



BT Global Communications India Pvt Ltd. (BTGC) Response to TRAI Consultation Paper on Reviews of Terms and Conditions for Registration of Other Service Providers (OSPs)

BTGC thanks TRAI for initiating this consultation exercise on reviewing the terms and conditions of OSP registration, which has been long overdue. We would like to submit reply to the queries raised in the Consultation as below:

Sr. No.	Issue for Consultation	BTGC Comments
1.	Please provide your views on the definition of the Application Service in context of OSP. Whether, the Application Services which are purely based on data/internet should be covered under Application Service for the purpose of defining OSP.	<p>The Current definition of application service is very wide, indicative in nature and covers almost all services those utilize voice, data and internet services and thus leads to interpretation issues among enforcement agencies. We believe that reference to the word “Application service” in OSP definition is itself a misnomer. Application service is a very wide term today and may also include other OTT services which are not part of OSP registration. If the term needs to be used then it must be defined exhaustively and not in an inclusive fashion. It is therefore pertinent to change the definition of the OSP service which should be centric to the outsourcing business and all services including IT/ITES services, software/hardware development etc which are using telecom connectivity for their business purpose should not be included in OSP domain.</p> <p>We believe that the OSP definition shall be articulated to meet the Government objective of statistical purpose and to provide incentives to the BPO/outsourcing sector. Moreover, the OSP framework should be technology neutral and should include converged nature of the communications and cloud based technologies.</p> <p><u>In view of above, we suggest that OSP scope should be limited to outsourcing centres which are primarily handling the voice calls to/from the customers irrespective of the telecom connectivity or architecture used and all other captive business usage should be kept out of OSP policy. Further it must not include services purely based on data or internet.</u></p>
2.	Whether registration of OSP should be continued or any other regulatory framework should be adopted for OSPs so that the purpose of registration specified by government is met. Please furnish your views with justification	<p>At the outset, the purpose of the government needs to be set out with clarity. As per the current understanding it is two folds: (a) statistical data on businesses; and (b) to ensure that OSPs do not do any licensed activity (meant for TSPs).</p> <p>Further, the fundamental driver for regulation is to add certainty and enablement to legal businesses and in certain instances to incentivise for the growth of a certain sector. Necessarily no regulation or guideline should be drafted with the view to apprehend lawbreakers as such an approach necessarily comes at the cost of doing legal businesses in the country.</p> <p>The aforesaid objectives have now been lost as over a period of time the OSP policy has been construed as a telecom license and restrictive covenants are the focus of the registration rather than enabling provisions. In a nutshell, the registration now acts as a major bottleneck in setting up the contact centres in India.</p> <p>We can see major rejections of domestic and international setups in the country on mere grounds of network diagram interpretation by various LSAs. Thus, major clients have now started moving their outsourcing agents to countries like Philippines which suits to their business requirements.</p>

