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Consultation Paper No. 8 / 2015:
Consultation Paper on Differential Pricing for Data Services

Dear Sir,

1. My response to subject consultation is as follows. I do so as an individual and a consumer of telecom services.

General

2. This consultation is similar to an earlier one on Net Neutrality. I reiterate my earlier response that any overt or covert attempt to stifle Net Neutrality is same as stifling individual's right to choice. Differential Pricing or Preferential pricing of data services will do just that, hence, unacceptable. TSPs are welcome to design their data plans based on Data Volume and Validity and leave the usage to us without any ifs and buts.

3. ***The good Samaritans who wish to offer free this or that may instead offer free data every day and leave the choice to the user. Let them not be the judge for what is good or bad for us. Hence, I also take this opportunity to register my opposition to Free Basics by Facebook*** . It is a lollipop to entrap and then loot through variety of data plans which every user of free basics will have to subscribe to access links provided by it.

Consultation Points

Question 1: Should the TSPs be allowed to have differential pricing for data usage for accessing different websites, applications or platforms?

4. No. There should not be any differential or preferential pricing by TSPs. Let them not pretend to be Good Samaritans. Let them remain good businesses and stick to providing data plans by volume and validity. No more, no less. We will choose our own websites, applications or platforms. ***We don't want any guardians on net, be it TSP or anyone else.***

Question 2: If differential pricing for data usage is permitted, what measures should be adopted to ensure that the principles of nondiscrimination, transparency, affordable internet access, competition and market entry and innovation are addressed?

5. All of these are already happening without differential pricing. Hence, there is no need for any extra measures. TRAI need only to ensure that differential pricing or preferential pricing is not allowed as it is inherently discriminatory, non-transparent, unaffordable, anti competition, anti innovation and barrier to market entry. There cannot be any measures against what is inherent to any proposition like differential pricing.

6. Hence, TRAI should not permit differential pricing in data services.

Question 3. Are there alternative methods/technologies/business models, other than differentiated tariff plans, available to achieve the objective of providing free internet access to the consumers? If yes, please suggest/describe these methods/technologies/business models. Also, describe the potential benefits and disadvantages associated with such methods/technologies/business models?

7. The only transparent method to provide free internet access is *free data volume per day as a policy and not through discretion*.

Question-4: Is there any other issue that should be considered in the present consultation on differential pricing for data services?

8. Applications / Platforms / TSPs should not only be discouraged but prevented from offering services like Free Basics / Zero ratings. **Differential or Preferential pricing should be emphatic NO.**

Conclusion

9. The gigantic promotional effort to push certain free services in the garb of great public good is on display virtually on daily basis. There are many who have been taken in by this propaganda. TRAI has an obligation to protect not only the public at large but a principle called Net Neutrality which are in danger of being enslaved by powerful enterprises. I have no doubt that TRAI will fulfill this obligation without fear or favour.

With many thanks, kind regards and best wishes for a very happy new year,

Yours sincerely,

Wg Cdr Anil Nag
30th December 2015