



Response to the Consultation Paper on ‘Review of Terms and Conditions for registration of Other Service Providers (OSPs)’ released on March 29, 2019

Q.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.

COAI Comments:

1. We are of the view that the current definition of “Other Service Provider” covers all the possible scenarios and hence should continue i.e.

“Other Service Provider” (OSP) means a company providing Application Services wherein “Applications Services” means providing services like tele-banking, telemedicine, tele-education, tele-trading, e-commerce, call centre, network operation center and other IT Enabled Services by using Telecom Resources provided by authorized telecom service providers.

2. Further, only calling services should be included in the definition of the OSP. There is no need to cover the services which are purely based on data/internet and does not involve voice calls.

Q2. 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.

COAI Comments:

1. The Registration of the OSP should continue and there is no need to adopt any other Regulatory framework, as the purpose of registration specified by the Government is being met.
2. Although, we are of the view that the registration should be online along with a mechanism to refer to any rejection of registration application.



Q3. What should be the period of validity of OSP registration? Further, what should be validity period for the renewal of OSP registration?

COAI Comments:

1. The current period of the validity of OSP registration of 20 years from the date of issue which can be extended by 10 years at one time, upon the request of the OSP, if made during 19th year of Registration **should continue.**

Q4. 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.

COAI Comments:

1. We are of the view that the current list of the documents are adequate to meet the information requirements for OSP registration.
2. It is recommended that the registration process should be made completely online.
3. DOT can maintain a Digital locker of the required documents so that submission of the same document is not required again for each Registration. Only documents having changes must be sought for submission.

Q5: Do you agree with the fee of Rs. 1000/- for registration of each OSP center. If not, please suggest suitable fee with justification.

COAI Comments:

1. We agree with the current Registration fee of Rs. 1000/, hence suggest that the same should be continued.

Q6: Do you agree with the existing procedure of OSP registration for single/ multiple OSP centres? If not, please suggest suitable changes with justification.

COAI Comments:

1. We are of the view that the existing procedure of OSP registration for single/multiple OSP centres should continue.



2. Additionally, we propose following points for simplifying the process:

- A single OSP registration – in case, various locations are operating as one unit and for same application services.
- A different OSP registration - in case, the different locations are catering to different businesses/ application services.
- However, in all possible scenarios, the change in locations of OSP should be duly informed to the concerned TERM Cell by OSP which also be updated on the proposed website by DoT.
- Similarly, with regards to Work from Home, a single OSP registration may be issued with mentioned details for agents/extended agents, provided they all are within India.

Q7: 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.

COAI Comments:

1. The existing provisions for determination of dormant OSPs require the OSP to submit an “Annual Return”. We are of the view that the said procedure is effective and should be continued.
2. Further, it is suggested that the updated list of active as well as dormant OSPs should be made available on the DoT website.

Q8. Do you agree with the terms and conditions related to network diagram and network resources in the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. We are of the view that the process of getting the Network Diagram approved by the TSPs while applying for the OSP registration **should be discontinued**.
2. We would hereby like to submit that the role of TSPs are limited to the provision of telecom connectivity/ services to the OSPs once a registration has been obtained, while OSPs have their separate business setup.



3. Thus, we would like to submit that an OSP should submit self-attested network diagram to DoT while applying for OSP registration. TSPs should provide the resources to the OSPs once the Registration along with the network diagram gets the approval of DoT.

Q9. Do you agree with the provisions of internet connectivity to OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. We are of the view, that on this issue, **the current policy should continue** which mandates an OSP to take internet connectivity from authorized ISPs. Further, as per current Policy, OSPs are permitted to use IP address that is registered in the name of an Indian Entity which shall be traceable to a physical address in India. Internet connectivity and IP addresses pertaining to any location outside India is not permitted.
2. However, it is submitted that the OSPs are not authorized to distribute internet connectivity to any other location. Therefore, OSPs have to obtain internet access service at each location from Licensed ISPs/ Access Service Providers only.

Q10. 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.

COAI Comments:

1. We agree with the current provisions related to Hot Sites for Disaster Management and suggest that the same should be continued.

Q11. 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.

COAI Comments:

1. We agree with the provisions of logical separation of PSTN and PLMN network resources with that of leased line/ VPN resources for the domestic OSPs mentioned in the OSP guidelines.
2. Also, it is important to note that the OSP guidelines should ensure that in no case OSP setup should be used for toll bypass i.e. conversion of one type of calls to another type of calls.



3. Further, penal clause for the non-compliance to the Terms and Conditions of the OSP Guidelines must also be incorporated in the said Guidelines.

Q12. 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.

COAI Comments:

1. We agree with the provisions of PSTN connectivity/interconnection of International OSP as mentioned in the current OSP Guidelines.

Q13. 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.

COAI Comments:

1. Today there is a trend in shifting the OSP infrastructure such as PABX, Data Centers, Telecom Resources, to the locations outside OSP premise. However, the access to such resources is always available to the OSP remotely at their OSP location and all the routing configurations and logical partitioning is being managed using the software.
2. We are of the view that in such scenario the compliance to the terms of conditions of OSPs have to be ascertained by the inspection at OSP site, logical portioning, command logs etc. with full access to all the servers/ nodes at the OSP location itself, while the inspection is being carried out by the LSA units.
3. In this regard, we would further like to submit that the responsibility of ensuring compliance to Terms and Conditions including security compliance vests with the OSPs.



