

RJIL/TRAI/2018-19/522  
24<sup>th</sup> October 2018

To,

**Shri S. T. Abbas,**  
**Advisor (Network Spectrum and Licensing),**  
**Telecom Regulatory Authority of India,**  
**Mahanagar Doorsanchar Bhawan,**  
**Jawaharlal Nehru Marg,**  
**New Delhi - 110002**

**Subject: Comments on 'Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018' dated 25<sup>th</sup> September 2018.**

Dear Sir,

Please find attached comments of Reliance Jio Infocomm Limited on the "Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018" dated 25<sup>th</sup> September 2018.

Thanking You,

Yours sincerely,  
For **Reliance Jio Infocomm Limited,**

  
**Kapoor Singh Guliani**  
Authorised Signatory



Enclosure: As above.

**RELIANCE JIO INFOCOMM LTD'S COMMENTS ON TRAI'S  
"Draft TELECOMMUNICATION MOBILE NUMBER PORTABILITY (7<sup>th</sup> Amendment)  
REGULATIONS, 2018"**

**General Comments:**

1. At the outset, Reliance Jio Infocomm Limited (RJIL) thanks the Authority for issuing this draft regulation to simplify the Mobile Number Portability (MNP) process and shorten the timelines thereof. We reiterate our submission to the TRAI Consultation Paper that the technological developments, changes in the sector and the general dissatisfaction of the consumers with long drawn MNP process implied that a comprehensive revision was imperative.
2. We submit that the Authority has rightly identified that the long drawn Donor Operator (DO) driven MNP process is the cause of customer dissatisfaction and that an extensive revision was imminent. We support the proposed changes in the process starting with shifting the responsibility to generate Unique Porting Code (UPC) to the Mobile Number Portability Service Providers (MNPSPs), who are by definition the neutral parties in the transaction with no vested interests. This will be beneficial in shifting the control of the process from DO to MNPSP.
3. We are pleased to note that the Authority has considered to shorten the porting process in right earnest, however, we submit that the proposed timelines of 2 days and 4 days for intra and inter circle MNP respectively are still sub-optimum. This reduction in timelines will not completely address the legitimate issues faced by consumers seeking to port out for reasons like Quality of Service (QoS), billing disputes, better tariffs, better network etc. The only effective change will be that instead of being forced to live with the current service provider for at least 7 more days, they will be forced to live with the service provider for 2-4 days, despite having exercised their right to move away. We therefore request the Authority to evaluate further reduction in the timeline of the porting process on a continued basis till we achieve the targeted objective of near real time number porting.
4. To arrive at a much shorter, transparent and simplified MNP process, technology advancements like introduction of a distributed digital ledger system using Blockchain technology can be considered.
5. We submit that the inclusion of Blockchain technologies for the MNP process will further enhance the process with secure transfer of immutable data making the process more transparent, consumer friendly and less time-consuming. While we respect the Authority's view to reconsider Blockchain for MNP at a later stage, we





submit that the process to incorporate such new technologies should start immediately post implementation of revised process.

6. As has been observed in the past, for any process change initiated in the interest of customers, there would be resistance for such change from certain sections citing reasons like costs and timeline. We request the Authority to disregard such submissions opposing enhancements in regulatory processes. Further, we understand that the developments required for the new process can be carried out within 60 days and the proposed six month timeline is extensive. We request you to shorten the same to 60 days from the date of issuance of the Regulation.
7. RJIL takes this opportunity to reiterate its suggestions regarding removal of withdrawal option. We submit that the customer's consent is paramount in decisions such as MNP, however, in this case the customer is having to exercise her/his consent twice before the process is actually set in motion. First, when s/he generates UPC and second when s/he approaches the Recipient Operator (RO) for porting, thus adequate choice has already been exercised and only thing that can now change the customer's mind will be the surreptitious retention efforts and the unscrupulous one-to-one offers made in violation of all established regulatory principles. Clearly the withdrawal option is not required, especially when the chosen direction is to shorten the process.
8. We further submit that the Authority should also address the inherent contradictions in the existing porting process for corporate connections. We reiterate that the current process of porting corporate connections needs to be revised comprehensively and such porting should be processed under one single request.
9. We also reiterate that in order to enhance customer experience, SMSs pertaining to MNP should be whitelisted i.e. there should be no charge to generate UPC to short code "1900", further the MNPSPs should not be charged by DO for sending the UPC or rejection of UPC request through SMS to customers.
10. With regards to the additional charges proposed by the Authority, RJIL believes that the MNPSPs should be compensated only for any additional activities that involve cost and are required to be carried out beyond their original scope of work. We have extensively evaluated the proposed charges and feel that some of these do not seem feasible. We understand that number return charge is the charge proposed to be paid by the original number range holder on receiving the mobile number post disconnection. Evidently when the numbers are allocated by DoT free of charge, there cannot be a charge for receiving back the already allocated number. Further, there is no additional work to be carried out by MNPSP beyond the existing responsibilities in this regard. Moreover, with regard to 'bulk download charges' we understand that the



bulk download is required to sync the database for activities carried out by MNPSP, thus there is no reasonable explanation as to why it should charge service providers for the same.

