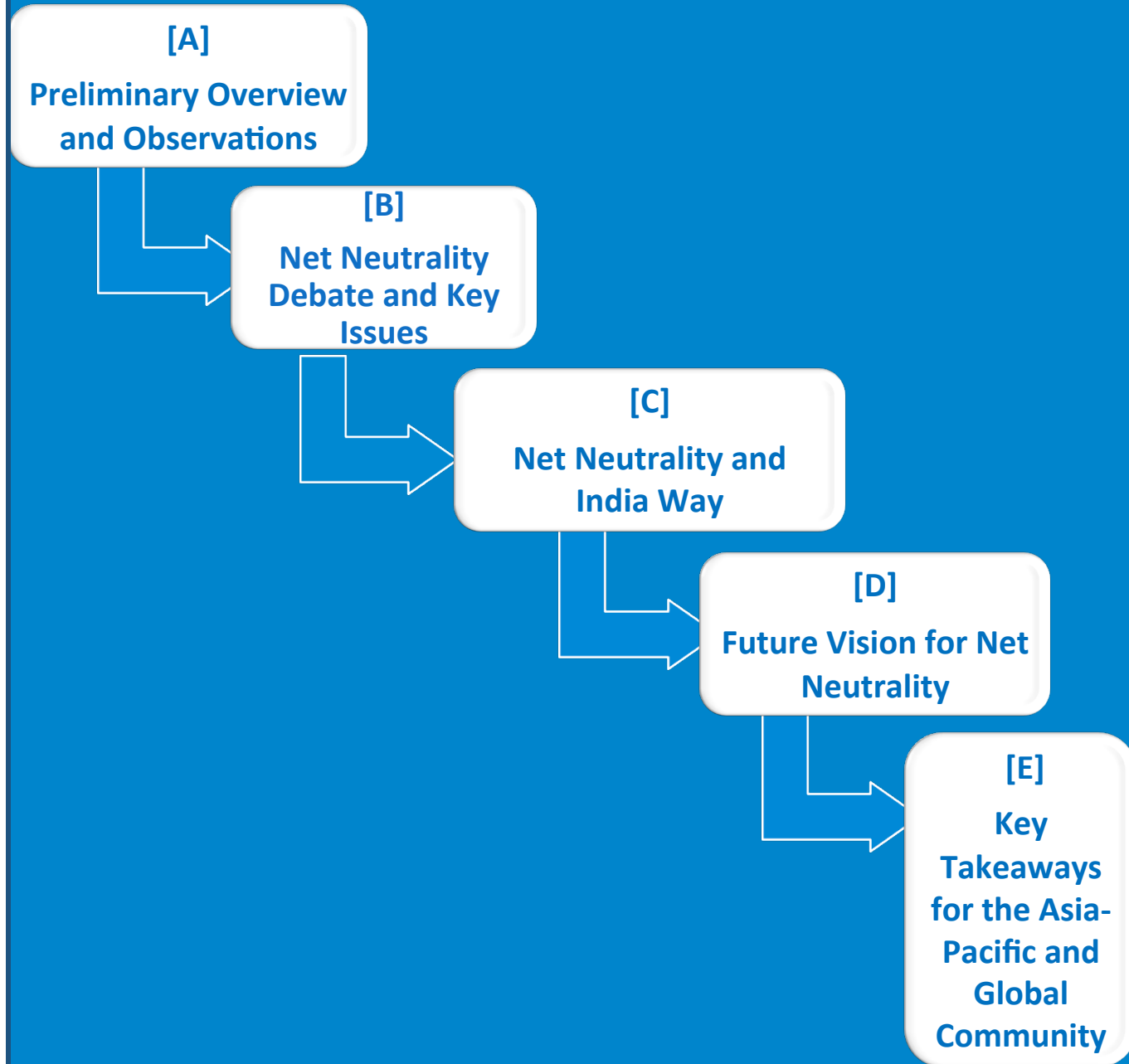


**Net Neutrality –  
India Way and the Lessons for the  
Asia-Pacific and Global Community**

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## Sequence of the Presentation



**[A]**

**Opening Remarks**

# Net-Neutrality: Some Initial Observations

## A Crucial Internet Debate

- During last decade and particularly in last year, the Net Neutrality debate in India and many other countries like the USA and the UK has triggered
- It has become one of the most complex and crucial debates of internet governance

## Emergence of Net Neutrality Advocates

- In recent time, many internet consumers, start-ups and civil society and academia people have become net neutrality advocates, and have been demanding and participating in policy interventions

## Advent of at least two Schools of Thought

- Supporters claim that access to an open and unhindered internet is a basic right of every user
- Opponents argue that to those without even minimal internet access, rather than no internet at all, a subsidized albeit some internet is better

# Net-Neutrality: Connotation

It is difficult to define, but broadly network neutrality is the principle of non-discrimination, in the transference of data packets, over the internet, from content providers to internet users

