

MEMBER OF PARLIAMENT
(LOK SABHA)



#2, Firoze Shah Road, Delhi

To,

Mr. Rahul Khullar,
Chairman,
Telecom Regulatory Authority of India,
New Delhi

Date: 07/04/2015

Subject: Dissent letter regarding TRAI's move to allow violation of Net Neutrality

Dear Sir,

I write to you as an everyday internet user. I use messaging apps to keep in contact with my staff, I use cloud services to prepare documents, I use internet video calling to get in touch with experts who are far removed from my location and, most importantly, I use email & internet based messaging apps to take public opinion from my constituents. Internet forms an integral part of how I do my work, therefore I see this move by TRAI as a threat to my functioning as a representative.

Along with this letter, I am attaching a document which contains all the answers to the questions you have put up for consultation. I must tell you that I have not prepared these responses. They have been prepared by an online community called Reddit India, where thousands of young men and women who feel deeply about the issue burnt the midnight oil to give TRAI a fitting reply. They worked on this document over and over. I watched, in real-time, people editing and amending this document to raise it to a point of perfection.

You have asked suggestions about charging separately for 'Over-The-Top' services. I see this as a detrimental move that is putting conditions on the access of internet. We are standing at a juncture where other developed countries are speaking about having internet access as a basic human right. Even the United Nations said back in 2011 that restricting access to the internet counts as human rights violation. Our Prime Minister speaks about a 'Digital India' and smart cities, an India that is looking towards the future and encouraging young people to be creative on the online space. The government even elicits public opinion on complex laws & acts over the internet. If this decision by TRAI goes through, it will not only go directly against the Prime Minister's dream but also against the desires of those which wish to make India a modern nation.

I can compare the internet with electricity. If you start charging people separately for electricity that is used for heating, cooling, entertainment etc, there will be a massive outrage about that.

The internet is essentially the same. It is a free medium and telecom companies operate pipelines that provide access. People are paying to access the internet and the data transfer, not because they want to use specific services which the phone companies provide.

When Tim Burners-Lee invented the World Wide Web, he could have easily turned it into his personal fiefdom and would have been a billionaire. But he had the foresight to see that this network will change the face of how humans will communicate with each other. He gave it to the people as a collective, so that no single person can dictate how the network operates. This is an essential element of why the internet is what it is today. This freedom allowed developers and engineers to get creative. Today, we carry the world's wealth of human knowledge in our pockets. TRAI cannot control the internet by charging separately for services that are created by the very people who believe in the idea of free access to information and knowledge.

India is currently a country with the second largest base of internet users in the world, right after China. In your consultation paper, you have pointed out that 83% of these users access the internet through phones. The growth of mobile internet users in the last one year alone has been staggering. In this scenario, any person who looks at these figures would say that we have a vibrant and growing online business market.

Startup online shopping companies which were formed merely 2-3 years ago are today valued in billions. Telecom companies are seeing an opportunity to make more money by regulating the internet, by signing deals with these startups and giving their OTT apps free access. This move will essentially kill any new startups that don't have enough resources to get permission from TRAI or tie-up with big telecom companies. While the present government is busy promoting 'Make in India' and encourage startups, TRAI is allowing big companies to form monopolies over the mobile web.

This is why Net Neutrality is important for each and every one of us. It's not an 'elitist' problem, as many are arguing. It is going to affect even the poorest who now have cheap phones with internet enabled on them. As phones get cheaper and phone networks spread further, the number of internet users in India is going to shoot up. We might soon have the largest internet user base in the world. We are a growing country and we should have proper laws in place, not to regulate, but to encourage the use of internet.

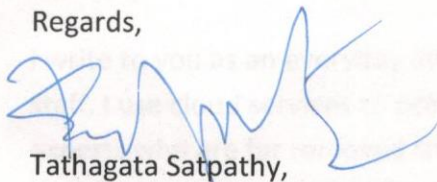
The Information Technology Act that we have currently is outdated. It deals with Digital Signatures and Database Management which are outdated concepts. India Post recently discontinued Money Orders (MO) because today everyone can transfer money using their smartphones and data connection. We have a digital currency market called Bitcoin, which is also on a rise. In these changing times, it is of utmost importance for us to keep our laws updated. As law makers, we need to understand the very nature of the internet before we even



try to regulate it. There needs to be a complete overhaul of the information technology and communication laws, after proper consultations with all the stakeholders and committees. The advent of social media, its impact and growth, possibilities of improving online markets, privacy laws and encryption, the whole gamut of issues need to be addressed.

Therefore, I oppose this move by TRAI which is infringing on Net Neutrality and I hope that you see sense in the arguments that internet users around the country are making. The internet is no more a 'network that connects computers'. It is now a social network that will help bridge social, economic and regional divides. *that India is badly suffering from -*

Regards,



Tathagata Satpathy,
Member of Parliament,
Dhenkanal, Orissa

Copy: Hon'ble Minister of Communications & IT, Mr. Ravi Shankar Prasad
Hon'ble Chairman, Standing Committee on IT, Mr. Anurag Singh Thakur
All Hon'ble Members of Parliament, Lok Sabha & Rajya Sabha