11. We would also take this opportunity to request the Authority to consider implementing MNP for fixed line services as well, as fixed line is poised to play a vital role in accelerating broadband penetration and this will be a timely measure to rejuvenate fixed line sector and also to give the choice to fixed line customers.

**Summary:**

1. RJIL supports the draft amendment in principle and requests the Authority to further shorten the MNP process, paving way for instant MNP.
2. The continuation of MNP withdrawal option will lead to many regulatory issues and with the shorter MNP porting period, provision for withdrawal of porting request should be removed.
3. The porting process for corporate connections needs to be comprehensively revised to enable a single UPC based porting.
4. To enhance consumer experience, SMS pertaining to UPC should be whitelisted i.e. SMS charges should be waived off.
5. The Authority is requested to introduce fixed line number portability.

**Para wise response:**

- A. **Obligation to set up mechanism for allocation for Unique Porting Code (UPC) by Access Providers and Mobile Number Portability Service Providers (MNPSPs) under the draft Regulation 5. (Para 3 of the draft Regulations)**

**RJIL Response:**

1. We fully support the draft amendment regulations. We submit that the continued high number of porting rejections due to UPC related issues make this change in responsibility of generating UPC inevitable. This transfer in UPC generating and communication responsibility will help provide faster portability and will address the issues of port-in rejections and issues with delivery of UPC.
2. As the MNPSPs have been carrying out a large number of transactions in an efficient manner for close to a decade, we can rely upon them in the porting process to eradicate issues like wrong porting code, mismatch in porting etc.





3. We submit that this will be a positive step in the direction of consumer welfare. RJIL, at its end, will support all such efforts and we will be able to carry out all required changes in 60 days period.
4. Further, we understand that some of the stakeholders are alleging certain data privacy related concerns with this revised process. We submit that mobile number and other information is already being exposed to MNPSP even in current process and there is no additional un-addressable data privacy issue being caused by revised process thus the Authority is requested to ignore any such insinuations.
5. We submit that as the customers will be sending a porting request to the DO and the MNPSP will be communicating the UPC to customers post real-time query response mechanism established with the DO, the MNPSP should also make available the status of UPC generation and submission against each request on real-time basis, as the customers will be approaching the DO's customer care, in case of non-receipt of UPC for any reason and the DO should be well-equipped to respond to queries, if any.
6. We further submit that the Authority may also prescribe suitable Quality of Service parameters applicable on the MNPSP for the activities to be performed under the regulations.
7. We further submit that the SMS charges for the UPC request should be waived off and as the UPC will be delivered by the DO in its own network, there should not be any charge payable by the MNPSP for such SMS.

**B. Process to be performed by MNPSP before allocating UPC and arrangements by the DO for query response mechanism, under the draft Regulation 6A. (Para 4 of the draft Regulations)**

**RJIL Response:**

1. RJIL strongly supports all measures that make consumer experience better and we submit that this regulation will go a long way in doing so. The draft regulation addresses the issues of unlawful porting rejection and transparency to the customers, very effectively.
2. RJIL will be able to integrate suitable query –response mechanism well within the prescribed timelines. We request the Authority to issue the API specifications alongwith the final regulations, so that the work can be started in right earnest from day one itself.



3. We support the real-time SMS communication to the customer, thus either s/he receives a UPC against request or s/he gets the reason for UPC not being issued. We further submit that the DO should also be provided this information on real time basis so that the DO is well-equipped to respond to customer queries and it can also take proactive actions for customer information. Additionally, in the cases of porting being rejected due to UPC mismatch etc., the MNPSP should also communicate the same to RO on real-time basis, so that the porting process may be initiated again with suitable corrections.

**C. Actions to be performed by RO, under the draft Regulation 8. (Para 5 of the draft Regulations)**

**RJIL Response:**

1. We submit that there is no substantial change in the actions to be performed by the RO and that the same can be implemented well within the timelines.
2. We submit that the Authority may reconsider the porting request process for corporate connections. As submitted vide our response to consultation papers and draft regulations, the corporate customers, by very nature, are the connections opted and paid for by an organisation and the Authority should avoid the unnecessary hassle in porting these numbers. We request the Authority to permit corporate porting under a single UPC. We are enclosing a draft process for porting corporate connections under single UPC for the Authority's consideration as Annexure-A. We submit that in case the Authority does not deem this proposal feasible then it should at least remove the restriction of only 50 numbers under one authorization letter.

