

Draft regulations for consultation



Telecom Regulatory Authority of India



**Draft Telecommunication Mobile Number Portability (Seventh
Amendment) Regulations, 2017**

16th August, 2017

**Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi-110002**

Written comments on the Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2017 are invited from the stakeholders by 31st August, 2017. The comments may be sent, preferably in electronic form, to Shri S.T. Abbas, Advisor (Networks, Spectrum and Licensing), TRAI on the Email-Id- advmn@traigov.in with a copy to traimn@gmail.com.

For any clarification/ information, Shri S. T. Abbas, Advisor (Networks, Spectrum and Licensing), TRAI, may be contacted at Telephone No. +91-11-23210481, Fax No. 23232677.

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SECTION 4

**TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION**

New Delhi, the 16th August, 2017

**DRAFT
TELECOMMUNICATION MOBILE NUMBER PORTABILITY (SEVENTH AMENDMENT)
REGULATIONS, 2017 (--- of 2017)**

No. 116-6/2017-NSL-II ----- In exercise of the powers conferred by sub-section (1) of section 36, read with sub-clauses (i), (iii) and (v) of clause (b) of subsection (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997), the Telecom Regulatory Authority of India hereby makes the following regulations, to further amend the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009), namely:-

1. (1) These regulations may be called the Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2017.
(2) They shall come into force from the date of their publication in the Official Gazette.

2. In regulation 8 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as the principal regulations), in sub-regulation (4) at the end, after the word “code”, the words, “and a copy of the content of SMS containing the Unique Porting Code alongwith the mobile number of the subscriber, shall be forwarded to the concerned Mobile Number Portability Service Provider of Mobile Number Portability zone to which the mobile number range holder of the number under porting belongs” shall be inserted.

3. In regulation 9 of the principal regulations:-
 - (a) For sub-regulation (4), the following sub-regulation shall be substituted, namely:-

“In case there is no pending porting request in respect of the mobile number referred in sub-regulation (1), the Mobile Number Portability Service Provider

shall verify that the Unique Porting Code received from the recipient operator matches with the content of the Unique Porting Code generated and shared by the Donor Operator under sub-regulation (4) of regulation 8.”;

- (b) after sub-regulation (4), the following sub-regulations shall be inserted, namely:--
- (4a) “Where Unique Porting Code is either not matching with the Unique Porting Code generated by the Donor Operator under sub-regulation (4) of regulation 8 or has expired, the Mobile Number Portability Service Provider shall not take any action on the request and shall inform the Recipient Operator accordingly, who shall thereupon communicate the same to the concerned subscriber.
- (4b) In cases the Unique Porting Code entered by the recipient operator matches with that of the Unique Porting Code generated by the Donor Operator and has not expired, the Mobile Number Portability Service Provider shall forthwith forward the details of such request alongwith scanned copy of the authorization letter in case of corporate mobile number to the Donor Operator for seeking his clearance for such porting”.

4. In regulation 14 of the principal regulations, in sub-regulation (5), after the words “such outstanding bills” and before the words “to the recipient operator”, the words, “including date of the bill, amount outstanding, last date of payment, date of the notice and period of notice given to the subscriber” shall be inserted.

Note 1: The principal regulations were published in the Gazette of India, Extraordinary, part III, section 4 vide notification No. 116-4/2009-MN (Vol.II) dated 23rd Sept. 2009 and amended vide:

- (i) Notification no. 116-1/2010 dated 28th January, 2010 (1 of 2010)
- (ii) Notification no. 116-1/2010 dated 24th November, 2010 (5 of 2010)
- (iii) Notification no. 116-5/2012 dated 8th June, 2012 (16 of 2012)
- (iv) Notification no. 116-5/2012 dated 19th September, 2012 (19 of 2012)
- (v) Notification no. 116-4/2013 dated 22nd July, 2013 (9 of 2013)
- (vi) Notification no. 116-19/2014 dated 25th February, 2015 (03 of 2015)

Note 2: The Explanatory Memorandum explains the objects and reasons of these regulations.

Explanatory notes, background and issues for consultation

1. The Telecom Regulatory Authority of India issued the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) dated 23rd September, 2009 laying down the basic business process framework for implementation of intra-circle Mobile Number Portability (MNP) in the country.
2. Facility of MNP was launched in Haryana service area on 25th November 2010 on pilot basis and the same was extended to the entire country on 20th January 2011. Initially, the MNP facility was available within the licensed service area only. However, in accordance with the provisions contained in the National Telecom Policy- 2012 regarding “One Nation – Full Mobile Number Portability”, full MNP was implemented w.e.f. 3rd July 2015. Till June 2017, approximately 288 Million subscribers have availed MNP facility.
3. The Authority periodically monitors the reports submitted by Mobile Number Portability Service Providers (MNPSPs) to study the pattern of rejection of porting requests by the Donor Operator (DO). Analysis of the reports for the period - April, 2016 to March, 2017 indicates that average rejection of porting requests by TSPs in all the categories was about 11.16% and rejections on the grounds of “UPC Mismatch” and “UPC expired” constituted about 40% of the total rejections. This may be due to wrong submission of UPC content by the potential subscriber at the Point-of-Sale (PoS) of Recipient Operator (RO) or by entry of incorrect UPC details at PoS of RO.
4. Presently, there is no mechanism available with the RO to verify the content and status of expiry date of UPC. Therefore, it is proposed that a process may be added to the existing MNP process wherein content of UPC and date of validity of UPC alongwith the mobile number are shared by DO with respective MNP Clearing House (MCH). The RO sends verification request containing the mobile number and UPC to the MCH who in turn shall respond back instantly to RO conveying acceptance or rejection of the porting request on the basis of the content and date of validity of the UPC, generated for the particular mobile number. The porting application will be submitted to MCH only after UPC is cleared by MCH.

5. Through the proposed mechanism, entry of incorrect UPC and invalid/ expired UPC can be addressed at the PoS itself. This will make porting of mobile number more convenient and shall bring greater satisfaction to the telecom subscribers at large. This will also bring down the percentage of rejections.
6. In the existing process, Non Payment Disconnection (NPD) requests raised by the DO are submitted to RO via MCH of the MNP zone to which the mobile number range holder of number under porting belongs. In the process, DO can initiate the NPD request to RO after completion of 30 days of last date of payment. In the existing process, there is lack of clarity at the end of MCH and RO regarding the amount outstanding in the bill, date of the bill and notice served, if any, by the DO to the subscriber. The Authority is of the opinion that in the revised process, the DO shall communicate the above details to RO via MCH. The MCH shall retain a copy of such information and timestamp them in its database for future reference. The entire process is expected to be fruitful in ensuring the appropriate timely action on the part of RO.
7. Any other issue: Stakeholders may provide suggestions/ comments on any other issue for improving the MNP Process.