

**COMMENTS ON CONSULTATION PAPER ON REGULATORY FRAME WORK FOR OVER THE TOP (OTT) COMMUNICATION SERVICES.FROM NCHSE, Bhopal.**

Questionwise comments are given below.

Q. 1. The following services should be treated under OTT:

All services using internet access services through telecommunication network, operation e.g., digital information in term of text, sound. Image, animation, music, video, movie, game. These can be in combination or part.

Q.2 Since the OTT is proposed to come under regulatory frame work, we feel that substitutability should not be the primary criterion. However, time and utility should be considered to identify the extent of substitutability.

Q.3 There is definitely an imbalance both in regulation and license in TSP and OTT communication services. Normally the price of data should be determined by the interaction of demand and supply. But it will be difficult to ascertain this. Therefore, it would be better to consult with TSP and OTT players messenger on this issue and after that take a decision keeping in view the growing demand of voice calls, video calls etc.

Q.4 With the amendment to the unified access service license both the TSP and OTT players have been benefitted and thereby ultimately benefit the users. We feel that OTT players should also be come under regulation for a healthy competition. Besides, doing so it must be observed that users which are ultimate goal of both TSP & OTT players should not be affected adversely.

Q.5 The responsibilities of OTT service providers and TSPs in lawful interception of OTT communication should not be separated and for this OTT service providers must come under regulation. Once this is done the things will be ser right. TSPs are already under several regulations.

Q.6 There must be provisions for emergency services to be made accessible via OTT platforms. But before doing so national security aspect should be considered. TSPs can also be involved in this process.

Q.7 There are separate treatment between OTT providers and TSPs providing same or similar services to consumers. Therefore, some regulation / licensing parameters should be made applicable to OTT service providers.

Since OTT services are not very old in India, therefore, regulation to OTT service providers should come gradually and for this VOIP services, video calls, text messaging (whatsapp), SMS etc. should come first under regulation and after that broadcasting twitter etc. Before taking any step in the direction of regulation criteria of cost effective must be considered at every stage.

Q.8 Yes . It is certainly necessary to re-review the licensing condition of TSPs. Not only the licensing condition but also other regulations to TSPs should also be re-reviewed. We have an opinion that before putting any Licensing / regulation condition on OTT service providers, it must be seen that

both OTT service providers and TSPs should run smoothly and thereby benefitting the consumer at large. In this context it is to be seen that national security is maintained at any cost by the OTT service providers.

Q.9 The only other point is that why not different plans vouchers should come from OTT service players just like TSPs. It will definitely benefit to the consumers as well as more knowledgeable data / information will be available to view.

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