



भारतीय दूरसंचार विनियामक प्राधिकरण
TELECOM REGULATORY AUTHORITY OF INDIA
भारत सरकार /Government of India



DIRECTION

Dated: 19th September, 2017

Subject: Direction under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 and regulation 18 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009), with regard to closure of GSM services by M/s. Reliance Communications Limited in Gujarat licensed service area consequent to expiry of its Unified Access Service (UAS) license and upgrading of network to LTE/4G in 800 MHz band.

No.116-9/2017-NSL-II- Whereas the Telecom Regulatory Authority of India [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act, 1997), has been entrusted with discharge of certain functions, *inter alia*, to ensure compliance of terms and conditions of licence; regulate the telecommunication services; protect the interests of service providers and consumers of the telecom sector;

2. And whereas the Authority, in exercise of the powers conferred by section 36, read with sub-clauses (i), (iii) and (v) of clause (b) of sub-section (1) of section 11 of the TRAI Act, made the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as regulations);

3. And whereas M/s Reliance Communications Limited (hereinafter referred to as M/s RCL) has, vide its letter No. RCL/TRAI/17-18/7557 dated 30th August 2017, intimated the Authority that it has acquired Unified License (UL) dated 31st July 2017 for Access Services (AS) authorization in Gujarat LSA, which is effective from 30th September 2017, as their current UAS license is expiring on 29th September 2017;

4. And whereas M/s RCL has, vide its letter dated 30th August, 2017, mentioned in para 3 above further informed that at present, M/s RCL is providing GSM and 4G/LTE services in Gujarat LSA using spectrum allocated in 1800 MHz and 800 MHz bands respectively and consequent to expiration of their current UAS license, M/s RCL would upgrade its existing GSM subscribers to 4G/ LTE services that will continue to be provided by M/s RCL under the new UL(AS) using the 800 MHz band spectrum which is valid upto the year 2035;
5. And whereas M/s RCL has, vide their letter dated 30th August, 2017, mentioned in para 3 above, also informed that necessary intimation regarding upgradation to 4G/LTE services along with option to adopt MNP facility will be provided by M/s RCL to all its existing GSM subscribers in Gujarat license service area;
6. And whereas M/s RCL has, in continuation to its earlier letter mentioned in previous para, informed the Authority, vide its letter No. RCL/TRAI/17-18/5778 dated 7th September, 2017, that as on 31st July 2017, it has 43,62,034 subscribers under GSM in Gujarat service area;
7. And whereas M/s RCL has, vide their letter dated 7th September, 2017, mentioned in para above, also informed the Authority that for the upgradation of SIM cards, it will follow the process as prescribed by the DoT vide letter no. 800-09/2010 –VAS (part) dated 01.09.2016 for issuance of new SIM card and remaining validity of existing tariff plan and the account balance will be carried forward/transferred to the customers' account for usage under 4G/LTE;
8. And whereas M/s RCL has, vide their letter dated 7th September, 2017, mentioned in para 6 above, requested that subscribers who were acquired recently and those who have ported into their GSM network from other operators in the last ninety days shall not be able to port out to other operators as per the present provisions of the regulations and has, therefore, sought exemption from this ninety days restriction to facilitate the porting out of its such subscribers;
9. And whereas M/s RCL has, vide their letter dated 7th September, 2017, mentioned in para 6 above, further requested that in case of corporate account (company owned and company paid accounts) where they have a single Customer Acquisition or Application Form

(CAF), they may be allowed to generate to allow generation of UPC codes for all such end users based on a written request of the authorized signatory of the company;

10. And whereas as per the proviso (a) of regulation 6 of the regulations, a mobile number may be ported after expiry of a period of ninety days from the date of activation of mobile connection in the case of a mobile number not ported earlier; or from the date of activation of mobile number after its last porting, in the case of a mobile number which has been ported earlier;

11. And whereas as per the proviso (g) of regulation 6 of the regulations, the porting request, in case of corporate mobile number, does not seek simultaneous porting of more than fifty mobile numbers;

12. And whereas the regulation 18 of the regulations, *inter-alia*, provides that the Authority may, from time to time, issue such directions as it may deem fit to the service providers on any aspect of Mobile Number Portability for which provisions have been made in the regulations;

13. Now, therefore, in exercise of the powers conferred upon it under section 13, read with sub-clause (i) and (v) of clause (b) of sub-section (1) of section (11), of TRAI Act, 1997 and regulation 18 of the Mobile Number Portability Regulations, 2009 (8 of 2009), the Authority, in the interest of consumers of telecom sector, hereby directs –

(a) M/s Reliance Telecommunications Limited to –

- (i) generate Unique Porting Codes (UPCs) with service provider codes 'F', 'G', 'K', 'L', 'N', 'P', 'W' and 'X' in addition to the existing service provider code 'R' for all the GSM subscribers in Gujarat licensed service area and communicate UPC to the subscribers through SMS immediately;
- (ii) keep all the UPCs generated pursuant to this direction and UPCs generated prior to the date of this direction which are valid on that date, valid till 23:59:59 hours of 30.10.2017;
- (iii) respond to all the requests of mobile number portability made by its GSM subscribers and forwarded to M/s RCL by MNPSPs till 30.10.2017;

- (iv) not reject any porting-out request of its GSM subscribers whose activation of mobile number in the network of M/s RCL is of less than ninety days;
- (v) issue public notice of minimum size of 12 cm X 12 cm, within three days of issue of this Direction, in at least two leading daily newspapers registered with Registrar of Newspapers for India, Govt. of India in the Gujarat licensed service area, out of which one newspaper should be in regional language;
- (vi) issue public notice on main page of its website, informing its subscribers regarding extension of validity of UPCs till 23:59:59 hours of the 30th October, 2017 and to port out their mobile number to any other telecom service provider till the 30th October, 2017;
- (vii) furnish compliance report of this direction to the Authority by 10.11.2017 together with the details of the number of GSM subscribers successfully ported out and remaining GSM subscribers who could not port out and reasons thereof and total unspent amount of such pre-paid mobile subscribers;

(b) all Telecom Service Providers and Mobile Number Portability Service Providers to recognize additional UPCs with service provider codes as 'F', 'G', 'K', 'L', 'N', 'P', 'W' and 'X' in addition to the existing service provider code 'R' for Gujarat service area for the GSM subscribers of M/s RCL;

(c) Mobile Number Portability Service Providers to allow porting out of GSM subscribers of M/s RCL of the aforesaid licensed service area with 'age on network' less than ninety days; and

(d) Mobile Number Portability Service Providers not to accept requests for porting of GSM mobile numbers of Gujarat licensed service area of M/s RCL as Donor Operator after 30.10.2017.


19.09.2017
(Syed Tausif Abbas)

Advisor (Network, Spectrum and Licensing)

To,
All Access Service Providers (Wireless) and MNPSPs