

MR. DEPUTY CHAIRMAN: No, no; you are losing time of your discussion, your subject.

SHRIDEREK O BRIEN: Sir, just one sentence. Since the Leader of the Opposition and the Samajwadi Party have made it so clear. What their stance is on the Real Estate Bill, it needs to be further examined. Let us not do it behind closed doors. My party's view is that it should go to a Select Committee. That is all I want to say. That is all.

MR. DEPUTY CHAIRMAN: That is okay. *...(Interruptions)...*

श्री के. सी. त्यागी (बिहार): सर, हमारी पार्टी चाहती है। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: I am not allowing. If it is to be sent to a Select Committee, then, a Motion has to come for that. Let us wait for that. If the Government wants... *...(Interruptions)...* No, no; not now. Let me now dispose of the Calling Attention. After that, if it is to be moved, I will come back to you. I will allow you, if necessary.

श्री के.सी. त्यागी: उपसभापति महोदय, नरेश अग्रवाल जी के प्रस्ताव को मैं अपनी पार्टी की तरफ से सपोर्ट करता हूँ।

श्री उपसभापति: जब मैंने रूलिंग दे दी, तो फिर सपोर्ट की क्या जरूरत है? मैंने रूलिंग दे दी है, इसके बाद सपोर्ट की जरूरत नहीं है। Now, Calling Attention, please. Now, Shri Derek O'Brien to call the attention of the Minister.

---

### **CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE**

#### **The issue of safeguarding net neutrality in the country**

SHRI DEREK O'BRIEN (West Bengal): Sir, firstly, our sincere thanks to the Chair for two things. One is for prioritizing and, last week, putting the agrarian crisis discussion up, first, before having this Calling Attention on Net Neutrality. We really thank you and appreciate the Chairman's gesture.

Sir, this Net Neutrality is a complicated-sounding subject. But let me start by trying and simplifying it for those of us who are not so familiar with Net Neutrality.

THE MINISTER OF URBAN DEVELOPMENT; THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION; AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Mr. O'Brien, the normal practice is that the concerned Minister makes a statement first. And, after that, you can...*...(Interruptions)...*

MR. DEPUTY CHAIRMAN: You have to first just raise the subject.  
...(Interruptions)...

SHRI DEREK O BRIEN: Okay, Sir.

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Let me begin by making a commitment, an assurance to this hon. House and through the House to the people of India — this Government is committed to the fundamental principles and concept of net neutrality, that is, keep the Internet accessible and available to all without discrimination. Within 100 days of assumption of office, the Government under the leadership of the Prime Minister, Shri Narendra Modi, initiated the programme of Digital India in a mission mode, designed to transform India into a digitally empowered society and knowledge economy. Digital India is designed to bridge the divide between the digital haves and digital have-nots and reach digital connectivity to a billion citizens. Digital India has basically three components: (a) creation of digital infrastructure as a utility for the citizen of India; (b) digital delivery of services; and (c) digital empowerment of citizens. Digital connectivity has emerged as a key driver of economic and social development in an increasingly knowledge intensive global scenario, in which India needs to play a leadership role. The programme is designed to ensure that the socio-economic scenario across India is transformed through accelerated equitable and inclusive economic growth by laying special emphasis on providing affordable and quality access to broadband and the Internet in rural and remote areas. We are confident that sustained adoption of technology would offer viable options in overcoming developmental challenges in education, health, employment generation, financial inclusion and a host of other services designed to make life more meaningful. We recognise that digital technology can afford means for millions of our citizens to improve their economic lives.

The world has changed so much in a short time. Countries across the world have moved from an emphasis on physical connectivity to economic connectivity and lately to digital connectivity. At the heart of digital connectivity is the public Internet — which has connected near and far, poor and rich alike. Internet is a new technology — its protocols were written not more than forty years ago. The public Internet — the worldwide web is only 23 years of age. In this short span of time, it has come to occupy the centre of the world. This has been made possible by the open, democratic structure of the public Internet - equal and accessible to all those who are connected to the network. In India too, the new age economic growth is being fuelled by the Internet. This Government notes with confidence the growth of Internet in India and wide platform it has offered for innovation, investment and creativity. In particular, the

[Shri Ravi Shankar Prasad]

Government compliments the initiative and entrepreneurship of the young in making India a power-house in Information Technology (IT) and Information Technology Enabled Services (ITES). Studies by the Indian Council for Research on International Economic Relations (ICRIER) show that every 10% increase of internet subscribers leads to 1.08% increase in our GDP. A similar study by the World Bank showed that for every 10% increase in broadband leads to 1.3% growth in national GDP. While it has significant macroeconomic contribution towards growth, productivity and employment, its empowering influence not only benefits large enterprises but also start-up entrepreneurs and individual citizen.

The Internet has also emerged as a destination for public discourse. In a free, democratic country, the Internet has increasingly become an important platform of information dissemination and exchange of opinion and views. Just as India values its constitutional guarantees of freedom of speech and expression, it also values an Internet that is open. Discourse on Internet on a variety of issues has led to the empowerment of the common man. While reiterating this Government's commitment to the core principles of net neutrality, we must recognize that there are nuances to the issue which needs deliberation to make it more meaningful. If this had not been so, the issue of net neutrality would not have become an issue of debate and litigation across the world — even in the Western world — where the Internet occupies a much more central role in the nation's economy and society. I have had occasion to study the debate on net neutrality in the United States of America from where the Internet originated. The Federal Communications Commission (FCC), the communications regulator in USA, declared a set of regulations for an open Internet in 2010. These regulations were challenged in U.S. Courts by Internet Service Providers and were struck down in January 2014. Thereafter, FCC came out with a consultation paper in May 2014 that asked for a response, amongst other questions, to a query as to whether 'paid prioritization' that permits Internet Service Providers to charge content providers to provide greater bandwidth for their end-users, should be allowed. FCC was swamped by over three million mails in response to the consultation paper. The recent FCC rules announced in February 2015 have been decided by the regulator with a slim 3-2 majority and have promptly been challenged in U.S Federal Courts. As per media reports, the European Commission is meeting in early May to decide on whether Over-the Top (OTT) players who provide communication services over the Internet should be regulated.

The debate in India has also gathered over the suo motu consultation paper issued by the Telecom Regulatory Authority of India (TRAI) which asked for responses to a

number of questions concerning the regulation of OTT players. If the issue did not have nuances to it, why then would experts and regulators all over the world be breaking their heads over it? It is, therefore, imperative that we not only preserve, but also foster a non-discriminatory Internet ecosystem, wherein Telecom Service Providers, content and application providers, industries, entrepreneurs and above all, the citizens of the country have a stake. Government stands for ensuring non discriminatory access to Internet for all citizens of the country and the current debate on Net Neutrality should be seen from this perspective while resolving the issues harmoniously and consistent with the constitutional and economic principles.

What is net neutrality? Professor Tim Wu, who coined the word "net neutrality", stated, "network neutrality is best defined as a network design principle. The idea is that a maximally useful public information network aspires to treat all content, sites and platforms equally. This allows the network to carry every form of information and support every kind of application." Net-Neutrality thus refers to non-discrimination of data packets by intermediate networks of Internet on the basis of content, application, service, device, sender or recipient address etc. Generally, it places the requirement on Telecom Service Providers to treat all Internet traffic on an equal basis. Net-Neutrality has many dimensions impacting economic, regulatory and public policy aspects. The Government agrees with the viewpoint that blocking and deliberate slowing down/ speeding up of lawful content on Internet should not be allowed and customers should have unrestricted access to all lawful content on the Internet. There would be instances, such as traffic management, national security, integrity of the network, investment in infrastructure, etc. where the implications of net neutrality would need a detailed expert examination. This is what governments and regulators all over the world are grappling with.

