

FULL TRANSCRIPT

Rajeev Chandrasekhar Interview with Pranav Dixit, Factor Daily: <http://bit.ly/1rfOL7W>

Note: Sections Highlighted in **RED** are selective omissions made to Mr. Chandrasekhar's responses to specific questions. Sections Highlighted in **BLUE** are entirely omitted from the published on the Factor Daily website as of 10 June, 2016

Sr. No	Question posed by Pranav Dixit	RC's Full Response
1	<p>Sure. Your policy team was just telling me about how you were emerging from the fireworks of last night on Twitter. Do you want to talk about it – what happened on Twitter last night. Why did it come up?</p>	<p>(Laughs) I am not emerging from anything. I am fine. I think fireworks are in the imagination of some people. I usually don't respond to nonsense. But when you start branding me as 'Pro-Telco' and all of that, it sounds a bit motivated. You have to be either a complete idiot or really motivated to call me 'Pro Telco', because I am the person who took on this issue from the get go.</p> <p>To sit behind Twitter and start labelling people (is not the way). I like debate, I like discourse, I like disagreeing, I like people who disagree with me, no problem. It's a wide open space. We are all beginning to develop our views on what is right and wrong in the tech space. There is no real right and there is no real wrong. Debate and discourse is a good thing. But when you start creating these artificial enemies and position yourself as the good guy, then I have a problem.</p>
2	<p>Why do you think you are being labelled like that?</p>	<p>I don't know, ask him. Ask these guys.</p>

<p>3</p>	<p>I was following this on Twitter, and he was basically quoting from a letter that you had written to R. S. Sharma. His point was that he was not accusing of anything. He was merely quoting your position that you stated in your letter.</p>	<p>Right, which has been in the public domain since February.</p> <p>(PD continues with question)</p> <p>Then he should check with me, I feel that if he's calling me pro telco, then I will feel 'Pro Telco'...I mean I will feel offended.</p> <p>He should be careful about how he puts it. If at the end of a half an hour conversation, he suddenly starts getting 'Mr. Chandrasekhar' on me, after starting with 'Pro Telco'...</p> <p>The one thing that I value is my integrity and hard work. Nobody, however well-intentioned or genius you may consider yourself, can take that from me. You call me pro something without substantiating it, I have a problem.</p>
<p>4</p>	<p>Unless they're calling you pro net neutrality, I guess.</p>	<p>Yeah, well. I am pro consumer rights, and by the way I am quite happy to disagree. He (Nikhil Pahwa) has come here. I have engaged with everybody on this issue.</p> <p>My views on anything, whether it is disabled veterans, whether it is net neutrality, whether is call drops, and I deal with a number of things, I just don't live and die by this one issue. I have a certain formula with how I engage with issues. Which is, I don't approach it with a pre conceived view in my head of what is right and wrong. Which is unfortunately, too much of what goes around in Delhi.</p> <p>I engage with people, understand all the points of view and then I take a view that is really the view that factors in most of the concerns,</p>

		<p>or addresses at least at the very minimum, people who have particular issue with it.</p> <p>But I can't play god and say 'I am a self-appointed genius of Net Neutrality', I just decided this morning that you are pro red t-shirt, so I'm just going to call you pro red t-shirt because you are pro red t shirt or whatever, because red means left and something stupid like that. (points to PD's red t-shirt).</p>
5	Which I am.	<p>We must never take a serious conversation down by labels. To try and position your view as the only definitive view in an emerging space is foolishness. I'm doing this for many more years than you guys have been, I've worked with some of the brightest minds in the world, and nobody comes at it like this.</p> <p>And the bright guys don't come at it saying I am the bright guy (bangs hand on the table), and you guys are wrong because you oppose me, and I will call you leftist because you don't agree with my point of view.</p> <p>This is complete foolishness.</p>
6	In your letter to the TRAI after the differential pricing ban, you did make statements about how TRAI should not have banned differential pricing entirely, and I think that is the point that Nikhil and others who were labelling you pro telco on Twitter were trying to say.	He's telling you that.

