



VIL/PB/RCA/2023/031

November 08, 2023

Advisor (Networks, Spectrum and Licensing)
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawaharlal Nehru Marg (Old Minto Road),
New Delhi – 110002

Kind Attn: Shri Akhilesh Kumar Trivedi

Subject: Comments on the TRAI's "Draft Telecommunication Mobile Number Portability (Ninth Amendment) Regulations, 2023" issued on September 27, 2023

Dear Sir,

This is with reference to the above mentioned TRAI's "Draft Telecommunication Mobile Number Portability (Ninth Amendment) Regulations, 2023" issued on September 27, 2023.

In this regard, kindly find enclosed herewith comments from Vodafone Idea Limited to the said draft regulation.

We hope our comments will merit your kind consideration please.

Thanking you,

Yours sincerely,

For **Vodafone Idea Limited**



P. Balaji
Chief Regulatory & Corporate Affairs Officer

Enclosed: As stated above



**VIL Comments to the
Draft Telecommunication
Mobile Number Portability (Ninth Amendment) Regulations, 2023**

At the outset, we are thankful to the Authority for giving us this opportunity to provide our comments to the “Draft Telecommunication Mobile Number Portability (Ninth Amendment) Regulations, 2023” dated September 27, 2023.

In this regard, we would like to submit our comments for Authority’s kind consideration, as given below:

Comments to Clause(s) of Draft Regulation

Clause no.	Clause	VIL Comments
1.(2)	These regulations shall come into force from the _____, 2023.	<ol style="list-style-type: none">1. While the implementation of proposed changes are technically feasible, however, it will have its own challenges in terms of effort and cost required for development in the systems and processes.2. The exact timeline to implement would be known only after a detailed examination post issuance of the regulation. However, as per our team’s preliminary examination, it would take approx. 3 quarters to implement the said requirement.3. Therefore, we request that the regulation should come into force after 3 quarters of its issuance.
2.	In regulation 6 of the Telecommunication Mobile Number Portability Regulations, 2009 (8 of 2009) (hereinafter referred to as “principal regulations”), after clause (h), the following clause shall be inserted, namely:- “(i) a period of ten days has expired from the date of replacement of SIM,	<ol style="list-style-type: none">1. We support this approach of stopping the porting at UPC stage itself, as it would provide clear communication to applicable customers.2. While we are not aware of the extent of fraudulent porting through SIM swapping and replacement, however, barring of porting for 10 days after SIM

	for any reason, of the mobile number.”.	swapping and replacement will provide relief to certain extent.
3(a)	In regulation 6A of the principal regulations:- (a) in sub-regulation (3), after clause (g) the following clause shall be inserted, namely:- “(h) the request for unique porting code has been made before the expiry of ten days from the date of replacement of SIM, for any reason, of the mobile number.”;	

Question-wise Comments

Q1. Whether it would be appropriate to introduce an additional criterion for rejection of the request for allocation of Unique Porting Code (UPC) in respect of any mobile connection, which has undergone the process of SIM swap/ replacement/ upgradation? Kindly provide a detailed response with justification.

And

Q2. If your response to the Q1 is in the affirmative, kindly provide detailed inputs on the draft amendment regulations given above.

VIL Comments to Q1 & Q2

1. We support the introduction of an additional criterion for rejection of the request for allocation of Unique Porting Code (UPC) in respect of any mobile connection, which has undergone the process of SIM swap/ replacement/ upgradation. While we are not sure of the extent of fraudulent porting after SIM swap/replacement/upgradation, we are of the view that this change will help to reduce fraudulent cases of porting and also will be in consumer interest.
2. We also support the approach of restricting the porting at the UPC stage itself by not allowing UPC generation for a mobile connection which has undergone SIM swap/ replacement/ upgradation, as it provide a temporary interruption/pause to port out. This pause prevents immediate misuse or transfer of the mobile number to another TSP. It acts as a safety net, giving the subscriber the time to contact the telecom service provider and address any concerns. However, there could be concerns from genuine customers also who may have credible reasons for doing MNP immediately after issuance of duplicate SIM like travelling etc.