Sir, I am informed that very few countries have opted for specific legislation for enforcement of Net Neutrality provisions. In its recently released report "2014 Web Index", Web Foundation has found in its study across 86 countries that 74 per cent of the countries lack clear and effective net neutrality rules and/or show evidence of price discrimination. On the basis of measures undertaken to enforce net-neutrality, nations can be broadly divided in three categories:

1. Countries with no specific measures undertaken, as existing mechanism is often considered sufficient to address the issue. Examples: Australia, Republic of Korea, New Zealand etc.
2. Countries with light-handed regulatory measures, for example, transparency, lowering switching barriers, minimum Quality of Service (QoS) undertaken

[Shri Ravi Shankar Prasad]

in these countries. Examples: European Commission, Japan, United Kingdom etc.

3. Countries with specific legislative measures undertaken/ being undertaken in these countries to enforce no blocking, no discrimination in treatment of traffic. But most of these provisions are not absolute but subject to reasonable network management and other exemptions. Examples: Brazil, Chile, Netherlands, USA, etc.

As per the Telecom Regulatory Authority of India (TRAI) Act, TRAI makes recommendations to Government on regulating various aspects of telecom sector through a transparent, open public consultation process. TRAI has issued, *suo motu*, a consultation paper "Regulatory Framework for Over-the-top services" on 27.03.2015. While TRAI has the power to regulate tariff and quality of service, its regulations are subject to the overall public policy of Government. On other issues, TRAI can make recommendations and final decision rests with Government. Even on tariff and quality of service regulation, these have to be in accordance and consistent with public policy and the Government has sufficient powers under the TRAI Act to invoke its national policy objectives to give directions to TRAI.

The Government has also separately constituted a committee with the mandate to recommend overall policy and technical responses to Net Neutrality. The Committee has already held stakeholder consultation meetings with Over the Top (OTT) players, Telecom Service Providers/Internet Service Providers, Civil Society Members and Consumer groups, Multi stakeholder Advisory Group (MAG) of the Department of Electronics and Information Technology (DeitY) and various Associations/Industry bodies. The committee is expected to submit its recommendations by this month end. The Government will then take a structured view on the way forward. I assure this Honourable House that the key principles of net neutrality will be followed while addressing concerns with a national outlook.

Sir, this is my very comprehensive statement on the issue of great importance. I thank the hon. Member, Mr. Derek O'Brien, for initiating it. Sir, let me conclude by saying two quick things. Internet is one of the finest creations of human mind. It must belong to the mankind, not to a few. This is the first thing I have to say. The second point: I salute the young people of India for the manner in which they have brought India on the international stage by the huge spread of internet. Sir, I am happy to inform the House that in India we have got 97.5 crore mobile phones and we have got 30 crore internet connections in India. Our aim is that very soon, in two years' time, we will have 50 crore, that means 500 million, internet connections in India and very soon we will have one billion mobile phones in India with a population of 1.25 billion.

This transformation is truly extraordinary. And internet to become global must have a linkage with the local in culture, in content and in ideas and the larger view is that it should be without discrimination. But what I am keenly looking forward in this august House is to have their ideas and their suggestions so that we can take a structured view. Sir, I want to assure the House very clearly and categorically that whatever be the Consultation Paper, the decision will be taken by the Government, by the Cabinet, consistent with the aspiration and hope of the people of India. That is all I have to say.

MR. DEPUTY CHAIRMAN: The total time allotted is one hour. I have sixteen names for clarifications. So, Mr. Derek will take five minutes and others will take two minutes each. No new name will come.

SHRI DEREK O BRIEN: Sir, firstly, I thank the hon. Minister for sharing the optimism which we always had. I want to make a few specific points on this note and then I have got some specific queries. It is a four-page note. The first two pages with all the enthusiasm shared by the Minister sounded like a Wikipedia entry on the internet. If you key in the word 'internet' or if you key in the words 'digital India', it appears all very nice, all very highfalutin and all very poetical. But I want to keep today's discussion on the facts; so I am not going to comment on the first two pages. But that doesn't matter. I think let us get to the meat of the matter. The meat of the matter first is, let us try and explain to people who don't know this. They think that this internet is one complicated thing from outer space. What is the issue? The issue is like electricity. What is the debate today? Electricity is being supplied to your home and you are paying ₹1,500. Now the electricity supplier is telling you, say, if you use your fridge and your Samsung microwave, you have to pay a little more; if you use your fan and your tube light, you will pay a little less; if you are using a washing machine which is our particular brand, you will have to pay a little less. This is the basic concept as explained to a layman. I wish the Government in the last two months had taken some trouble or stayed in the jargon of net neutrality and they have continued with the jargon through the statement. Now, I come to my specific questions. One, the TRAI had issued a consultation paper on the 27th March. The tone of the consultation paper, if anyone has read it in this House, sounds like a consultation paper dictated by a telecom major. Now, I don't want to guess as to which telecom major, but it sounded like that. Number two, the Minister has given us a thing about the youth of the country, etc. But the consultation paper of TRAI is blatantly in favour not of the consumer, not of the youth, or not of the Internet user; it is in favour of telecom majors.

Then, I come to my last point. What woke you up? BJP are very good in their trolls, like 'vote for this', 'do this for that', but this time, it is the Net which woke you up because there was a hashtag running there called 'Net Neutrality'. Emails were

[Shri Derek O'Brien]

sent, and this is the danger, to TRAI. How many emails? Ten lakh emails, one million emails, were sent to TRAI. Now, you may say that it is a small number because there are so many people in the country. The whole Internet was very angry, including your youth, etc. Now, I won't reveal the gentleman's name, but a senior BJP leader told me, "We created this Twitter and social media army. That is very good. But now, we can't control the social media army." So, it has come back like the Australian boomerang. Now, what happened was very dangerous, and this is a cause of serious concern beyond even the Net Neutrality. I say this with all responsibility. Those ten lakh people, young people, executives, people working as professionals, their ten lakh emails were leaked. They were put up on the TRAI's website for one-and-a-half days. My specific question to the Minister is as to why he has compromised the privacy of these ten lakh individuals. It is a very serious issue. Putting it up for 36 hours and then quietly putting it down is a very dangerous trend because they are going to target these people after this.

I have got three specific questions. One, I think, he has answered. I had asked you as to what is the Government's stand on Net Neutrality. On page 3, he has written three bold lines there. If I take that as the answer, that would be acceptable if it is his stand. I would request the Minister to make it clear on the floor of the House. Number two is the larger question. Is the Government considering amending the IT Act? If yes; all right. If no; why? Is the Government considering regulating the Internet in a good way? Like electricity, are you considering Internet being for public good?

Then, Sir, I have got three suggestions. We need to create the rules, but I am sure you will agree, and we also agree, that we need the rules. Do you intend to make the Internet into a licence raj?

