

Hello. I would like to preface this by saying that I am not from India. I am an American from Portland, Maine. However, I am a huge advocate for net neutrality. I think it's how the internet should be run and I'm always glad to see it brought to other countries. I found this questionnaire you fine folks are asking people to answer, and I hope you wouldn't mind an international opinion.

Q.1 What could be the principles for ensuring nondiscriminatory access to content on the Internet, in the Indian context?

No blocking, no throttling, no paid prioritization.

Q.2 How should “Internet traffic” and providers of “Internet services” be understood in the NN context?

(a) Should certain types of specialised services, enterprise solutions, Internet of Things, etc be excluded from its scope? How should such terms be defined?

No.

(b) How should services provided by content delivery networks and direct interconnection arrangements be treated? Please provide reasons.

Personally, I don't think they should be allowed. Allowing deal among the industries may benefit some companies and services, but in the long run it will only harm startups of the same nature simply because they cannot afford to make those same deals.

Q.3 In the Indian context, which of the following regulatory approaches would be preferable:

(a) Defining what constitutes reasonable TMPs (the broad approach), or

(b) Identifying a negative list of non reasonable TMPs (the narrow approach). Please provide reasons.

A. I would prefer the more broad approach to NN rulings since many opponents are likely to attempt to play unfair and look for loopholes given the rules. Just look at NN in America if you would like an example. Broad rules may be restrictive at times, but it will provide a much better service to customer's in the long turn.

Q.4 If a broad regulatory approach, as suggested in Q3, is to be followed:  
(a) What should be regarded as reasonable TMPs and how should different categories of traffic be objectively defined from a technical point of view for this purpose?

I believe what you are asking is should different types of traffic be prioritized. Really, I am not a fan of these practices, however it is true that some things will use more bandwidth than others. Rules could be implemented to help identify what types of traffic needs more bandwidth, however I fear startup sites may take advantage of it.

(b) Should application-specific discrimination within a category of traffic be viewed more strictly than discrimination between categories?

Yes

(c) How should preferential treatment of particular content, activated by a user's choice and without any arrangement between a TSP and content provider, be treated?

I don't think this should be allowed at all. Allowing rules that let citizens pick and choose what kind of content they would like goes against the idea of the open internet, and is a slippery slope to the nightmare scenario where individual types of sites are locked behind paywalls.

Q.5 If a narrow approach, as suggested in Q3, is to be followed what should be regarded as non reasonable TMPs?

Any practices that attempt to block or throttle certain traffic. For example, like back in 2015 when Comcast throttled Netflix in an attempt to kill off a direct competitor to their parent company.

Q.6 Should the following be treated as exceptions to any regulation on TMPs?

- (a) Emergency situations and services;
- (b) Restrictions on unlawful content;
- (c) Maintaining security and integrity of the network;
- (d) Services that may be notified in public interest by the Government/ Authority, based

on certain criteria; or  
(e) Any other services. Please elaborate.

A, B, are the only two that seem reasonable to me.

Q.7 How should the following practices be defined and what are the tests, thresholds and technical tools that can be adopted to detect their deployment:

(a) Blocking;

The question as I found it is a little oddly worded to me, but I think you're asking how we should detect these practices. For blocking, it should be simple enough. If you cannot access a legal site on one ISP but can on another, than they are blocking it.

(b) Throttling (for example, how can it be established that a particular application is being throttled?); and

I believe how we do it in America is we have the same site tested on various devices subscribed to various ISPs. If you see anything fishy, it might be time to investigate.

(c) Preferential treatment (for example, how can it be established that preferential treatment is being provided to a particular application?).

Similar to my example in B.

Q.8 Which of the following models of transparency would be preferred in the Indian context:

(a) Disclosures provided directly by a TSP to its consumers;

(b) Disclosures to the regulator;

(c) Disclosures to the general public; or

(d) A combination of the above. Please provide reasons. What should be the mode, trigger and frequency to publish such information?

B. Transparency is important, regardless of what the rules are. I feel every ISP site should have a small page detailing their thoughts on net neutrality and how they function.

Q.9 Please provide comments or suggestions on the Information Disclosure Template at Table 5.1? Should this vary for each category of stakeholders identified above? Please provide reasons for any suggested changes.

I wasn't able to find this table, so I have no opinion.

Q.10 What would be the most effective legal/policy instrument for implementing a NN framework in India?

(a) Which body should be responsible for monitoring and supervision?

I'm not familiar with India's government bodies, but in America we monitor it with the FCC, a government body which watches over telecommunication companies.

(b) What actions should such body be empowered to take in case of any detected violation?

Again, I am unsure which bodies would be capable of this. Personally though, I feel you should give power to more than one branch.

(c) If the Authority opts for QoS regulation on this subject, what should be the scope of such regulations?

Broad and clear.

Q.11 What could be the challenges in monitoring for violations of any NN framework? Please comment on the following or any other suggested mechanisms that may be used for such monitoring:

(a) Disclosures and information from TSPs;

If they are desperate enough, they could straight-up lie.

(b) Collection of information from users (complaints, user-experience apps, surveys, questionnaires); or

Aside from perhaps ISP interference I can't really think of a potential problem with this one.

(c) Collection of information from third parties and public domain (research studies, news articles, consumer advocacy reports).

Trouble with whoever is holding those documents keeping those resources up. However that has nothing to do with net neutrality, since it affects website holders.

Q.12 Can we consider adopting a collaborative mechanism, with representation from TSPs, content providers, consumer groups and other stakeholders, for managing the operational aspects of any NN framework?

(a) What should be its design and functions?

Perhaps a few layers of protection regarding these laws. I'm not familiar with how bills and regulations are passed in India however, so I won't comment further than that.

(b) What role should the Authority play in its functioning?

If all is well authority should never have to interfere. However if laws are broken, monetary punishment is typically a good way to go.

Q.13 What mechanisms could be deployed so that the NN policy/regulatory framework may be updated on account of evolution of technology and use cases?

Firstly implement NN in a few different ways so that citizens are protected. This is actually the problem we are having right now in America. We have NN rules, however they are all simultaneously defined, changed, and enforced by the FCC. However our current FCC leader under our new president is against the ruling, leading many advocates to be worried. Spreading the power to change and uphold NN laws will be a great check and balance to protect customers.

Q.14 The quality of Internet experienced by a user may also be impacted by factors such as the type of device, browser, operating system being used. How should these aspects be considered in the NN context? Please explain with reasons.

I feel as long as we keep moving forward to provide a faster service to more citizens over time, we should be fine.

Anyway, thanks for reading. I hope India joins the group of countries with Net Neutrality!