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To,

Shri Tejpal Singh
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Telecom Regulatory Authority of India
World Trade Center, Tower-F
Nauroji Nagar, New Delhi – 110029

Date: 2 September 2026

Subject: Comments on Consultation Paper on ‘Draft Amendments in The Standards of Quality of Service of Access (Wireline and Wireless) and Broadband (Wireline and Wireless) Service Regulations, 2024’

Respected Shri Tejpal Singh,

The Dialogue thanks the Telecom Regulatory Authority of India (“TRAI”) for the opportunity to submit comments on the Consultation Paper on *Draft Amendments in The Standards of Quality of Service of Access (Wireline and Wireless) and Broadband (Wireline and Wireless) Service Regulations, 2024*, dated 5 August 2026 (“Consultation Paper”).

The proposed amendments mark an important step in addressing the implications of network slicing as commercial deployments on 5G Standalone networks develop in India. Network slicing can enable legitimate forms of service differentiation, including services requiring higher reliability, lower latency or other defined quality-of-service characteristics. Its use should, therefore, neither be presumed to be inconsistent with net neutrality nor treated as inherently exempt from the safeguards applicable to internet services.

A proportionate framework should preserve the benefits of network slicing while protecting India’s open-internet framework. The framework should allow application-agnostic differentiation between internet-access offerings and recognise specialised services where objectively different quality-of-service requirements justify optimisation while preventing impermissible preferential treatment and ensuring that slicing does not adversely affect internet services for other users.

We thank TRAI for considering our perspectives in this important policy process.

Sincerely,

Garima Saxena
Program Manager-Platform Regulation & Online Safety
The Dialogue

We respectfully submit the following comments:

S. No.	Para number of draft notification	Input /Comment	Justification with supporting reference
1.	Proposed Regulation 6(1)	The proposed PRB-utilisation benchmark may be retained as a capacity safeguard. However, compliance with the benchmark should not, by itself, be treated as establishing compliance with applicable net-neutrality requirements. TRAI may clarify that the creation and operation of network slices under the quality of service Regulations remain subject to the requirements governing non-discriminatory treatment of internet content, specialised services and permissible traffic-management practices under the applicable authorisation framework.	The Consultation Paper proposes that cells having daily PRB utilisation above 80% should constitute no more than 1% of cell-days and treats sustained PRB utilisation as an indicator of network congestion. The framework is intended to allow TRAI to monitor whether slicing affects quality of service experienced by subscribers. The Consultation Paper itself recognises that slices operate within the finite capacity of a cell and that allocation of resources to one slice should not be detrimental to other slices. A capacity benchmark is, therefore, a useful safeguard. However, capacity and net neutrality address distinct concerns. A network may possess sufficient capacity while still differentiating between particular content, applications or services. Rule 75(1)(j) of the <i>Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026</i> prohibits discriminatory treatment of content, including on the basis of the sender, receiver, protocols, or user terminal, and prohibits arrangements that have that effect. The Rules define discriminatory treatment to include blocking, degrading, slowing down or granting preferential speeds or treatment to content. These requirements also apply when internet services are provided under an Access Service Authorisation. The quality of service benchmark should, therefore, supplement, rather than substitute for, the applicable net-neutrality framework.

