

[On the letterhead of Dua Consulting]

May 20, 2019

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Re: Comments on the TRAI Consultation Paper on review of Terms and Conditions for Registration of Other Service Providers (OSPs) dated March 29, 2019

Dear Shri Srivastava,

We appreciate the Regulator's efforts in issuing the TRAI Consultation Paper on review of Terms and Conditions for Registration of Other Service Providers (OSPs) dated March 29, 2019. This is particularly relevant as it is necessary to align the OSP Guidelines in view of the already changed and fast changing ecosystem since many of the policies, guidelines & regulations emanate from public policy considerations which have been in existence for over 10 years.

Enclosed please find our comments on the Consultation Paper. We hope our submissions are helpful to the Regulator in formulating its recommendations. We would be happy to provide any further inputs as may be required from time to time.

Yours sincerely,

B.K. Syngal
Senior Principal
Dua Consulting

Re: Comments on the TRAI Consultation Paper on review of Terms and Conditions for Registration of Other Service Providers (OSPs) (March 29, 2019)

From: Dua Consulting, New Delhi.

Date: May 20, 2019

1. Introduction

- 1.1 TRAI's latest consultation of the review of the terms and conditions for registration of Other Service Providers ("OSP") is a significant development in the background of evolving changes in technology and resultant network architecture and solutions, new user applications and service delivery scenarios. We concur with the view taken by the Government that a technology neutral framework is required to be devised to promote innovations for setting up OSP delivery platforms in the most cost-efficient manner for faster promotion of OSPs in the country. We truly appreciate the efforts being made by the Government and the Regulator in issuing this Consultation to create a framework for a technologically neutral policy to enable IT companies in India to deliver emerging technologies and new opportunities to global clients.
- 1.2 Our comments on the TRAI Consultation Paper on review of Terms and Conditions for Registration of Other Service Providers (OSPs) dated March 29, 2019 ("**Consultation Paper**") are detailed below;

2. Background

- 2.1 The foundation of the concept of the OSP can be traced back to 1999 and the key chronology of events is given below:

Timeline	Particulars
March 1999	<p>New Telecom Policy, 1999 issued by the Department of Telecommunications where</p> <p>Other Service Provider was recognised as a telecom service sector under Para 3 (New Policy Framework);</p> <p>It was provided at Para 3.7 (Other Service Provider) that:</p> <p><i>For applications like tele-banking, tele-medicine, tele-education, tele-trading, e-commerce, other service providers will be allowed to operate by using infrastructure provided by various access providers. No licence fee will be charged but registration for specific services being offered will be required. These service providers will not infringe on the jurisdiction of other access providers and they will not provide switched telephony.</i></p>

February 2000	As per the Terms and Conditions formulated by the Telecom Commission, these Application Service Providers could take telecom resources from authorized Telecom Service Providers only, could not infringe upon the jurisdiction of other authorized Telecom Service Providers and could not provide switched telephony. A processing fee of Rs.1000/- per case was charged for registration under OSP category.
June 2 , 2008	Press Note No. 18-7/2007-OSP dated June 2, 2008, was issued by the DoT for decentralisation of registration of Call Centres (Domestic and International) under 'Other Service Provider' (OSP) category and Telemarketers under 'Telemarketing' category from DoT (HQ) to the field units of VTM Cells <i>[The registration of OSPs were decentralised to all Vigilance Monitoring Cells (VTM) Cells with effect from June 1, 2008]</i>
August 5, 2008	The terms and conditions for registration of OSPs were revised by DoT liberalizing the existing terms and conditions.
May 22, 2009	Amendment dated May 22, 2009 bearing no. 18-2/2009-CS-I was issued by the DoT for a reduction in the bank guarantee for Work from Home facility from Rs. 5 Crore to Rs. 1 Crore.
October 7, 2011	Amendment dated October 7, 2011 bearing no. 18-5/2009-CS-I was issued by the DoT for allowing OSP to share EPABX of International Call Centres and PSTN with logical partitioning and removed the restriction on limiting the Extended Agent Positions.
November 21, 2012	Amendment dated November 21, 2012 bearing no. 18-5/2012-CS-I was issued by the DOT for extending the facilities of EPABX and Closed User Groups in OSP.
January 12, 2016	Amendment dated January 12, 2016 bearing no. 18-5/2009-CS-I was issued by the DOT for registration of OSP under LLP and Companies registered under Companies Act, 2013 as amended from time to time in addition to the provision of Companies registered under the Indian Companies Act, 1956.
January 13, 2017	Amendment dated January 13, 2017 bearing no. 18-5/2009-CS-I was issued by the DOT for payment through digital payments like e-transfer/ NEFT/RTGS/Debit Card/ Credit Card.