		<p><u>Our recommendation is that the OSP registration should be limited to an online form providing details of the establishment and a self- declaration on compliance with the Indian Telegraph Act, 1885 that no telecom services would be provided from the premises. This should only cover outsourcing units (not including captive units of companies).</u></p>
3.	What should be the period of validity of OSP registration? Further, what should be validity period for the renewal of OSP registration?	We recommend no validity period or expiry date for the OSP registration in the country. The objective of the OSP policy is to have statistical record of the outsourcing units and that can be met during registration.
4	Do you agree that the documents listed above are adequate to meet the information requirements for OSP registration? If not, please state the documents which should be added or removed along with justification for the same.	<p>A single pager online registration is recommended to simplify the process of registration. The minimum documents to be uploaded online to meet the government statistical objective can be ROC registration, MOA/AOA and DIN/CIN. DOT may use the ROC website for verification purpose. The submission of the hard copy and any network diagram should be removed from the registration process.</p> <p><u>It is therefore suggested that current process of submission of extensive form 1 should be reduced to one pager and bare minimum information should be collected for government records. OSPs should be allowed to use new technological innovations and enterprise solutions based on their business requirements.</u></p>
5.	Do you agree with the fee of Rs. 1000/-for registration of each OSP center. If not, please suggest suitable fee with justification	Considering the suggested one pager simplified registration process it is good to continue with current amount of INR 1000 for each registration.
6	Do you agree with the existing procedure of OSP registration for single/multiple OSP centres? If not, please suggest suitable changes with justification	We suggest single OSP application at a Pan India level irrespective of the number of offices that OSP company is operating in the country. Any further addition/change in OSP units in India should be done online based on the main registration number. An OSP may file online self-declaration form on the correctness/status of the documents available for verification purpose and no pre-approval should be required. There should not be multiple registrations or submission of documents for each new registration for the same OSP company.
7.	Do you agree with the existing provisions of determination of dormant OSPs and cancellation of their registration? If not, please suggest suitable changes with justification.	The current provisions of the OSP guidelines mandates filling of annual returns to update their active status with the Government. This also serves the purpose of collecting correct and effective data on the active OSPs in the country. We are therefore okay with the current provision of filling an annual returns and dormant definition, though an intimation letter should be sent to OSPs before cancelling their registrations and a chance should be provided in cases where OSPs want to continue their business activities.
8.	Do you agree with the terms and conditions related to network diagram and network resources in the OSP guidelines? If not, please	OSP's are obligated to take network resources from local authorised service providers only who are already obligated to ensure any misuse of telecom connectivity by their users via inspections etc. Thus, we don't feel any need for submission of the network diagram by OSPs which are sometimes not technically qualified to explain that diagram to OSP officer in DoT and this leads to rejections

	<p>suggest suitable changes with justification.</p>	<p>in most of the cases. This also leads to interpretation issues due to different architecture and technologies used by OSPs based on their business requirements.</p> <p>Since the purpose is to have statistics and not impinge on license terms of TSPs, then there is no need to file any network diagram as the diligence on use of connectivity is dual responsibility of OSP and TSP. There is no reason for DoT to know the network diagram and resources when at the end of the day any non-compliance is to the cost of OSP and TSP. So DoT should not seek details which are not needed from registration perspective. Alternatively, a declaration that no licensed activity is being provided should be sought from the OSP. This can be included in the online form.</p> <p>Intimation format should contain about the type of OSP i.e domestic or international. It should be clear that in case of mixed operation, logical separation to be maintained with technical proof of separation</p>
<p>9.</p>	<p>Do you agree with the provisions of internet connectivity to OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>Current provisions of OSP guidelines mandates internet connectivity to be taken from local authorised internet service provider. Also OSPs are permitted to use the IP address that is registered in the name of an Indian entity that shall be traceable to the physical location in India.</p> <p>We believe that above key requirements of DOT are mainly from the background of security and the use of local authorised service provider only, but the ground enforcement of these requirements are not in-line with the DOT objective and there are issues being raised by LSAs wrt mandatory local internet breakout at each site i.e. Separate internet connection for each OSP site and also internet gateway at each OSP location. These enforcement are against the provisions in the ISP license which permits use of leased line to connect customers from any ISP pop in the country.</p> <p>Therefore, local breakout of internet connection in each city is not required. To clarify there should not be any requirement to mandatory take internet connection from each city instead of from a centralized place in India or to set up ISP nodes in all the locations where the customer is located and then provide internet services.</p>
<p>10.</p>	<p>Do you agree with the provisions related to Hot Sites for disaster management mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>Provision of hot sites (redundancy) is a necessary arrangement, not only in case of disaster but also to achieve high grade of service or for providing critical services. Thus, provision for hot sites should continue and be further facilitated.</p> <p>Interconnection between hot sites of domestic OSP and international OSP may also be allowed with suitable safeguard.</p> <p>Further, provisions/guidelines perhaps needs to be reviewed in today's context. During disaster management, there must be automatic & seamless switch over to hot sites w/o any delay of any kind. It's quite possible that a particular business entity may have a domestic OSP & International OSP running parallely, catering to different customers and market segments. In case of disaster, they should be allowed to be interconnected so that needlessly additional resources are not wasted for creating standalone hot sites. However, in normal working, there should be a logical separation between the two. Also such hot site could be</p>