7	<p>He's not telling me that, I am merely following your argument on Twitter.</p>	<p>I didn't argue. I just responded to what he said. And by the way, I don't want to get into a long drawn treatise about some conversation on Twitter. I am saying, I saw what he did as wrong, and I am entitled to my view.</p> <p>You can be an ambassador for him, not be an ambassador for him,(it) doesn't matter. I took offence on what is wrong.</p>
8	<p>You're labelling me now.</p>	<p>No no, I said you could be or could not be. I didn't say that. I'm saying you need to be, is the point.</p> <p>I'm saying I took offence at being called something, and that is not the correct way to approach it.</p> <p>The correct way to do this is to say, "I disagree with your letter", "I don't understand your letter", "Parts of your letter could be construed as being pro-telco". There are civil ways of having a conversation. I have conversations all the time.</p> <p>And instead of that to say 'Pro Telco', without giving the context of the letter – this letter is out there. I have put this letter out there in February. Every piece of my communication on Digital India and Net Neutrality is out there. Critique it. No problem, I have no problem. I expect it to be critiqued. You think I put this letter out in the public domain thinking everybody would say "Wow! Great job!"?</p>

		I took on the TRAI, and I wrote this letter when? At the point when everybody was saying TRAI is the greatest thing after apple pie and ice-cream. Correct? After the Differential Pricing (order) everybody said TRAI is the next big thing to God and a lot of them (gets cut off)
9	Well, that's because TRAI took a strong stand against differential pricing, which made Free Basics illegal. That strong position was kind of unprecedented.	Yeah, they played to popular sentiment. They were responding to popular sentiment – their order was consistent with popular sentiment.
10	Why did they play to popular sentiment?	That is exactly the problem that I have with the TRAI. That again and again they are making the mistake, at missing the point between a good, well crafted, rational regulation versus playing pulpit politics. Call Drops got defeated in the Supreme Court because of this. Everybody hates the Telco's, TRAI is like "I also hate the Telco's, lets punish them with a 1-rupee punitive Call Drop penalty". Forgetting that there is no basis in law and that their evidence is contrary to what you're saying in your (TRAI's own) order. So then you get smacked in the Supreme Court.
11	I interviewed TRAI Chairman R. S. Sharma a couple of days ago and he said that TRAI sees its role as an entity that protects the interest of consumers. So banning differential pricing was a consumer-friendly position.	Let's just back up a bit. TRAI is an institution that is mandated under law to do some things. It is in the TRAI Act. It is not a charitable NGO that is supposed to be full of good intentions. There is an accountable function it is supposed to discharge.

		<p>If it does not discharge it right, that means the results are not consistent with what it is supposed to do. It has to be held accountable. You can't say, "I was a very good intentioned person, I tried to rap the Telecom companies on their knuckles, oh but by the way it was found to be illegal by the Supreme Court, but you can't fault me because I did do it for public interest."</p> <p>This is an institution, not a group of well-meaning people that are supposed to protect consumers. It is an institution mandated by law as a function under 11 (b) (v) (of the TRAI Act) to protect Quality of Service and ensure Quality of Service. It is their job. He's not sitting there to do charity, and if you don't do your job right, if as a journalist if you don't do your job right, your editor will not be patting your back saying "Good job! Next time try better."</p> <p>He will hold you accountable. That is what is not happening in the TRAI. That is why I am saying TRAI must be accountable for its actions. If you don't protect the consumers 18 months on, and the Supreme Court strikes it down, some questions need to be asked of the TRAI or not?</p> <p>Taxpayers are funding you (TRAI), and you don't think they (TRAI) should be asked, why did you fail? And is the answer enough that 'No no, but I tried!'</p>
12	<p>Is that why, in your letter to them about differential pricing, you are saying that TRAI should not have issued a blanket ban on it?</p>	<p>Of course, I said it then. I said it in my submissions.</p>

