



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



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DIRECTION

Dated:24th June, 2016

Subject: Direction under section 13, read with sub-clauses (i) and (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 and regulation 18 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009), with regard to closure of CDMA services and rollout of LTE services in 800 MHz band by M/s Reliance Communications Limited in Tamil Nadu (including Chennai), Karnataka, Kerala and Rajasthan licensed service areas w.e.f. 6th July, 2016, consequent to liberalization of 800 MHz spectrum and extension of validity of Unique Porting Codes generated pursuant to direction No.123-2/2014-NSL-II dated the 20th May, 2016.

No.123-2/2014-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 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 Reliance Communications Limited (hereinafter referred to as M/s RCL) has, vide its letter No. RCL/TRAI/16-17/7060 dated 6th June, 2016, intimated the Authority that it had applied to DoT for liberalization of existing 800 MHz spectrum on 09th November, 2015 and 18th December, 2015 in Tamil Nadu (including Chennai), Karnataka, Kerala and Rajasthan licensed service areas and rolling out LTE services;

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3. And whereas M/s RCL has, vide its letter dated 6th June, 2016 further informed that DoT has approved the liberalization of the spectrum held by it in 800 MHz in all the aforesaid four licensed service areas w.e.f. the 1st June, 2016 and has also informed that necessary intimation in this regard will be provided to its existing CDMA subscribers;

4. And whereas M/s RCL has, vide its letter No. RCL/TRAI/LT/16-17/5216 dated 14th June, 2016 further informed the Authority regarding planned closure of its CDMA services with effect from midnight of 06th July, 2016 in Tamil Nadu (including Chennai), Karnataka, Kerala and Rajasthan licensed service areas;

5. And whereas as per regulation 6 (a) of the Telecommunication Mobile Number Portability Regulations, 2009 (hereinafter referred to as regulations) dated the 23rd September, 2009, a mobile number may be ported after expiry of a period of ninety days from the date of activation of mobile connection in the case of a mobile number not ported earlier; or from the date of activation of mobile number after its last porting, in the case of a mobile number which has been ported earlier;

6. And whereas Authority, vide direction dated the 20th May, 2016, directed M/s RCL to generate unique porting codes (herein after referred as UPCs) for all its subscribers in Haryana, Himachal Pradesh, Orissa, Punjab, West Bengal, Andhra Pradesh, Bihar, Delhi, Gujarat, Kolkata, Madhya Pradesh, Maharashtra, Mumbai, UP (East) & UP (West) licensed service areas and keep UPCs generated pursuant to the said direction and UPCs generated prior to the date of issue of that direction which were valid on that date, valid till 23:59:59 hours of 30th June, 2016;

7. And whereas pursuant to the direction dated the 20th May, 2016, M/s RCL, vide its letter dated 23rd June, 2016, requested the Authority to extend the validity of UPCs, which were to expire on 30th June, 2016, to facilitate their CDMA subscribers to upgrade to 4G or GSM service of M/s RCL or to port out to any service provider / technology of their choice;

8. And whereas, the Authority noted that there are still a significant number of CDMA subscribers of M/s RCL, who are yet to exercise their porting option and therefore, in the interest of subscribers, the Authority has decided to extend the validity period of the UPCs generated pursuant to the Direction of the Authority dated the 20th May, 2016;

9. And whereas, regulation 18 of the regulations provide that 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 these regulations;

10. 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, and regulation 18 of the regulations, the Authority, in the interest of consumers of telecom sector, hereby directs –

(a) M/s Reliance Communications Limited to –

- (i) generate, Unique Porting Codes (hereinafter referred to as UPCs) with service provider codes 'L', 'P' and 'S', for Tamil Nadu (including Chennai) service area in addition to the existing 'service provider code' 'R' and communicate UPC through SMS to CDMA subscribers immediately;
- (ii) generate UPCs with service provider code 'L' and 'P' for Karnataka service area in addition to the existing 'service provider code' 'R' and communicate UPC through SMS to CDMA subscribers immediately;
- (iii) generate UPCs with service provider code 'L' for Kerala and Rajasthan service areas in addition to the existing 'service provider code' 'R' and communicate UPC through SMS to CDMA subscribers immediately;
- (iv) keep all UPCs generated pursuant to this direction and UPCs generated prior to the date of this direction which are valid on that date, valid till 23:59:59 hours of the 16th August, 2016;
- (v) keep UPCs generated pursuant to the direction dated the 20th May, 2016 valid till 23:59:59 hours of the 16th August, 2016;
- (vi) act upon all the requests of mobile number portability made by its CDMA subscribers and forwarded by MNPSs to M/s RCL till the 16th August, 2016;

- (vii) not reject any porting-out request of its CDMA subscribers whose activation of number is of less than ninety days;
 - (viii) issue public notice within two days of issue of this direction, in at least two leading newspapers in the licensed service areas, out of which one newspaper shall be in regional language and on its website, informing its subscribers of closure of CDMA service in the Tamil Nadu (including Chennai), Karnataka, Kerala and Rajasthan licensed service areas and the options available with the subscribers to port their mobile numbers to any service provider or technology of their choice till the 16th August, 2016;
 - (ix) issue public notice within two days of issue of this direction, in at least two leading newspapers in the licensed service areas, out of which one newspaper shall be in regional language and on its website, informing the subscribers in the Haryana, Himachal Pradesh, Orissa, Punjab, West Bengal, Andhra Pradesh, Bihar, Delhi, Gujarat, Kolkata, Madhya Pradesh, Maharashtra, Mumbai, UP (East) & UP (West) licensed service areas regarding extension of the validity period of UPCs till 23:59:59 hours of 16th August, 2016 and availability of option to the subscribers to port their mobile numbers to any service provider or technology of their choice till the 16th August, 2016;
 - (x) furnish compliance report of this direction to the Authority by 26th August, 2016 together with the details of the number of CDMA subscribers successfully upgraded to 4G or ported out, and remaining CDMA subscribers who could not port out and reasons thereof.
- (b) all telecom service providers and MNP service providers to:
- (i) recognize additional UPCs with service provider code as 'L', 'P' and 'S' for Tamil Nadu (including Chennai) service areas, 'L' and 'P' for Karnataka service areas and code 'L' for Kerala and Rajasthan service areas for the CDMA subscribers of M/s RCL;

- (ii) to recognize additional UPCs with service provider code as 'L', 'P', 'S', 'W' and 'X' for Delhi service area, 'L', 'P', 'S' and 'W' for U.P.(East), 'L', 'P' and 'S' for Bihar and Madhya Pradesh service areas, 'L' and 'P' for Andhra Pradesh, Maharashtra and Mumbai service areas and 'code 'L' for Kolkata, Gujarat and UP(West) service areas for the CDMA subscribers of M/s RCL;
- (c) MNP service providers:
- (i) to allow porting out of CDMA subscribers of M/s RCL of the aforesaid licensed service areas with activation of number of less than ninety days; and
- (ii) not to accept requests for porting of CDMA mobile numbers of licensed service areas mentioned at para 2 and para 6 above of M/s RCL as Donor Operator after the 16th August, 2016.



(Sanjeev Banzal)

Advisor (Network, Spectrum and Licensing)

To,

All TSPs and MNPSPs