- 2.2 Whilst the formulation of the terms and conditions for the OSP category was done in 2008 as a special dispensation to boost the IT/BPO sector, at the same time, it was ensured that their activities do not infringe upon the jurisdiction of other telecom service providers.
- 2.3 It has been about 11 years since the first version of the OSP terms and conditions were issued and it is essential in the background detailed in the ensuing paragraphs for a re-articulation of

the policies. The key considerations which may be kept in mind by the Regulator in preparation of its Recommendations on the Consultation Paper are detailed at Section 3.

3. Key Considerations

3.1 Review of the terms and conditions for OSP Registrations.

The concept of registering with DOT was introduced to facilitate Call Centre business, which in early 1990s required calling via IPLC/IP based calling, as making calls using conventional PSTN calling were considered very expensive. Thus, in order to give this special exemption to call centres, the calling from IPLC was allowed for Companies having OSP registration. The initial requirement was also more from a statistical perspective.

The National Digital Communications Policy, 2018 mentions that there is an imperative need to review the existing licensing, regulatory and resource allocation frameworks to incentivize investments and innovation to optimise new technology deployments and harness their benefits. Improving the Terms and Conditions for 'Other Service Providers', including definitions, compliance requirements and restrictions on interconnectivity as per the Policy will act as a catalyst to Investments in the Digital Communications sector.

3.2 One Registration per LSA

It may be considered to introduce one centralized registration for the OSPs belonging to one company in one city. Multiple OSP centres could then be added under one registration of that city. This would assist in streamlining the process of making it simple and keeping all OSP registrations belonging to one particular company in one city at one place. This would be similar to the One License regime of the Unified License, where several authorisations can be issued under one license.

3.3 Specific Provisions

From a perusal of the OSP Guidelines and the Consultation Paper, it appears that the key concerns appear to be ensuring the security of the network, no infringement of the domain of the telecom service provider, no switched telephony to be utilised by the OSP Registration Holder in the provision of services, no leased-line to be connected to the internet, sharing of infrastructure should not involve data/voice traffic flow. It may be considered to include certain provisions dealing with the above, to make the general conditions for OSP more users friendly which would in turn incentivise potential business owners to set up their operations involving Application Services in India.

3.4 International Carriers

In today's global environment, the One-Stop-Shop is a recognised and accepted practise internationally and has been institutionalised between international carriers as the most effective mode of connecting different geographies. The One-Stop Shop arrangement has also been reaffirmed by the Hon'ble TDSAT. An international carrier follows the internationally recognised One-Stop-Shop arrangement in India and has an arrangement with an Indian telecom service provider for providing connectivity to its customers in India, who are OSP customer. While the Indian telecom service provider provides the services to the international carrier in India, it raises an invoice on the international carrier for such provision of services, which is an internationally accepted practise under the One-Stop-Shop. The present provisions of the OSP Guidelines only indicate that the telecom resources need to be obtained by the OSP from an authorised telecom service provider and the network diagram needs to be approved by the authorised telecom service provider. Recently, the TERM Cells have been taking a position that any connectivity which is being provided to an OSP Customer needs to

be supported by an invoice raised by an authorised telecom operator and cannot be subject to an invoicing arrangement as contemplated under the One-Stop-Shop (OSS) arrangement. There appears to be a loophole in the OSP Guidelines since they are not consistent with the internationally recognised OSS. This has an impact on the business of the foreign carrier where an Indian end user is being rendered service under the OSS arrangement. Further, the international carrier has to suffer the business risk of losing its global customer who may wish to change its service in India and also bear the financial implications. In such a scenario, the Regulator is urged to keep in mind the interests of international carrier and address the loophole in the guideline.

3.5 Consistency in interpretation of the OSP Guidelines

As the registration of the OSP is managed by the TERM Cells across India, due to which it has been seen that the interpretation of the OSP Guidelines is not consistent. Hence a number of applicants are compelled to choose the state where the TERM Cell is more relaxed as compared to a state where it is more conservative. Hence, due efforts need to be made to ensure that there is consistency in the interpretation of the OSP Guidelines.