<p>13</p>	<p>But in your earlier comments, there was an article in NDTV that you wrote where you were sort of against differential pricing.</p> <p>(interjection: in your earlier sort of comments there was an article on NDTV that you wrote, where you were sort of against differential pricing)</p>	<p>Look, one second, I just want to make one point to you very clearly. You will not find anything inconsistent in what I said. So don't dig. Don't waste your time.</p>
<p>14</p>	<p>It's my job.</p>	<p>No no no, I am just telling you! You dig, but you will find that my stand on this has been absolutely consistent.</p> <p>And my stand has been that the biggest challenge to net neutrality is the gatekeeping function of Telco's. The power Telco's have today as pipes to increasingly encroach on this commercial marketplace of the web is a very dangerous power and that should be prevented and protected. That is what I believed in from the get-go. And that is exactly why I raised it in November 2014, for the first time ever, before anybody raised it.</p> <p>Two, there are many other moving parts that constitute Net Neutrality. Other things: could be besides Zero Ratings and Gatekeeping.</p> <p>Zero rating via a Telco is Gatekeeping. There are many other things, I have said define those many other things. I have consistently said, first define what Net Neutrality should be and ought to be, before starting to regulate it. You don't do that, then what do you do? You go in at one element of it which is Differential Tariff. You don't take</p>

	<p>(PD Interject: no it was not perceived, there had a massive consultation throughout last year, which was very sort of public.)</p>	<p>on Throttling, you don't establish the principles, you leave the OTT regulation incomplete, and you do Differential Tariffs. And you do a prohibition of Differential Tariffs.</p> <p>Okay, fine, even that I am willing to go along with - give me the rationale. How can you put an ex ante prohibition basis on some perceived threat?</p> <p>The Supreme Court order on Call Drops says exactly what a public consultation should be or should not be. Public Consultation is not going into a room and listening to 100,000 people and selectively taking on four points and making that the order. Public consultation (requires that) all 150 issues that are raised have to be dealt with. He did not deal with it.</p>
<p>15</p>	<p>By "he" do you mean R. S. Sharma?</p>	<p>I mean the TRAI. The TRAI as an institution. I have nothing to do with RS Sharma. My criticism of TRAI from 2007 to now is the TRAI as an institution not even knowing what a public consultation is supposed to be.</p> <p>A public consultation is not calling 100 people and taking 4 points of view, and building the order on the 4, and the other 146 ignoring. You have to deal with the 146. It is not about disliking. You have to deal and dismiss. That is what a quasi-judicial body is supposed to do. Like a court when there is a trial, there are 4 pieces of evidence given and 10 counter evidences given. You can't just pick on the 4 pieces</p>

		<p>of evidence and say I will give the order on that and ignore the 10 pieces of counter evidences given. So the TRAI as in call drops – and this is what the February 2016 letter was about – that you are not materially dealing with other evidence. You are not answering it – I am not saying I have a brief for this, but explain your point of view.</p> <p>You can't just say I believe gatekeeping from Telco's is a big threat – agreed - and therefore there should be a prohibition on all Differential Data Pricing. What is that mathematics?</p>
16	<p>But like I said earlier, you have come out against differential pricing in the past. This is what people mean when they say you are inconsistent. Why are you batting for differential pricing now?</p> <p>PD interjects: Your letter says that...</p>	<p>Who says I am batting for Differential Pricing now?</p> <p>Which letter says that?</p>
17	<p>You just said it. You said there shouldn't have been a complete ban.</p>	<p>Yes, but I am saying that is a critique on the approach towards regulation, that you should take on Differential Pricing on a case to case basis and examine it on evidence and dismiss it on evidence or ban it on evidence.</p> <p>It is a critique on how the TRAI must do regulation.</p> <p>You guys are jumping to the conclusion.</p>

