

Draft regulations for consultation



Telecom Regulatory Authority of India



Draft Telecommunication Mobile Number Portability (Sixth Amendment) Regulations, 2015

23rd January, 2015

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

Stakeholders are requested to furnish their written comments on the Draft Telecommunication Mobile Number Portability (Sixth Amendment) Regulations, 2015, by the 06/02/2015 to Advisor (NSL-II), TRAI. The comments may also be sent by Email advmn@traigov.in and traimn@gmail.com. Please note that no extension of time will be given.

For any clarification/ information, Shri Sanjeev Banzal, Advisor (Networks, Spectrum and Licensing), TRAI, may be contacted at Telephone No. +91-11-23210481

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PART III, SECTION 4

TELECOM REGULATORY AUTHORITY OF INDIA
NOTIFICATION

New Delhi, the 23rd January, 2015

**TELECOMMUNICATION MOBILE NUMBER PORTABILITY (SIXTH
AMENDMENT) REGULATIONS, 2015**

(-- of 2015)

No. 116-19/2014-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 sub-section (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 (Sixth Amendment) Regulations, 2015
(2) They shall come into force on the 3rd day of May, 2015
2. In regulation 2 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (herein after referred to as the principal regulations) --

(a) in clause (a), after the words “ Unified Access Service licence, the words “or Unified licence (access service) or unified licence having authorization to provide access service” shall be inserted ;

(b) after clause (j), the following clauses shall be inserted, namely:-

“(ja) “Mobile Number Portability zone” or “MNP zone” means the zones contained in the Annexure-VI of the licence agreement for the Mobile Number Portability Service ;”

(jb) “mobile number range” means the number series allocated by the licensor to an Access Provider in a MNP zone;

(jc) “mobile number range holder” means the Access Providers to whom number range has been allocated by the licensor;” ;

3. In regulation 3 of the principal regulations, sub-regulation (1) shall be deleted

4. In regulation 8 of the principal regulations, in sub-regulation (6) -----

(a) for the words “concerned Mobile Number Portability service provider”, the words “Mobile Number Portability Service Provider of MNP zone to which the mobile number range holder of number under porting belongs” shall be substituted;

(b) in the first proviso, after the words “the Mobile Number Portability Service provider”, the words “of MNP zone to which the mobile number range holder of the number under porting belongs” shall be inserted.

5. In regulation 11 of the principal regulations, in sub-regulation (1), in the proviso to clause (c), after the words “provided that in”, the words “case the Recipient Operator belongs to” shall be inserted.

6. In regulation 12 of the principal regulations, the clause (f) shall be deleted.

7. In regulation 14 of the principal regulations, after sub-regulation (5), the following sub-regulation shall be inserted namely:-

“(6) in case the Donor Operator receives the amount of the outstanding bill mentioned in sub-regulation (4), within fifteen days from the date of its request to the Recipient Operator under sub-regulation (5), it shall, immediately through Mobile Number Portability service provider, inform the Recipient Operator and request him not to disconnect the ported number.”

8. In regulation 15 of the principal regulations, in sub-regulation (4) and sub-regulation (5), for the words “ninety days”, the words “sixty days” shall be substituted.

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:

- a) Notification no. 116-1/2010 dated 28th January, 2010 (1 of 2010)
- b) Notification no. 116-1/2010 dated 24th November, 2010 (5 of 2010)
- c) Notification no. 116-5/2012 dated 8th June, 2012 (16 of 2012)
- d) Notification no. 116-5/2012 dated 19th September, 2012 (19 of 2012)
- e) Notification no. 116-4/2013 dated 22nd July, 2013 (9 of 2013)

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 mobile number portability in the country. The regulation 6,7,8,9,10,11,12 and 13 of the regulations came into effect in all telecom service areas in the country from 20th January 2011 through the Authority's direction dated 18th January, 2011.
2. In view of the approval given by the Government regarding inter-service area mobile number portability (Pan –India Number Portability) vide the amendment of MNP licence dated and DoT letter No. 800-22/2013-AS-II dated 3rd November, 2014, the draft sixth amendment regulations proposes amendment in the regulations on the following issues:

Forwarding of porting request by Recipient Operator

3. The draft sixth amendment regulations makes provision for implementation of Full MNP ((Pan–India Number Portability) by processing porting request by the Recipient Operator through the MNPSP of the zone to which the number range holder of the number (subscriber number under porting) belongs.

Reduction in timelines for Number return process

4. In the existing regulations, in case of disconnection of a ported mobile number in the network of the Recipient Operator, such mobile number is to be returned to the number range holder after the time period of ninety days. In such scenario, the mobile number used to remain unutilized for 90 days. For effective utilization of the mobile number, this period is proposed to be reduced to 60 days.

Improving of existing process of handling non-payment disconnections:

5. As per the present MNP regulation, in case a post paid mobile number default in payment of his mobile number of its operator (Donor), Donor operator after following prescribed procedure, inform to the Recipient operator for disconnection of mobile number. Accordingly, Recipient operator disconnects such mobile number after following prescribed procedure. It has come to the notice of the Authority that there are certain cases where though Donor operator has received the payment during the notice time but it did not intimate the Recipient operator. As a result the number got disconnected despite no dues of Donor operator pending. To correct this anomaly, it is proposed that in case Donor operator receives payment within 15 days notice period given by the Recipient operator to the subscriber, the Donor operator will need to intimate to the Recipient operator about the same so that Recipient operator does not disconnect such mobile number(s). It will help them to clearly identify the defaulted subscribers of pending payment so that they can protect the genuine subscriber from disconnecting the number.

Additional issue for consultation

Handling of ownership related issues:

6. The service providers have informed that they have observed ownership disputes in the present MNP process wherein the ownership of the ported subscriber is verified only through the UPC and mobile number. Stakeholders are requested to comment on whether to take steps such as an undertaking from the subscriber in the existing MNP process at the recipient operator that the subscriber is owner of the number and in future if it is found that the information given by the subscriber is incorrect, the number is liable to be disconnected.

Any other issues:

Stakeholder may provide suggestions /comments on any other issues for improving the MNP process.