**D. Actions to be performed by MNPSP, under the draft Regulation 9. (Para 6 of the draft Regulations)**

**RJIL Response:**

1. We have examined the additional actions to be performed by MNPSPs and find that the same can be implemented within the prescribed timelines. We submit that this is a critical intervention and that it will address the major issue of UPC related MNP rejections and the subscribers will also be made aware of the status of MNP request through simple SMS process.
2. We submit that during the Consultation paper stage, the Authority had suggested that in case the MNPSP is not able to check the information from the DO database, UPC will be generated, by default, after some time. In the draft regulation, this





provision seems to have been inadvertently left out. We request you to provide a timeline, not exceeding 12 hours, till when the MNPSP should wait to verify the details, otherwise it should proceed with porting request. However, in all scenarios, the prescribed timelines of 2 working days and 4 working days should be met without fail.

**E. Actions to be performed by DO, under the draft Regulation 10. (Para 7 of the draft Regulations)**

**RJIL Response:**

1. We submit that the development at DO end involves a pull based query response mechanism where all initial information sought by the MNPSP should be made available at shortest time interval. We submit that this is not a major development as the required information is generally readily available in subscriber database and Customer relationship management (CRM) system and can be carried out within prescribed timelines without substantial cost implications.
2. As discussed in the general comments and our previous responses, the aim of changes in MNP process is to make it faster, effective and consumer friendly and to this effect minor and major implementation adjustments should be carried out at the earliest by all service providers.
3. We submit that the MNPSP's additional responsibilities under the revised regulation will include Receiving UPC request from DO; Query Response from DO; Generating the UPC; Sending the UPC by SMS or alternatively the rejection reasons to customer; Validating UPC content and validity upon porting request; processing the porting requests. As most of these activities will have to be performed on real-time basis, it is imperative that certain QoS standards should be prescribed for both the DO as well as the MNPSP for effective results.

**F. Provisions related to communication of rejection of porting to Customer and RO under draft additions in Regulation 11 and provisions on bulk download charges. (Para 8 of the draft Regulations)**

**RJIL Response:**

1. We support complete transparency to the customers and other stakeholders and consequently support the provision on communicating the grounds of rejection by the DO to customer and RO.



2. We have carried out a thorough analysis of the conditions precedent for Bulk data download requests and find that many times these requests are caused by the changes at the MNPSPs end. The service providers need the bulk data download to update the LRNs and other database changes at their end, which were not part of the incremental data.
3. We submit that the service providers should be permitted charge-free bulk downloads to this effect and the Bulk Download Charge should not be implemented and in case the Authority is inclined to implement these charges then these shall be implemented on per transaction basis and at least 6 free bulk downloads be permitted in a month to a service provider.

**G. Revised Provisions on withdrawal of porting request under draft Regulation 10. (Para 10 of the draft Regulations)**

**RJIL Response:**

1. We reiterate our submissions that the permissibility of withdrawal of porting request by the subscribers has metamorphed into the nefarious practice of surreptitious segmented and retention offers. This practice has affected the very fabric of the regulatory oversight in telecommunication sector. Removing the provision of withdrawal of porting request is the simplest way to address this issue.
2. We submit that the short UPC validity and shorter MNP porting period would imply that the subscribers have to make up their mind before initiating the request. The subscribers would, of course, have second crack at consent, as s/he can change her/his mind before approaching a RO. In view of this double consent to port out, we do not think that a third level consent or an opportunity to withdraw the porting request is required.
3. In view of the above, we recommend that the provision of withdrawal of porting request should not be implemented. The Authority is requested to consider that if a customer willingly generates UPC and then follows up with the RO at the POS of the RO with KYC process initiated, then it is sufficient to assume that the customer has taken an informed decision and there should be no reversal of decision in mere 24 hours.





**H. Provisions pertaining to outstanding bill payment, non-payment disconnection, connection restoration and Subscriber reconnection Charge under draft changes in Regulations 14 and 15. (Para 11 and 12 of the draft Regulations)**

**RJIL Response:**

1. We reiterate our earlier submissions that a mobile number is much more than a mere number these days as it is intrinsically connected to our personal and financial transactions. The mobile number is also a critical cog in the wheel for financial inclusion targets of the Government. Thus there should be some additional leeway for the customer's to retain their number.
2. The subscribers should be permitted to make outstanding payments and reclaim their disconnected number as long as the number is not allocated to another subscriber post reversal of the number to number range holder. No additional charges should be levied for this purpose.
3. We further submit that in order to address the non-payment disconnection issue, the DO should be mandated to provide the cumulative outstanding from the customer within 7 days of the porting process, which is sufficient time, as by this time the RO would have also analysed the unbilled charges as well. This early intimation, much prior to the number deactivation process is initiated, will help the RO and the customer both.

