

Information Note to the Press (Press Release No. 109/2018)

For Immediate Release

Telecom Regulatory Authority of India

New Delhi, the 12th of November, 2018: Telecom Regulatory Authority of India (TRAI) today released a Consultation Paper on 'Regulatory Framework for Over The Top (OTT) Communication Services'. Full text of the consultation paper is available on TRAI's website at www.traai.gov.in.

2. Earlier, the Authority issued a consultation paper on Regulatory Framework for Over-the-top (OTT) services on the 27th of March, 2015, which also included questions on the principles of net neutrality, reasonableness of traffic management practices, non-price based discrimination of services and transparency requirements. Due to the large number of issues and their complexity, it became difficult to deliberate upon and conclude all of them together. Therefore, Authority decided to deal with related issues in separate parts, keeping focus on a core set of issues each time. Accordingly, the following actions have been taken:

- a. The Authority issued regulations on Prohibition of Discriminatory Tariffs for Data Services Regulations, 2016.
- b. Recommendations on provisioning of free data given to Government on 19th December 2016,
- c. Recommendations on Net Neutrality to Government on Nov 28, 2017.
- d. Recommendations on privacy, security and data ownership issues in the telecom sector submitted to Government on July 16, 2018.

3. Questions relating to the potential market failures in each segment, the appropriate tools to address those failures and the costs and benefits of any possible regulatory interventions have also been investigated.



4. Keeping in view the fast evolving nature of the sector, it is also considered useful to examine OTT related aspects, after taking into account the changes that have taken place since March, 2015.

5. The objective of this Consultation Paper is to analyse and discuss the implications of the growth of OTTs; the relationship between OTT players and TSPs; the similarity, if any, between services provided by the TSPs and OTT players; changes that may be required in the current regulatory framework to govern these entities; and the manner in which such changes should be effected. While preparing this consultation paper, information collected by the Authority in response to previous consultations has also been used. It may also be noted that current consultation is not intended to revisit regulations or recommendations given by the Authority earlier on OTT, which had broader implications and were therefore concluded first following due consultation and diligence.

6. Comments on the issues raised in the consultation paper are invited from the stakeholders by 10.12.2018 and counter comments, if any, by 24.12.2018. The comments and counter-comments may be sent, preferably in electronic format at advqos@traf.gov.in. For any clarifications or information, Shri Asit Kadayana, Advisor (QOS), TRAI may be contacted at Telephone Number +91-11-23230404, FAX Number +91-11-23213036.


(S.K. Gupta) 12/11/2018
Secretary
TRAI