		<p>I am discussing the rigor and integrity of the process that leads to the conclusion. You are so eager to get there that you are saying forget the process. Short circuit it and just ban it.</p> <p>I have an obligation and a responsibility, knowing how regulators have failed in the past, to also define the rigor and the process by which you arrive at the conclusion.</p>
18	So hypothetically, if they had gone through this regulatory rigor that you speak of, and decided to not ban differential pricing, would you have been OK with Free Basics as it was?	<p>Look, for example if Free Basics, or Airtel Zero or anybody else that is proved to be discriminatory, I have no problem with it – it will be a ban, it will be a sustainable ban.</p>
19	So you're saying they should have let Airtel Zero trial for a month, before framing regulations around it.	<p>I would have wanted TRAI to list out all evidence in favor of and against Airtel Zero. What are Airtel Zero and Free Basics saying? That we improve connectivity.</p> <p>What are the people opposing them saying? That it distorts the free, fundamental nature of the internet. Arre...evidence toh leke aao na (get evidence, at least). How is it that I am only listening to a Nikhil Pahwa only as a point of view? Why am I not listening to somebody else?</p>
20	But you have come out against zero-rating programs for commercial purposes like Airtel Zero in the past.	<p>Of course. I was the first one to do it. I raised it in the Parliament.</p>
21	But now you're saying there needs to be evidence before they are banned.	<p>I have said that Airtel Zero is evidence that a Telecom company is gatekeeping. You are talking about Free Basics.</p>

22	<p>The distinction I am making is – right now as you said when I brought up Free Basics and Airtel Zero, you said the Government..</p>	<p>I am saying, the regulation...You're mixing up two things.</p> <p>What is the distinction you're making?</p>
23	<p>I am not mixing up two things.</p>	<p>You are mixing up two things. Let me make the point, I will tell you what the point is. I am telling you about my letter, you are asking me about my letter. And I'm saying in the letter I'm critiquing TRAI's process.</p> <p>In Parliament I have a point of view which is my point of view. If you ask me my point of view today, of whether Airtel Zero is a distortion of Net Neutrality, I will say yes. But my point of view cannot be the institutional TRAI's regulation.</p>
24	<p>But you just said that show me the evidence that Airtel Zero is a distortion of Net Neutrality. So we don't have that evidence yet, right?</p> <p>Yes, I understand that.</p>	<p>You have to either listen to me or not listen to me. Let me explain again. I am making two points here:</p> <p>This letter is a critique of the TRAI process by which they arrived at a regulation.</p> <p>Let me explain again. In this letter I have said that you have not handled any of the evidences for or against, and therefore this order is weak. That's a critique on the process.</p> <p>I in November 2014 came out strongly against Airtel Zero (OMP remarks: Mr. Chandrasekhar is referring to his remarks on Differential Pricing in the standing committee of IT, to which he was invited, and a subsequent letter sent to the MOCIT in December 2014) because my consistent stand has been, that a</p>

		<p>Telecom company has no business in running commercial enterprises and increasing their commercial influence on the marketplace.</p> <p>That position has been consistent. My critique of the TRAI process is in no way a dilution of my individual views of what constitutes Telcos Gatekeeping or not.</p> <p>OMP remarks: the following was not said in this section of the interview, as was published <i>“To try and trap me as being inconsistent [on my positions]...that is all (makes grunting noise)...that is all Twitter language and it’s not true.”</i></p>
25	<p>What are your views on zero-rated services like Free Basics where no money exchanges hands between Facebook and the Telcos?</p> <p>(OMP remarks: the following was how the journalist phrased the question, as reflected in our audio transcripts) “If the ban on differential pricing had not been there as Free Basics existed right now, would you have been okay with that?”</p>	<p>What has been my view on Free Basics? What have I said all along? I’ve said Free Basics is not a Telco. Free Basics is a Facebook internet company, and if there is any evidence that Free Basics or Facebook is disrupting free and fair competition on the commercial marketplace which is the web, we have the Competition Commission.</p> <p>And that is not a permanent interest that is being created, you can shut down a website tomorrow. So I’ve said, let there be evidence, let there be a case, and it can be shut down.</p> <p>Now if you want to jump to the conclusion that Free Basics is the next big enemy in town, sorry, I don’t operate that way.</p> <p>I don’t operate that way; I don’t operate basis someone’s advertisements.</p>

