



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



DIRECTION

Dated: 3rd November, 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 and regulation 18 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009), with regard to discontinuation of 2G/GSM services by M/s. Reliance Communications Limited in Andhra Pradesh, Haryana, Maharashtra, UP(East), UP(West), Tamil Nadu, Karnataka and Kerala licensed service areas and upgrading of network from CDMA to LTE/4G in 800 MHz band in Delhi, Rajasthan, UP(West), Tamil Nadu, Kerala, Karnataka, West Bengal, Gujarat and Kolkata licensed service areas after conclusion of merger of licenses of Systema Shyam Televentures Limited into Reliance Communications Limited.

No.116-9/2017-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 licence; 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 by section 36, read with sub-clauses(i), (iii) and (v) of clause (b) of sub-section (1) of section 11 of the TRAI Act, made the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as regulations);

3. And whereas M/s Reliance Communications Limited (hereinafter referred to as M/s RCL) has, vide its letter No. RCL/TRAI/17-18/7615 dated 31st October 2017, intimated the Authority that currently M/s RCL is providing 2G/ GSM and 4G/ LTE services in the eight

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licensed service areas namely - Andhra Pradesh, Haryana, Maharashtra, UP(East), UP(West), Tamil Nadu (including Chennai), Karnataka and Kerala under the respective Unified Access Service (UAS) licenses issued by the Department of Telecommunications;

4. And whereas M/s RCL has, vide its letter dated 31st October 2017, mentioned in para 3 above further informed that it has been decided that M/s RCL shall provide only 4G data services to its customers and as a result will discontinue to provide voice services to the subscribers of the aforementioned eight licensed service areas with effect from 1st December, 2017;

5. And whereas M/s RCL has, vide its letter dated 31st October 2017, mentioned in para 3 above further informed that necessary intimation has been sent to all existing 2G and 4G subscribers along with the option to port out their mobile number to any other operator of their choice, in case they do not wish to continue with 4G data services of M/s RCL;

6. And whereas M/s RCL has, vide its letter dated 31st October 2017, mentioned in para 3 above has further added that intra circle roaming arrangements have been made with various operators wherein the subscriber would latch on to their network thereby allowing the subscriber to get the unique porting code;

7. And whereas M/s RCL has, vide another letter No. RCL/TRAI/17-18/7621 dated 31st October 2017, intimated the Authority that approval of Department of Telecommunications has been accorded on 20th October 2017, for transfer and vesting of telecommunication business of Systema Shyam Televentures Limited (M/s SSTL) to M/s RCL and implementation of scheme of arrangement/ amalgamation with effect from midnight of 31st October, 2017;

8. And whereas M/s RCL vide letter referred in para above also state that M/s RCL is presently providing CDMA services to the subscribers using the 3.75 MHz spectrum transferred from M/s SSTL to M/s RCL in 800 MHz band in the frequency range of 874.02 MHz, 886.59 Mhz, 887.82 MHz in Delhi, Rajasthan, UP(West), Tamil Nadu, Kerala, Karnataka, West Bengal, Gujarat and Kolkata licensed service areas and will be upgrading


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the network from CDMA to LTE using this spectrum and accordingly the CDMA services will be shutdown effective 23:59 Hrs of 30th November, 2017;

9. And whereas M/s RCL has, vide its letter dated 31st October 2017, mentioned in para 7 above further informed that necessary intimation will be provided to existing CDMA subscriber for upgradation to LTE services alongwith the option to port out in case they do not wish to migrate to M/s RCL's 4G/ LTE data services;

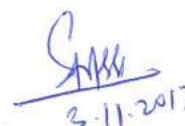
10. And whereas discontinuation of the services as intimated by M/s RCL and upgradation of CDMA network to LTE shall render substantial number of 2G/GSM and 4G/LTE subscribers of M/s RCL without network with effect from 1st December, 2017;

11. And whereas as per the regulation 6 (a) of Mobile Number Portability Regulations, 2009 (hereinafter referred to as regulations) dated 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;