3.6 Generation of Employment

The OSPs need to be encouraged, but at the same time, the reasoning of more employment should not be used to operate the OSP. The key is that OSP must not in any case become a licensed service provider. They should maintain operation switching CUG and the purpose for which they have worked the OSP registration. Also, they should be prepared to be monitored for any security breach/leakage of revenue and there should be strict action. Any act done in connivance with TSP should entail penalty on the TSP as well.

3.7 Generation of Employment

The regulatory framework is silent on modern technologies like Cloud PBX, converged services, software based communications etc. With the abode of cloud-based PABX, regulations also need to cater to independent locations. The data servers in cloud based PABX can be located anywhere in the World. In a domestic call centre, data servers have to be located anywhere in India and it cannot be located outside India. Detailed policies should find a place which caters to internet based services that may not fully fall within the limited scope of the traditional OSP regime.

4. Response by Dua Consulting

Q1. Please provide your views on the definition of the Application Service in context of OSP. Whether, the Application Services which are purely based on data/ internet should be covered under Application Service for the purpose of defining OSP.

- (a) Under the present regulations governing OSP, the Application Services have been defined as services such as call-centre, tele-banking/medicine/education/trading, e-commerce, network operation centre and IT enabled services which use the Telecom Resources provided by authorised Telecom Service Providers.
- (b) While this definition had been formulated first in 2008, in recent years, the scope of Application Services has expanded to include any activity which may have an aspect of IT services. The Telecom Service Providers are also extremely cautious in providing telecom resources to companies who could be considered to do be doing business falling within the purview of Application Services.
- (c) In view of this, it is necessary to formulate a comprehensive definition of the Application Services which would rule out any scope for ambiguity. While it has been suggested by the Regulator, that the Application Service being purely based on data/internet should be the benchmark for defining the Application Service, there may be some services which are based on data/internet such as data analytics, which would not come within the purview of an Application Service.
- (d) In our view, the scope of services being provided by IT companies could be divided in three broad categories:
 - (i) Pure Play Application Service: This relates to services where there is no PSTN connectivity, no Public Interface, more developmental in nature, but could be connected amongst various sites via Resources from telecom service providers;
 - (ii) Application Services with OSPs: This relates to services having Public interface with PSTN Connectivity; and
 - (iii) Classic Services: These are the services usually provided by Domestic and International OSPs in India.
- (e) While the services at sub-para (i) would not be required to be covered as a Application Service for which OSP Registration is required (since this category is more towards software development, delivery to customers dedicated or consumer/market driven), the services at sub-para (ii) and (iii) would require to be included as a part of the scope of Application Services.

Q2. Whether registration of OSP should be continued or any other regulatory framework should be adopted for OSPs so that the purpose of registration specified by government is met. Please furnish your views with justification.

The framework for OSPs should be meet the objective of providing special dispensation to the IT/ITES enabled companies coupled with ensuring that the activities of the OSP should not infringe upon the jurisdiction of the telecom service providers. Hence the registration of the OSPs should be continued, however the process should be simplified as the present process is complicated. Please also see our comments to Question 7.

Q3. What should be the period of validity of OSP registration? Further, what should be validity period for the renewal of OSP registration?

Under the present regulatory framework, the validity of registration of OSPs is 20 years from the date of issue, unless otherwise mentioned in the registration letter. Further, the validity of the registration may be extended by 10 years at one time, upon request of the OSP, if made during the 19th year of the registration period on the terms mutually agreed. In our view, no change is required for the period of validity or the renewal of the OSP registration. This is also in line with the period of validity of the Unified Access Service License and the Unified License which is 20 years.

Q4. Do you agree that the documents listed above are adequate to meet the information requirements for OSP registration? If not, please state the documents which should be added or removed along with justification for the same.

The documents listed in the Consultation Paper are adequate to meet the information requirements for OSP registration. However, the requirements for approval of network diagram need to be more comprehensively laid down. The current guidelines do not give any definitive scope of approved and rejected diagrams. One suggestion which may be considered is that as long as the telecom resources are taken from Authorised TSPs, there should not be any requirement for submitting Network Diagram. If the same cannot be done away with, then certain basic parameters need to be laid down, to ease the submission of the network diagram.

Q5. Do you agree with the fee of Rs. 1000/- for registration of each OSP center. If not, please suggest suitable fee with justification.

The registration fee should be increased. While the registration fee per OSP Centre can be Rs. 1000 but in addition a one-time charge in the range of Rs. 10000-25000 may be charged. This is similar to the one-time entry fee payable under the licensing regime.

