

No. 20-271/2010-AS-I (Vol.-III)
 Government of India
 Ministry of Communications
 Department of Telecommunications
 (Access Services Division)
 Sanchar Bhawan, Ashok Road, New Delhi-110001

26th September 2018

To

All the CMTS Licensees

Subject: Amendment in CMTS Licences for Regulatory Framework on “Net Neutrality”.

In pursuance of Condition 5.1, The LICENSOR reserves the right to modify at any time the terms and conditions of the LICENCE, if in the opinion of the LICENSOR it is necessary or expedient to do so in public interest or in the interest of the security of the State or for the proper conduct of the telegraphs. The LICENSOR hereby appends the following in CMTS agreement:

S No	Appended clause
1	<p>Scope of the Licence Clause no. 2.4 Principle of non-discriminatory treatment, definition of specialised services and reasonable traffic management and other exceptions</p> <p>(i) A Licensee providing Internet Access Service shall not engage in any discriminatory treatment of content, including based on the sender or receiver, the protocols being used or the user equipment.</p> <p>(ii) The Licensee is prohibited from entering into any arrangement, agreement or contact, by whatever name called, with any person, natural or legal, that has the effect of discriminatory treatment of content.</p> <p>(iii) Nothing contained in this provision shall restrict:</p> <p>a) The provision of any Specialised Service by a Licensee, provided that:</p> <ul style="list-style-type: none"> • The Specialised Services are not usable or offered as a replacement for Internet Access Service; and • The provision of the Specialised Services is not detrimental to the availability and overall quality of Internet Access Service. <p>b) Any measure adopted by the Licensee that are proportionate, transient and transparent in nature and fall under any of the following categories:</p> <ul style="list-style-type: none"> • Reasonable traffic management practices as may be specified from time to time; • Provision of emergency services or any services provided during time of grave public emergency, as per the process laid down by the Licensor/TRAI; • Implementation of any order of a court or direction issued by the Government, in accordance with law; • Measures taken in pursuance of preserving the integrity and security of the network and equipment; and • Measures taken in pursuance of an international treaty, as may be specified by the Government. <p>(iv) For the purpose of this provision:</p>

