



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



महानगर दूरसंचार भवन, जवाहर लाल नेहरू मार्ग,  
**Mahanagar Doorsanchar Bhawan, Jawahar Lal Nehru Marg**  
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**DIRECTION**

Dated: 06<sup>th</sup> May, 2016

Subject: Direction under section 13, 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, with regard to obligation to provide Mobile Number Portability to the customer of M/s Videocon Telecommunication Limited in Bihar, Haryana, Gujarat, Madhya Pradesh, UP(East) and UP(West) licensed service areas on a non-discriminatory basis.

No.116-11/2016-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 license; regulate the telecommunication services; protect the interests of service providers and consumers of the telecom sector;

2. And whereas M/s Videocon Telecommunication Limited (hereinafter referred to as M/s VTL) has, vide its letter No. VTL/Reg/TRAI/1604/5077 dated 12<sup>th</sup> April, 2016, informed the Authority that in pursuance of the Spectrum Trading Guidelines, M/s VTL had entered into an agreement with M/s Bharti Airtel Limited to trade the right to use the entire 1800 MHz spectrum allotted to it by the licensor in Bihar, Haryana, Gujarat, Madhya Pradesh, UP(East) and UP(West) licensed service areas and the joint intimation letters in this regard has already

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been submitted to WPC, DoT on 17.03.2016. M/s VTL has informed discontinuation of its commercial services with effect from midnight of 11.05.2016;

3. And whereas in response to M/s VTL intimated mentioned in para 2 above, the Authority in order to facilitate Mobile Number Portability of M/s VTL subscribers to the network of other service providers issued direction No.116-11/2016-NSL-II dated 25<sup>th</sup> April 2016.;

4. And whereas it has come to the notice of the Authority that M/s VTL has published advertisement in print media and also issued Public Notice on its website [www.videocontelecom.com/public-notice.php](http://www.videocontelecom.com/public-notice.php) informing its subscribers regarding closure of its commercial services by the mid night of 11<sup>th</sup> May 2016 and advised them to port out their mobile number to their preferred partner M/s Airtel;

5. And whereas as per the regulation 4 of Mobile Number Portability Regulations, 2009 dated 23<sup>rd</sup> September 2009, every Access Provider shall facilitate in its entire network, Mobile Number Portability to all subscribers, both pre-paid and post-paid and shall, upon request, provide the same on a non-discriminatory basis;

6. And whereas by publishing such advertisement / public notice through various channels of information, M/s VTL has not followed non-discriminatory approach as mandated in the Mobile Number Portability Regulations, 2009;

7. 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, the Authority, in the interest of subscribers, hereby directs M/s Videocon Telecommunication Limited –

- (i) to strictly comply with the provisions of Mobile Number Portability Regulations, 2009 dated 23<sup>rd</sup> September 2009.



(ii) to rectify the public notice by issuing / publishing forthwith corrigendum of its public notice so published in the newspaper without suggesting / advising to its subscribers to use the Mobile Number Portability (MNP) facility to port out to its preferred partner and explicitly informing all its subscribers in the service areas of Bihar, Haryana, Gujarat, Madhya Pradesh, UP(East) and UP(West) to use Mobile Number Portability (MNP) facility to port their mobile number to any of the service provider of their choice.

(iii) to ensure that any public notice issued in future by M/s VTL in regard to availing of Mobile Number Portability facility by its customers shall be in line of para (ii) above.

(iv) remove the public notice as referred in para 5 above from its website with immediate effect and issue / post fresh Public Notice forthwith on home page of its website duly informing the subscribers to port their mobile numbers to any of the service providers of their choice

8. M/s VTL is hereby directed to furnish compliance report of this direction together with all the relevant supporting documents to TRAI by 09.05.2016.

  
6/5/16

**(Sanjeev Banzal)**

**Advisor (Network, Spectrum and Licensing)**

To,

Sh. Arvind Bali  
Managing Director & Chief Executive Officer,  
M/s Videocon Telecommunications Ltd.,  
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