Then, I come to last two points. He has said that he has listened to all the stakeholders. I am happy that the hon. Chairman brought this subject up, and I am even happier that the issue of agrarian crisis came before this; otherwise, we tend to get carried away and we think that Net Neutrality is the end of the world. No, that is not so. Agrarian crisis is hundred times more important than Net Neutrality. So, on this freedom of speech debate, he has said it in his reply, and I will accept it in that spirit. Talk to everybody; you have got a strong message on the users of the social media. Those are the people we talk to. *(Time bell)* Sir, now, I come to my last point. Will the Minister give an assurance to the Parliament that no action will be taken, TRAI or otherwise, without taking the Parliament into confidence? Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, Shri D. Raja - no. Dr. Ashok S. Ganguly; you have only two minutes. Only put the questions.

DR. ASHOK S. GANGULY (Nominated): Sir, I just want to compliment the Minister for the statement that he has made, but do not underestimate the US's resolve to dominate this area, specifically after the leakage of the Snowden e-mails. It will have access to global Net and privacy and secrecy of our Defence Services and our private citizens is going to be challenged. How are you going to avoid that? The European Union's battle against Google right now is of great relevance to India because what it is forcing Google to do is to become Net neutral and that should be followed very closely. There is a hidden agenda of the service providers. It is for example like the public water supplies, hon. Minister, suppose they who say that when we supply you water, we will make a distinction between the price of water used for, say, drinking or used in the toilets. It is a very serious issue. We have to simplify the issue to this level because the ability of the service providers is beyond our comprehension. The TRAI must make its intention clear, and once the hon. Minister is clear about what is going to be done, I repeat what Mr. Derek O'Brien has said, kindly bring it back to the floor of this House because the Net is going to be the principal instrument for fighting poverty, for maintaining privacy, and when those one billion people have the net in their hands, they must have the freedom as Indian citizens, and not subservient to any service provider or international innovator. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Thank you. Now, Shrimati Kanimozhi. You have only two minutes. Just put the questions.

SHRIMATI KANIMOZHI (Tamil Nadu): Thank you, Sir. The Internet is going to redefine our future and create a wide array of economic opportunities for the younger generation. We must take care and make sure that these opportunities are for everyone and not for a select few. That is why it is important that the principle of Net Neutrality is developed by our Government. Sir, I would like to give an example which I read on the Internet when this issue had come up. Such an interesting thing can only be said by the youngsters on the Net. When this problem came up, they described it as going into Disneyland, paying an entrance fee and a separate fee for every ride. All the rides which are most sought after, you pay for them, and there are a few free rides also. So, this is how beautifully they are able to express themselves on the Net. We should take care that nothing stops this, nothing changes this. We have always been wondering whether the younger generation is concerned about the social issues, concerned about issues which affect them and affect us as a country. When this issue came up, we could clearly see how the younger generation, specifically of this country, came together and fought against this as a whole. The social media sites have been buzzing with the activity to save the Net. This activism is very important. It has been the first step and it has to spread to other issues also.



[Shrimati Kanimozhi]

Sir, I would like to have just a few clarifications. I thank the Minister for his statement here. He reiterated many times in his statement that they will make sure that there is Net Neutrality. (*Time-bell*) What are the steps being taken to address the concerns raised by small websites that they would not be able to compete with the powerful websites who are joining hands with the Internet service providers.

Sir, in his statement, the DMK Treasurer, Mr. Stalin, has declared that Internet should become a civic right like others. Does the Government have any proposal to make Internet a civic right which can be addressed by one and all? And, Sir, according to media reports, TRAI was supposed to hold discussions with multi shareholder advisory group on this topic. What are the outcomes of this discussion? The Government should make sure that all its websites and portals, they are, should be free online. This has showed that the Government is serious about e-governance. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Okay. Now, Shri Ritabrata Banerjee. Please put your questions in two minutes.

SHRI RITABRATA BANERJEE (West Bengal): Sir, I am a last bencher. We get very few opportunities. I just crave your indulgence, maybe half-a-minute more; not more than that.

MR. DEPUTY CHAIRMAN: No, no; only two minutes for everybody.

SHRI RITABRATA BANERJEE: Sir, we strongly criticize this so-called 'Consultation Document' actually published by the TRAI, a Document that supports the interest of telecom companies and Internet monopolies against the people. We also support this on-going struggle for Net Neutrality. Now, there is a continuous demand that the Internet must be declared a public utility because Internet is a source of knowledge, a means of communication and a vehicle for all forms of media. Interestingly, a number of telecom companies, such as Airtel and Reliance, along with some Internet companies, are offering "special packages". They bundle only a few websites and applications with their services, pretending that this limited Internet is the whole internet. This is a dangerous thing because such cartels between the telecom companies and a few global internet monopolies will lead to further concentration of economic power on the Internet. Now, my specific question is, these telecom companies are continuously arguing that they need more money to build infrastructure and meet the demand of new Internet-based services. Hence, they claim, they need to violate Net Neutrality. What the telecom companies do not disclose is that the revenues from the data services they are earning, that was 100 per cent in 2014. Every quarter, this

is leaping up. This Facebook, Whatsapp, Youtube are fuelling the revenues. What telecom companies are asking, therefore, is to be paid twice. We, as users, will pay once and they also want the Internet companies to pay them more money. So, I will urge upon the Government that this thing needs to be looked upon.

I just want to make one point that today, incidentally, is 5th of May. Hundred and ninety-seven years ago on this very day, Karl Marx was born. World's greatest philosopher had once pointed out that the ideas of the ruling class are in every epoch the ruling ideas. Not only this; the class which has at its disposal the means of material production, also in turns controls the means of mental production. Today, this on-going struggle for Net Neutrality is proving this once again. I would urge upon the Government once again, particularly, on this point of telecom companies, they want to be paid twice. That needs to be looked upon. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Okay. You are very clever. You brought Marx also in the discussion. Now, Shri Vivek Gupta.

SHRI VIVEK GUPTA (West Bengal): Sir, I thank you for giving me this opportunity ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Put your question in two minutes.

SHRI VIVEK GUPTA: Sir, I have already raised this matter under the Zero Hour last week. I just do not want to repeat whatever has been said. But, Sir, as India is growing, more villages are getting electricity. There is a situation happening that there are a lot of places where single operators are only there providing net. If these people are allowed to exploit, that will become a very difficult and a dangerous situation. Also, I would like to know from the hon. Minister, through you, when the Government itself is an interested party because these telecom operators share a part of their revenue with the Government, so, how does the Government plans to balance this potential of increased revenue coming through non-Net Neutrality and protecting the freedom of expression?

Sir, my second question, through you, to the hon. Minister is: how will a level-playing field be provided to small businesses, to start up business, who use the Internet and e-commerce to further their growth and to try and compete with the big giants of the world? Facebook and some other companies have, in fact, made voluntary gestures for going for Net Neutrality. If the biggies do not want it, I fail to understand why the TRAI is over-enthusiastic in disclosing all ten lakh e-mails and putting all these people at risk and siding with these operators. I want an inquiry, through you, to go behind who is behind this concept in India, who is trying to instigate it because the Government says that they do not want it. The consumers do not want it. The Internet

[Shri Vivek Gupta]

biggies, Facebook etc., do not want it. So, who wants it? I just want an answer from him. Thank you, Sir.

