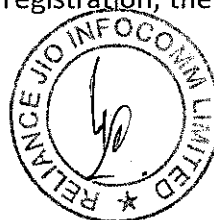


**RELIANCE JIO INFOCOMM LTD'S COMMENTS ON TRAI'S  
"CONSULTATION PAPER ON REVIEW OF TERMS AND CONDITIONS FOR REGISTRATION OF  
OTHER SERVICE PROVIDERS (OSPs)"**

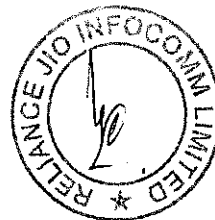
**General Comments:**

1. At the outset, Reliance Jio Infocomm Limited (RJIL) thanks the Authority for issuing this consultation paper to deliberate on the review of the terms and conditions for Other Service Providers (OSPs) as there have been numerous technological and other changes in past few years that need to be reflected in the rules and regulations governing the OSP operations in the country.
2. As highlighted by the Authority the initial thought behind bringing the OSPs under regulatory oversight was to collect statistical information about these centres and to help provide boost to the Business Process Outsourcing (BPO) Industry, while at the same time ensuring that the activities of OSPs do not infringe upon the jurisdiction of access service providers. We submit that the objective of ensuring separation of jurisdictions is achieved under the current dispensation while the envisaged objective of giving a boost to BPO industry is yet to be fully achieved.
3. Many reports site that as far as voice centric BPO services are concerned Philippines and other countries are stealing a march over India. While the natural accent neutrality has played a part in Philippines garnering most of this business, we cannot deny the role of Philippines Government support being a big contributing factor for success of BPO sector. We understand that government is providing support for expansion, training and technological needs. While on the flip side, Indian BPOs are still grappling with the operational issues of well institutionalising policy regime.
4. The process of registering a technological advanced BPO with sharing of infrastructure in the country is a long-drawn process, dependent upon vagaries of multiple interpretation by different TERM Cells, in absence of a standard operating procedure. While the OSP registration process is planned to be an online process, the applicant is also required to submit the applications in hard copy with the respective TERM Cell. Many TERM Cells have their own documentation requirements for processing an OSP registration further. Some TERM Cells demand documents like ownership proof of the OSP centre location, others seek multiple undertakings.
5. Further, while the OSP terms and conditions envisage that a single company seeking to register multiple OSP centres across multiple TERM Cells should submit only one set of Company related documents, however, in practice all TERM Cells require separate submissions. The issues do not stop at the registration, the same issues are



faced again for renewal of registration especially the same for sharing of infrastructure, which is required to be done every 3 years.

6. We submit that while carrying out this the review, the Authority may prescribe a time bound standard operating procedure for registration and renewal of OSP. Further, we submit that three-year period for renewal of sharing of infrastructure is too short and it should be made co-terminus with the validity of OSP registration. The applicant may be required to submit the applicable amount of Bank Guarantee and renew it on periodic intervals.
7. We submit that the terms and conditions for the OSP operations are adequate and would do well with certain technology-imposed upgrades. As you are aware the last major change in the OSP terms and conditions was in 2012, when the then new concepts like sharing of infrastructure and distributed EPABX architecture were introduced. As acknowledged by the Authority, there have been major changes since then, for instance a new category of service provider i.e. Contact centre service providers (CCSP)/Hosted CCSPs has emerged in the OSP value chain. These technology-based service providers set-up the entire contact centres, where a registered OSP has to just plug in to start offering the services. Similarly, contact centre development and delivery of service is another specialised field, where the service providers train and maintain the contact centre agents as well. These intermediary service providers enhance the ease of doing OSP business and should be supported and not burdened with any unnecessary oversight as the operations are already well regulated.
8. Another discernible change in telecom is the 'death of distance' as far as domestic tariffs are concerned, this combined with the emergence of integrated players carrying their own long distance traffic implies that the bypass of NLD toll is a thing of past and has no relevance any more. The emergence of the new packet-based technologies with voice being also carried as data has further blurred the lines of distinction. These latest innovations need to be absorbed in the OSP terms and conditions, while keeping the security and other conditions intact.
9. We would also bring the Authority's attention to the fact that existing security deposit in form of Bank Guarantees for infrastructure sharing, deploying distributed EPABX architecture etc. are prohibitively high and should be reduced post-haste. There is no need of mandating a Bank Guarantee in excess of Rs. 10 lacs for one centre under the sharing or distributed architecture.



10. Alongwith the above suggestions OSP regulatory regime can also do well with a well-defined definition of service that are considered OSP services. We would also recommend introduction of positive new changes like extension of an OSP centre etc.

11. To summarise, we submit as under:

1. The OSP terms and conditions should be modified to absorb the technological changes.
2. The Authority should prescribe a standard operation procedure to simplify and to ensure uniformity in the OSP registration process.
3. New concepts like extension of OSP should be permitted, however, subject to compliance with applicable security conditions.
4. The international OSPs should not be permitted to have EPABX outside the country and they should be permitted to cater to domestic customers only post registering as a domestic OSP and obtaining telecom resources from domestic service providers.
5. Sharing of infrastructure should be permitted for 20 year at one go, with periodic renewal of Bank Guarantee.

