



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



महानगर दूरसंचार भवन, जवाहर लाल नेहरू मार्ग,
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DIRECTION

Dated: 16th April, 2015

Subject: Direction under section 13, read with sub-clauses (i) and (iii) and (v) of clause (b) sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997, (24 of 1997) and regulation 7 and regulation 18 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009).

No.116-19/2014-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 regulate the telecommunication services; protect the interests of consumers of the telecom sector; ensure technical compatibility and effective inter-connection between different service providers; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect the interest of the consumers of the telecommunication services;

2. And whereas the Authority had, in exercise of the power conferred by section 36, read with sub-clauses (i), (iii) and (v) of clause (b) of sub-section (1) of section 11, of TRAI Act, 1997 made the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as regulations);

3. And whereas disputes regarding ownership of the mobile numbers, after its porting from one service provider to another service provider, came to the notice of the Authority;
4. And whereas in order to strengthen the process of verification of the ownership of the mobile number under porting, the Authority invited the comments of the stakeholders on obtaining an undertaking of ownership of the mobile number from the subscriber at the time of porting;
5. And whereas the Authority examined the comments received from the stakeholders and decided to mandate obtaining of an undertaking of ownership of the mobile number from the subscriber while submitting request for porting;
6. And whereas clause (e) of sub-regulation (2) of regulation 7 of the regulations provides that the porting request form as specified by the Recipient Operator shall, *inter alia*, incorporate such details of the subscriber as mandated by the licensor or by the Authority from time to time;
7. And whereas regulation 18 of the regulations, *inter-alia*, provides that without prejudice to any of the provisions of TRAI Act, or any other regulations made under the said Act or directions issued thereunder, 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;
8. Now, therefore, in exercise of the powers conferred upon it under section 13, read with sub-clauses (i), (iii) and (v) of clause (b) of sub-section (1) of section 11, of TRAI Act, 1997 and regulation 7 and 18 of the regulations, the Authority hereby directs the holders of Cellular Mobile Telephone Service Licenses, Unified Access Service License, Unified Licenses (Access Service) and Unified licenses having authorization to provide access service to incorporate in their porting request form an undertaking, to be obtained from the subscriber seeking porting of his mobile number

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declaring that he is the owner of the said mobile number and in case the undertaking is found to be false, the said mobile number shall be disconnected and furnish the compliance report within twenty one days from the date of issue of this direction.

 16/4/15

(Sanjeev Banzal)

Advisor (Network, Spectrum and Licensing)

To,
All CMTS, UASL, UL(AS) and UL having authorization to provide access service.