

PB/VIL/98

Dated: 19<sup>th</sup> January 2017

To,  
Shri Sanjeev Banzal,  
Advisor (NSL),  
Telecom Regulatory Authority of India,  
Mahanagar Doorshanchar Bhawan, JLN Marg,  
New Delhi – 110002

**Subject: Vodafone Counter Comments on TRAI Consultation Paper No.21/2016,**

**Ref: Consultation Paper on "Spectrum, Roaming and QOS related requirements in M2M Communications"**

Dear Sir,

Please find enclosed the counter comments from our end for the aforesaid consultation paper issued on various matters pertaining to immensely growing sector of IOT (M2M) in India & globally.

Request your kind consideration.

Warm Regards,



**P Balaji**  
**Director- External Affairs, Regulatory & CSR**

Copy to : Shri. R. S. Sharma, Chairman, TRAI  
: Shri. Anil Kaushal, Member, TRAI  
: Shri. Sudhir Gupta, Secretary, TRAI  
: Shri. R. K. Singh, Joint Advisor, TRAI



## **Vodafone's Counter to TRAI's Consultation Paper on "Spectrum, Roaming and QoS related requirements in Machine-to-Machine (M2M) Communications dated 18 October 2016**

We thank TRAI for coming out with consultation paper on issues pertaining to M2M communications. We have referred to responses of various stakeholders on the CP and we offer below counter comments mainly on the below 3 critical issues.

### **1. M2MSP Vs VNO:**

We disagree with few of the stakeholders suggesting for M2MSP Registration approach like OSP Registration for the reasons that M2M is an access service and any entity who wishes to enter into access services business shall have to obtain requisite authorization [access services or VNO] under the UL so that it establishes level playing field vis-à-vis licensed telecom service providers.

Besides, we draw attention to the TRAI Recommendations on VNO on 1-May-2015 wherein TRAI already recommended to DOT that services like M2M shall fall in the ambit of VNO (Unified License – Access Authorization).

There is no legality of "Registration" under the Indian Telegraph Act 1885 as the statute provides only for a License to offer telecom services in India.

Therefore, bringing M2M Services under Unified License – (VNO with Access Authorization) will not only ensure compliance with Indian Telegraph Act but also will make M2M Service providers to comply with Licensing Conditions on security, network audit etc.

### **2. International Roaming of Foreign M2M SIMs in India:**

We do not agree with few of the stakeholders view point that foreign SIMs roaming in India are a security threat / or prone to hacking etc.

First of all there is no such category of "Permanent" or "Temporary" periodicity for international roamers in the prevailing licensing norms. International roaming is one of the basic feature in mobile telecommunications services and accordingly the networks, IT tools, systems of all the TSPs worldwide maintains most robust security standards as per international norms.

All matured market regulators do not restrict international roaming of M2M SIMs across the geographies. In fact, putting any such artificial restrictions on international roaming is akin to putting barrier to trade & business across geographies which is one of the basic objective of WTO.

Also there is no question of loss to the exchequer as the license fee on roaming revenues are paid by the Indian TSPs on the international roaming revenues as per mutually agreed commercial arrangements with Foreign TSPs.



### **3. Cross Border Data Flows:**

We do not agree with some of the stakeholders view point that data which is communicated between M2M SIM and the Servers (wherever they are located) should reside only within India. This will seriously hamper customer's interest & their liberty to decide wherever they want to store their SIMs data.

With the rapid pace of technology development and majority of mammoth data storage servers are located outside India, it will not be justifiable to put restrictions on cross border data flow of Machines originated data.

We are of the view that there should not be any restrictions in cross border data flow so far the TSPs and Customers abide by the provisions under Information Technology Act 2000 on privacy of data.

**New Delhi**  
**19 January 2017**