Q6. Do you agree with the existing procedure of OSP registration for single/ multiple OSP centres? If not, please suggest suitable changes with justification.

The existing procedure of OSP Registration is location specific and requires the application to be filed before the DoT LSA unit in whose jurisdiction the applicant company is located. Further, multiple applications need to be filed if the applicant company is desirous of setting up multiple offices requiring the OSP Registration in the same city.

In view, it is suggested to consider one centralized registration for the OSPs belonging to one company in one city. Multiple OSP centres could then be added under one registration of that city. This would assist in streamlining the process of making it simple and keeping all OSP registrations belonging to one particular company in one city at one place. This would be similar to the One License regime of the Unified License, where several authorisations can be added under one license.

Q7. Do you agree with the existing provisions of determination of dormant OSPs and cancellation of their registration? If not, please suggest suitable changes with justification.

The present regulation of filing of annual returns being the benchmark for determination of dormant/active OSPs appears to be reasonable since it puts the onus on the OSP Registration Holder to inform the TERM Cell regarding its status of operations.

- Q8. Do you agree with the terms and conditions related to network diagram and network resources in the OSP guidelines? If not, please suggest suitable changes with justification.**

We would suggest continuation of existing terms and conditions related to network diagram and network resources in the OSP guidelines to establish bonafide of an OSP Registration Holder. In addition, transparency ensures that OSP will not impact the TSP business. Perhaps, in view of suggestions made for ease of registration, a comprehensive network diagram could be provided showing a city plan and all India plan. The application could be filed from the address of the registered office for all their sites. Additional sites could be updated as required.

- Q9. Do you agree with the provisions of internet connectivity to OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

The provisions of internet connectivity to OSP mentioned in the OSP guidelines appear to be adequate since these are in line with the provisions of the licensing conditions applicable to Internet Service Providers under the UASL/UL Regime. It needs to be ensured that any VPN/CUG must not have any PSTN connectivity.

- Q10. Do you agree with the provisions related to Hot Sites for disaster management mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

The provisions related to connection to registered Hot Sites only at the time of disaster with due intimation to DoT giving connectivity details for both domestic OSP and International OSP is satisfactory. However, a clear demarcation needs to be made to ensure that there should not be any interconnection between the 'Hot Sites' of domestic OSP and International OSP.

- Q11. Do you agree with the provisions of logical separation of PSTN and PLMN network resources with that of leased line/ VPN resources for domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

We agree with the intent of inclusion of provisions of logical separation of PSTN/PLMN network resources with leased line/VPN resources to avoid the bypass of NLD revenue. The present provisions on this are acceptable.

- Q12. Do you agree with the provisions of PSTN connectivity/interconnection of International OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

We agree with the provisions of PSTN connectivity/interconnection of International OSP to avoid the bypass of ILD revenue. The present provisions on this are acceptable.

- Q13. Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case the OSP centre and other resources (data centre, PABX, telecom resources) of OSP are at different locations.**

The present guidelines do not contemplate a scenario where the OSP Centre is at one location and the other resources to facilitate its business (data centre, PABX, telecom resources) are at different location (s). Technological advancement, resulting in improved efficiencies, bringing economies of scale in delivery must be accepted as part of an evolving eco system. Having said that we need to ensure the fidelity of the system as well guarantee that there is no trespass into the service offerings of a telecom service provider. Whereas the connectivity to

PSTN/PLMN is preventable provided an OSP is honest about it, but the security of the network would pose a challenge. It would be in the interest of the OSP to have robust encryption on the linkages to prevent any attack or any sort of intrusion into the system.

- Q14. Please provide your views whether extended OSP of existing registered OSP may be allowed without any additional telecom resource. If yes, then what should be the geographical limitation for the extended OSP centre; same building/ same campus/ same city?**
- Q15. Please provide your views as to how the compliance of terms and conditions may be ensured including security compliance in case of the extended OSP centre.**

(Response to Q14 & Q15)

In our view, the extended arm OSP of an existing registered OSP must be allowed, provided that no additional telecom resources are being used. It should be limited to additional OSP centres being set-up in the same city and should belong to the same group of companies. Since the basic assumption for providing the extension is that there are no additional telecom resources being used, the similar checks and balances should be in place as are applicable to the existing OSP Registration Holder.

