A. Responses to questions in Consultation Paper:

S. No.	Question	Response
1.	Whether there should be single industry body or multiple industry bodies of cloud service providers which may be registered with DoT? If multiple industry bodies, whether there should be any cap on their number? Should the industry bodies be registered based on the category or type of CSPs? Can a CSP be a member of multiple industry bodies? Please suggest with justification.	We believe that the very requirement for registering industry bodies for CSPs should be reconsidered because: (a) multiple industry bodies, each with their own set of rules and principles will create confusion for the consumers and conflicting interests; (b) on the other hand, having a single registered industry body may thwart competition and act as a barrier to entry for newer players. Classifying CSPs into a single category based on the nature of the service provided would have the effect of preventing the CSPs from further innovation and diversification of the services they provide to their customers. If the industry bodies are formed on the basis of type of service provided, such as IaaS or SaaS, then CSPs may have to join multiple industry bodies, which will create further confusion and overlap.
2.	What should be the eligibility criteria for an Industry body of CSPs to register with DoT? What is the list of documents that should be required to be submitted as proof of eligibility? What obligations should be cast upon the Industry Bod(y)(ies) after registration with DoT? Please suggest with justification.	CSPs are already governed by applicable laws and regulated by MEITY. Imposition of further compliance requirements and eligibility criteria by the DoT and the TRAI would lead to the CSPs being over-regulated. This is in contradiction to the TRAI's earlier approach of advocating for 'light touch' regulation of CSPs. For instance, the code of conduct in the Consultation Paper imposes onerous obligations on the CSP and goes beyond light touch regulation. Strict eligibility criteria will hinder the freedom of members registered with industry bodies, while simultaneously hindering the ability of CSPs to innovate.
3.	What may be the threshold value of parameters such as the volume of business, revenue, number of customers etc. or combination of these for a CSP to mandatorily become member of a registered Industry body? Please suggest with justification.	We do not advocate for any strict eligibility criteria to be imposed on CSPs for membership with a registered industry body. Please refer to our responses to questions 1 and 2 above for our reasoning.
4.	Whether entry fee, recurring fee etc. need to be uniform for all members or these may be on the basis of type or category of members? How such type or category can be defined? Should such fee be prescribed by DoT or be left to be decided by	As mentioned in our previous responses and the introductory section, it is unclear from where the DoT or TRAI derive the authority to demand and collect a registration fee from CSPs for membership to an industry body. Imposing such a requirement will lead to regulatory ambiguity and confusion. We believe there should be no registration fee for membership to an industry body.

S. No.	Question	Response
	the Industry body? Please suggest with justification.	Alternatively, if a registration/membership fee has to be imposed, such a requirement should only come from the industry body itself, and not the DoT/TRAI.
5.	What should be the guiding principles for governance by an industry body? How would these principles/ organisation structure ensure fair, reasonable and non-discriminatory functioning of body? Should structure of Governance be prescribed by DoT or should it left for the industry body to decide? How can the industry body achieve the desired deliverables efficiently and effectively? Please suggest with justification.	We believe that an industry body should be voluntary in nature and its organization structure should be determined by its members, rather than the DoT. Examples of industry bodies like NASSCOM, TSDSI, etc. cited in the Consultation Paper illustrate how these are voluntary associations which are able to effectively represent the interests of their members. They act as an invaluable means of communication and engagement with the regulators and for bringing the industry members together.
6.	What policy may be adopted for initial formation of industry body for cloud services? Please suggest with justification.	The Consultation Paper lists out 4 ways in which an industry body can be formed. These include the option of CSPs forming a body and adopting their own code of conduct. We recommend that this approach be followed because (a) it allows CSPs to have flexibility and to innovate and (b) to collaborate with other industry groups.
7.	Any other issue which is relevant to this subject? Please suggest with justification.	Kindly refer to our response to Q.1. CSPs fall under the ambit of MEITY and are already governed by laws in India. By allowing DoT and TRAI to regulate CSPs, multiple and possibly conflicting regulatory regimes will be created that will be an impediment to the growth of CSPs in India.

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