		<p>anywhere in the world so long as they belong to the OSP company / group company, this should be permitted to be connected for business continuity.</p> <p>Most importantly, OSP sites of the same company which are captive units and play the part of a hot site need not have any additional requirements for registering/approval etc.</p>
11.	<p>Do you agree with the provisions of logical separation of PSTN and PLMN network resources with that of leased line/ VPN resources for domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>The requirement of logical separation of PSTN & PLMN with IP circuits arises due to the restriction to terminate the IP circuits into the PSTN network. A single EPABX is being used to host VoIP network (CUG/MPLS/VPN) along with PSTN connectivity, having logically partitioned to ensure there is no connectivity between PSTN and Leased Private Links.</p> <p>However with the technological development, seamless interconnection be it Circuit-IP, IP-IP or CUG –PSTN etc are essential to provide innovative services to the customers by making it more affordable by the way of avoiding duplicity of infrastructure. We suggest to remove the interconnection barriers as regulatory and policy should not impede the growth of the sector and deprive the technological benefit to the end users/customers.</p>
12.	<p>Do you agree with the provisions of PSTN connectivity/ interconnection of International OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>We further suggest that PSTN connectivity shall be permitted to the International OSP at the Indian end as PSTN connectivity on foreign end is permitted having facility of both inbound and outbound calls. This will remove the asymmetry on PSTN connectivity at the both ends. Technology permits IP (VPN)-PSTN connectivity which has so far not been permitted despite NTP 2012 and now NDCP 2018 envisioning that as one of the objectives.</p>
13.	<p>Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case the OSP centre and other resources (data centre, PABX, telecom resources) of OSP are at different locations.</p>	<p>Maintenance and hosting of the equipment is a major task today and with the roll-out of cloud computing and virtualization companies are likely to outsource these services to the third party especially data centres which have more conducive environment and experts to host these equipment's. Moreover, most of the OSPs may not have the space and capability to maintain the devices used for their telecom needs.</p> <p>With the advent of the technology, it is very easy to monitor and control the centrally hosted equipment's from any part of the world including OSP sites in India. Current provisions in the OSP guidelines like Remote login facility, CDRs, IPDRs, call flow checks and logs keeping are good enough to keep a tab on the OSP activities from these centralised equipment. Moreover, these security measures help the LSAs and service providers to inspect the OSP activities and compliances as and when required.</p> <p>We therefore believe that current security measures as defined in the OSP guidelines are good enough to take care of any security requirements.</p>
14.	<p>Please provide your views whether extended OSP of existing registered OSP may be allowed without any additional telecom resource.</p>	<p>In our view, there is no reason why it should not be allowed at a country wide basis.</p> <p>However, if the above is not acceptable then the limits should be LSA wise. Same building, same campus and same city should be part of extended OSP. Since the</p>

	<p>If yes, then what should be the geographical limitation for the extended OSP centre; same building/ same campus/ same city?</p>	<p>same come under same LSA and TSPs. Since the area of TSPs and LSA are defined, whys should OSPs should have different requirement. Any new location in the same LSA should be treated as extension.</p>
15.	<p>Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case of the extended OSP centre.</p>	<p>No additional compliance is required for the extended OSP centre as long as all data/record are available for monitoring from any one location. Permitting such extension is according flexibility to both OSP and LSA from administrative perspective. The entire connectivity is provided by TSP who themselves are mandated under their telecom license to ensure compliance of license including security.</p>
16	<p>Do you agree with the provisions of general conditions for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>Promoting sharing of infrastructure is one of the key objective of NDCP'18 and DoT has always been advocating for allowing optimum utilization of telecom resources in the country. Saving of capex leads to further investment and business development as it directly impacts cost of doing business leading to ease of doing business.</p> <p>As per current guidelines, International / Domestic OSPs of the same group companies are allowed to share common infra but with logical separation of IP-PSTN lines. Further, international and domestic OSP centres not belonging to same company / group company are not allowed to use common infra for voice / non-voice traffic (data) connectivity. Outsourcing by bigger entities to smaller entities (third party) is restricted. We suggest to allow the sharing of the Telecom resource between any international OSPs and Domestic OSPs networks within India without any restriction of same company or group company.</p>
17	<p>Do you agree with the provisions of Technical Conditions under option -1 & 2 for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.</p>	<p>Currently International OSP network is not allowed to interconnect with Domestic OSP which is resulting the high expenses without proper utilization of network too. A non OSP entity can do the same without any restriction. We suggest to allow interconnection between any international OSPs and Domestic OSPs networks within India without any restriction and Bank Guarantee.</p> <p>The objective of Government here should be to enable and empower the OSPs with ability to deploy the best available technology options without any regulatory deterrent of IP-PSTN restriction.</p>
18	<p>In case of distributed network of OSP, please comment about the geographical limit i.e. city, LSA, country, if any, should be imposed. In case, no geographical limit is imposed, the provisions required to be ensure compliance of security conditions and avoid infringement to scope of authorized TSPs.</p>	<p>The geographical limit is not relevant in a world where OSPs rely more and more on the cloud infrastructure and technologies to offer services to their clients. We recommend removal of these restrictions and simplification of current rules thereby allowing EPABX usage from any part of the world.</p> <p>We believe that current security measures as defined in the OSP guidelines are good enough to take care of any security requirements.</p>

