



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
(पुराना मिनटो रोड) नई दिल्ली/(Old Minto Road), New Deini-110002
फैक्स/Fax : +91-11-23213294, ईपीबीएक्स नं०/ EPBX No. : +91-11-23664145

DIRECTION

Dated: 25th April, 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 closure of services by M/s Videocon Telecommunication Limited in Bihar, Haryana, Gujarat, Madhya Pradesh, UP(East) and UP(West) licensed service areas with effect from 11th May, 2016, consequent to trading of 1800 MHz spectrum allotted to it to M/s Bharti Airtel Limited.

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 12th 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 been submitted to WPC, DoT on 17.03.2016;

3. And whereas M/s VTL has, vide their letter mentioned in the preceding para, further informed that they have intimated all their subscribers about discontinuation of its commercial services with effect from midnight of 11.05.2016 and requested the subscribers to port out to other service providers.;

4. And whereas M/s VTL has, in their letter mentioned in para 2 above, also stated that subscribers who were acquired recently and those who have ported into their network from other operator having Activation of Number (AON) less than 90 days shall not be able to port out from M/s VTL due to rejection from MNP Service Providers and has requested to allow port out of its subscribers with AON less than 90 days from their network.;

5. And whereas as per the regulation 6 (a) of Mobile Number Portability Regulations, 2009 dated 23rd September 2009, a period of ninety days has to expire 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. Now, therefore, in exercise of the powers conferred upon it under section 13, read with sub-clause (i), (iii) 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 –

(a) M/s Videocon Telecommunication Limited shall –

(i) generate Unique Porting Codes (UPCs) with service provider code 'C' for all the subscribers in Bihar, UP(East), UP(West) licensed service areas and communicate UPC through SMS to the subscribers immediately;

(ii) generate UPCs with service provider code 'F', 'G', 'K', 'N', 'O' and 'Q' for Madhya Pradesh service area in addition to the existing 'service provider code' i.e. 'C' and communicate the UPC through SMS to the subscribers immediately;

(iii) generate UPCs with service provider code 'F', 'G', 'K' and 'N' for Haryana service area in addition to the existing 'service provider code' i.e. 'C' and communicate the UPC through SMS to the subscribers immediately;



- (iv) generate UPCs with service provider code 'F' for Gujarat service area in addition to the existing 'service provider code' i.e. 'C' and communicate the UPC through SMS to the subscribers immediately;
- (v) keep all the UPCs generated by consequent to this direction and UPCs generated prior to this date which are valid on the date of this direction, valid (i.e. not expire) till 23:59:59 hours of 31.05.2016;
- (vi) respond to all requests of mobile number portability made by its subscribers forwarded to M/s VTL by MNPSPs till 31.05.2016;
- (vii) not reject any porting-out request of its subscribers whose AON is of less than 90 days; and
- (viii) shall furnish compliance report of this direction to TRAI by 10.06.2016 along with the details of the number of subscribers successfully ported out and remaining subscribers who could not port out and reasons thereof.

(b) all Telecom Service Providers and Mobile Number Portability Service Providers to recognize additional UPCs with service provider code as 'F', 'G', ;K', 'N', 'O', 'Q' for Madhya Pradesh service area, 'F', 'G', ;K', 'N' for Haryana service area and 'F' for Gujarat service area for the subscribers of M/s VTL;

(c) MNP Service Providers to allow porting out of subscribers of M/s VTL with AON of less than 90 days; and

(d) MNP Service Providers not to accept requests for porting of mobile numbers with M/s VTL as Donor Operator after 31.05.2016.


(U.K. Srivastava)

Principal Advisor (Network, Spectrum and Licensing)

To,

All TSPs and MNPSPs