

**File No. 409-9/2005-FN**

**Dated 7<sup>th</sup> June 2005**

**To**

**All Service Providers.**

**Subject: Direction under section 13 read with paras (i), (ii), (iii) and (v) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act 1997 on provision of Interconnection.**

WHEREAS it has been brought to the notice of the Authority that some service providers are either not providing interconnection or unnecessarily delaying the request of Interconnection;

WHEREAS unavailability of Interconnection between networks of service providers results in non-completion of calls, which causes disruption of service and inconvenience to the subscribers of the network of both the interconnecting operators, and deterioration in the Quality of Service provided by the service provider and is against the interest of the consumers and service providers;

WHEREAS Clause 17.6 of the Basic Service Licence stipulates that *"The terms and conditions of Interconnection including standard interfaces, points of Interconnection and technical aspects will be as mutually agreed between the service providers subject to compliance of prevailing regulations, directions and determinations issued by TRAI under TRAI Act 1997"*;

WHEREAS Clause 27.5 of the Cellular Mobile Telephone Service Licence stipulates that *"It shall be mandatory for Cellular Service Providers to provide interconnection to all eligible Telecom Service Providers as well as NLD service providers whereby the subscribers could have a free choice to make inter-circle/ international long distance calls through NLD service provider. For international long distance call, the cellular service operator shall access international long distance operator through National Long Distance Operator only."*;

WHEREAS Clause 26.5 of the Unified Access Service Licence stipulates that *"It shall be mandatory for the LICENSEE to provide interconnection to all eligible Telecom Service Providers as well as NLD Operators whereby the subscribers could have a free choice to make inter-circle/ international long distance calls through NLD/ILD Operator. For international long distance call, the LICENSEE shall normally access International Long Distance Operator's network through National Long Distance Operator's network subject to fulfilment of any Guidelines/ Orders/ Directions/ Regulation issued from time to time by Licensor/ TRAI. The LICENSEE shall not refuse to interconnect with the International Long Distance Licensee directly in situations where ILD Gateway Switches/ Point of Presence (POP), and that of Access Provider's (GMSC/ Transit Switch) are located at the same station of Level -I TAX."*;

WHEREAS Clause 26.7 of the Unified Access Service Licence stipulates that *"Point of Inter-connection (POI) between the networks shall be governed by Guidelines/ Orders/ Directions/ Regulation issued from time to time by Licensor/ TRAI."*;

WHEREAS Clause 17.1 of the National Long Distance Service Licence stipulates that *"It shall be mandatory for fixed service providers, cellular mobile service providers,*

*cable service providers, to provide interconnection to NLD service providers whereby the subscribers could have a free choice to make inter-circle/international long distance calls through NLD service provider.”;*

WHEREAS Clause 17.6 of the National Long Distance Service Licence stipulates that *“The LICENSEE shall comply with any order or direction or regulation on interconnection issued by the TRAI under TRAI Act, 1997.”;*

WHEREAS Clause 17.1 of the International Long Distance Service Licence stipulates that *“It shall be mandatory for all NLD service providers and all ILD Service providers to provide interconnection to each other whereby the subscribers could have a free choice to make international long distance calls through any ILD service provider. International Long Distance traffic should be routed through network of NLD service providers, to the ILD service providers gateways for onward transmission to international networks. However, the access provider shall not refuse to interconnect with the LICENSEE directly in situations where ILD Gateway Switches, and that of Access Provider’s (GMSC/ Transit Switch) are located at the same station of Level -I TAX .”;* and

WHEREAS Clause 17.7 of the International Long Distance Service Licence stipulates that *“The ILD Service Licensee shall comply with any direction on interconnection regulations issued by the TRAI under TRAI Act, 1997.”*

AND THEREFORE, in exercise of the powers vested in it under section 13 read with section 11(1) (b) (i), (ii), (iii) and (v) of the Telecom Regulatory Authority of India Act 1997, and in order to ensure compliance of terms and conditions of licence and effective interconnection between service providers and to protect consumer interest, the Authority hereby directs all service providers to provide Interconnection on the request of the interconnection seeker within 90 days of the applicable payments made by the interconnection seeker.

All the service providers are also directed to furnish compliance report by 10<sup>th</sup> July 2005 and thereafter on quarterly basis by the 10<sup>th</sup> of the month following the end of the quarter.

This issues with the approval of the Authority.

**(R.K.Bhatnagar)**  
**Advisor (FN)**