<p>26</p>	<p>So you are basically drawing a differentiation between a zero-rated service like Free Basics versus a zero-rated service like Airtel Zero which charges money.</p> <p>(OMP remarks: omitted question)</p>	<p>Which is exactly the point I have made from day one that there is a Telco Gatekeeping, which is a big threat, and then there is the whole issue of market place, competition distortion within the Net – which is, the big Internet companies having significant market presence or influence that will be distortionary on consumer behavior.</p> <p>These are two separate things, as I see it. And there is Competition Law. There are many other tools to intervene. And by the way, this is not a one-time thing. It could be that today Free Basics is not distorting the marketplace, tomorrow it may – two years later. That is when the regulator must intervene. That is my point of view.</p> <p>But to try and trap me as being inconsistent or that I used to support Airtel Zero, or now I don't support it – it is all nice Twitter language, but it not true!</p> <p>(OMP Team representative: – I also just wanted to point out that the criticism of TRAI as an institution is something he has been doing since 2007).</p> <p>My critique of TRAI is – just because 10,000 people get together and say Airtel Zero is bad, including me, they (TRAI) have no business coming out with an Order saying Airtel Zero is bad because 10,000 people are saying it!</p>
<p>27</p>	<p>So you basically don't believe in the rigor of the process that they go through.</p>	<p>100% I don't believe it. That is what I have been saying, there is no rigor, and you cannot be a regulator just moving and swaying with the wind of popular opinion. Because that is what politicians do.</p> <p>PD interjects: You've been critiquing the TRAI's processes since 2007. after Mr Sharma was appointed as the chairman, have there been any significant changes in the way the process works?</p>

	<p>PD: Ehm, no</p> <p>PD Interjects: He knows all the vested interests.</p>	<p>RC: My proof is only Call Drops and this (Differential Pricing). only 2 regulations he's done and the 3rd thing he will handle is Net Neutrality.</p> <p>I have said don't do these piecemeal things, do it fundamentally. Now you, are doing that. 18 months ago you could have done the same thing. Why are you starting a consultation on Net Neutrality now, why didn't you do it before you started the Differential Tariffs (consultation)?</p> <p>But did you ask him that question?</p> <p>I think RS Sharma is a bright guy. He is a smart guy. I mean he is incorruptible, that is very important. Because with this big money influence, he cannot be easily captured. That's a big thing. Yeah, that everybody knows. People chose to go with vested interests or not. It is not like nobody knows it. Everybody knows it.</p> <p>So he has that positive. But institutionally, to change the way an institution functions, and Call Drops is a classic example:</p> <p>You have done a punitive penalty with 1 rupee per call and you then release a technical paper that says 40% of the calls are due to consumer behavior. That is like shooting yourself in the head.</p> <p>So in my opinion he has inherited an institution that is really not consistent with the challenges of this sector.</p> <p>This is the most disruptive, most innovative, most highly capitalized with big companies and big fat cat lawyers and you are dealing with them. You are trying to regulate that ecosystem with a group of retired</p>
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		<p>DoT or whatever people. That is a bit of a one hand behind the back kind of a battle.</p>
<p>28</p>	<p>How would you change it if you were TRAI Chairman?</p>	<p>I've said it. First of all, capacity. You must know who you are trying to regulate. If you are trying to regulate these big guys in the sector, which is rapidly changing you need some smart guys in the TRAI. You need additional capacity, you need young people, you need economists, lawyers, people who understand technology. And so, it cannot be same old same old same old Free Basics is the next big enemy in town, sorry, I don't operate that way.</p> <p>The status quo has to change in terms of the constitution of the TRAI, the powers have to go up and most importantly the TRAI must be accountable to somebody. Today the TRAI is accountable to nobody. They come with a bad order, and nobody loses their job. They come up with a poor regulation, and nobody loses their job.</p> <p>Eighteen months on, consumers are still complaining, but nobody loses their job. Why? Why is that?</p> <p>In your organization if you came up with a dud, I'm sure your editor would call you and ask do you want to work here or what?</p> <p>Now I'm a consumer 20 months on, I'm still having call drops, and all you're doing is having another meeting with CEOs. Okay, but whose accountable? There is no answer.</p>