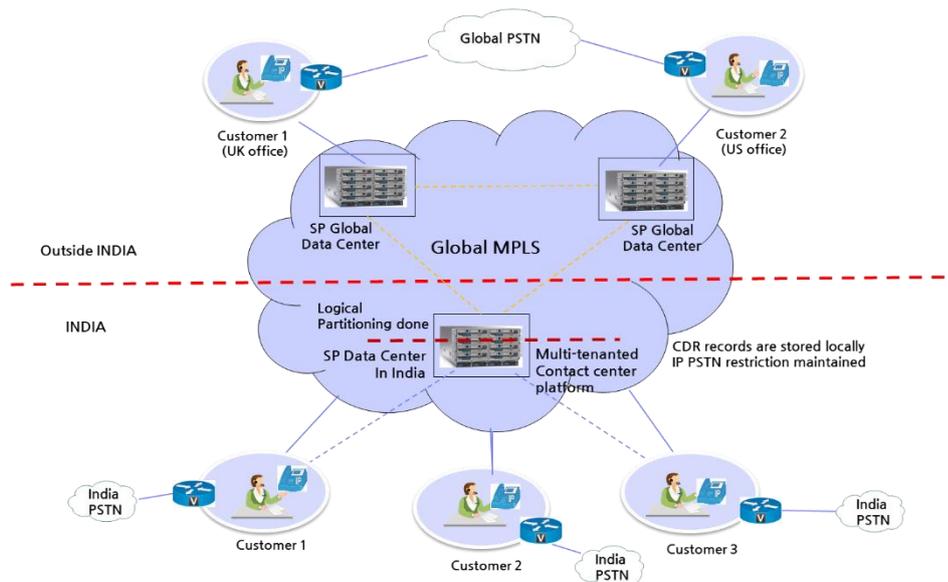
19	Do you agree with the provisions including of logical partitioning mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.	The concept of logical partitioning is to meet the objective of restricting IP-PSTN interconnection locally. We believe that OSPs should have special dispensation to connect IP-PSTN traffic locally and should be allowed to use the unified communication (UC) benefits for their business growth. It is worth mentioning here that internationally there are hardly any such restrictions and the world is moving towards UC and convergence.
20.	Do you agree with the monitoring provisions of mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.	We believe that current security measures in the OSP guidelines viz. remote login and maintenance of CDRS, call flow architecture, one year CDRS, logs etc. are adequate to take care of any requirements of LSA and service providers to check or audit the OSP related compliances.
21.	Please comment on the scope of services under CCSP/HCCSP, checks required / conditions imposed on the CCSP/ HCCSP including regulating under any license/ registration so that the full potential of the technology available could be exploited for both domestic and international OSP, and there is no infringement of the scope of services of authorized TSPs	<p>A hosted contact center offers all the utilities associated with running a customer service outfit with a pay-as-you-go plan. This means that contact centre don't need to buy expensive hardware, instead they can add software as needed and get deeper in their involvement as they grow.</p> <p>Most hosted contact centers offer all the major tools of a call center, including automatic call distribution (ACD), work force management (WFM), IVR, and unified messaging as well as stats and analytics for agent quality assurance.</p> <p>There are several advantages to hosted contact centers, namely minimal startup costs with virtually no equipment to buy, flexibility in usage and elimination of maintenance. Also the software is constantly upgraded and maintained on a provider's end, companies get the benefit of newer and more effective software without the need to rip and replace components. Call centers also enjoy worry free technical support that grants constant availability for customer service.</p> <p>As we know that the technology and solutions have been changing every day, and now, in many countries the National Regulatory Authorities (NRA) have permitted Enterprises to use Cloud infrastructure as a new model of modern network & communication where an EPABX is being hosted in cloud (datacenter) and shared between several customers (logically partitioned for each customer) and accessed remotely by customer's. This is secured & safe and customer can access the PBX all times in complete secure manner. It's offered as a global packaged solution with multi-site converged IP telephony, securely integrating voice, video, and other data applications and providing a flexible state-of-the-art communications network to the customers. The solution is very flexible to meet the needs of the Regulator across different regions. The popular solutions available globally are Microsoft Lync solution, Skype for Business, Cisco Unified Communications</p> <p>Currently, the Indian telecom industry is working on a lease model to save on significant capital expenditure. In a virtualized world, providers need freedom to move management capabilities to sites with available capacity to deal with congestion and equipment failures. TRAI recommendations and NDCP 2018, also promote cloud services and cloud platforms.</p>