- Q16. Do you agree with the provisions of general conditions for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**
- Q17. Do you agree with the provisions of Technical Conditions under option -1 & 2 for sharing of infrastructure between International OSP and Domestic OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

(Response to Q16 & Q17)

The present provisions for sharing of infrastructure between International OSP and Domestic OSP as stated in the OSP Guidelines are acceptable. However, the tenure for sharing of infrastructure between International OSP and Domestic OSP may be increased from 3 to 5 years and the amount of bank guarantee may be reduced to a reasonable amount. From a perusal of the OSP Guidelines and the Consultation Paper, it appears that the key concerns appear to be ensuring the security of the network, no infringement of the domain of the telecom service provider, no switched telephony to be utilised by the OSP Registration Holder in the provision of services, no leased-line to be connected to the internet, sharing of infrastructure should not involve data/voice traffic flow. It may be considered to include certain provisions dealing with the above, to make the general conditions for sharing of infrastructure comprehensive and thereby reducing the quantum of the bank guarantee payable in this regard.

- Q18. In case of distributed network of OSP, please comment about the geographical limit i.e. city, LSA, country, if any, should be imposed. In case, no geographical limit is imposed, the provisions required to ensure compliance of security conditions and avoid infringement to scope of authorized TSPs.**
- Q19. Do you agree with the provisions including of logical partitioning mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.**

- Q20. Do you agree with the monitoring provisions of mentioned in the OSP guidelines for distributed architecture of EPABX? If not, please suggest suitable changes with justification.**

(Response to Q18, Q19 & Q20)

Presently, the OSPs using distributed architecture of EPABX are required to carry out call-restrictions, logical tenant-partitioning etc. from the central EPABX. The media gateway/PBX at the remote ends is required to maintain a copy of configurations pertaining to logical separation and keep it updated a predefined periodicity. Inclusion of the geographical limits would impose restrictions which would in turn affect the way the OSP Centres set-up their network architecture. The provisions dealing with logical partitioning and monitoring for the distributed architecture of the EPABX are satisfactory.

- Q21. Please comment on the scope of services under CCSP/HCCSP, checks required / conditions imposed on the CCSP/ HCCSP including regulating under any license/ registration so that the full potential of the technology available could be exploited for both domestic and international OSP, and there is no infringement of the scope of services of authorized TSPs.**

The emergence of Call/ Contact Centre Service Provider (CCSP)/ Hosted Contact Centre Service Providers (HCCSP) providing Call Centre Facilities is a recent technological development in India. In addition to managing voice services a CCSP/HCCSP also renders services in relation to email, text chat, fax services, direct website interface etc. CCSP/HCCSPs are presently not regulated and hence are not under any obligation to comply with the terms and conditions of the OSP Guidelines. It is therefore necessary to introduce amendments to the OSP Guidelines to include the services being rendered by CCSP/HCCSP to avoid any security related issues and bypass of revenues for the Government. In addition, Manipulation of networks by CCSPs without the knowledge of OSPs must not be allowed. Periodical inspection of OSPs should be carried out to identify activities related to violation of terms and conditions.

- Q22. Please provide your comments on monitoring of compliance in case interconnection of data and voice path is allowed for domestic operations.**

In the event the interconnection of data and voice path is allowed for domestic operations, adequate checks and balances need to be put in place to ensure monitoring of data and voice to make sure that there is no bypass of revenue for the Government. Logical partitioning must be insisted upon. It would be good to have periodic surprise checks.

- Q23. Do you agree with the provisions for use of CUG for internal communications of OSP as mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

- Q24. Do you agree with the monitoring provisions for use of CUG for internal communications of OSP mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.**

(Response to Q23 & Q24)

With the huge potential in technology, there are various permutations/combinations available to application service providers to use CUG for a commercial benefit which is contrary to the OSP Guidelines. We agree with the use of the CUG as well as monitoring provisions of the CUG for the purpose of internal communications only. No access to PSTN/PLMN should be allowed. It would be good to have separate leased lines for CUG network and other OSP

related activities. It should be possible to prevent a CUG number for access to any PSTN/PLMN number nationally and internationally.