**श्री तरुण विजय (उत्तराखण्ड) :** उपसभापति जी, जो नेट न्यूट्रैलिटी का विषय उठा रहे हैं और कहते हैं कि भारत में 30 करोड़ लोग इसका इस्तेमाल करते हैं, उन्हें यह बात समझनी चाहिए कि नेट न्यूट्रैलिटी जैसा भारी-भरकम शब्द इस्तेमाल न करके इसको सीधे-सीधे इंटरनेट की आज़ादी से जोड़ा जाए। जिस तरह से एक आज़ादी की लड़ाई थी, संविधान की लड़ाई थी, उसी तरह से इंटरनेट भी हमारी अभिव्यक्ति की, स्वतंत्रता की, आज़ादी की लड़ाई है और आम आदमी उससे वैसे ही जुड़ा है, जैसे गांधी जी के नमक सत्याग्रह से जुड़ा था। आप यह मज़ाक, यह हल्कापन छोड़ दीजिए और अंग्रेजी की बजाय भारतीय भाषाओं में बड़ी संख्या में, करोड़ों की संख्या में नेट का इस्तेमाल करने वाले जो लोग हैं, उनको वापस टेलीकॉम की गुलामी में मत झोंकिए। हमारी एक आज़ादी अंग्रेज़ों से हुई थी और दूसरी गुलामी, जिससे हमें बचना है, वह टेलीकॉम की गुलामी है, इसलिए मैं यह कहना चाहता हूँ कि सरकार यह सुनिश्चित करे कि वह ई-मेलिंग को ब्लैक-मेलिंग में तब्दील न होने दे। आज हम ग्रामीण क्षेत्रों में जाते हैं, लैंड का इस्तेमाल करते हैं, जमीन का इस्तेमाल करते हैं, पानी का सर्वे करते हैं, बच्चों की शिक्षा की व्यवस्था करते हैं, हिंदुस्तान का कोई ऐसा क्षेत्र नहीं है, जहां पर इंटरनेट के बिना काम होता हो। उसको शिकंजे में कसना, वापस सामान्य जन के सिविल राइट्स को गुलामी के शिकंजे में लेना, ये जो टेलीकॉम कंपनियां हैं, ये शाइलॉक हैं, ये लोग शाक्स हैं और ये अपने फेल्योर के लिए जनता को पनिश करना चाहती हैं। इनका जो value added fraud होता है, उसमें हमें बिना subscribe किए हर महीने बिल दिया जाता है। वोडाफोन कम्पनी ने अभी मेरे बिल से 10 हजार रुपए कम किए। दो साल से वे मुझसे पैसे ले रहे थे कि मैं ब्लैकबेरी यूज़ कर रहा हूँ। वे उसका किराया ले रहे थे, जो मैंने नहीं देखा। वे एक असत्य, जालसाजी भरा और scandalous overbilling करते हैं और उसके बाद कहते हैं कि हमें घाटा हो रहा है। (समय की घंटी)

MR. DEPUTY CHAIRMAN: Put your question.

**श्री तरुण विजय :** रवि शंकर जी, आप कृपया यह मत कहिए कि दुनिया के 86 देशों में 74 में कोई clear और effective net neutrality Bill नहीं है। अगर यह नहीं है, तो नहीं है, let India lead the world in making the legislation for ensuring net neutrality. I would urge the Government to introduce an Internet Bill of Civil Rights, ताकि net neutrality में हमारे civil rights मजबूत हो सकें। (समय की घंटी) हम दूसरे देशों की ओर न देखें, यह गांधी का दूसरा नमक सत्याग्रह है, सरकार इसका समर्थन करे।

MR. DEPUTY CHAIRMAN: Prof. M.V. Rajeev Gowda. Put the questions in two minutes.

PROF. M.V. RAJEEV GOWDA (Karnataka): Sure, Sir. In February, a 69-year old farmer from North Karnataka participated in a pre-Budget discussion with our Chief Minister Siddaramaiah. He suggested to the Chief Minister that crop insurance claims could be settled promptly, without corruption, if the Government made use of

Google Earth to map the coordinates of the land and WhatsApp to transmit pictures of the crop damage. That is just part of the wisdom coming from an earthy old man talking about the transformational potential of the Internet.

If we want to make use of its transformational potential, we have to ensure net neutrality. I have had the chance to participate and use technology before the Internet was born. I have seen how private networks have fallen aside and open networks have flourished; how crowdsourcing has been possible; and how the mainstream media, which is in the hands of the corporate sector, has been bypassed by free and open social media, which has even ushered in revolutions like the Arab Spring.

Sir, net neutrality will ensure that newer apps and technologies will emerge that will, in the words of Star Trek, “help people to boldly go where no man has gone before.” We should not find any way to slow down this extraordinary unleashing of the power of human ingenuity.

Sir, telecom service providers have been licensed to carry traffic. It does not matter whether the traffic is a film or a song or a voice message or digital data. Essentially, they are being paid for that platform access and they should not affect these bits and bytes through subtle methods of slowing down or discriminatory access. If we create a net neutral platform, we will allow online education, mobile commerce and all kinds of other innovations to flourish. Only then can India achieve its demographic dividend. My question to the Minister is this.

MR. DEPUTY CHAIRMAN: Put your question.

PROF. M.V. RAJEEV GOWDA: While I am happy with his commitment to net neutrality, what about the independence of TRAI, if he is saying that the regulatory authority does not matter or every decision is going to be overruled by the Ministry on the grounds of public policy?

MR. DEPUTY CHAIRMAN: He did not say like that.

PROF. M.V. RAJEEV GOWDA: That is the implication of his statement. Please, Sir, pay attention to the exact details of what he said. He said, “Whatever TRAI says, we will do it on the basis of public policy. It is our responsibility.” I want the independence of regulatory authorities also to be maintained.

MR. DEPUTY CHAIRMAN: Put your question.

PROF. M.V. RAJEEV GOWDA: How will the Minister ensure that?

MR. DEPUTY CHAIRMAN: Shri Rajeev Chandrasekhar. Put your questions in two minutes.

SHRI RAJEEV CHANDRASEKHAR (Karnataka): Sir, I thank the Minister for his statement. I echo what Derek said. He said that net neutrality is not a very complex or philosophical statement. It is, at its heart, a very simple but vital issue of protecting consumers' interest and protecting them from telecom companies that want to be gatekeepers of the Internet.

Sir, to him, the simple message from the netizens is that the Internet must remain accessible, fair and open. The consumers will oppose any move by telecom service providers to carve out the Internet into islands based on commercial contracts in an attempt to what I referred to as Cablisation of the Internet.

Sir, I have four questions for the Minister. He referred to this 74 per cent of the countries not having legislation. I would point out to him that today the legislation *vis-à-vis* consumer rights and interests in telecom is very, very weak. Please do not use that as an example to not legislate on net neutrality. We must get a legislation for net neutrality. Please assure us that there will be explicit legislation and rules for the same.

Sir, my second question is on the important issue of the conduct of TRAI. I have repeatedly raised in this House the need to review the independent regulator. What is the Minister going to do in the face of this terrible behaviour and conduct of TRAI in this consultation? Will he do a comprehensive review of the TRAI and the TRAI Act, specifically about sections in the Acts that deal with consumer protection and consumer interest?

Thirdly, Sir, the TRAI Chairman has raised an issue that there is corporate rivalry that has led to this issue of net neutrality debate. It is a deliberate distraction from the fact. I must request the Minister to direct the TRAI to disclose any evidence that they have on corporate rivalry that has led to this net neutrality discussion. It is the right of Parliament and the people to know, especially when people are trying to distract away from a real important debate.

