

1178/TRAI/ISPAI/16

January 14, 2016

Ms. Vinod Kotwal
Advisor (F & EA)
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
Old-Minto Road, Near Zakir Husain College,
New Delhi – 110003

Subject: ISPAI Counter Comments to TRAI Consultation Paper no. 8/2015 on “Differential Pricing for Data Services”

Dear Sir,

In reference to the above captioned subject we are enclosing our counter comments for your consideration.

We believe that the Authority would consider our response in positive perspective and incorporate our concerns on the subject matter.

Looking forward for your favourable consideration.

Thanking you,

With Best Regards,
For Internet Service Providers Association of India



Rajesh Chharia
President
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Encl: As above

ISPAI's Counter Comments on TRAI Consultation Paper on "Differential Data Pricing"

We recognize that there are some genuine issues with differential pricing, which may have an adverse impact on competition and level playing field, as mentioned in our earlier response. However, we also recognize that differential pricing with regulatory oversight and safeguards which are non discriminatory in content play a pivotal role in promoting Internet services and enabling ISPs to connecting the unconnected. A differential tariff would be required to ensure 'Same Service, Same Rules' and to offer Enterprises services like M2M failing which it may stifle innovations in M2M domain and probable deterrence to ISPs to invest in telecom network.

Thus, a blanket ban on Non discriminatory data differential tariff would have an adverse impact on the proliferation of internet service and may effect tariff innovations. On the contrary, a fine balance between promoting tariff innovation and addressing the concerns of level playing field and competition, with adequate regulatory safeguards to permit free non discriminatory choice, may accelerate internet services in India.

In light of the above, we believe that data differential tariffs should be permitted subject to this condition that such differential tariff regime should meet the TRAI prescribed principles and TRAI continues to securitize each and every differential tariff plan. TRAI must ensure that interest of the country remains supreme. Furthermore, TRAI may further strengthen the transparency measures (as required) to protect the interest of our nation, consumers and all stakeholders irrespective of how minor they are.

We also request TRAI to ensure 'same service, same rules' at the earliest which is essential for attracting massive investments in the telecom networks and

“IN no way NET NEUTRALITY should get compromised by any mean.”

Internet Service Providers Association of India

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