Q14. Please provide your views whether extended OSP of existing registered OSP may be allowed without any additional telecom resource. If yes, then what should be the geographical limitation for the extended OSP centre; same building/ same campus/ same city?

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Q15. 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.

COAI Comments:

1. Yes, extended OSP of existing registered OSP may be allowed without any additional telecom resource.
2. The geographical limitation for the extended OSP center should be within India.

Q16. 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.

COAI Comments:

1. We agree with the provisions of general conditions for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines.
2. However, we are of the view that Infrastructure sharing can be processed as part of the main OSP application wherever feasible and post submission of Bank Guarantee, certificate for Infrastructure sharing should be issued.

Q17. 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.

COAI Comments:

1. Yes, we 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.



Q18. 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.

COAI Comments:

1. In case of a distributed network of OSP, the geographical limit of within India should be imposed. Thus, there should be the access of all the data within the country itself.

Q19. 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.

COAI Comments:

1. Yes, we agree with the provisions including logical partitioning mentioned in the OSP guidelines for a distributed architecture of EPABX.

Q20. 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.

COAI Comments:

1. Yes, we agree with the monitoring provisions as mentioned in the OSP guidelines for a distributed architecture of EPABX.

Q21. 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.

COAI Comments:

1. We would hereby like to submit that no licensee other than an Access Service Provider can offer CCSP/ HCCSP services to the OSPs. Hence, provision of CCSP/ HCCSP solutions to OSP shall only be done by an Access Service Licensee.



Q22. Please provide your comments on monitoring of compliance in case interconnection of data and voice path is allowed for domestic operations.

COAI Comments:

1. In current scenario wherein even the Voice traffic is being carried on IP and the physical hardware is replaced with servers & software, the compliance to these guidelines should be the responsibility of the OSP.

Q23. 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.

COAI Comments:

1. Yes, we agree with the provisions for use of CUG for internal communications of OSP as mentioned in the OSP Guidelines.

Q24. 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.

COAI Comments:

1. Yes, we agree with the monitoring provisions for use of CUG for internal communications of OSP mentioned in the OSP guidelines.

Q25. Do you agree with the provisions of 'Work from Home' mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. We agree with the provision of submitting the complete details for extended agent positions for obtaining the permission for work from home. However, the extended agent's geography should be within India.



Q26. 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.

COAI Comments:

1. We are of the view that domestic operations by International OSPs for serving their customers in India may not be allowed, keeping in mind the national security implications. Also, OSP should not be allowed to provide or resell telecommunication services or infringe upon the domain of Licensed Service Provider.
2. Further, as per the current license conditions, domestic traffic should not be routed to any place outside India.

Q27. 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.

COAI Comments:

1. We are of the view that use of EPABX at a foreign location in case of International OSPs should not be allowed in view of national security.

Q28. Do you agree with the Security Conditions mentioned in the Chapter V of the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. Yes, we agree with the Security Conditions mentioned in Chapter V of the OSP guidelines.
2. Further, we suggest that the security compliance as well as penal clauses for OSP for non-compliance to guidelines may be incorporated suitably in OSP guidelines which acts as deterrence and result in compliance by the OSPs.



Q29. Do you agree with the provisions of penalty mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. We are of the view that deterrence in the form of stringent penalties on the OSPs is necessary. Therefore, the provisions of penalty mentioned in the OSP guidelines should be made more stringent.
2. Further, we recommend that warning may first be issued to OSP and if no actions are taken within a stipulated time, penalty may be levied.

Q30. 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.

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Q31. In case OSP interconnectivity is allowed, what safeguards should be provisioned to prevent infringement upon the scope of licensed TSPs.

COAI Comments:

1. OSP to OSP interconnectivity (not belonging to same company/ LLP/ group of companies) providing similar services should be allowed with the conditions that:
 - a. It should not compromise the security
 - b. The OSPs are working for the same client
 - c. The client has given consent to OSP for doing so.

Q32. Do you agree with the miscellaneous provisions mentioned in the Chapter VI of the OSP guidelines? If not, please suggest suitable changes with justification.

COAI Comments:

1. We agree with the miscellaneous provisions mentioned in the Chapter VI of the OSP guidelines.



Q33. 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.

COAI Comments:

1. We are of the view that it is essential for OSPs to comply with the provisions of TCCCPR regulations by mandatorily registering with the respective TSPs from which they have taken resources. It is also essential that they comply with other provisions of TCCCPR regulations.

Q34. Stakeholders may also provide their comments on any other issue relevant to the present consultation.

COAI Comments:

1. Presently, Internet Telephony interconnecting the PSTN has been allowed which is to be provided by the Access Service Providers. Therefore, we are of the view that the guidelines for domestic OSP should be modified to include the same i.e. it should be allowed to take Internet Telephony or PSTN, provided it is taken from Access Service Provider.