		<p>So TRAI finally must also be accountable. They must be accountable to Parliament, they must be made to depose and clarify all their regulations.</p> <p>An RBI Governor has a mandated press conference when he does an interest rate hike or does not do an interest rate hike, and explains it to the nation.</p> <p>This is what the TRAI must get into the habit of doing. Explaining what they're doing. Not through interviews, but through proper engagements with their biggest stakeholders, the consumer.</p>
29	<p>Okay. I was wondering if you had a chance to read Mr. Sharma's latest comments about establishing a telco agnostic platform in the Free Data consultation.</p> <p>(OMP remarks: omitted question)</p>	<p>What is a Telco-agnostic platform?</p>
30	<p>I will quickly explain this to you because we talked in depth about this with him. He basically said differential pricing is banned, so there can't be any commercial agreements between Telcos and content makers. And he was exploring something like this – let's say – Telcos right now have a platform called the recharge API. So basically, if I have your phone number, I have to recharge your account. So he said how about an API, where, let's say, the Telcos expose what</p>	<p>That is a price-off or promotion scheme.</p>

	<p>plan you are on and how much you are billed, and let's say you go to a website – say Yahoo.com – you plug into this API as Yahoo.com and you get compensated for whatever data you will use as a consumer - and this happens across all Telcos by the way because it is an open API. The telco is not involved, was R. S. Sharma's point. The website essentially reimburses you for the data that you use, irrespective of the telco you are on. It is basically a model that he was proposing.</p> <p>(OMP remarks: omitted question)</p>	
<p>31</p>	<p>Exactly. So essentially his solution was that this does not violate Net Neutrality.</p> <p>(OMP remarks: omitted question)</p>	<p>Here's the thing. We should be careful, and I have seen this for some years, not to get dragged into an exotic technology conversation whenever we talk about concepts. This is a tendency that people have. Which is basic fundamental principles will be there. Then you get dragged subtly into some exotic conversation at technology. This has happened to me many times as an entrepreneur, so I am just telling you.</p> <p>The issue here is what are the red lines that we want around our Internet? Forget about the solution for Free Data – what are the red lines you want? And we must first define that, saying 'look, these</p>

		<p>cannot be violated. This is what the Indian Internet must be. These three or four principles cannot be violated.'</p>
<p>32</p>	<p>What would those principles be?</p> <p>(OMP remarks: omitted question)</p>	<p>For example, for me, I would say, top of the line, first, second and third will be that Telcos and my pipes will have absolutely no say in what I choose to access.</p> <p>Second, if there is something on the Net that is doing some pricing, promotion whatever – I have said this very clearly – these should all be continuously regulated, jointly by the regulator and Competition Commission. What does that mean?</p> <p>Let's say part of the Net, for argument's sake, let us say the big enemy in town is Facebook, and Facebook says I am going to price off access to you and I will do it directly by compensating for data that you are paying. Now, he may choose to just credit your credit card or choose to do an API – whatever – he can do it. They can all do it. Some can do it, some need not do it.</p> <p>The moment he is doing it, and some third website says – no, no, but he is taking away all my traffic by doing this price-off, that person will automatically to the Competition Law and say this is unfair competition! Now, I don't need the telecom regulator to do anything on this. I don't need the telecom regulator to pretend he is the Competition Commissioner. He will never be a Competition Commissioner because that talent and capability is in some other institution. So, we have to say – one is the access piece of Net Neutrality and the second is the free and fair competition on the market place that is the Net. I see this as two very, very separate, distinct problems that can be solved with two very distinct types of solutions.</p>