2.	Proposed Regulation 6(3)	The proposed requirement for service providers to submit details of a new network slice at least 21 days prior to its creation is a useful transparency and oversight mechanism. However, the scope of the information required under Regulation 6(3) should be clarified and expanded to go beyond merely demonstrating the availability of sufficient network capacity.	Proposed Regulation 6(3) presently requires a service provider to submit details of proposed and existing network slice parameters 21 days in advance and to demonstrate the availability of sufficient capacity in the cells forming part of different slices. The requirement, therefore, primarily addresses whether sufficient physical network resources are available to support the proposed slice. The Consultation Paper itself, however, recognises that the regulatory implications of network slicing extend beyond the existence of adequate capacity. TRAI notes that all slices operate within the overall capacity available in a cell and that allocation of resources to one or more slices should not be detrimental to the quality of service available to other users. It further identifies the need for timely capacity planning and augmentation to prevent degradation in data rates or latency during periods of high network utilisation. TRAI has accordingly proposed a new PRB utilisation parameter to monitor whether network slicing deployment affects the quality of service experienced by subscribers. At the same time, capacity utilisation alone does not disclose the basis on which differentiated treatment is being provided through a network slice. Network slicing can be used for various purposes, including differentiated internet access offerings and services that require specific latency, reliability, or bandwidth characteristics. The Consultation Paper itself recognises that slicing can support diverse user and device groups, as well as different network performance requirements. It also records international approaches in which network slicing is assessed with reference to both the service's performance requirements and its potential effect on ordinary internet access. BEREC, Ofcom and ARCEP, for example, permit or recognise differentiated and specialised services subject to safeguards
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			concerning network capacity and the continued availability and quality of internet access services. Accordingly, the 21-day submission should enable TRAI to understand not merely whether sufficient capacity exists, but also the proposed use case, relevant quality-of-service characteristics and, where relevant, the basis on which differentiated treatment is being provided through the slice.
3.	Proposed Schedule-I, Para 4.5.1	The PRB-utilisation threshold should be supplemented by monitoring of actual performance of the internet service available to users who are not receiving prioritised or differentiated treatment.	The Consultation Paper recognises that network slicing depends upon dynamic allocation of finite network resources and that inadequate capacity planning may result in slower data rates or higher latency for other users. It, therefore, contemplates a quarterly assessment of capacity requirements for the next two quarters, taking into account existing cell loading, backhaul utilisation, projected traffic growth, declared data rates, and latency requirements. This forward-looking safeguard should be reflected in the operative monitoring framework. PRB utilisation is an important measure of radio-resource congestion, but the ultimate regulatory objective is the quality of the internet service experienced by users. A provider should not be able to maintain differentiated or specialised slices while allowing the general internet service to deteriorate, even when it remains formally within the prescribed PRB utilisation threshold. TRAI should, therefore, assess both network capacity and observable IAS performance over time. The approach would also be consistent with the Consultation Paper's own stated purpose of determining whether slicing affects quality of service available to subscribers.

4.	Proposed Regulation 6(2) and Schedule-I, Para 4.4.4(xi)	The proposed requirement to disclose technology-wise typical speeds and to treat each eMBB network slice as a separate tariff offering for quality of service assessment should be retained. TRAI should, however, clarify that these provisions concern disclosure and the measurement of quality of service and do not create a separate exemption from the net-neutrality or discriminatory-tariff framework.	The proposed amendments appropriately seek to ensure that the actual performance of an eMBB slice is assessed against the typical speed represented for that offering. However, whether a slice meets its declared performance and whether the manner in which traffic is differentiated complies with net-neutrality requirements are separate questions. The <i>Prohibition of Discriminatory Tariffs for Data Services Regulations, 2016</i> prohibit discriminatory tariffs for data services based on the content accessed. It should not be interpreted as prohibiting all differences between subscription tiers, access technologies or application-agnostic quality of service offerings. Similarly, Rule 75 of the 2026 Authorisation Rules focuses on discriminatory treatment of internet content. Therefore, the appropriate safeguard is to ensure that a separate eMBB tariff offering does not become a means of granting preferential treatment to selected content or applications. Merely designating an eMBB slice as a separate tariff offering should neither establish a net-neutrality violation nor insulate an otherwise discriminatory arrangement from scrutiny.
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5.	Para 4(b) and Para 14(h), read with Explanatory Note Para 2.8(n)	The principle in the Explanatory Note that slices providing the same service should use the same 5QI and equal ARP should be clarified. It should not operate as a blanket requirement that all network slices providing internet access must have identical quality-of-service characteristics. TRAI should instead ensure that differentiation between internet-access offerings remains application-agnostic and does not result in preferential treatment of particular internet content or applications. Where a slice is offered as a specialised service, it should separately satisfy the conditions applicable to specialised services under the prevailing net-neutrality framework.	The Explanatory Note states that different network slices providing the same service, such as internet service, should assign the same 5QI and equal ARP. At the same time, the Consultation Paper proposes that each eMBB network slice should be treated as a separate tariff offering for quality-of-service assessment. This indicates that distinct eMBB slices may legitimately have different service characteristics. A requirement that all internet-access slices use identical 5QI and ARP values may therefore be broader than necessary. The relevant net-neutrality concern is whether differentiation results in discriminatory treatment of particular internet content or applications, rather than whether different internet-access offerings provide identical overall quality of service. Application-agnostic differentiation between internet access offerings should accordingly remain permissible, subject to applicable quality-of-service and net neutrality requirements. Where a network slice is used to provide a specialised service, that service should independently satisfy the conditions applicable to specialised services under Rule 75 of the <i>Telecommunications (Authorisation for Provision of Principal Telecommunication Services) Rules, 2026</i>, including the requirements relating to technical optimisation, non-substitution of internet service, and non-detriment to the availability and overall quality of internet service.
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