Issue wise response:

**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.**

**RJIL Response:**

1. We agree with the Authority's opinion that inclusion of 'other IT related services' in the definition of Application services makes the definition very wide and subjective, which is inherently prone to different interpretations.
2. We submit that the IT- enabled technology and the related services are expanding at a stupendous rate and considering the fact that primary objectives of the OSP registration were to boost the BPO sector, collect statistical information and ensure separation of jurisdictions, this level of subjectivity does not behove well for the desired objectives.
3. We submit that Authority should define maximum possible service to be covered under the OSP services and this list be periodically updated and published at DoT website. The Authority can appreciate that with the growth of ICT, there will be more and more innovative IT enabled services and the innovators should be aware of the regulatory oversight for their new service and legit ways to provide those services.



4. A vague and subjective definition is capable of being misinterpreted both by the service providers and the policy enforcers defeating the purpose of giving a boost to the BPO industry. The Authority can avoid this situation by devising a clear broad-based definition of Application services based on the available list of service being offered in the country and abroad.

**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.**

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

**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.**

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

**RJIL Response:**

1. We submit that the registration of the OSPs should be continued, however, the process for registration should be simplified. The current process of OSP registration involves unnecessary multiple levels of documentation submissions. The Applicant is first required to file the application online along with scanned copies of all the requisite documents about the Company with the registration fee. Post that the Applicant is required to submit the physical copies of the documents to the TERM Cells.
2. The registration process starts to vary post submission of these documents. Many TERM Cells seek additional documents, which are nowhere mentioned in the OSP terms and conditions issued by DoT. A few of these documents include proof of ownership/possession of the location where OSP centre is proposed. Certain TERM Cells also seek many types of undertakings defined on their own from the applicant.
3. This normally concludes the registration process for a plain OSP applicant however, in case the applicant is applying for sharing of infrastructure including distributed EPABX architecture, then it is in for another round of documentation. On top of it there is lack of clarity in TERM Cells on whether to mandate another round of registration fee for sharing registration or not.



4. We submit that the documents sought for OSP registration are exhaustive and adequate. The Applicant provides its company registration and details of the OSP set-up alongwith the requisite details of the Authorised signatory, which need not change. However, the process of multiple submissions and registrations should be streamlined. The Application process should be completely online with a single registration fee and the applicant should not be required to submit any documents or applications physically. Further, an OSP registered for one OSP activity should be free to add any more OSP services with an online intimation to the concerned TERM Cell.
5. We submit that the current duration of registration at 20 years is adequate and should be continued with. Further, we submit that the registration of sharing of infrastructure should also be made co-terminus with the registration of OSP and should not be restricted at 3 years.
6. The Authority may also re-visit the applicable Bank Guarantees for sharing of Infrastructure, as the 1 Crore and 50 Lacs amounts are prohibitive and can lead to grey operations that are greater threat to national security and Authority should recalibrate the Bank Guarantees accordingly.

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

**RJIL Response:**

We submit that the current procedure of OSP registration for multiple OSP centres is actually equivalent to registering single OSP center multiple times, in case they fall under different TERM Cells. As all TERM Cells have customized documentation requirements. We submit that in the interest of ease of business this should be simplified with implementation of standard operating procedure to be followed by all TERM Cells.

**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.**

**RJIL Response:**

We submit that existing provisions for determination of dormant OSPs are sufficient.



**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.**

**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.**

**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.**

**RJIL Response:**

We agree with the provisions for network diagram and network resources to be obtained only from a licensed service provider. We also agree with the current provisions for dealing with disaster using registered Hot Sites.

**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.**

**RJIL Response:**

1. We submit that the logical partitioning between the data path and voice path is a legacy requirement born out of the technological limitations of the times and have no relevance in modern data centric communication technologies where even voice is delivered as data packets. Thus, this requirement should be done away with.
2. Further, we submit that in case of sharing of infrastructure, the resources not to be shared between the OSPs should be clearly delineated and there should be a logical partitioning to keep the resources separated even in case the physical infrastructure is not separated.

**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. and**

**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. and**

**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.**



**RJIL Response:**

1. We submit that in case the International OSPs seek to serve domestic customers in India they can opt to register as domestic OSP with the applicable terms and conditions. They should not be permitted domestic operations under the International OSP registration.
2. Further, we do not support the use of EPABX at foreign location for International OSPs as this can have data privacy and security related implications. We also submit that the current restrictions on PSTN connectivity and interconnection are adequate for International OSPs

**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.**

**RJIL Response:**

We submit that the current provisions of the monitoring facilities along with the applicable terms and conditions are adequate for distributed OSP structure. Further the Authorities have additional oversight through the Telecom Service Providers (TSPs) providing the telecom resources to the OSP, thus there is no need for any additions.

**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.**

**RJIL Response:**

1. We submit that the extension of a registered OSP is primarily a case of efficient utilization of space and telecom resources and should be ordinarily permitted within a licensed service area (LSA).
2. The OSP should not be required to do any additional documentation and a mere intimation to the concerned TERM office with a TSP approved network diagram should suffice for extension of OSP within LSA.