12. And whereas it has been noted that the subscribers recently acquired by M/s RCL and those who have ported into their network from other operators in the last ninety days shall not be able to port out to other operators as per the present provisions of the regulations and has, therefore, require exemption from this ninety days restriction to facilitate the porting out of its such subscribers;

13. 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;

14. 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


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Authority, keeping in view the larger interest of subscribers of M/s RCL and to facilitate the mobile number portability, hereby directs –

(a) M/s Reliance Communications Limited to –

- (i) generate UPCs with existing service provider code 'R' for all the subscribers in Delhi, Gujarat and Kolkata licensed service areas and communicate UPC to the subscribers through SMS immediately;
- (ii) generate Unique Porting Codes (hereinafter referred to as UPCs) with service provider codes 'C', 'F', 'G', 'H', 'K', 'L', 'N', 'P', 'Q', 'S', 'W', 'X' and 'Z' in addition to the existing service provider code 'R' for all the subscribers in UP(East) licensed service area and communicate UPC to the subscribers through SMS immediately;
- (iii) generate UPCs with service provider codes 'H', 'K', 'L', 'N', 'P', 'Q', 'S', 'W', 'X' and 'Z' in addition to the existing service provider code 'R' for all the subscribers in Karnataka, Tamil Nadu and UP(West) licensed service areas and communicate UPC to the subscribers through SMS immediately;
- (iv) generate UPCs with service provider codes 'P', 'Q', 'S', 'W', 'X' and 'Z' in addition to the existing service provider code 'R' for all the subscribers in Andhra Pradesh and Maharashtra licensed service areas and communicate UPC to the subscribers through SMS immediately;
- (v) generate UPCs with service provider codes 'X' and 'Z' in addition to the existing service provider code 'R' for all the subscribers in Haryana and Kerala licensed service areas and communicate UPC to the subscribers through SMS immediately;
- (vi) generate UPCs with service provider code 'Z' in addition to the existing service provider code 'R' for all the subscribers in Rajasthan and West Bengal licensed service areas and communicate UPC to the subscribers through SMS immediately;
- (vii) keep all the 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 31st December, 2017;
- (viii) not reject any porting-out request of its subscribers whose activation of mobile number in the network of M/s RCL is of less than ninety days;

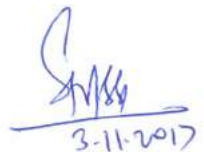

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- (ix) issue public notice of minimum size of 12 cm X 12 cm, within three days of issue of this Direction, in at least two daily newspapers registered with Registrar of Newspapers for India, Govt. of India in all the license services area mentioned in the subject above, out of which one newspaper should be in regional language;
- (x) issue public notice on main page of its website, informing its subscribers regarding extension of validity of UPCs till 23:59:59 hours of the 31st December, 2017 and to port out their mobile number to any other telecom service provider till the 31st December, 2017;
- (xi) furnish compliance report of this direction to the Authority by 10th January, 2018 together with the details of the number of subscribers successfully ported out and remaining subscribers who could not port out and reasons thereof and total unspent amount of such pre-paid mobile subscribers;

(b) all Telecom Service Providers and Mobile Number Portability Service Providers to recognize additional UPCs with service provider codes as 'C', 'F', 'G', 'H', 'K', 'L', 'N', 'P', 'Q', 'S', 'W', 'X' and 'Z' in addition to the existing service provider code 'R' for the licensed service areas as mentioned in sub-para (a), (i) to (vi) above for the subscribers of M/s RCL;

(c) Mobile Number Portability Service Providers to allow porting out of subscribers of M/s RCL of the licensed service areas as mentioned in sub-para (a), (i) to (vi) above with 'age on network' less than ninety days; and

(d) Mobile Number Portability Service Providers not to accept requests for porting of mobile numbers of licensed service areas as mentioned in sub-para (a), (i) to (vi) above of M/s RCL as Donor Operator after 31st December, 2017.



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(Syed Tausif Abbas)

Advisor (Network, Spectrum and Licensing)

To,
All Access Service Providers (Wireless)
Mobile Number Portability Service Providers