Fourthly, Sir, I want the Minister to assure the House that consumers cannot, will not, should not and cannot – again I am saying cannot – be guarantors of the business plan of telcos nor is it the Government's job to protect these companies from technological disruptions that are the new novel in this sector. (*Time-bell rings*) I expect four assurances from the Minister. *Jai Hind*.

श्री आनंद भास्कर रापोलू (तेलंगाना): माननीय उपसभापति महोदय, विषयाप्त वार्तालाप के ऊपर, उसकी आपत्तियों के ऊपर सदन का ध्यान आकर्षित करने के लिए, सदन की सावधानी आकर्षित करने के लिए इस प्रस्ताव के प्रति मंत्री जी का जो समाधान था, वह अर्ध-सत्य है and the

last week in the other House of the Parliament, when my leader took up the cause of net neutrality, the hopes of the Indian citizens have been raised. Hon. Sir, net neutrality is a gentlemen agreement. Net neutrality is world web norm. Net neutrality is a level-playing field. At the same time, net neutrality is yet to attain the global legality. That is why, the complications are growing. The websites are the hidden treasures. The riches and the resources on the platforms of Google, Twitter, Facebook and all other social media have been creating envy and also enlarging the complications. Yet, the internet service providers' role has changed. By 2013, among the world net population, India attained the third largest position. Now, we are leading and guiding, but with this net neutrality and the coming complications of the decade, it throws a challenge on the usage of spectrum, not only the usage of spectrum, but also the under-sea cables.

MR. DEPUTY CHAIRMAN: Please put your question.

SHRI ANANDA BHASKAR RAPOLU: In six years, there will be pressure on the cables, internet cables, etc.

MR. DEPUTY CHAIRMAN: Mr. Rapolu, put your question. Your time is lost.

SHRI ANANDA BHASKAR RAPOLU: I am coming to that. ...*(Interruptions)*... On internet cables, the pressure is going to grow and internet is going to collapse. What measures is the Union Government going to take in that direction to enable safe internet which has become the principal utilisation platform for the delivery of administration and for development and welfare? At the same time, your answer has again given us tension that through TRAI, your intentions are dubious. Thank you very much.

SHRI A.U. SINGH DEO (Odisha): Sir, I completely agree with Mr. O'Brien and Chandrasekharji and what they have said. The concept of neutral publicly accessible information and transfer of that information has been around since the days of Alexander Graham Bell. Basic public infrastructure such as subways, buses, telephone companies, etc., are not allowed to discriminate, restrict or differentiate common access and this is the core concept behind net neutrality as well. In countries such as the United States, this has been a topic of much contention and telecom companies have attempted to regulate free internet usage, but they failed due to massive public response against it. Now, breach of net neutrality is illegal in the United States of America. The vested interest of telcos is pushing the Government to consider breaching the principle of net neutrality, that is, the free and fair and non-discriminatory usage of internet. Sir, should we not have the freedom to decide what websites to access and the speed at which to access without telecom companies imposing costs upon us? Why should I be forced to make a choice between using a Skype or a bingo? My understanding of the

[Shri A.U. Singh Deo]

Net Neutrality tells me that if the change in the regulation goes through, then, those who tie up with certain applicants, in exchange for a price and provide free access only to those applicants, then, in the event that I want to use certain other apps, I would have to pay a separate price for it.

Sir, here my question to the hon. Minister is the net neutrality is central to the Prime Minister's vision of Digital India. The hon. Prime Minister has envisaged a Digital India, and that thought and vision had been lauded, not just in our country, but all over the globe. Facebook, CEO, Mark Zuckerberg who visited India last year, not only complimented but also spoke about how he plans to get millions of Indians on line. As my hon. friends, Mr. Rajeev Chandrasekhar and Prof. Rajeev Gowda, have rightly put the questions and conditions, I would like to ask the Prime Minister : How can this be possible when the free usage of the internet is under threat?

**श्री उपसभापति:** श्री रवि प्रकाश वर्मा। आप दो मिनट के अन्दर अपना सवाल पूछिए।

**श्री रवि प्रकाश वर्मा** (उत्तर प्रदेश): सर, नेट का इस्तेमाल पूरे हिन्दुस्तान में बढ़ गया है। यह नगरीय एवं ग्रामीण क्षेत्रों में भी बराबर बढ़ रहा है। सर, जो सरकारी ऑपरेटर है, उसके माध्यम से ग्रामीण क्षेत्रों में सर्विसेज अवेलेबल हैं, लेकिन आज मजबूरी यह हो गयी है कि जो नेट की सर्विसेज और वैल्यू एडेड सर्विसेज हैं, उनके लिए ग्रामीण क्षेत्रों में भी लोगों को बीएसएनएल के अलावा दूसरे ऑपरेटर्स के सिम लेकर काम करने पड़ रहे हैं और कई मोबाइल फोन्स रखने पड़ रहे हैं। मुझे लगता है कि ट्राई की जानकारी में तो सब कुछ है, लेकिन आज सवाल ट्राई के उपर है कि जब ट्राई इस बात को जानती है कि हिन्दुस्तानियों को इस तरीके से ठगा जा रहा है, तो वह आज की तारीख तक करती क्या रही है? ट्राई देख तो सरकार को रही है, लेकिन वह प्राइवेट ऑपरेटर्स के द्वारा ऑपरेट हो रही है और कहीं न कहीं उनके इंटररेस्ट्स को डिफेंड कर रही है। तो मैं माननीय मंत्री जी से यह सवाल पूछना चाहता हूँ कि ट्राई का यह जो बिहैवियर है, उसको वे कैसे रेगुलेट करेंगे और जो नुकसान ग्रामीण क्षेत्रों में लोगों का हुआ है, उसे कैसे कम्पेंसेट करेंगे? धन्यवाद।

**SHRI SHANTARAM NAIK (Goa):** Mr. Deputy Chairman, Sir, the hon. Minister has stated in his statement on page 3, I quote: "The Government stands for ensuring non-discriminatory access to Internet for all citizens of the country and current debate on Net Neutrality should be seen from this perspective while resolving the issues harmoniously and consistent with constitutional and economic principles." You have used very high language and broad principles. I hope you will stick to this in future when the time comes.

Further, you have also said, "The Government agrees with the viewpoint that blocking and deliberate slowing down/speeding up of lawful content on Internet should not be allowed." I think, in course of time, you will be able to define the

"lawful content", because a lot of controversies have arisen due to these wordings. Kindly look into it.

My specific questions are: Will you enact legislation on Net Neutrality? Because so far many countries have opted not to have any legislation. What is the rationale of those countries that have opted not to have a law in the matter? Have you contacted any of these countries or Governments to know their mind on the subject?

SHRI ANIL DESAI (Maharashtra): Mr. Deputy Chairman, Sir, the potential of the Internet and its usefulness has been stressed by every speaker who spoke before me on this very important subject. I am of the same opinion that Net Neutrality has to be there. If it is not there, then, it means that the Internet service providers will be able to charge companies like YouTube or Netflix as they consume more band width. Eventually the load of extra sum will be passed on to the consumers. Net neutrality is extremely important for small business owners, start-ups and entrepreneurs, who can simply launch their businesses on-line, advertise the products, and sell them openly without any discrimination.

Sir, I would like to ask the hon. Minister, by what time would the legislation on Net neutrality be coming to the House, so that the anxieties of all the netizens are put to rest.

