



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



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Dated the 7<sup>th</sup> October, 2016

**DIRECTION**

**Subject: Direction under section 13 read with section 11(1) (b) of the TRAI Act, 1997 to ensure compliance of the terms and conditions of the license relating to interconnection and the provisions of the Standards of Quality of Service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009**

**No. 10-6/2016-BB&PA** 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], has been entrusted with discharge of certain functions, *inter alia*, to ensure compliance of terms and conditions of license; to ensure technical compatibility and effective inter-connection between different service providers and to ensure quality of service provided by the service providers so as to protect interest of the consumers of telecommunication service;

2. And whereas the sub-clause 6.2 of Clause 6 on "Network Interconnection" of the Part-II of Unified License provides that it shall be mandatory for the LICENSEE to interconnect to/provide interconnection to all eligible Telecom service Providers to ensure that the calls are completed to all destinations;

3. And whereas the sub-clause 27.4 of Clause 27 on "Network Interconnection" of the Part-I of Unified License reads as under:

"27.4 Licensee shall interconnect with other Telecom Service Providers at the Points of Inter-connection (POI) subject to compliance of prevailing regulations, directions or determinations issued by TRAI. The charges for accessing other networks for inter-network calls shall conform to the Orders/ Regulations/ Guidelines issued by the TRAI/ Licensor from time to time. The Interconnection Agreements will, inter-alia, provide the following:

(a) To meet all reasonable demand for the transmission and reception of messages between the interconnected systems.

(b) To establish and maintain such one or more Points of Interconnect as are reasonably required and are of sufficient capacity and in sufficient number to enable transmission and reception of the messages by means of the Applicable Systems,

(c) To connect, and keep connected, to their Applicable Systems.";

4. And whereas sub-clause 26.2 of Clause 26 on "Network Interconnection" of Unified Access Service License reads as under:-

"26.2 The LICENSEE may enter into suitable arrangements with other service providers to negotiate Interconnection Agreements whereby the interconnected networks will provide the following:

(a) To meet all reasonable demand for the transmission and reception of messages between the interconnected systems.

(b) To establish and maintain such one or more Points of Interconnect as are reasonably required and are of sufficient capacity and in sufficient numbers to enable transmission and reception of the messages by means of the Applicable Systems,

(c) To connect, and keep connected, to their Applicable Systems.";

5. And whereas sub-clause 27.2 of Clause 27 on "Network Interconnection" of Cellular Mobile Telephone Service License reads as under:

"27.2 The Cellular Service Licensee may enter into suitable arrangements with other service providers to negotiate Interconnection Agreements whereby the interconnected networks will provide the following:

(a) To meet all reasonable demand for the transmission and reception of messages between the interconnected systems.

(b) To establish and maintain such one or more Points of Interconnect as are reasonably required and are of sufficient capacity and in sufficient numbers to enable transmission and reception of the messages by means of the Applicable Systems,

(c) To connect, and keep connected, to their Applicable Systems,";

6. And whereas the Standards of Quality Of Service Of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009 dated the 20<sup>th</sup> March, 2009, *inter-alia*, provide that every cellular mobile telephone service provider shall meet the Quality of Service benchmark of  $\leq 0.5\%$  for POI Congestion (on individual POI) averaged over a month;

7. And whereas it has been brought to the notice of the Authority by M/s Reliance Jio Infocomm Limited (hereinafter referred to as RJIL) that it is facing acute congestion on points of interconnection (POIs) owing to inadequacy of E1s with certain telecom service providers (TSPs);

8. And whereas a meeting was held by TRAI on the 9<sup>th</sup> September, 2016 wherein it was conveyed to the telecom service providers that the TSPs should ensure that the consumers of the telecom service providers do not suffer because of the inadequacy of POIs;

9. And whereas the Authority, vide letter No. 10-6/2016-BB&PA dated the 19<sup>th</sup> September, 2016, *inter-alia*, asked the TSPs to furnish information on traffic on POIs with M/s RJIL during busy hour in a prescribed format;

10. And whereas the Authority received replies from the TSPs in response to the afore-mentioned letter dated the 19<sup>th</sup> September, 2016, providing the information on traffic on POIs with M/s RJIL during busy hour;

11. And whereas on perusal of the information furnished by the TSPs, the Authority has *prima facie* noted that in many of the License Service Areas (LSAs), the percentage of failed call attempts during busy hour with M/s RJIL is exorbitantly high, which is in contravention of the provisions of the Standards of Quality Of Service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009 relating to the benchmarks for POI congestion and also violates the relevant provisions of the license;

12. And whereas the Authority issued letters to the TSPs on the 27<sup>th</sup> September, 2016 to show cause as to why action under the provisions of the TRAI Act should not be initiated against them for violation of the Standards of Quality Of Service Of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009 dated the 20th March, 2009 and the provisions of Unified License and Unified Access Service License;

13. And whereas the Authority, in a meeting with the Chief Executive Officers (CEOs) of certain TSPs held on the 30th September, 2016 in TRAI, New Delhi, *inter-alia*, requested the TSPs to furnish information regarding congestion on the POIs with M/s RJIL on daily basis to the Authority which was followed by the Authority's letter dated the 3<sup>rd</sup> October, 2016;

14. And whereas the Authority has received replies from the TSPs in response to the afore-mentioned letter dated the 3<sup>rd</sup> October, 2016, providing the day-wise information on traffic and congestion on POIs with M/s RJIL;

15. And whereas on perusal of the information furnished by the TSPs, the Authority has *prima facie* noted that in many LSAs, the percentage of failed call attempts and POI congestion during busy hour with M/s RJIL is still high and thus

the TSPs are not meeting the benchmarks for POI congestion prescribed in quality of service regulations referred above at the POIs with M/s RJIL and are also in violation of relevant provisions of the license;

16. And whereas PoI congestion, as noted above, has resulted into large failure of inter-operator calls affecting the interest of the consumers at large and, therefore, to protect the interest of the consumers, the Authority has decided to issue this direction;

17. Now, therefore, the Authority, in exercise of power under section 13, read with section 11(1)(b), of TRAI Act, to protect the interest of the consumers hereby directs all service providers holding Unified License (with Access Service authorization), Universal Access Service License, Cellular Mobile Telephone Service License and Basic Service License to comply with the Standards of Quality Of Service of Basic Telephone Service (Wireline) and Cellular Mobile Telephone Service Regulations, 2009 dated the 20<sup>th</sup> March, 2009 and the terms and conditions of their respective licenses and to furnish the compliance report by 17<sup>th</sup> October, 2016.



(Arvind Kumar)  
Advisor (BB&PA)

To,

**All service providers holding Unified License (with Access Service authorization), Universal Access Service License, Cellular Mobile Telephone Service License and Basic Service License**