It has been witnessed that such providers are largely TSPs who are already licensed from DoT and want to play a bigger role rather than providing mere connectivity. So there is no reason why they should be brought under any separate license or regulation. Such innovative models will see interest from startups / entrepreneurs so providing such services by them should also not have any regulatory oversight as any type of regulation will be detrimental to their interest and growth. **We also believe technology solutions should be left to mutual agreement between CCSP/HCCSP with the OSPs.**

OSP will continue to focus on their main business offering, reducing cost and driving innovation and optimum use of available resources rather than investing in the telecom or hosting infrastructure. Thus, this activity can be best addressed by TSPs. The TSPs should be allowed to set up data centers or multi-tenanted node to host multiple OSPs and their set up be logically partitioned to ensure that each customer is segregated. The TSPs can ensure that requisite directives are complied and offer state of art Unified Communication Center which can provide customer with many value added features, which typical smaller PBX rack.

As schematic diagram showing the HCC solution in India is illustrated below.

Enterprise OSP customer – using SP cloud based Contact center platform



It is clear from above diagram that multiple OSPs can be hosted on a single India based HCC solution which will also cater to the regulatory requirement of each OSP, IP-PSTN restriction and Logs keeping. This solution will also ease out inspection agencies for audit purpose due to physical infrastructure in India and also a remote login facility can be provided from any OSP centre to monitor the CDRS, Logs, Call flow restrictions etc.

Further, we would like to clarify myth that HCC solution may infringe on local TSPs scope of services as it is mainly local TSPs who will be best benefitted and are likely to deploy these solutions for their enterprise customers under one shop stop model. Also, the HCC solution provider will need to work with a TSP to finally deliver the solution and therefore the license checks will be performed through the TSP. In fact all connectivity to HCS are provided by Access, NLD and ILD

