

## List of Interventions

### A. Need for a Legislation on Net Neutrality and inclusion of rules in the licensing conditions for Telecom Operators :

| I. Letters and Speeches |  |  |
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|                         | Intervention   | Relevant Excerpts  |
| 1.                      | <b>Letter to Minister of Communications &amp; IT - April 16, 2015</b><br><br><a href="http://rajeev.in/rajeev_writes/Net_Neutrality_Policy/Letter_to_Minister_of_Communication_and_Information_Technology_Apr162015.pdf">http://rajeev.in/rajeev_writes/Net_Neutrality_Policy/Letter_to_Minister_of_Communication_and_Information_Technology_Apr162015.pdf</a>   | <p>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.</p>   |
| 2.                      | <b>Formal Submission to TRAI Consultation Paper on “Regulatory Framework for Over the Top” Services - April 23, 2015</b><br><br><a href="http://rajeev.in/rajeev_writes/Regulatory_Framework/Letter_to_Rahul_Khullar_TRAI_Apr232015.pdf">http://rajeev.in/rajeev_writes/Regulatory_Framework/Letter_to_Rahul_Khullar_TRAI_Apr232015.pdf</a><br><br><a href="http://rajeev.in/rajeev_writes/Regulatory_Framework/Formal_Question_wise_Submission_TRAI_Apr232015.pdf">http://rajeev.in/rajeev_writes/Regulatory_Framework/Formal_Question_wise_Submission_TRAI_Apr232015.pdf</a> | <p>There are some efforts to paint Net Neutrality as an issue of Philosophy or something complex or utopian – It is none of these. It is a real issue, it is simple to understand, it is simple to define, legislate and regulate for and is core to preserving the character of the Internet as it is today which is fair, open, innovative, growing and bereft of any central control.</p> <p>There is a need for the Government and the Regulator to create a mechanism – through legislation or any other means, a policy that guarantees an open, free, safe and growing Internet. The Government must ensure all licenses of ISPs are amended to enforce this.</p> |
| 3.                      | <b>Debate in Parliament on the issue of safeguarding Net Neutrality in India - May 06, 2015</b><br><br><a href="http://www.rajeev.in/Video_Stack/Net_Neutrality/Rajya_Sabha_TV_Ma_r062015.html">http://www.rajeev.in/Video_Stack/Net_Neutrality/Rajya_Sabha_TV_Ma_r062015.html</a>   | <p>The government must commit to forming a clear legislation on Net Neutrality.</p>  |

| II. Articles |  |   |
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|              | Intervention   | Relevant Excerpts   |
| 1.           | <p>Article in Hindustan Times, “Reforms are needed before vision of Digital India can be realized” – April 24, 2015</p> <p><a href="http://www.hindustantimes.com/ht-view/reforms-are-needed-before-vision-of-digital-india-can-be-realised/story-gzJ1fBZUYFpzSug415bMhL.html">http://www.hindustantimes.com/ht-view/reforms-are-needed-before-vision-of-digital-india-can-be-realised/story-gzJ1fBZUYFpzSug415bMhL.html</a></p>       | <p>The government needs to legislate and come out in favour of a neutral internet; given that technology is changing so fast, policies to address new trends of the internet of Things needs formulation; a new approach to Global internet Governance — India’s position currently is less aligned to technology and democratic nations and more with countries like China and Saudi Arabia; and transform the DoT and TRAI to move beyond licensing. Reform the licensing structures and make these institutions more innovation drivers and investment enablers.</p> |
| 2.           | <p>Article in Rediff.com, “A 5-point action plan by Rajeev Chandrasekhar to make Digital India a reality” - July 10, 2015</p> <p><a href="http://www.rediff.com/business/column/column-tech-rajeev-chandrasekhar-a-5-point-action-plan-to-make-digital-india-a-reality/20150710.htm">http://www.rediff.com/business/column/column-tech-rajeev-chandrasekhar-a-5-point-action-plan-to-make-digital-india-a-reality/20150710.htm</a></p> | <p>Third, and most importantly, the government needs to create an enabling policy ecosystem to ensure that legislation and regulations bolster e-innovation and the design of Indian applications. This can only happen if the Internet is neutral -- ie, open, fair, accessible and has no gatekeepers.</p>  |
| 3.           | <p>Article for Scroll.in, “The DoT panel says it wants net neutrality but can't tell us what that is” – July 27, 2015</p> <p><a href="http://www.rajeev.in/News/Net_Neutrality/Scroll_in_03.html">http://www.rajeev.in/News/Net_Neutrality/Scroll_in_03.html</a></p>   | <p>Net Neutrality is a very simple concept – it is about creating an internet free of any gatekeepers, and is open, accessible and unhindered. It is an issue that is really very easy to understand and simple to define, legislate and regulate.</p>  |
| 4.           | <p>Article in Times of India, “Stalled in Mid Stride” – October 26, 2015</p> <p><a href="http://www.rajeev.in/News/Digital_India_Transform_Country/Times_of_India_02.html">http://www.rajeev.in/News/Digital_India_Transform_Country/Times_of_India_02.html</a></p>  | <p>Net Neutrality is an element of Digital India that should be simple to define, legislate and regulate.</p>   |

