



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



DIRECTION


Date: 17th October, 2019

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) regarding validity of unique porting codes generated pursuant to directions dated 27th February, 2018 and 17th April 2019 to facilitate Mobile Number Portability for the subscribers of M/s Aircel Ltd. and M/s Dishnet Wireless Ltd. in the licensed service areas of Andhra Pradesh, Assam, Bihar, Delhi, Jammu & Kashmir, Karnataka, Kerala, Kolkata, Mumbai, North East, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh (East) and West Bengal - reg.

No.116-22/2017-NSL-III/(Part) 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 the Authority, in exercise of the powers conferred upon it by section 36, read with sub-clauses(i), (iii) and (v) of clause (b) of sub-section (1) of section 11, of TRAI Act, made the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as "regulations");

3. And whereas M/s Aircel Ltd. and M/s Dishnet Wireless Ltd. (both collectively referred to as M/s Aircel Group), vide their letter No. AL/TRAI/Corr/2018/21 dated 22nd February, 2018, *inter-alia* requested the Authority to issue suitable direction for allotting additional codes to generate unique porting codes in the licensed service areas where their subscriber base is in excess of one million; allow mobile number portability to subscribers where a period of ninety days has not elapsed from the date of activation into


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the network of M/s Aircel Group and extend validity of unique porting codes upto forty five days, to enable smooth porting;

4. And whereas keeping in view the request of M/s Aircel Group and to facilitate Mobile Number Portability for the subscribers of M/s Aircel Group in the licensed service areas of Andhra Pradesh, Assam, Bihar, Delhi, Jammu & Kashmir, Karnataka, Kerala, Kolkata, Mumbai, North East, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh (East) and West Bengal, the Authority issued direction dated 27th February 2018 allotting additional codes for the generation of unique porting code (hereinafter referred to as 'UPC');

5. And whereas, vide direction referred in para-4 above, M/s Aircel Group was also directed to generate UPCs with additional codes along with existing service provider code in all the applicable licensed service areas and communicate the said UPCs to the subscribers through SMS, with validity till 23:59:59 hours of 15th April, 2018 and extend the validity of UPCs generated prior to the date of the said direction which were valid on that date, till 23:59:59 hour of 15th April, 2018;

6. And whereas as per the information received from the Mobile Number Portability Service Providers (hereinafter referred to as MNPSs), it had been noticed that there were large number of subscribers who had not been able to port their mobile numbers from the network of M/s Aircel Group till 15th April, 2018, therefore in order to protect the interest of subscribers of M/s Aircel Group and to facilitate the mobile number portability, the Authority issued direction dated 17th April, 2018, extending the validity of all UPCs generated pursuant to the direction dated 27th February, 2018 and UPCs generated prior to the date of the said direction which were valid on that date till further direction/ order;

7. And whereas the Authority issued Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018 (09 of 2018) on 13th December 2018 to the regulations referred in para 2 above, whereby major changes have been incorporated in the mobile number portability process and which shall come into force with effect from 11th November 2019;


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8. And whereas for implementation of the Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018 (09 of 2018), as referred to in para 7 above, vide e-mail dated 21st December 2018 the Authority sought nominations from all telecom service providers including M/s Aircel Group for the Committee formed for implementation, and in response, M/s Aircel Group informed that since they are not operating anymore in any circle, hence it may be exempted in ongoing implementation activities;


9. And whereas, as per the terms of license, it is obligatory on the part of all the licensees including M/s Aircel Group to make necessary provisions for the implementation of the revised mobile number portability process without fail in the interest of the mobile subscribers and therefore M/s Aircel Group was suggested vide TRAI letter dated 23rd April 2019 to coordinate with both the MNP Service providers, namely, M/s Syniverse Technologies Inc. and M/s MNP Interconnection Telecom Solutions (India) Pvt. Ltd. for implementation of the revised mobile number portability process, as and when they decide to provide the services under the license; in the absence of which the subscribers of M/s Aircel Group would not be able to avail the facility of mobile number portability;

10. And whereas regulation 18 of the regulations, inter-alia, provides 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 the regulations;

11. 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 Mobile Number Portability Regulations, 2009 (8 of 2009), the Authority, in order to protect the interest of subscribers of M/s Aircel Group and to facilitate the mobile number portability, hereby directs-

(a) M/s Aircel Group to-

- (i) keep the validity of all unique porting codes, generated pursuant to the direction dated 27th February 2018 and unique porting codes



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generated prior to the date of the said direction which were valid on that date, till 4th November 2019; and

(ii) furnish compliance report of this direction to the Authority by 20th November 2019, together with the details sought vide TRAI direction dated 27th Feb 2018;

(b) Mobile Number Portability Service Providers to -

- (i) allow the porting request of mobile numbers of subscribers of M/s Aircel Group for the service areas referred to in para 4 of this direction, till the 31st October 2019; and
- (ii) not to accept porting requests from the subscribers of M/s Aircel Group as donor operator, after the 31st October 2019, for the licensed service areas referred to in para 4 of this direction.


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(Syed Tausif Abbas)

Advisor (Network, Spectrum and Licensing)

To,

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