



RAJEEV CHANDRASEKHAR
MEMBER OF PARLIAMENT
RAJYA SABHA

Member of Standing Committee on Defence
Member of Consultative Committee on Defence
Member of Central Advisory Committee for the National Cadet Corps
Co-Chairman, Vigilance & Monitoring Committee, Bangalore Urban District
Vice Chairman, National Military Memorial Management Trust, Bangalore

April 16, 2015

Dear Rameshwarji,

Sub: Framework for examining and defining Net Neutrality by Government of India

This is with reference to the public statements you have made on Net Neutrality (NN) regarding the establishment of a Committee within DoT to examine the issue of Net Neutrality.

As you are aware, I had earlier written to you on 16th January 2015 stating that the issue is of paramount importance and requires the urgent consideration of policy makers.

Now that the DOT Committee on Net Neutrality is functional, and the TRAI consultation process is underway, it is important that the Committee examine the issue of Net Neutrality in a holistic manner. More specifically, it must include the following aspects related to Net Neutrality in the Indian context while formulating its report / opinion:

1. Overall public policy, considerations and priorities;
2. Consumer interest, including issues related to access;
3. Commercial issues;
4. Technical issues;
5. Legal issues impacting the rights of various stakeholders;
6. Security issues – impacting national security and network security;
7. Privacy and related issues.

Ideally, the TRAI Consultation Paper titled "Regulatory Framework for Over the Top (OTT) Services" dated 27 March 2015, which seeks comments from stakeholder by 24 April 2015, should have been more broad-based, specifically addressing questions around Net Neutrality while avoiding language that is both confusing and somewhat restrictive.



Notwithstanding the limitations in its paper, TRAI can only make recommendations under Section 11 of the TRAI Act. Eventually it is the Committee on Net Neutrality within DoT and finally the Telecom Commission which will need to expand the scope of examination and discussion on the very crucial issue of network neutrality. A multi-dimensional approach with experts in all the subthemes mentioned above, accompanied by open consultation with stakeholders: internet users, OTT and content companies, telecom companies and ISPs, and industry associations, etc., would not only provide the DoT Committee on Network Neutrality, additional insights and information, but in fact make for a transparent process within the DoT – which has been missing during the UPA government.

In summary, you are requested to adopt a holistic 360 degree approach to examining all issues concerning Net Neutrality, accompanied by an open consultation for formulating views before next steps and decisions can be arrived at. When, in the past such detailed considerations of complex issues were missing in the examination, the citizens, industry, and the government and eventually the nation has suffered enormously.

It is important that the government is seen as swift in its response, but equally robust in its examination, findings, and decisions, especially when it relates to a complex issue such as Net Neutrality.

Lastly, Today's papers report that TRAI Chairman characterizes the current Net neutrality debate as one being driven by Corporate Rivalry between a Media house and a Telco. The Government must direct the TRAI chairman to disclose the names of these parties as well the evidence that he has on this. This is vital to ensure that allegations of conspiracies do not derail or distract from the real issues during this very important debate on the future of the Internet.

I trust you will find my suggestions useful and worth implementing. I look forward to working with you closely in making the Prime Minister's Digital India vision a true reality!

Yours Sincerely,

RAJEEV CHANDRASEKHAR

Warm personal regards!

Shri Ravi Shankar Prasad
Hon'ble Minister of Communication and Information Technology
Government of India
New Delhi