**B. Strengthening Independent Regulation by suitable amendments to the TRAI Act and Increasing Capacity in both TRAI & DoT/MoCIT:**

| I. Letters and Speeches |  |   |
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|                         | Intervention   | Relevant Excerpts   |
| 1.                      | <p>Debate in Parliament on the Working of the Ministry of Communications &amp; IT – July 23, 2009</p> <p><a href="http://www.rajeev.in/News/Rajeev_Speakes/speech_in_Parliament_ministry_communications_IT.html">http://www.rajeev.in/News/Rajeev_Speakes/speech_in_Parliament_ministry_communications_IT.html</a></p> | <p>I believe it is time for a complete review of the TRAI Act and associated government policies. There are some interpretative lacunae and lack of sufficient enforcement powers in the Act. These need addressing.</p>  |
| 2.                      | <p>Letter to Chairperson of the Standing Committee on IT – May 06, 2011</p> <p><a href="http://www.rajeev.in/Newsroom/Rajeev_Writes/Letter_to_Chairman_Standing_Committee_IT_TRAI_May062011.pdf">http://www.rajeev.in/Newsroom/Rajeev_Writes/Letter_to_Chairman_Standing_Committee_IT_TRAI_May062011.pdf</a></p>       | <p>Review of functioning and performance of TRAI and Gaps in the TRAI Act.</p> <p>There is certainly a need for a review of the TRAI Act, its functioning and conventions. There is a lacunae in the powers and functioning of the TRAI. There needs to be more rigor and quality in its recommendations.</p> <p>TRAI lacks adequate accountability and oversight.</p> <p>TRAI’s independence stands compromised due to weaknesses in its powers/functions and procedure for processing its recommendations.</p> <p>TRAI’s regulatory functions stands severely compromised due to DoT’s repeated acts of cherry-picking and manipulation of its recommendations in violation of the TRAI Act.</p> <p>Parliamentary Standing Committee on IT needs to engage in wide ranging consultations leading to legislative amendments.</p> |

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| <p>3.</p> | <p><b>Letter to PM and TRAI Chairman – July 04, 2012</b></p> <p><a href="http://www.rajeev.in/NewsRoom/rajeev_writes/TRAI/Prime_Minister_July042012.PDF">http://www.rajeev.in/NewsRoom/rajeev_writes/TRAI/Prime_Minister_July042012.PDF</a></p> <p><b>Letter to Minister of Communications &amp; IT – June 13, 2014</b></p> <p><a href="http://rajeev.in/rajeev_writes/Various_Issues/Shri_Ravi_Shankar_Proc_aic_June132014.pdf">http://rajeev.in/rajeev_writes/Various_Issues/Shri_Ravi_Shankar_Proc_aic_June132014.pdf</a></p> | <p>Need for a review of the TRAI Act to address the regulatory inadequacies and impediments in the effective discharge of the TRAI's functions.</p> <p>Strengthening the regulatory capacity within TRAI by reviewing its structure and providing a much higher level of funding from the massive revenues collected on account of telecom services, revenue share, USO Fund and spectrum usage charges. A fraction of these funds need to be earmarked for strengthening the TRAI's capacity building.</p> <p>Providing TRAI the appropriate enforcement powers vis a vis Telecom Operators and Government.</p> <p>Reviewing the Perquisites &amp; benefits as well as general salary structure etc. of the staff within the TRAI. The current salaries and other benefits effectively prevent the TRAI from hiring the best-in-class talent that is extremely critical to the success of this sector.</p> <p>Improving the Consultation process and competition management of TRAI as mentioned under Section 11 of the TRAI Act or establishing a formal relationship for advice and evaluation of all competition related decisions between the TRAI and CCI. Currently, TRAI's capacity and legislative strength on competition is negligible, and CCI has been prevented from playing an active role where competition in telecom or M&amp;As is concerned.</p> |
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| 4. | <p><b>Letter to Minister of Communications &amp; IT - January 16, 2015</b></p> <p><a href="http://rajeev.in/rajeev_writes/Address_Issues/Letter_to_Communicati_on_IT_Minister_Jan162015.pdf">http://rajeev.in/rajeev_writes/Address_Issues/Letter_to_Communicati_on_IT_Minister_Jan162015.pdf</a></p>  | <p>Amongst the most important issues that would require immediate capacity building within DoT need immediate attention, include :</p> <ul style="list-style-type: none"> <li>i) Whether internet, internet transmission and internet interconnection is to be treated similar to traditional telecommunications, or does it need a different approach and a nuanced regulatory oversight?</li> <li>ii) How should the government deal with large internet OTTs that provide valuable content and applications to consumers, while operating international and domestic transmission and interconnection infrastructure, as a part of their service delivery?</li> <li>iii) How should consumer interest be protected without fusing together internet environment, internet network activity, and internet service activity, in absence of a stable, bright line of distinction?</li> <li>iv) While OTTs have brought enormous advantages to the consumers, how should the government deal with the related aspects of security compliance, especially if they operate internet infrastructure or enter into interconnect agreements?</li> <li>v) What would be the best policy to balance consumer needs for affordable services and policy objectives to spread broadband infrastructure as early and as widely as possible across the country?</li> </ul> |
| 5. | <p><b>Letter to TRAI Chairman in response to TRAI Consultation Paper on "Regulatory Framework for Over the Top" Services – April 23, 2015</b></p> <p><a href="http://rajeev.in/rajeev_writes/Regulatory_Framework/Letter_to_Rahul_Khullar_TRAI_Apr232015.pdf">http://rajeev.in/rajeev_writes/Regulatory_Framework/Letter_to_Rahul_Khullar_TRAI_Apr232015.pdf</a></p> | <p>I would urge the TRAI to review its views, roles and consider enhancing its capacity to respond to a rapidly evolving technology and consumer paradigm.</p>  |

