

Key Points for Consultation

Q.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.

IAMA Submission: The nature and form for businesses to organise under any industry association is a prerogative of such businesses. As highlighted previously, cloud services can have multiple service models and deployment models. It may not be judicious to club all cloud service providers under one category, and it is virtually impossible to pre-empt how best to organise the businesses in future given the various diversities in services or deployment which may be adopted by such service providers. In the same vein, any pre-emptive cap without having a fair idea of the future market will only have a stifling effect on the development of this nascent sector.

Presently, different businesses in India do not have any restrictions on the number of industry associations they can join and there is no reason as to why cloud service providers should be restricted in their rights to do so.

Q.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.

IAMA Submission: The Societies Registration Act allows for formation of associations and societies in India, and all present associations operate under the law. Any association duly recognised by the Registrar under the Societies Registration Act should be considered as a valid industry body for this purpose.

Furthermore, many industry bodies are horizontal in nature, and cloud service providers may just be a vertical within the association. All such associations are equally eligible for recognition as representative of CSPs if the CSPs themselves nominate such associations as their representatives.

Q.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.

IAMA Submission: Any parameter for exemption of registration has to be based on a relative threshold. Given the fact that CSPs are not homogenous with different business models and also that the market is still nascent with immense growth potentials, any such pre-emptive

thresholding risks being restrictive for propagation of such services and is best left to be determined by the industry which can set its own benchmarks.

Q.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 the Industry body? Please suggest with justification.

IAMAI Submission: Industry Associations under the Societies Registration Act have the autonomy to determine these factors and the same must be applicable for any industry body representing CSPs.

Industry bodies are self-governing entities and any mandate on membership fee etc for such entities will be violation of rights for such entities.

Q.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.

IAMAI Submission: Industry associations have their autonomy to determine their governance and it is best left to industry to adopt any suitable format for the purpose.

Q.6 What policy may be adopted for initial formation of industry body for cloud services? Please suggest with justification.

IAMAI Submission: Any industry association for CSPs should be under the Society Registration Act and the provisions therein.

Q.7 Any other issue which is relevant to this subject? Please suggest with justification.

Nil