3. As the extended OSP Centre would necessarily be using the telecom resources allocated to the original centre the EPABX restriction and other security compliances would be automatically extended to this centre and no additional compliances would be necessary.

**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.**

**RJIL Response:**

We submit that the current provisions for sharing of infrastructure between International and Domestic OSP are adequate.

**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 be 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.**

**RJIL Response:**

1. We submit that appropriate geographical limit in the distributed OSP network should continue to be country, with required registration with applicable TERM cells. The distributed OSP architecture is preferred by the service providers seeking to provide similar level of services on a single platform with local flavor. Thus, they should be permitted to have OSP centres all across the country.
2. We agree with the current provisions of logical partitioning for distributed EPABX architecture, however would request the Authority to suitably modify these requirements in view of the modern 4G technologies, where voice is also a form of data and all network traffic will be necessarily data traffic only thus the requirement to keep the voice and data paths separate can be done away with, while retaining the





requirements of logical partitioning of resources between Domestic and international OSP centres.

3. We further submit that the special dispensation provided under OSP registration, to transport the incoming PSTN calls from one location to the other should be extended to outgoing voice calls as well to enable the OSPs to provide IT enabled services in an effective and efficient manner. As the Authority is aware, there is no longer any distance based or LSA based charging in the country. STD tariffs are practically same as local charges and there is no difference for IUC charges as well. Further, all access service providers are NLD service providers as well. Thus, there is no practical case of NLD bypass in case the outgoing voice calls are transported from one media gateway to another for optimizing the service delivery, with permission of the service provider. Therefore, we request the Authority for a suitable recommendation in this regard.
4. We submit that the monitoring requirements for the distributed EPABX architecture are sufficient.

**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.**

**RJIL Response:**

1. The Contact centre service providers (CCSP)/Hosted CCSPs are an additional layer in the OSP value chain that enables ease of set-up, scalability and cost effectiveness to the OSPs without offering the application services themselves. The Authority has rightly mentioned in the Consultation paper that the CCSPs help the OSPs avail the benefits of advancement in technology at economical cost, scalability and time to deploy.
2. We submit that as the primary aim behind the registration of OSP is to give a boost to the BPO industry in the country, these intermediaries should not be brought under any unnecessary oversight. The primary players in the entire value chain of the OSP eco-system are TSPs and the OSPs themselves and as both these well-regulated there is no need of introducing any additional oversight on CCSPs.



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

**RJIL Response:**

1. We submit that the restrictions on interconnection of data and voice paths is anyhow redundant with the advent of modern data technologies, where voice also travels as data packets and introduction of untethered Internet telephony. Further the death of distance in the domestic calling implies that the only significance import of this restriction is to prevent the bypass of ILD networks.
2. We submit that ensuring a foolproof monitoring mechanism is a statistical impossibility especially when the Authority itself has noted that Grey route of ILD traffic still forms a sizable proportion of the traffic. Consequently, we submit that imposing any additional requirements will only impact the ease of doing OSP business and defeat the very purpose of this exercise.

**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.**

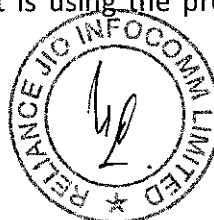
**RJIL Response:**

We submit that the CUG for internal communications of OSP is a necessary and important tool for operational efficiency and should be kept unchanged.

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

**RJIL Response:**

1. We agree with the provisions of 'Work from Home' under OSP guidelines, as this is an important cost efficiency and optimizing measure for service providers and should be continued with.
2. Further, in view of the availability of wireless broadband across the country, the definition of 'Work from Home' should be simplified and modified so that the agent can work from any location as long as the agent is using the pre-defined telecom



resources. This will ensure that the authorization is for Agent with fixed telecom resources rather than Agent with a physical location. We submit that this will help tremendously in increasing the productivity of the extended agents.

3. It is pertinent to mention here that this facility comes at a great cost and OSP is required to submit a Bank Guarantee of Rs. One Crore to avail this facility. Therefore, we submit that the Authority should recommend a suitable simplification of the process and lower the BG amount suitably.

**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.**

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

**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.**

**RJIL Response:**

1. The Security conditions prescribed for OSPs pertain primarily to right for the Authorities to inspect OSP operations and prevention of certain activities that are anyways not permitted under the law of the land, thus we agree with the security conditions.
2. Similarly, the miscellaneous conditions merely reiterate the responsibilities of the OSP and details for arbitration. We agree with the same as well as the existing penal provisions.

**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.**

**RJIL Response:**

The inter-company OSP to OSP interconnectivity can be significant only from the aspect of outsourcing certain aspects of the OSP operations to another OSP, which should not be normally required. Therefore, we do not support such 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.**

**RJIL Response:**

The TCCCPR, 2018 is a comprehensive regulation and all OSPs desirous of the offering telemarketing or related services are necessarily required to be registered as such under these regulations, bringing them under the prevalent UCC oversight. Therefore, no need of any additional provisions in this regard in OSP terms and conditions.

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

**RJIL Response:** None at the moment.