MR. DEPUTY CHAIRMAN: Thank you. Shri Narendra Kumar Kashyap.

श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश): सर, माननीय मंत्री जी ने नेट के बारे में, नेट के विकास के बारे में जो बातें रखी हैं, सदन और देश, दोनों उनके साथ सहमत हैं और हम इस बात को भी महसूस करते हैं कि इसके विस्तार और सुधार की और भी कुछ आवश्यकताएं हैं। मैं आपके माध्यम से माननीय मंत्री जी से केवल दो बातें जानना चाहता हूँ। पहली बात तो यह है कि इंटरनेट के यूज के लिए बेहतर नेटवर्क की जरूरत पड़ती है, हमारा देश चाहे ग्रामीण अंचल में बसता हो या शहरी अंचल में बसता हो, माननीय मंत्री जी, आपकी जानकारी में यह चीज होनी चाहिए कि हमारे देश में बीएसएनएल/एमटीएनएल, गवर्नमेंट की संस्थाओं का वह नेटवर्क है, जो देश में प्रॉपर्टी अभी तक उपलब्ध नहीं हो पा रहा है। मैं पूरे देश की बात न भी करूँ, एक सांसद होने के नाते अगर मैं अपनी बात आपसे कहूँ, तो आपको जानकर हैरत होगी कि जो मोबाइल जनहित के प्रयोग के लिए मुझे उपलब्ध कराया गया, गाजियाबाद के राजनगर सेक्टर 23 में मेरा आवास है, मेरे मकान पर कभी भी मेरे मोबाइल का प्रयोग नहीं हो सकता और प्रयोग इसलिए नहीं हो सकता, क्योंकि वहां पर आपका नेटवर्क ही नहीं है, वहां पर सिग्नल होता ही नहीं है। हम इंटरनेट के विकास की बात कर रहे हैं! 80 करोड़ से ज्यादा लोग मोबाइल यूज कर रहे हैं, तमाम चीजें हैं, लेकिन सरकार की प्राथमिकता में यह भी आना चाहिए कि इंटरनेट का प्रयोग तब हम कर पाएंगे, जब हमारे पास अच्छा नेटवर्क होगा। क्या माननीय मंत्री बीएसएनएल/एमटीएनएल नेटवर्क को हर जगह उपलब्ध कराने के संबंध में कोई प्लान, कोई रूपरेखा सदन में स्पष्ट करेंगे? ...**(समय की घंटी)**...



[श्री नरेन्द्र कुमार कश्यप]

**3.00 P.M.**

सर, मैं दूसरी बात कह कर अपनी बात समाप्त कर दूंगा, अभी एक मिनट हुआ है। दूसरी बात यह है कि आज फेसबुक और व्हाट्सऐप पर, इंटरनेट पर जो कुछ हो रहा है, वह भी देश और दुनिया जान पा रही है। यह बात सही है कि युवा भी, उद्योगपति भी, पॉलिटिशियन्स भी, आम आदमी भी, किसान भी, सबको इंटरनेट का, फेसबुक का, व्हाट्सऐप का लाभ मिल रहा है, यह मिलना चाहिए। इससे भी हम लोग सहमत हैं, लेकिन मंत्री जी, कभी-कभी इसके अपवाद पर भी चिंता करनी चाहिए। आज फेसबुक, व्हाट्सऐप, इंटरनेट पर लेडीज और जेन्ट्स की नंगी फोटोज, गालियां, अपशब्द, बुरे संदेश बड़े पैमाने पर चलते हैं। हम अभी भी आपको मोबाइल में दिखा सकते हैं। यह जो एक बीमारी भारत की संस्कृति को समाप्त करने की शुरु हो गई है, भारत की सभ्यता को बिगाड़ने के लिए शुरू हो गई है, तो नेटवर्क, इंटरनेट के जरिए, फेसबुक के जरिए या और जो भी इस तरह के साधन इस देश में आए हैं, क्या माननीय मंत्री जी, ऐसा कोई ठोस कानून बनाएंगे ...**(समय की घंटी)**... जिस कानून के जरिए कम से कम इंटरनेट, फेसबुक या व्हाट्सऐप पर ये गंदे संदेश और संस्कृति को मिटाने वाली चीजें उपलब्ध न हों? महोदय, मैं आपके माध्यम से इन दोनों बातों की ओर माननीय मंत्री जी का ध्यान दिलाना चाहता हूँ। धन्यवाद।

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Thank you, Sir. I thank the hon. Minister for Communications and Information Technology, Ravi Shankar Prasadji, for his statement.

The entire world has become a global village because of the Internet. Net neutrality is a fundamental right under article 21 of our Constitution, that is, the right to life, and also a fundamental right under article 19(1)(a) of the Constitution, that is, the right to freedom of expression. Without Net neutrality, our life would become meaningless. Therefore, the AIDAMK, headed by hon. *Amma*, firmly supports the concept of Net neutrality and is against any attempt by corporate interests to restrict the Internet.

The Central Government should take a firm stand and continue to safeguard the interest of Net-users by maintaining absolute net neutrality. While the Government is firm to maintain the net neutrality, how are the corporates proposing to charge extra for use of WhatsApp, Skype, iPad and other applications? So, the Central Government must be very firm in its stand and should not allow the corporates to exploit the poor citizens of India. Thank you.

SHRI K.T.S. TULSI (Nominated): Sir, all I want to focus on is that legislative measures will have to be adopted for protection of the integrity of data and also for ensuring privacy. If privacy is compromised, like the instance which Shri Derek O'Brien gave, where the identity of 10 lakh people, who sent the e-mails, was compromised, if that kind of a thing continues to happen, one can dread to think of it

because most of the crimes these days are linked to Internet, misuse of Internet. But to whatever extent we can, through legislative process, at least, protect the privacy and integrity of data, that is going to be most critical for the growth of this sector. I think since India is an IT superpower, we must take the lead in evolving a proper legislation to regulate the rights of the consumers. Thank you.

MR. DEPUTY CHAIRMAN: Section 66A is already gone. Shri D.Raja.

SHRI D. RAJA (Tamil Nadu): Mr. Deputy Chairman, Sir, protecting net neutrality is the responsibility of the Government. Failure to do so would mean allowing the corporate censorship. Corporate ISPs should not have control over what websites would be available to the consumers. Corporate ISPs should not be allowed to differentiate in terms of speed for different websites. Sir, various nations across the world have, over the last few months, brought in legislations to protect net neutrality. Now it is essential for our Government also to wake up to the necessity to protect freedom of choice for consumers and to ensure a level-playing field for all web companies. I would like to know whether the Government would evolve a comprehensive policy, a stated policy on net neutrality. I would also like to know whether the Government would ban certain corporate companies which are against the spirit of net neutrality. If not, why? The Government should answer it.

Nations like Germany have laws promoting open source software in education, Government Departments and defence. This will not only save foreign exchange worth millions of rupees, this will also be critical for defence of the nation. Finally, I am not quoting Karl Marx, but definitely I quote Dr. Ambedkar. When you talk of consistent with Constitution on economic principles, it is Dr. Ambedkar who said in the Constitution, State should ensure all means of protection to the common good of the society. Will the Government ensure that? Thank you. Sir, I have a very small specific question. It is the responsibility of the TRAI to have net neutrality and the independence of it. Now, if that is there, I am surprised that there is an air of skepticism from the TRAI itself and they are saying, "It is not because of us but because of the rivalry and competition of corporates that this has cropped in." I want to ask the hon. Minister: Is this not their responsibility? They should have cleared the air and seen why it has cropped up.

