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**TO BE PUBLISHED IN THE GAZETTE OF INDIA  
EXTRAORDINARY  
PART III, SECTION 4  
TELECOM REGULATORY AUTHORITY OF INDIA  
NOTIFICATION**

New Delhi, the \_\_\_\_ <date>

**No. RP-4/16/(24)/2021-QoS.** In exercise of the powers conferred upon it under section 36 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations to repeal certain regulations, namely:-

**TELECOM REGULATORY AUTHORITY OF INDIA REPEALING REGULATIONS, 2023  
(----- of 2023)**

**1. Short title and commencement.—** (1) These regulations may be called the Telecom Regulatory Authority of India Repealing Regulations, 2023.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Repeal and Savings.—** (1) On coming into force of these regulations, the following regulations shall stand repealed, namely:-

(a) Regulation on Quality of Service of Dial-Up and Leased Line Internet Access Service, 2001 (4 of 2001); and

(2) The repeal of the regulations, referred to in sub-regulation (1), shall not affect the previous operation of the said regulations and any directions or orders issued therein, or validity, invalidity, effect or consequences of anything already done or any action taken, or purported to have been done or taken, or omitted to be done or suffered therein.

**(Secretary)**

Note. — The Explanatory Memorandum explains the objects and reasons of the “Telecom Regulatory Authority of India Repealing Regulations, 2022”.

## **EXPLANATORY MEMORANDUM**

### **1. Background**

1.1. The regulation on quality of service of dial-up and leased line internet access service, 2001 (4 of 2001) was notified on 10<sup>th</sup> December 2001. This regulation was applicable to all the Basic Service Operators and Internet Service Providers, including the incumbent operators viz. BSNL, MTNL and VSNL. The purpose of laying down Quality of Service Parameters was to

- i. Ensure customer satisfaction by laying down norms of network performance, which the service provider is required to achieve by proper dimensioning of his network.
- ii. Measure the Quality of Service from time to time and to compare that with the specified norms so as to monitor the level of performance, provided by various service providers.
- iii. To generally protect the interests of subscribers of the Internet services.

1.2 The regulation 4 of Section-IV of this regulation defines the Quality of Service benchmarks for Dial-up access to the ISP Node, as mentioned below:

	<b>Parameters / Service Indicators of dial up access</b>	<b>Benchmarks (to be achieved within 6 months)</b>
<b>A</b>	<b>Service Activation Time</b>	6 hrs
<b>B</b>	<b>Service Accessibility</b>	
	<b>I) Time to access</b>	30 sec
	<b>II) Probability of accessing the ISP node in the:</b>	
	a) First attempt	80%
	b) Second attempt	90%
	c) Third attempt	99%
	<b>III) ISP node unavailability in a month not to exceed</b>	30 min

<b>C</b>	<b>Grade of Service (GOS) on the link connecting PSTN node to the ISP node</b>	1 in 100
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While for A and B the ISP will be responsible, for C, both ISP and BSO will be responsible. Where necessary both these parties will address the problem jointly.

1.3 The regulation 5 of Section- V of this regulation defines the Quality of Service benchmarks for Leased Line Access Service. This regulation mandates that the parties concerned enter into a Service Level Agreement (SLA), guaranteeing some minimum level of performance in regard to Latency, Packet Loss and Service Availability.

The Authority made recommendation only, in respect of the following indicative performance parameters to be embedded in the SLA:

<b>S.No.</b>	<b>Parameters</b>	<b>Benchmarks</b>
<b>1</b>	<b>Latency</b>	<ul style="list-style-type: none"> <li>· Not to exceed 300 msec on Optical Fibre Communication (OFC) links between India and farthest node abroad.</li> <li>· Not to exceed 800 msec on satellite links between India and farthest node abroad.</li> </ul>
<b>2</b>	<b>Packet loss</b>	Not to exceed 1%
<b>3</b>	<b>Availability</b>	Not less than 99%

## **2. Justification for repeal of the regulation on quality of service of dial-up and leased line internet access service, 2001 (4 of 2001)**

2.1 The regulation on quality of service of dial-up and leased line internet access service, 2001, was notified with the primary aim of specifying the quality of service benchmarks to be achieved by the service providers, ensure customer's satisfaction with the network performance and to protect the interests of the subscribers of the internet service. Under these regulation, no performance report submission by the service provider is prescribed.

2.2 These regulations were issued when the dial up service was the only service available for accessing low speed internet. With the passage of the time, the telecommunication networks both wireline as well as wireless have evolved to offer high speed broadband service on xDSL, FTTH, LTE etc, technologies. Further, none of the

service providers are reporting any subscriber for dial-up service. Only BSNL was reporting the dial-up subscribers until March'2021 and afterwards BSNL was also not reporting any dial up subscribers. BSNL vide letter no-BSNLCO-RGLN/24(15)/1/2020-REGLN dated 13-04-2021, has also submitted a certificate to the Authority, stating that no dial up subscribers exist in their network, as on date.

2.3 The Leased line access services are generally offered by Internet Gateway Service Providers (IGSPs) holding an ISP licence. These services are offered either to Enterprises to connect their Local Area Networks (LANs) to the Internet by point-to-point leased lines, or to ISPs who do not have their own International gateway facilities, so as to provide them access to International Internet Backbone abroad. This service is a Service Level Agreement (SLA) based service between service provider and the customer. The customers to this service, holding dominating position by virtue of one-to-one agreement with service providers and by virtue of his position, can safeguard its interests with regard to service performance related issues. The service providers also assign priority in attending to their grievance/ complaints, so as to avoid their churn out to the competitors.

2.4. In view of the existence of no dial up subscribers, availability of high speed broadband services in wireline as well as wireless segment and leased line service being service level agreement based service between two contracting parties, the Regulation on Quality of Service of Dial-up and Leased line internet access service, 2001, appears to be no more relevant in the present context.

Hence, **Authority decided to repeal the Regulation on quality of service of dial-up and leased line internet access service, 2001 (4 of 2001) with effect from date of its notification in Official Gazette.**