative that empowers Indian language usage in computer, mobile and other devices.

Our work is focused on three key areas :

**Products** - people-centric products for Indian language experience in user devices.

**Technology** - robust, free and open technical solutions that bring the Indian language experiences to life across multiple platforms.

**People** who value and advocate for native language experience and rights of native language users.

The Indic project is also a community of technologists, thinkers, builders and practitioners of Indian language technology who work together for improving information infrastructure and access to knowledge in Indian languages.

Swathanthra Malayalam Computing (SMC) is a free software collective engaged in development, localization, standardization and popularization of various Free and Open Source Software in Malayalam language. SMC is perhaps the largest language technology developer community in India and collaborates very closely with government and industry, and serves as an advisory to governmental/semi-governmental organizations that determine the future of Malayalam language on computing devices.

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We went through the comments posted in TRAI website on the consultation paper and we felt that the question of access for the majority of the people of India who knows only their native languages are not represented well. We hope you will take our comments and counter comments into account for recommendations on the subject.

A knowledge society at present times needs tools to read, process, share and generate knowledge in digital formats. The Internet is a great enabler for knowledge societies with such goals for e.g. Openstreet Map project. Access to the Internet opened up knowledge and service acquisition possibilities for common man. The Internet also reduced the dependancy on traditional knowledge pools, to which access is often restricted. With current figures it is becoming clear that unlike most other countries, India will be a “mobile-first” country because the first computing device for most Indians will be the mobile and not the PC. But unlike what some market forces argue the access and inclusion challenge that Indians face is not just about connectivity alone . Connectivity, Local language Content and Language technology Infrastructure all play crucial roles in the accessibility problem. Unavailability of Indian Language interfaces, keyboards and fonts limits freedom of expression of people in their native languages and prevents them from tapping the full potential offered by smart phones and Internet. We previously submitted a policy brief to DeiTY in January 2015 <http://blog.smc.org.in/policy-brief-mobile-indian-lang/> .Now our Indic Keyboard for Android app which supports 23 languages helps nearly 4,00,000 Indians to express themselves in their native languages.

India has 22 official languages and many more unofficial languages. The content pools in Indian languages are very low and Indian internet population is mushrooming with the introduction of mobile devices. Now 30% of the indian population have internet access . 25% percent of India's Internet population came online in last one year as per a recent study by Internet and Mobile Association of India(IAMAI). Many of these new and upcoming subscriber population only know their native languages . How can we build policies to cater content growth in indian languages? How would we ensure equal opportunities to access free and open internet in their native languages and allow them to contribute to it ? These are critical policy questions in front of India . We often see introduction of walled gardens and privacy invading read only services as the solution for connectivity and expression. The possibilities in such scenarios are limited to these walled gardens alone. In short, such services prevent creation of knowledge societies with locally relevant knowledge and leads to balkanization of communities and knowledge along the lines of the walled garden that is being provide via zero rating. It also denies the possibility of Indian Internet startups to target the native language audience with their solutions or platforms and kills the possibility of an Indian language web in its growing stage.

Ability for Indian startups and individuals and collectives to build locally relevant content must not be at the mercy of gate keeping powers and their business partnerships. Any policy step in this direction need to ensure that users have the greatest possible access to internet-based content, applications, and services of their choice.

Keeping these in mind, we would like to make the following observations on the comments that TRAI has received in the previous stage of consultation.

Differential pricing of data packs creates a fragmented Internet on which we are afraid Indian languages might not be adequately represented.

Airtel says: “Toll free or zero rating enables first-time users and marginal customers, who cannot afford Internet services, to experience them for free and later on, such users become regular data users, which is good for both the government and the industry. There is evidence to show that if structured appropriately, Zero Rating may drive innovation and competition in the Internet economy”. Other stakeholders parrot similar arguments which support differential pricing as a way to affordable Internet access.