SHRI RAVI SHANKAR PRASAD: Sir, I am very grateful for a very eloquent, thought-provoking exchange of ideas starting with my esteemed colleague, hon. Member, Shri Derek O'Brien, ending with Shri D. Raja, another senior hon. colleague and Shri V.P. Singh.

MR. DEPUTY CHAIRMAN: Don't put Raja at the last. Raja should be put at the first.

SHRI RAVI SHANKAR PRASAD: Sir, I thank all the hon. Members and I do not want to take their names, but one thing has surprised me. हर विषय पर हमें माननीय त्यागी जी के ऊर्जावान विचार सुनने को मिलते हैं और इतने महत्वपूर्ण विषय पर उनकी खामोशी ने मुझे बहुत हैरत में डाला है। चलिए, हमें आगे फिर कभी उनके विचारों को सुनने का अवसर मिलेगा, ऐसा हमें लगता है। Sir, a lot of debate ranged around the concept of net neutrality. I don't think we need to debate that at all. It is very clear. My idea, being conveyed to the internet, must go in an unhindered manner, and that I need not pay more about it and the companies should not charge more about it. That is a very simple idea of what net neutrality is about. But what is a matter of great assurance for me today, Sir, is that the entire House today has spoken in one voice, and the quality of debate shows the entire depth of the House. Sir, there is an expression which I have used in some other context, and I want to use it here also. What is the hallmark of our House, Rajya Sabha? It is 'substance without flamboyance' and I saw that here...

MR. DEPUTY CHAIRMAN: Especially today.

SHRI RAVI SHANKAR PRASAD: Yes, especially today. All the Members rose to greater heights in the larger cause of net neutrality. सर, मैं बहुत विनम्रता से माननीय तरुण विजय जी को आश्चस्त करना चाहूँगा कि नेट की आज़ादी के लिए नमक सत्याग्रह की तरह कोई संघर्ष करने की जरूरत नहीं है। ...*(व्यवधान)*... जब तक हमारी सरकार है और इस सदन का साथ है, तब तक नेट की आज़ादी रहेगी, यह मैं आश्चस्त करना चाहता हूँ। इसके लिए ज़रा भी कोई — उसके बारे में मेरा वक्तव्य भी बहुत स्पष्ट था। ...*(व्यवधान)*... आपको तो बोलने का अवसर था, आपने बोला नहीं, तो अब आप शान्त रहिए। Sir, I am very happy to see the kind words used by my good friend, Shri Derek O'Brien, today though it came with a lot of caveats. No problem. I want to assure this House that the Digital India is not a programme of the Government of India. Digital India is a programme which we owe to the future generations of India, to bridge the divide between the digital haves and the digital have-nots. It is a programme where Bengal Government and the Government of India, Uttar Pradesh Government and the Government of India, have to work together. And, my idea of Digital India is — I would like to have a debate on Digital India at one point in time and I will answer this — about masons, carpenters, electricians and other lowly paid persons, using their Smartphone in quest of their jobs and getting empowered. That work has started in India today. Therefore, this is something which we owe to the people of India, and connectivity is an important part of that. And this connectivity should become available. माननीय कश्यप जी, कभी बीएसएनएल पर चर्चा होगी। आपने गाजियाबाद के बारे में बताया, मैं उसको देखूँगा। ...*(व्यवधान)*... एक मिनट, ज़रा मैं अपनी बात कह दूँ। उन्होंने अपनी बात कही। मैं विस्तार से चर्चा करूँगा, पिछले 10 सालों में बीएसएनएल में क्या-क्या कमजोरी आई है। मैं इतना ही कह सकता हूँ कि बीएसएनएल

देश में 25,000 नए टावर्स लगा रहा है। स्वयं एमटीएनएल दिल्ली और मुंबई में 800 और 600 टावर्स लगा रहा है। उसे और सुधारने की गुंजाइश है। आपने राजनगर की बात कही है, उसकी मैं चिन्ता करूँगा कि वहाँ क्यों समस्या है। But, Sir, we need to understand the larger concept. Net today is the age of information. Information is power, and as I said in my statement, a country more well connected gets reflection in the growth rate of the people of the country and also of the country itself. Therefore, the larger concept is very clear. We have not the slightest doubt. But instead of referring to each Member let me go issue-wise to the questions which have been raised.

First is the question of TRAI. I want to assure Mr. Gowda that TRAI Act came in 1997. Who was in power in 1997; I will not go into it. But Section 25 is available in TRAI Act right from day one. On a question of policy, the Government can give directions and that is a very right decision taken by the law makers then. A lot of concerns have been expressed about TRAI. I will deal with that separately. But, suppose, it is a hypothetical situation, hon. Deputy Chairman, Sir, a particular TRAI formation tries to take a decision which is not in tune with country's needs and country's future; the Government must have the right to give direction as a matter of policy to intervene. By doing that, we are not compromising the independence of TRAI. We are fulfilling our obligation to the people of India. That is what I would like to say.

Sir, a second question arose about so many mails being made public. Mr. Derek O'Brien also mentioned about that. Sir, in terms of architecture, as it is in the TRAI Act, they have to make all their consultation papers public so that responses can come. I quite see the point. The privacy issue, the e-mail number ought to have been safeguarded is a question to be considered. I take note of that. In my own way I will try to convey. Hon. Member, Shri Rajeev Chandrasekhar, a very knowledgeable man in this field, has raised a larger issue of a public statement of TRAI Chairman that this is a rivalry between a newspaper group and a telecom group. Well, normally I don't make comments, Sir, but today I would like to make a comment and I say with profound respect to the people who occupy the post of regulator. Regulators must speak their minds through their recommendations, through their report, not by public comments. Public comments, certainly, should be avoided.

Now, a specific query has been asked of me by hon. Shri Rajeev Chandrasekhar. In my own way I will ask my officers to convey this concern that if a public comment has been made whether there was any evidence for that or not. Thirdly, I don't know, the Members asked me, is the TRAI Act going to be reconsidered again? Well, consultation paper is on. If more issues are required to be addressed, we will certainly take that into account. This is as far as TRAI is concerned and I want to assure this

[Shri Ravi Shankar Prasad]

House that we don't intend to interfere and infringe upon the independence of TRAI, but as a Government accountable to this House and to the people of India whatever is required to be done to safeguard the interests of the people of India, the Government will always exercise that power and that power is available to us under Section 25 of the Act. I would like to assure that. It is not a new power. Sir, a second issue was raised: are you going to come with a law? A lot of things were talked about by Shri O'Brien, Shri Tulsi, Shri Shantaram Naik, my friend Shri V. P. Singh.

SHRI A. NAVANEETHAKRISHNAN: I also spoke.

SHRI RAVI SHANKAR PRASAD: Yes. You also raised it to the great heights of Article 21. Today, Sir, I must tell you, I have been truly given the pearls of wisdom as to what dimension Internet right can be raised to, include it as a part of right of life. I hope people outside who are trying to limit this right must be hearing these great matters of concern. Sir, whether we need to have a law or not is the question of consideration. Let the TRAI come with its recommendations. I want to convey to Shri Derek O'Brien that I was not sleeping.