| II. Articles |  |   |
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|              | Intervention   | Relevant Excerpts   |
| 1.           | <p>Article in Business World, "Regulatory Dysfunction"- March 31, 2008</p> <p><a href="http://www.rajeev.in/News/Rajeev_Writes/Regulatory_Dysfunction.html">http://www.rajeev.in/News/Rajeev_Writes/Regulatory_Dysfunction.html</a></p>  | <p>Regulatory capacity building is one of the critical things we need to do as a nation before we can call ourselves developed. It requires Government to identify and develop cadres of committed professionals who have the capabilities in economics, law, financials, principals of competition, etc., just like you need good lawyers and judges to develop a good judicial system.</p> <p>Knowing as we know about the economic effect of regulators and their decisions for our country, we have but to agree that we require competent regulators. The Government must develop a new cadre of officers who specialize in this and as a transition measure even look to hiring from the professional and private sector to increase the capability and capacity of these bodies.</p> |
| 2.           | <p>Article in Business World, "How we can Regulate Well"- April 21, 2008</p> <p><a href="http://www.rajeev.in/News/Rajeev_Writes/Regulate.html">http://www.rajeev.in/News/Rajeev_Writes/Regulate.html</a></p>  | <p>We need to invest more in our bureaucracy and regulators with a clear objective to increase their capacity and in their oversight.</p>   |
| 3.           | <p>Article in Business Standard, "SC judgment shows India ready to battle crony capitalism" - February 04, 2012</p> <p><a href="http://www.business-standard.com/article/economy-policy/sc-judgment-shows-india-ready-to-battle-crony-capitalism-112020400009_1.html">http://www.business-standard.com/article/economy-policy/sc-judgment-shows-india-ready-to-battle-crony-capitalism-112020400009_1.html</a></p> | <p>The TRAI, which has been at the receiving end of massive criticism in this judgment, needs to be rebuilt. Its credibility around its independence and also its regulatory capacity has been seriously questioned.</p> <p>The TRAI needs rebuilding and its recommendations need to be direct, clear and less convoluted.</p>   |

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| 4. | <p>Article in Hindustan Times, "First Fix the Digital Gap in the Government" - September 29, 2015</p> <p><a href="http://www.rajeev.in/News/Complex_Technologies/Hindustan_Times_02.html">http://www.rajeev.in/News/Complex_Technologies/Hindustan_Times_02.html</a></p> | <p>The DoT, TRAI and DeitY don't have the technical capacity to deal with issues relating to high-end technology.</p> <p>Capacity building in the TRAI, DoT and DIETY are critical if we are not to look and act like amateurs in a world of professionals.</p>   |
| 5. | <p>Article in Times of India, "Stalled in Mid-Stride" - October 26, 2015</p> <p><a href="http://www.rajeev.in/News/Digital_India_Transform_Country/Times_of_India_02.html">http://www.rajeev.in/News/Digital_India_Transform_Country/Times_of_India_02.html</a></p>      | <p>TRAI's capacity needs to be strengthened to regulate a sector where disruptive technologies are the norm and where consumers expect unfettered access to these new innovations without being fettered by legacy, licensing or business model issues.</p> <p>To make real the Digital India vision and of taking government and services to a billion Indians via the Internet, TRAI, DoT and DeitY have to be transformed with the specialized capacity required to deal with technology policy making and regulation.</p> |