Response to TRAI Consultation Paper dated March 29, 2019 on Review of Terms and Conditions for Registration of Other Service Providers (OSPs)

**Q1. 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.**

The present definition of Application services is very broad and all encompassing, creating difficulties as entities do not know whether they come under the OSP framework or not. The definition needs to be made clear and more specific. In our view, OSP registration should be limited to activities which involve voice calls/connectivity to public network using telecom resources obtained from authorised telecom providers. Services which are purely based on data/ internet should not require an OSP registration. Further the use of telecom resources by an entity for its own customers (captive use), should not come under the purview of the requirement for an OSP registration.

**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.**

We believe that registration should be continued with in order to meet the purposes specified by the Government as laid down in the Consultation paper. For ease of compliance, the OSPs should be clearly aware of what they can or cannot do.

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

The current provisions i.e. 20 + 10 years may be continued with.

**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.**

The registration process should be simple with minimum necessary documentation. The list of documents given by TRAI in the Consultation Paper are adequate, in our view. We however submit that the Network diagram should not be required to be approved by the telecom service providers, who are only responsible for giving the telecom resources to the OSPs. OSPs should be required to submit a self-attested network diagram, which may be approved by the TERM Cells who are the competent authority in this regard. Further the entire registration process should be made online.

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

We agree with the present fee of Rs. 1000/- , however we suggest that this should not be required to be paid separately for each OSP Center.

**Q6: 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 for each LSA/Circle irrespective of the number of offices that OSP company is operating in that LSA. Any further addition/change in OSP units in that particular LSA should be automatically done online based on the main registration number.

**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.**

We agree with the existing provisions for determining dormant OSPs, and would like to suggest that updated list of OSPs and their respective status (active/dormant/terminated) should be put on the DoT website, which will make it easy for the telecom operators to check the status of the OSPs before providing them with the telecom resources

**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.**

We strongly believe that the responsibility to approve the network diagram of OSPs should lie TERM Cells as it is the responsibility of the registering authority to ensure that the purposes of the registration, as laid down in the consultation paper is being met by the OSPs. The role of the TSPs is limited to providing the telecom resources to the OSPs. The DoT may provide for the OSPs to submit a self-attested network diagram which can then be approved by the TERM Cell.

**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.**

The present provisions of internet connectivity may be continued with. OSPs may be allowed to have internet connectivity at a centralized location with further distribution to its other locations, as this allows for better control and use of resources.

**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.**

We agree with the present provisions related to Hot Sites for disaster management.

**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.**

No comments.

**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.**

We agree with present provisions of PSTN connectivity/ interconnection of International OSP mentioned in the 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.**

With growing use of Servers/ software by the OSPs in the data centres, assessing compliance through physical inspection may not be useful – compliance will now have to be assessed through checking the

routing table, logical portioning, command logs etc.  The audit procedure would need to be modified accordingly.

We believe that current security measures as defined in the OSP guidelines are good enough to take care of any security requirements.

**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?**

Yes, this should be allowed. The geographical limit may be within the same telecom circle

**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.**

No additional compliance is required for the extended OSP centre as long as all data/record are available for monitoring from any of the one place. Permitting such extension is according flexibility to both OSP and LSA from administrative perspective.

**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.**

No comments

**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.**

Any review of the technical conditions should ensure that there is no bypass of network of authorized TSP.

**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.**

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. **However local Access/NLD/ILD service provider connectivity to be mandatorily used.** We believe that current security measures as defined in the OSP guidelines are good enough to take care of any security requirements and avoid infringement to scope of authorized TSPs.

**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.**

The present provisions may be reviewed however it needs to be ensured that there is no infringement into jurisdiction of licensed TSPs.

**Q20. Do you agree with the monitoring provisions mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.**

The OSPs should be responsible for ensuring compliance with all the terms and conditions including security conditions as defined in the OSP guidelines

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.

Provision of CCSP/ HCCSP solutions to OSP should be permitted to authorized TSP/ISP/NLD/ILD licensees only. Compliance should lie with the OSP only

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

It should be ensured that there is no bypass of network of authorized TSPs.

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.

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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.

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

We agree with the existing provisions and the same may be continued with.

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.

No comments

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.

OSPs should be allowed to use international EPABX/ Call Managers to serve their India operations subject to using local ILD leased line. All security requirements should be taken care by OSPs by facilitating onsite CDRS, remote login and call flow restriction demonstration etc.

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.

We agree with the existing security conditions and suggest that these may be continued with

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

Penalty provisions should be graded and proportionate. Further the OSP should be given the opportunity to present his case before any final decision is taken on the imposition of penalties.

**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.**

This may be allowed subject to suitable safeguards that ensure no bypass of network of authorised licensed operators; compliance of the same should be the responsibility of the OSP

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

There should be clear  rights and responsibilities laid down for the interconnecting OSPs.

**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.**

We agree with the present miscellaneous provisions.

**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.**

a.  Compliance to TCCCPR 2018 should be incorporated into the OSP guidelines. Failure to comply will attract the same consequences as are laid out in the Regulation

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