		<p>The first one, which is the gatekeeping, needs legislation, needs clear punitive type legislation or license conditions etc. saying you cannot. The reason is that these guys have all the power. They own the consumer. They are taking the consumer to the Net. On that, there cannot be any ambiguity and we must not get caught into some conversation about something like – the next rocket will be launched off a space shuttle, so therefore, the Net Neutrality should be like this...Simple, basic principle that can be implemented by law and license conditions. So that prevents gatekeeping.</p> <p>And everything else, you define what you want - Competition Law, not competition Law, TRAI, API, whatever, price-off, not price-off – and define it.</p> <p>I don't have a problem if Flipkart sells a phone today at 100,000 rupees less than its price. I only have a problem if he is smuggling the phone in, not paying customs duty, and then selling it cheap.</p> <p>If he has got equity shareholders from some bank that is funding his losses, I don't have a problem.</p> <p>And that is what I have said. I have said in the February 2016 letter that you can't have discriminatory pricing bans, that also ban promotions and price-offs. Currently now, his ban is so total that if I have a website that wants to do a price-off promotion, six-week promotion for accessing my website, it is banned.</p> <p>Now, by saying that, I didn't become 'Pro-Telco'. I am being realistic. That is not what you want to shut down. You want to shut down gatekeeping. That is the big enemy, trust me. It is the enemy because they are the ones who want to expand their commercial spheres of</p>
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		influence from where the value is today, which is controlling customers on the pipe, to controlling customers online.
33	<p>I get your point about what you just said – promotional pricing stops. But I think if you head that way, you kind of get on to a very slippery slope. Then you will start getting into how long is the promotion valid for...</p> <p>(OMP remarks: omitted question)</p>	<p>Here is the problem with worrying about slippery slopes. Nobody will do any climbing and nobody will do any skiing, if we start worrying about all slopes.</p> <p>That is what you do. You say, there is a slope. That's why the regulator doesn't do lazy regulation or once-a-year regulation; he is doing continuous regulation.</p> <p>That is why we want the regulator to be on his game. Why should we allow him this lazy job of one regulation, ban everything, and then go for a holiday to Shimla? I am the taxpayer; I want you to continuously regulate that slippery slope!</p>
34	<p>Is there anything in the last 18 months since the net neutrality debate started that TRAI has done right? Or have they completely messed it up?</p>	<p>I don't want to say messed it up. I'm not into that game, I am telling you honestly. My view today is, I have a role to play, I am not an activist. So I have to be responsible about how I say some stuff. My politics is about building institutions;</p> <p>I don't want to shatter an institution by condemning it or saying you're a bunch of terrible people. I'm saying something else – the TRAI has increasingly critical, pivotal role in terms of attracting investments, start up ecosystem and grooming and growing the internet of the future. It has these three roles.</p> <p>For that it has to be capable, credible, ahead of the curve, not behind the curve. How does credibility come? Credibility comes from not pre supposing and pre judging the conclusion but the process and the</p>

		<p>rigor of the process has to be as sound as the destination. So credibility, capability and powers and accountability are important.</p> <p>My view is we must not make this all about the conclusion only. Because you will get there, but exactly like Call Drops, it will get shot down.</p> <p>Now you see what's happening with Call Drops, now nothing will happen.</p> <p>Because now you (TRAI) have gone ahead and said that 40% of Call Drops are created by consumers. So now 60% how will you do it? You don't know how to do it? So you are back to square one after 14 months of regulatory intervention. Do you want that in net neutrality? We don't. Telco's will go to court. For sure they will go to court.</p> <p>What is the point of you and me squabbling today about what this great net neutrality should be when the TRAI who is supposed to give you this dream Net Neutrality is making a mess of it?</p>
35	<p>So they are making a mess of it.</p> <p>PD interjects: but you just said it</p>	<p>No. Why. Call Drops is there. And I have said it publically, it is flawed. I don't want to say mess of it and all that,</p> <p>We're just having a conversation, 'mess' in the sense, my definition of mess is we, after 18 months are back to square one and not any closer to a definition Net Neutrality than we were before. As simple as that.</p>