		<p>licensees who are best placed to host these solutions and provide integrated services to their OSP clients. It is clearly stated above that all restrictions will be maintained under the India based HCC solution which can be inspected easily by LSAs. As far as the call flow is concerned , we would like to illustrate below each scenario clearly for ease of TRAI reference:</p> <p>i. Domestic Off-Net Call : A user at India OSP site, wishes to make/receive a domestic call using the office PSTN lines. In such scenario the call will at all time remain in India and only a signalling will transmit to HCC site. Thus, there is no revenue loss to the access operator. There will be voice gateway deployed at each site to cater to these PSTN call based requirements and all logical separation from IP lines and logs/CDRs will be kept at HCC.</p> <p>ii. International Off-Net Call: A user at OSP India site, wishes to make an International Off-Net Call. The call will be generated over OSP VPN at India end and it would reach the far end (country where the call needs to terminate) and from there the call will be handed over to domestic operator for the final leg. This is exactly how the call flow will be if PBX is hosted at customer site and no difference. Thus, there is no negative revenue impact on revenue of domestic players.</p> <p>iii. On-Net Call: A user at India site, wishes to make between two office sites of theirs either within or outside of India. Call between customer sites would happen via IP VPN to/from another customer site (also connected IP VPN) without further break-out into/from PSTN network). There is no negative revenue impact, as the call flow is same as in tradition on site PBX set-up.</p> <p>Our Recommendations:</p> <p><u>1. HCC/ CCSP solutions are the innovative multi-tenant technological solutions for better working of outsourcing sector in the country with minimal investment by OSPs.</u></p> <p><u>2. Considering HCC/CCSP solutions are at the nascent stage in India, thus any form of regulatory oversight could be detrimental to this Industry.</u></p> <p><u>3. There should be no registration or additional license to provide HCC/CCSP services in India and current TSPs including Access, NLD and ILD operators should continue to be allowed to provide these solutions to their enterprise customers.</u></p> <p><u>4. OSPs should be free to outsource their equipment's and services to HCC/ CCSP and extent of hosting should be left to mutual agreement between OSPs and their CCSPs.</u></p> <p><u>5. Since OSPs would front end all the compliances thus there should be no intervention between the mutual agreement of OSPs and their CCSPs.</u></p>
22.	Please provide your comments on monitoring of compliance in case interconnection of data and	We suggest that OSPs should have special dispensation to connect IP-PSTN traffic locally and should be allowed to use the unified communication (UC) benefits for their business growth. It is worth mentioning here that internationally there are hardly any such restrictions and the world is moving towards UC and convergence.

	voice path is allowed for domestic operations.	
23.	Do you agree with the provisions for use of CUG for internal communications of OSP as mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.	Yes we agree. CUG is used for internal communication within the business. There are many other ways in today's scenario like various apps. CUG facility should continue and may be facilitated further. However, tying this to the requirement to share infrastructure requiring signing of agreement and furnishing bank guarantee is not needed.
24.	Do you agree with the monitoring provisions for use of CUG for internal communications of OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.	Since primarily the purpose of CUG is for internal communication only using extension as against 10 digit or 8 digit dialing and requires no PSTN/PLMN connectivity, there should not be any requirement for the numerous accessibility and other tests enumerated under OSP guidelines. Such communication is internal to the company and should not be privy to anyone. Such communication can also be captive and / or non OSP in nature.
25.	Do you agree with the provisions of 'Work from Home' mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.	We strongly suggest removing the barriers like requirement of VPN, Bank Guarantee etc and facilitating work from home to give the technological benefits to the citizen. The objective of work from home has the ability to provide and generate employment especially for women who would like to work from home. This concept should be kept outside the ambit of OSP guidelines as irrespective corporations today permit their employees to work from home as per the work requirements. So the objective is to make working flexible which is the case in a non OSP scenario. In case of OSP such flexibility has gone away due to burdensome compliances. WFH is also helpful in terms of lowering environment costs of doing business.
26.	Whether domestic operations by International OSPs for serving their customers in India may be allowed? If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed and security requirements are met.	We fully support domestic operation by international OSP. We believe it will be a perfect example towards ease of doing business in India and will lead to cost reduction for OSPs. From a compliance point of view the current safeguards will suffice and no additional safeguards will be required.
27.	Whether use of EPABX at foreign location in case of International OSPs may be allowed? If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed and security requirements are met.	As the global cloud market continues to grow at a steady pace, cloud contact center solutions likewise remain a robust tool for delivering superior customer experiences. With the promise of greater scalability, improved efficiency, and lower costs to companies, shared cloud solutions are an ideal choice for businesses looking to optimize their customer service practices with maximum efficiency. Further, on the OSP guidelines mandate of localization of centralized EPABX under the jurisdiction of India, we suggest that international OSPs should be allowed to serve their India based agents using their international nodes/call managers/EPABX which are mostly already being used to serve their international operations in various countries. This will lower cost of doing business in India.