The comparison of toll free phone lines to zero rating is erroneous in multiple ways. Internet is a multi-directional communication platform which is most powerful when each user connected to it can communicate with any other user connected to the same. (By user we mean both content creators and content consumers). Users who access zero rated Internet services are essentially nodes that are connected to selected content consumption/creation mechanisms directly - access to other users are comparatively difficult. This creates a fragmented Internet that takes away all the benefits in terms of language and knowledge that an open Internet provides.

More importantly, we would like to point out that economic feasibility is not the only barrier to participating on and using the Internet. Even when people can afford Internet, some might not use it because of the lack of services and content in their language. Throughout our work in localizing (translating from English to multiple Indian languages) various popular software and web services, we have seen first-hand how adoption and usage increases among people who speak a language when the particular software starts supporting and displaying their language. Therefore, the argument that lowering the cost of access will automatically increase adoption is not necessarily true, or does not apply to that set of people who are not proficient in English.

Focus on our native languages becomes even more important on the Internet where key activities are acquiring and sharing knowledge (academic, procedural, governmental, and other social purposes). A person who is not proficient in English

cannot learn anything practically useful from the Internet that is dominated with English language websites. We cannot expect corporates and other large services (who have more chance of being part of zero rated or differentially priced data tariff packs) to cater to all the languages in India. On the other hand, we can indeed rely on users themselves to create content and services in the languages they speak. (For example, Google provides an application for android phones called "Indic Keyboard" that has only 11 Indian languages. But, SMC and libindic has developed an "Indic Keyboard" app over the last years with community participation that includes 22 languages. This was possible only because programmers from different parts of India could contribute the language they speak).

On an Internet fragmented by differential pricing, such efforts to enable people who speak a language to develop services and content in their own language will not succeed for two reasons:

- 1) They will not be able to contribute to open projects if those projects aren't part of the differentially priced pack they are subscribed to.
- 2) Even if they pay for the whole Internet and create content/services in their language, their audience would not be able to access it until they buy the whole Internet or TSPs include the said service in their differential pricing scheme.

TSPs running their own services that are differentially priced makes it even more dangerous to a free market. Airtel's Wynk which's a music streaming service enjoys the unfair competitive benefit of being charged less than its competitors by Airtel in certain differential tariff packs. Other similar services like Gana, Saavn, etc which provide users access to music in Indian languages are thus facing loss of users. This is not fair competition. We fear such misuse of control to create monopolies will become commonplace if TRAI doesn't immediately put strong protections for net neutrality in place.

We would also like to make an impassioned response to Facebook's extravagant lobbying and extortion of comments from its users in the entire consultation process. We feel TRAI needs to ensure India's Internet growth possibilities will be used for building a level playing field benefiting Indian users and prevent Facebook, or any other foreign corporates with vested interests from tapping this potential for their customer acquisition via anti competitive zero rated programs like Free basics. As a community working for Indian language products, we find such an invasion in the Indian policy process by a foreign corporate both scary and dangerous, reminding us of our colonial past. Moreover, Facebook's interest in advertising and data collection are well known, and they may use this as an opportunity to build insights on India's bottom of pyramid population and their Internet usage habits without informed consent. Also by breaking https encryption, facebook plays the middleman and collects all data, which could include credit card details, financial

transactions and even passwords in any secure websites.

Members of our community have gone through the list of services provided by Facebook under the scheme it calls "Free Basics". While many of these services are genuinely useful when seen in isolation, several of them appear to us like makeshift websites just created to fill columns. For example, the website named "Malaria No More" constitutes just 5 pages with cursory facts about Malaria in only 7 languages. While we are aware that the website could later expand to include more content and that Facebook claims to allow any website to join "Free Basics" if they conform to a set of (arbitrary) guidelines decided by Facebook (for example, progressive enhancements for language support such as javascripts or WOFF font support is prevented according to these guidelines); we can't fail to wonder why any citizen of India should be made to do with such meagre "basics" while the open Internet is full of all kinds of information about any topic that they would need. Giving Facebook control of what is available to Indians in this manner sounds like an unnecessary danger to us.

We hope TRAI will make a reasonable decision based on these and other arguments presented.

Sincerely,

Anivar A Aravind  
Executive Director  
Indic Project