**I. Actions to be performed by MNPSP, under the revisions in draft Regulation 16. (Para 13 of the draft Regulations)**

**RJIL Response:**

1. RJIL submits that the proposal to charge for ancillary services is valid in case it is not part of the original scope of MNPSP, basis appropriate cost analysis.
2. We have already submitted our comments on Bulk data download, number return and subscriber reconnection charges in previous paragraphs. With regards to port cancellation charges, we submit that the possibility of levying these charges will not arise if the Authority concurs with our submissions on not permitting the withdrawal of porting request. Nonetheless, in case the Authority continues with the porting request withdrawal, the porting cancellation charges can be levied.



**J. Financial Disincentive provisions under the draft Regulation 17A. (Para 14 of the draft Regulations)**

**RJIL Response:**

We submit that the Authority has only broad based the financial disincentive provisions in line with the draft amendments and we do not have any additional comments on the subject.

**K. Additional suggestions**

The Authority has mentioned in para 32 of the Explanatory Memorandum that adequate time is required for implementation of the new process after testing and conformity. While we submit that 60 days is adequate enough time for implementing the process, we also take this opportunity to suggest a comprehensive testing mechanism that can be completed in 10 days. We submit that the testing can be carried out for 1 Intra-circle and 1 Inter-circle port per operator per zone. All the operators should take part in the testing across 6 distinct LSAs with a judicious mix of intra and inter circle transactions. We submit that RJIL will be pleased to suggest a testing matrix, if required.





**Draft Proposal for Corporate MNP under a single UPC**

1. The Recipient Operator (RO) shall, upon receipt of the porting request from a Corporate, ask the Corporate to send a message through SMS to a specified Short Code of the Donor Operator (DO), from the mobile number of the Authorised Signatory duly registered with the DO.
2. The Mobile Number Portability Service Provider (MNPSP) on finding that the number is a corporate number, shall allocate a Unique Porting Code, prefixed by 'C' for corporate mobile number to the Authorised Signatory and communicate the same through SMS.
3. Upon receipt of the Unique Porting Code from the MNPSP, the Authorised Signatory shall incorporate the same in the porting request form. The Authorised Signatory shall also provide a duly authorised list of mobile numbers to be ported. The list should be authorised by the Authorised Signatory.
4. The RO should inform the Corporate that in case they are not porting all of their numbers issued by DO and Authorised Signatory's number is part of the ported numbers, the Corporate should duly intimate DO, an additional Authorised Signatory details and number of DO's network, so as to facilitate subsequent porting of remaining numbers or any other transaction.
5. The Recipient Operator shall, within a period of forty eight hours, forward the mobile number, the corresponding unique porting code, scanned copy of duly authorised list of mobile numbers to be ported and the date on which porting request is made by the Corporate, to the MNPSP of MNP zone to which the mobile number range holder of number under porting belongs and also send a SMS to the Authorised Signatory, as soon as the port request is initiated, informing him of submission of his request for porting. In the event that the numbers belong to different MNP zones, the RO will segregate the numbers on the basis of MNP zone and send the relevant details to the respective MNPSP.
6. The RO shall be liable to pay Per Port Transaction charge in respect of each successful mobile number ported.
7. Upon receipt of the porting request from the RO, the MNPSP shall verify whether:-
  - a. porting request is not in process for the same mobile numbers;



- b. Unique Porting Code received along with the porting request matches with the Unique Porting Code generated from its database for the mobile number under porting;
  - c. Unique Porting Code is valid on the date of receipt of porting request.
8. Upon successful validation of the conditions contained in clauses (a), (b) and (c) above, the MNPSP shall:-
- a. for the corporate mobile numbers, where the Unique Porting Code is prefixed with 'C', forthwith, forward the details of such request, along with scanned copy of the authorization letter received from the Recipient Operator, to the DO for clearance of porting;
  - b. upon clearance of the porting request by the DO schedule the porting within the next twenty four hours;
  - c. upon non-clearance of the porting request by DO, the MNPSP shall inform the subscriber through SMS, the reasons for rejection of such porting request and records for a minimum period of twelve months.
9. Upon receipt of the details of porting request for the Corporate numbers, the DO shall, within two working days verify such details and communicate to the MNPSP --
- a. it has objection to the porting of the numbers from its network; or
  - b. it has no objection for clearance of porting request of the mobile numbers; or
  - c. it has no objection for clearance of porting request of some of mobile numbers and has objection for remaining numbers.
10. Porting is completed for the numbers cleared for porting as per the existing process.