		<p>It is also very detrimental for the OSPs to create a separate infrastructure including call manager in India which is highly taxing on their business models and challenging for technical integration point of view. To clarify, international clusters/ call managers which are based on big multitenant platforms cannot easily sync with local on-site EPABX and customer may need to comprise on various functionality.</p> <p>In the world of cloud platform and technologies implemented globally, location of physical box like EPABX is immaterial as far as security or monitoring is concerned. EPABX requires hardware but most of the functions are implemented via softwares. We believe that having physical box in desired location will be not met the security concern but access to the data, record will serve the purpose of the Indian securities agencies Thus, as long as data related calls etc as required by Law Enforcement Authority are provided by OSP/TSP, there should be no problem.</p> <p>On security side, facilities like remote login, CDRs and logs can be pulled out from any OSP location which are already mandated under the current policy of centralized EPABX and adequate enough to meet the security requirements of the government.</p> <p>Further, there is no infringement to the scope of local TSP license as all international OSPs are mandatory taking lease line from ILDOs for their business operations needs and Telcos/ LSAs are regularly auditing OSPs for any toll bypass or unlawful activity.</p> <p>Our Recommendations:</p> <ol style="list-style-type: none"> 1. OSPs should be allowed to use international EPABX/ Call Managers to serve their India operations. 2. All security requirements should be taken care by OSPs by facilitating CDRS, remote login and call flow restriction demonstration etc. (current requirements are sufficient)
28.	Do you agree with the Security Conditions mentioned in the Chapter V of the OSP guidelines? If not, please suggest suitable changes with justification	<p>As regards the security conditions under chapter V are concerned, we are of the view that majority of the conditions should not be applicable to OSPs as firstly these should be made applicable to TSPs, as OSPs do not generate their own content and basically provide outsourcing service contracted to them.</p> <p>Th guidelines is not a substitute to legislation. Further, notably, since the OSPs are not licensees or otherwise dealing in licensed resource there is lack of constitutional authority available to the DoT to legislate on matters which are otherwise covered by different agencies under other laws- e.g., the Information technology Act 2000 which covers many of the restrictions in the Security Conditions. Th law enforcement authorities would be best placed to investigate/determine and deal with many of the listed issues. Some examples being that the OSP is required to take necessary measures to prevent objectionable, obscene, unauthorized or any other content, messages or communications infringing copyright, intellectual property etc., in any form, from being carried on the network, consistent with the established laws of the country.</p>

		Further please note that this may not be an obligation that can be complied with very easily by OSPs as the OSP often has limited control over content transmitted by end users. Also, each breach will need investigation by law enforcement agencies to determine breach. Security conditions are specified under license as the TSP owns the right to establish, own and operate the telegraph and the infrastructure thus created. OSP is the mere user of that infrastructure. Additionally, TSP is mandated to inspect sites of OSP being customer as per its license terms and conditions. There is no reason for DoT to take it upon itself to do activities relating to a TSP.
29.	Do you agree with the provisions of penalty mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.	OSP is a mere registration and not a license and hence similar penalty as mandated in TSP license is not applicable on OSP. , we suggest that any violation if proved on OSP should lead to cancellation of registration and usage of telecom bandwidth should be restricted. We are in favour of simplification of policy based on infra sharing and technology neutrality being main ingredient. Thus, bank guarantee should not be imposed on OSPs.
30	Whether OSP to OSP interconnectivity (not belonging to same company/ LLP/ group of companies) providing similar services should be allowed? If yes, should it be allowed between domestic OSPs only or between international and domestic OSPs also.	By allowing interconnectivity between OSPs, it will increase the productivity and will ensure optimum utilization of telecom resource. This will result in cost saving to the OSPs. It will make OSP industry more attractive. Thus we suggest to allow OSP to OSP interconnectivity not only for domestic OSP but also with international OSP.
31	In case OSP interconnectivity is allowed, what safeguards should be provisioned to prevent infringement upon the scope of licensed TSPs.	Existing law is good enough to deal with the situation in case any OSP does provide telecom service to customers. No company/entity is allowed to provide telecom service without license and it is punishable by telegraph act. No additional safe guard is required. It will facilitate the BPO industry
32	Do you agree with the miscellaneous provisions mentioned in the Chapter VI of the OSP guidelines? If not, please suggest suitable changes with justification.	No Comments
33.	What provisions in the terms and conditions of OSP registration may be made to ensure OSPs to adhere to the provisions of the TCCCPR, 2018.	NO comments.