



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



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**DIRECTION**

Dated: 17<sup>th</sup> February, 2017

**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, with regard to closure of GSM services by M/s Quadrant Televentures Limited in Punjab licensed service areas with effect from midnight of 15<sup>th</sup> February 2017.

No.116-2/2017-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 Quadrant Televentures Limited (hereinafter referred to as M/s QTL) has, vide its letter no.QTL/Reg/DoT/1612/155 dated 16<sup>th</sup> December 2016 to DoT and the Authority, given a notice of 60 days for closure of its GSM commercial operations in Punjab licensed service area;

3. And whereas M/s QTL, vide its letter No. QTL/Reg/TRAI/1701/196 dated 16th January, 2017, informed that as per Clause 10.3 of the UAS license agreement, M/s QTL had issued notice of 30 calendar days to each subscriber intimating them of closure of commercial services with effect from midnight of the 15th February, 2017 and requesting them to port out to telecom service provider of their choice;

*Bansal*

4. And whereas M/s QTL has, vide its letter mentioned in preceding para, requested the Authority to issue suitable instructions to Mobile Number Portability Service Providers (hereinafter referred as MNPSPs) for waiver of 90 days lock in period as per MNP Regulations 2009, to allow port out of subscribers with Age on Network (AON) less than 90 days from their network and has further requested to extend validity of UPCs expiring on midnight of 15<sup>th</sup> February, 2017 for another period of 60 days to enable interested subscribers to port out their numbers to the service provider of their choice;

5. And whereas regulation 6 of the Mobile Number Portability Regulations, 2009 dated 23<sup>rd</sup> September, 2009 provides that every subscriber shall be eligible to make a request for porting his mobile number provided that a period of ninety days has expired 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 the intimation given by M/s QTL was examined and the comments of the Department of Telecommunications (DoT) were also sought vide letter No. 102-1/2017-NSL-II dated 8th February, 2017 on the applicable provisions of the Universal Access Service License (UASL) and a copy of the said letter was also endorsed to M/s QTL;

7. And whereas M/s QTL, vide its letter dated 8th February, 2017, informed the Authority that it was going ahead with closure of its GSM service operations w.e.f. midnight of 15th February, 2017 and that it should not be held responsible for inconvenience and resultant grievances to the subscribers in migrating to the network of other service providers;

8. And whereas the Authority did not receive any communication by 14th February 2017 from DoT on the clarifications sought by it vide its letter dated 8th February, 2017 and therefore, on 14th February, 2017 directed M/s QTL to comply with the provisions of the UASL to ensure continuity of service to its subscribers and maintain the quality of service till its license is operational and to furnish the compliance report to the Authority within a period of two days from the date of issue of the direction;

*Ranjan*

9. And whereas DoT, vide its letter No. 10-07/2013-AS-II/Videocon Migration/47/572 dated 15th February, 2017, conveyed its decision and stated that “.....the GSM operations in Punjab service area can be closed after 60 days intimation to DoT i.e. 60 days after 16.02 2016 or it will be treated as violation of licensing condition & subsequently suitable action will be taken if failing to comply”;

10. And whereas M/s QTL has, vide its letter dated 15th February, 2017, informed that its GSM service operations would be closed with effect from midnight of 15th February, 2017;

11. And whereas from the monthly reports submitted by M/s QTL as on 31st January, 2017 and the number of mobile subscribers ported till 15th February, 2017 from their network, as enquired from the MNPSPs, the Authority noted that there are more than 20 lakh subscribers with M/s QTL whose services have been closed by M/s QTL with effect from midnight of 15th February, 2017;

12. And whereas 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) and to protect the interest of telecom subscribers of M/s QTL, whose services have been discontinued and who could not port out their mobile number to the service provider of their choice, the Authority hereby directs –

(a) M/s Quadrant Televentures Limited to –

(i) use Unique Porting Codes (UPCs) with service provider codes ‘F’, ‘G’, ‘K’, ‘L’ and ‘N’ in addition to the existing service provider code ‘H’ for all the subscribers in Punjab licensed service area and communicate UPC to the subscribers;

(ii) keep all the UPCs generated consequent to this direction and UPCs generated prior to and valid on the date of this direction, live and valid till 23:59:59 hours of 18<sup>th</sup> April, 2017, i.e. 60 days from the date of issue of this direction;

(vi) respond to all requests for portability of mobile number portability made by its subscribers forwarded to M/s QTL by MNPSPs till 18<sup>th</sup> April, 2017;

- (vii) accept porting-out request of its subscribers whose AON is of less than 90 days;
- (viii) issue public notice of suitable size, within three days of issue of this Direction, in at least two leading newspapers in the Punjab licensed service area, out of which one newspaper should be in regional language and also on its website, informing its subscribers regarding extension of validity of UPCs till 23:59:59 hours of the 18<sup>th</sup> April, 2017 and to port out their mobile number to any other telecom service provider till the 18th April, 2017;
- (ix) furnish compliance report of this direction to the Authority by 30<sup>th</sup> April, 2017 along with the details of the number of subscribers successfully ported out, remaining subscribers who could not port out and reasons thereof and total unspent amount of the pre-paid mobile subscribers.
- (b) all Telecom Service Providers and Mobile Number Portability Service Providers to recognize additional UPCs with service provider code as 'F', 'G', 'K', 'L' and 'N' for Punjab service area, for the subscribers of M/s QTL;
- (c) MNP Service Providers to allow porting out of mobile numbers of subscribers of M/s QTL with AON of less than 90 days; and
- (d) MNP Service Providers to not to accept requests for porting of mobile numbers with M/s QTL as Donor Operator after 23:59:59 hrs of 18<sup>th</sup> April, 2017.

  
(Sanjeev Banzal) 17/2/17

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

To,  
All Mobile service Providers and MNPSPs