<p>36</p>	<p>We have tackled Differential Pricing – so that is one part of it. Obviously, there are lot of other pieces</p> <p>(OMP remarks: omitted question)</p>	<p>And you have done a U-turn on that as well! You have done Differential Pricing, you have got a Regulation and you have done a U-turn on free data.</p>
<p>37</p>	<p>They have not done a U-turn. They have put out a Consultation Paper.</p> <p>(OMP remarks: omitted question)</p>	<p>Which basically means that there are parts of the differential pricing regulation that you are reopening.</p>
<p>38</p>	<p>Well, so I asked Mr. Sharma this, and he basically said that just because we have put out a Paper, everyone starts accusing us of having made up our mind, and that’s not what we have done.</p> <p>(OMP remarks: omitted question)</p>	<p>It’s like this. Free data is a part of differential data pricing. My point is very simple – you did a consultation. Now if you suddenly create a subset of that consultation that you feel you want to consult again on, either you didn’t do a complete job on the first one or you are reopening some part of the first one.</p>
<p>39</p>	<p>No, no, the first one was very clear that content makers can’t have commercial agreements with Telcos.</p> <p>(OMP remarks: omitted question)</p>	<p>The Consultation was for Differential Pricing. If you are making the case to me that free data is not part of differential pricing, you and I will disagree. I believe it is part of the same thing. You are either reopening it or left it out in the previous consultation. Either way, the previous consultation was not complete. That’s all it means. That’s my point. If you think that’s okay, I don’t think that’s okay. I think a robust TRAI would have done a complete job, would not have been in a hurry to finish that consultation and leave something so important like this, out. That is my point of view.</p>

<p>40</p>	<p>Right. You said they are tackling this thing piecemeal. So, what is the next thing they should tackle?</p> <p>(OMP remarks: omitted question)</p>	<p>It is piecemeal. The first thing they should have tackled is what they have not tackled – Net Neutrality. That’s it!</p>
<p>41</p>	<p>Let’s say they are doing this in a piecemeal fashion. Should they tackle throttling next, or slow lanes / fast lanes?</p> <p>(OMP remarks: omitted question)</p>	<p>I have said all this makes no sense till you know what Net Neutrality is. Because you have an interesting situation today – You believe in Net Neutrality, I believe in Net Neutrality, Airtel believes in Net Neutrality, Facebook believes in Net Neutrality, the Minister believes in Net Neutrality, the Government believes in Net Neutrality, but nobody knows what we are believing in!</p> <p>So if we don’t get on the same page and understand what is this belief that we have so dear to our hearts, and at least come to an agreement – either on the issue that we believe, or disagree on it – all this is moot. One person will be an expert on one subject and he will have a very sharp view on it, like Mr. Pahwa has, and somebody else will have a very sharp view on something else</p>
<p>42</p>	<p>Well, we could argue that he believes in what it is...that this definition is called extreme.</p> <p>(OMP remarks: omitted question)</p>	<p>No, no, Obviously, he believes in something. This kind of passion won’t be because he doesn’t believe in something. But it’s just that I don’t agree with what he believes in, and he doesn’t agree with what I believe in. And that’s where it should be left. I don’t call him “pro-extreme”, he shouldn’t call me “Pro-Telco”. That is what the <i>civility</i> of a discourse is.</p> <p>Because if all of us start getting shrill and hysterical about this conversation, we will not evolve anything. It’s very easy for me to take</p>

		<p>a position. I will just say that I know a lot more about these positions than anybody else, and this is my view. But that's not the style to do this. We have to create a consensus.</p>
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