# Net-Neutrality Regulation: Pros and Cons

Regulation

No Regulation

Start-Ups and  
Consumers Protected

Innovation  
Environment  
Encouraged

Open internet and  
communication  
guarded

Competition Issues

Issue of Limited  
Internet



**[B]**

## **Net Neutrality Debate and Key Issues**

## Issue of Zero-Rating

Relying solely on zero-rating to enhance access could be challenging

Such strategy is likely to have fairness issues relating terms of services and in such a scenario, heavy regulation could be required



## Issue of Limited Access versus Subsidized Access

When access is less and public infrastructure to support internet weak, many service providers argue that net neutrality regulations could be hurdle in providing internet programs for poor

However, truth is that whereas limited internet could be problematic, subsidized internet could help better access, but again due to commercial considerations this becomes difficult

**[C]**

## **Net Neutrality and India Way**

# Net-Neutrality: Background of the Policy Debates in India

## Late 2014

- Public debate began when telecom carrier *Bharti Airtel* decided to charge extra, for the use of applications which can be used for making free voice calls over the internet

## 2015

- Facebook's internet.org initiative to provide the internet have-nots with limited internet, further triggered the debate

# Net-Neutrality: Policy Interventions in India

2015:

## Initiation of Policy Interventions

- The Telecom Regulatory Authority of India (TRAI) initiated policy interventions in 2015
- On March 27, 2015 it issued consultation paper on 'Regulatory Framework for Over-the-top (OTT) services'
- Then on December 9, 2015, noticing differential tariffs based on content/ websites/ applications/ platforms, it issued another consultation paper

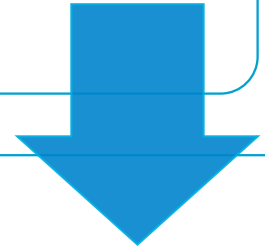
2016:

## Policy Milestone

- Recently, in February 2016, after massive open public consultations, TRAI introduced *Prohibition of Discriminatory Tariffs for Data Services Regulations, 2016*

*Key points of  
Regulations,  
2016*

No service provider shall offer or allow discriminatory pricing for data services based on content



There should not be any arrangement or agreement between any service provider or any person that adheres to differential pricing for data services



There could be special reduction of tariff for accessing or providing emergency services during times of public emergency

# Net-Neutrality and Vision Digital India

## Complementary Set of Policies

- Pro Net-Neutrality Policy introduced by the Indian Telecom Regulator 'TRAI', is complementary to the vision Digital India



## Both Emphasize on Digital Inclusion

- Both, the '*New Net Neutrality Policy*' and the '*Digital India Strategy*' aim to mitigate digital divide

## Digital India: The Internet Focused Programme

# Programme to prepare India for a knowledge future

### 3 Key-Areas

- Digital Infrastructure as a Utility to Every Citizen
- Governance and Services on Demand
- Digital Empowerment of Citizens

### 9 Pillars

- Broadband Highway
- Universal Access to Phones
- Public Internet Access Programme
- E-Governance – Reforming government through Technology
- eKranti – Electronic delivery of services
- Information for All
- Electronics Manufacturing
- IT for Jobs
- Early Harvest Programmes

## Net Neutrality and Digital India: An Interlink

### Net Neutrality

Non-Discrimination w.r.t. accessing similar content

No Unfounded Paid Prioritisation/ Peering

No Unreasonable Blocking

No Unreasonable Throttling

No Unreasonable Fast Lanes

No Unfounded Zero Rating/ Free Lanes

No Limited Internet

No Limited Content

Fair availability of infrastructural utilities

### Digital India

Internet Access for all

Affordability of Internet

Benefits of Connectivity for all

Benefits for Local Communities

Choices for Consumers

Benefits for Makers and Entrepreneurs

Infrastructure to Support Access



**[D]**

## **Future Vision for Net Neutrality and Digital India**

# Future Envisaged

## Clear Net Neutrality Policies

- Recently, on February 8, 2016 Indian Telecom Regulator 'TRAI' released the *Prohibition of Discriminatory Tariffs for Data Services Regulations, 2016*. In coming times, more such policies within and outside India can be foreseen.

## Digital Inclusion Initiatives

- From Internationalized Domain Names to Content Localization, to free and subsidized internet, and from digital literacy drives to digital infrastructure initiatives, India and other countries will emphasis on digital access and inclusion, and net neutrality will further aid to this.

**[E]**

**Key Takeaways  
for the  
Asia-Pacific and  
Global Community**

# Key Lessons

## Public Interest

- Net must be open and practices must be directed towards long-term public and consumer interest

## Public Engagement

- Net policies, relating net neutrality and other aspects, must be made through public engagement and consultations

# Key Considerations

## Recognition of Unique Nature of the Internet

- Internet must not be equated with other utilities; it is different from any other utility, unless it is open it can't be used in real form

## Distinguishing Partial versus Free Internet

- Partial Internet shouldn't be allowed, it is like content discrimination, while free and subsidized net must be encouraged as a pro-access strategy

## Content Neutrality

- Any price differentiation based on the content being accessed, must be condemned

## Parallel Initiatives

- Along with net neutrality and subsidized access, there must be parallel digital literacy and localisation initiatives

**Thanks**