3. It is also important to standardize communication to the consumers in case of non-generation of UPC in case of SIM replacement, to ensure uniform customer communication. Kindly find below two SMS scripts which are suggested to be sent to consumers on rejection of UPC:

- a. *“The request for unique porting code cannot be processed as you have not completed 10 days from the date of replacement of SIM”*
- b. *“This number is not eligible for port out as you have not completed 10 days from the date of replacement of SIM. Please try after 10 days from the date SIM replacement has been made”*

Q3. Stakeholders are requested to provide detailed inputs with justification on the DoT’s proposal that –

(a) after the generation of UPC code, at an appropriate stage, the demographic details of the subscriber such as Name, Gender, Date of Birth and Photograph, etc., or scanned copy of Customer Application Form (CAF)/ Digital CAF may be transferred from Donor Operator to Recipient Operator. To avoid time delays, such transfers may preferably be done through electronic means; and

(b) the recipient operator should match the demographic details of the subscriber with those details received from Donor Operator. If the subscriber’s demographic details match, then only further steps in MNP process may be allowed otherwise, the porting process may be terminated.

VII Comments to Q3

1. We have done detailed deliberations and analysis on this topic after initial discussions. We are of the view that matching any of the demographic details (such as name, gender, date of birth and photograph) of the subscriber by Recipient Operator (RO) with the Donor Operator (DO) at the time of porting, is complicated, inefficient and would lead to more inconvenience to subscribers than benefitting them.
2. There would be time gap between the KYC of customer with DO during activation of connection as compared with the KYC being done with RO during porting. This time gap coupled by acceptability of various Proof of Identity (PoI) / Proof of Address (PoA) documents and various activation modes, it is expected that there could be variation in demographic details of consumers.
3. Over a period of time, large number of consumers change their address (both permanent and present address) and demographic details (incorrect data entry, name change due to marriage etc.), which may lead to mismatches and create chaos in the porting process. Similar issues are expected in almost all other fields and it may also happen due to language conversion. In many scenarios, customer’s name / Date of Birth (DOB) on the



documents issued by various authorities are only the First Name / Age or year of birth and for such cases, TSPs have to capture the missing details as provided by the subscribers. This will also be one of the major issue causing mismatch of such demographic details leading to unwarranted porting rejection. All such mismatches and consequent porting rejections would cause chaos in the market and may also become point of contention amongst TSPs as well.

4. In our view, even matching of individual fields is fraught with issues and it will cause huge challenge and lead to rejection of many porting requests on this count itself.
5. Thus, matching of demographic details, all together or any individual field, would be fraught with very high chances of mismatches and would lead to consumers not being able to exercise their right to port-out. It would become highly disordered situation to manage such mismatches and rejections.
6. Further, it would be principally wrong to make RO the only authority to make a decision to accept/reject such cases as it would tilt the present balanced and independent MNP process to favour RO. RO would have commercial interest in allowing the porting, even if the demographic details are not matching. For this, there will be no control since demographics will be subjective in nature and it would become a people dependent process. We strongly oppose any process of exchange of CAFs as well as it would be most complicated process, full of subjectivity and no corresponding benefit.
7. In our view, there are no corresponding benefits which could justify incorporating a process full of subjectivity and mismatches eventually causing huge inconvenience to consumers at large.

Q4. Are there any suggestions /comments on any other issues for improving the process of porting of mobile numbers? Please provide a detailed explanation and justification for any such concerns or suggestions.

VIL Comments to Q4

1. There are no further suggestions on other issues for improving the process of porting of mobile numbers, to curb fraudulent porting.
2. TRAI has not provided any stage of counter-comments to the draft Regulation. So, VIL/stakeholders would not be able to provide their views to any suggestions/comments made by any other stakeholder, on topic other than the amendments mentioned in the draft Regulation.
3. Therefore, it would be fair and just that no other topic should be dealt in this consultation containing draft Regulation.



4. During earlier deliberations also at TRAI, we have observed that some stakeholders have attempted to mislead on certain topics by masquerading it as in interest of consumer. As such, we request TRAI not to entertain any such suggestion which is not related to the amendments given in the draft Regulation or in Q1 to Q3.
5. For any other change/topic, separate consultation process should be conducted thereby providing adequate opportunity to all stakeholders for providing their comments and counter-comments.

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