Q25. Do you agree with the provisions of 'Work from Home' mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

As per the OSP Guidelines, Work from Home can only be connected using Telecom Service Provider provisioned virtual private network (VPN) and from a predefined location. This appears to be antiquated. Under the present corporate environment, Work from Home is extremely common, and the provisions stated in the OSP Guidelines need to be modified to ensure that employees can maintain a work-life balance as they will be encouraged to work from home. Adequate safeguards need to be put in place to ensure that the network being used by the person working from home is secure and cannot be used in an unauthorised manner, and there is no leakage of revenue. The Authority is also requested to re-look at the quantum of the bank guarantee which should be reduced from the present value of Rs. 1, 00, 00,000. It would be prudent to add that not only work-life balance, but also an environmental necessity with less cars or buses on the road, reducing dependence of Oil and Coal. Apply use technology at it evolves to conserve depleting natural resources.

Q26. Whether domestic operations by International OSPs for serving their customers in India may be allowed? If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed, and security requirements are met.

The present OSP Guidelines deal specifically with two types of OSPs: Domestic OSP means the OSP providing the Application Services within national boundaries and International OSP: means the OSP providing the Application Services beyond national boundaries. If the domestic operations by International OSPs for serving their customers in India, it may infringe onto the scope of the Domestic OSP. One Option is to consider reduction of the bank guarantee in a case where the applicant choses to operate both International OSP and Domestic OSP from the same location. This would also be beneficial as through logical partitioning the same infrastructure can be used for both the purposes as per the sharing of infrastructure guidelines between International OSP and Domestic OSP. As long as the call flow is legitimate (No Bypass) and traceable, and it is business call by an International OSP, why not?

Q27. Whether use of EPABX at foreign location in case of International OSPs may be allowed? If yes, please suggest suitable terms and conditions to ensure that the scope of authorized TSP is not infringed and security requirements are met.

Basically, this would result in Long Lining of numbering scheme of the country/foreign location where the EPABX, akin to a domestic spread/media EPABX. The use of EPABX at foreign locations in case of International OSPs should be permitted. Requisite terms and conditions should be formulated to ensure that there is no leakage of revenue and the security requirements are always met. One can ask the EPABX owner to ensure that the calls don't end up connecting to PSTN/PLMN networks.

Q28. Do you agree with the Security Conditions mentioned in the Chapter V of the OSP guidelines? If not, please suggest suitable changes with justification.

We agree with the Security Conditions mentioned in Chapter V of the OSP Guidelines.

Q29. Do you agree with the provisions of penalty mentioned in the OSP guidelines? If not, please suggest suitable changes with justification.

Under the present OSP Guidelines, the penal consequences have been stated to be forfeiture of security deposit/bank guarantee. It is suggested that monetary penalties may also be added to make the penalty provisions more stringent as has been done in the case of the Unified Licensing Regime (Rs. 50 Crore in penalty for each violation).

- Q30. Whether OSP to OSP interconnectivity (not belonging to same company/ LLP/ group of companies) providing similar services should be allowed? If yes, should it be allowed between domestic OSPs only or between international and domestic OSPs also.**
- Q31. In case OSP interconnectivity is allowed, what safeguards should be provisioned to prevent infringement upon the scope of licensed TSPs ?**

(Response to Q30 &Q31)

In our view, the OSP interconnectivity (not belonging to the same company/group of companies) should not be allowed. This is because it will be extremely difficult to monitor the usage of data/voice (including the connectivity of the EPABX with the leased line) between two non-related entities in addition to initiating enforcement actions on the two entities. It would open up a new set of issues which would not be acceptable.

- Q32. Do you agree with the miscellaneous provisions mentioned in the Chapter VI of the OSP guidelines? If not, please suggest suitable changes with justification.**

We agree with the Miscellaneous Provisions mentioned in Chapter VI of the OSP Guidelines. A comprehensive and detailed provision for penalties/violations of the OSP Guidelines can be included in the Miscellaneous Provisions.

- Q33. What provisions in the terms and conditions of OSP registration may be made to ensure OSPs to adhere to the provisions of the TCCCPR, 2018?**

In our view, the provisions of the TCCCPR, 2018 should be made applicable to those OSPs who have out-bound voice call facility for making calls for transactional, promotional and service purposes. This is particularly the case for CCPS/HCCPS where commercial communication is being provided to users.

- Q34. Stakeholders may also provide their comments on any other issue relevant to the present consultation.**

Please see Section 3 of this Response. In addition, cloud based EPABX should preferably reside in host country where OSP is registered, and not outside in another country. The EPABX should be able to demonstrate all capabilities of a normal EPABX in terms of logical partitioning etc., must not be connectable to PSTN/PLMN/Leased line/Internet etc. Let the EPABX functioning be regularly scrutinised for any violations.