SHRI DEREK O BRIEN: Sir, I will just speak for ten seconds. I don't want to interrupt you because you are on your flow. Sir, this issue of releasing ten lakh e-mail IDs goes much beyond anything else. It is a question of everybody's privacy. Those names have been leaked.

SHRI RAVI SHANKAR PRASAD: I think I have already explained to hon. Shri Derek O'Brien that when the law required TRAI to make consultation paper public, they were following a legal course. Whether they could have infringed completely the identity, the names, the e-mails of the Members is a matter of concern. I have already shared this with you.

Now, Sir, do we need some kind of a legal architecture is a question that was asked? Sir, what is the norm? The norm is: TRAI gives its recommendation. It comes to my Department and considered by the Telecom Commission. In the Telecom Commission we have eminent members, Finance Secretary, Telecom Secretary and other Secretaries. They sit and decide. Then, it comes to me. And, finally, it goes to the Cabinet where a final decision is taken. Therefore, regardless of whatever TRAI does, the final decision is going to be that of the Government and the Government alone. And, Sir, the Government's commitment is reflected in the statement that I made wherein I have said that the Government stands for a non-discriminatory access of internet to the entire people of India.

Sir, much before the TRAI's *suo motu* consultation started, we can do little. Way

back in January, when the whole controversy arose, I had constituted a Committee consisting of very senior officers of my own department — many of them are also present here — to have a very elaborate consultation process and submit me a Report on a variety of issues, so that, apart from TRAI's recommendations, the Government has the benefit of a parallel Report as well. This was a precaution that I took. Due to that, not only one Report, because net neutrality is an important question bearing upon independence of India, creativity of India, innovation of India, but the Government wish to have two Reports to take a proper decision in a structured manner. They are going to submit their recommendations by this month end.

Now, do we need a legal architecture is a question asked by a lot of hon. Members. Sir, once the Report comes, the Report may say that the present architecture is enough, the Report may indicate the benefits of net neutrality, the Report may say about the technical architecture we need, the Report may say what further regulatory measures we need. Therefore, allow that process to be completed. Sir, let me off hand say with my legal experience, we have got a proper licencing condition when we give any licence to any telecom service operator. Terms and conditions are mentioned in the licence itself. Suppose — it is purely hypothetical; I am not giving my final view — the Government comes out with structured guidelines laying down the principles of net neutrality. It can make those guidelines as a part of the licencing condition itself. It is only a hypothetical proposition that I am saying. But, all these options are open. When the Government is committed — through the very eloquent and encouraging discussion of this House — it means that the Government, the people of India and the Parliament are speaking in one voice.

How I see the larger spectrum when I made it in my initial comments? In my initial comments, I had made certain comments about how internet has grown in India and how mobiles have grown in India. When I am saying this, let me say one thing. This great growth of IT sector, this great growth of IT-enabled services, this extraordinary phenomenon of mobile explosion in India has happened without the Government and, in many cases, in spite of the Government. I don't want to go beyond that. But, the people of India have an extraordinary aptitude to accept technology. For me the defining moment is: When I go to airport, I see an elderly lady, not very literate, using her mobile phone to show her PNR number for her boarding pass. This is how people are using technology. Sir, today, 40 per cent of Indian Railways tickets are e-tickets. The world is changing. No one can reverse this process. I must tell you that I have been following these products myself not in a very substantial manner. But, after becoming the Communications and IT Minister of India, the kind of new horizons, the kind of self-confidence, the kind of innovative spirit coming to India is

[Shri Ravi Shankar Prasad]

surprising. Today, while speaking in this august House, I want to inform the House that so many young entrepreneurs of 30 years or 28 years are coming from Silicon Valley to Bangalore, to Delhi to make a mark in India so that India becomes a digitally more powerful society. If that is the future awaiting for us, surely, it will come with a premise of non-discriminatory internet regime. That is the fundamental issue we all need to understand. I want to assure this House that their spirit, their concerns, have been properly noted. Net neutrality is party-neutral. Net neutrality is ideology-neutral. I am sure, Derek O'Brien and Ravi Shankar Prasad, regardless of their political divide, are standing on the same pages. We don't mind taking Mr. Raja also with some Marxian polishing and embellishment there still talking about Net neutrality.

Sir, I am deeply grateful for the very insightful debate. We will continue to march forward. Thank you.

MR. DEPUTY CHAIRMAN: Thank you very much. *...(Interruptions)...* No, it is very clear. There is no need for any more clarifications. The hon. Minister has been very clear on Net neutrality. What is the need then? *...(Interruptions)...*

श्री महेन्द्र सिंह माहरा (उत्तराखंड): सर।

MR. DEPUTY CHAIRMAN: You had not given your name, please sit down.

श्री के. सी. त्यागी (बिहार): सर, आप मेरी बात सुन लीजिए। आदरणीय मंत्री जी ने जिक्र किया है।

MR. DEPUTY CHAIRMAN: Since your name is taken, you can speak a sentence.

श्री के. सी. त्यागी: सर, मुझे बोलने दीजिए। आदरणीय मंत्री जी, जो मेरे चाहने वाले हैं, मेरे दोस्त हैं, मेरे भाई हैं, उन्होंने सरकास्टिक तरीके से मेरा जिक्र किया है। चूंकि मैं नेट न्यूट्रैलिटी पर नहीं बोला हूँ, उनको आश्चर्य हुआ है।

श्री उपसभापति: इसलिए उन्होंने बोला है। *...(व्यवधान)...*

श्री के. सी. त्यागी: सर, यह मेरा प्रोटेस्ट है। जब तक ये कॉर्पोरेट और एग्रीकल्चर के बीच में न्यूट्रल नहीं होंगे, मैं इस पर नहीं बोलूंगा।

MR. DEPUTY CHAIRMAN: Okay, that is good and nothing more. The Minister has given a very, very cogent and clear reply. Please sit down. *...(Interruptions)...*

श्री महेन्द्र सिंह माहरा: सर, एक माननीय सदस्य ने कहा था।

MR. DEPUTY CHAIRMAN: Don't trouble me like this. You could have given

your name. Why did you not give your name? I called all the hon. Members who had given their names. You are troubling me again. You could have given the name.

Now, I have to announce the allocation of time for disposal of Government Business.

---

**ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT  
LEGISLATIVE AND OTHER BUSINESS**

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee, in its meeting held on the 5th of May 2015, has allotted time for Government Legislative Business, as follows:-

	<b>Business</b>	<b>Time Allotted</b>
1.	Consideration and passing of the Constitution (One Hundred and Nineteenth Amendment) Bill, 2013.	Two-and-a-half hours
2.	Consideration and passing of the Companies (Amendment) Bill, 2014, as passed by Lok Sabha.	Two hours
3.	Consideration and passing of the Prevention of Corruption (Amendment) Bill, 2013.	Four hours
4.	Consideration and passing of the Constitution (One Hundred Twenty Second Amendment) Bill, 2014, after it is passed by Lok Sabha.	Four hours

---

**GOVERNMENT BILLS**

**The Repealing and Amending Bill, 2015**

**and**

**The Repealing and Amending Bill, 2014**

MR. DEPUTY CHAIRMAN: Now we will take up the Legislative Business. According to the List of Business, in the Legislative Business, the first one is the Real Estate Bill and about that, already, the Minister has explained in the morning. The next in the Legislative Business is a set of two Bills — The Repealing and Amending