5-2/2018/UDS
Government of India
Ministry of Communications
Department of Telecommunications
(Security Wing)

Date: 13th September, 2018

To

(i) All Mobile Device Manufacturers/ Brand Owners (Through DoT's Website)
(ii) Prof. N. K. Goyal, Chairman Emeritus, TEMA
(iii) Shri Pankaj Mohindroo, President, ICA

Subject: IMEI certificate for import of mobile handsets in India.

The matter of issue of IMEI certificate through IMEI cloning Detection and Restriction (ICDR) system has been raised by various stakeholders to Department of Telecommunications (DoT) for clarification. Accordingly, it is clarified that

(a) DoT has issued the Standard Operating Procedure (SOP) (Version 1.0) for "Implementation of Central Government notification prohibiting import of mobile phones with duplicate, fake and non-genuine International Mobile Equipment Identity" vide letter no. 13-11/2014/S-II dated 29th May, 2015 (copy attached). The SOP has the provision for issue of IMEI certificate through ICDR system for import of mobile phones in India. Mobile Standard Alliance India (MSAI) Pvt. Ltd. is responsible for overall operation and maintenance of the ICDR system.

(b) The Type Allocation Holder logs on to the online portal using its User-ID and password and submits the duly filled application for the IMEI certificate for mobile handset lot to be imported into Indian market. On receipt of such application, ICDR system after successful validation and processing of information automatically issues the IMEI certificate. The custom officials need to log-in into ICDR system using pre-allocated user-id and password for the verification of the IMEI certificate for clearing the consignment.

(c) Para (8) and para (9) of the said SOP contains the detail process for IMEI certificate and custom clearance.

(d) There are no charges for issue of IMEI certificate through ICDR system.

2. This issues with the approval of competent authority.

(Vijay Agrawal)
Director (UDS)

Copy to: (1) The Mobile Standards Alliance India Pvt. Ltd., 205-206 IInd Floor, P.P Towers, Netaji Subhash Place, Pitampura, Delhi-110034.

(2) Shri Manoj Kr Misra, Senior Public Policy Director–India, GSMA

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No. 13-11/2014/S-II
Government of India
Ministry of Communications & IT
Department of Telecommunications
(Security Wing)

Dated: 29th May, 2015

To,

The Director General Foreign Trade,
Udyog Bhawan,
New Delhi -110011.

Subject: Writ petition No. 5772/2014 filed by M/s Micromax Informatics Limited on Fake/Duplicate IMEI.

Kindly refer to your letter No. 01/89/180/Misc-9/AM-05/PC-2-A/Vol.II/28 dated 27th May, 2015 and earlier references on the subject matter. In this regard, kindly find enclosed herewith the Standard Operating Procedure (SOP) duly approved by Hon'ble MOC&IT regarding 'implementation of Central Government notification prohibiting import of mobile phones with duplicate, fake and non-genuine International Mobile Equipment Identity (IMEI)'.

MSAI/ GSMA can be asked to demonstrate the process for Custom Officers on a convenient date. The same may kindly be intimated please.

28/5/2015

R. Shakya
Director (S-II)
Tele No. 23372630

CC:

1. The Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi.
2. The Secretary , Department of Commerce, Ministry of Commerce & Industry, Udyog Bhawan, New Delhi-110107.
3. The Chief Commissioner of Customs, New Custom House, Near IGI Airport, New Delhi-110037.
4. The Joint Secretary (IS-I), MHA, North Block, New Delhi.
5. The DDG (AS-I), Sanchar Bhawan, New Delhi.
6. Shri Ashwani Budhiraja, MSAI/ GSMA, 205-206 IInd floor, P.P Towers Netaji Subhash Place, Pitampura Delhi-110034.

DEPARTMENT OF TELECOMMUNICATIONS

(SECURITY WING)

STANDARD OPERATING PROCEDURE (Version 1.0)

FOR
Implementation of Central Government notification prohibiting import of mobile phones with duplicate, fake and non-genuine International Mobile Equipment Identity

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Security Wing, Department of Telecommunications
20, Ashoka Road, Sanchar Bhawan, New Delhi-110001

1.0 BACKGROUND

Presently the Mobile Handset User Device in Telecom Network is being used for Voice & data communications. As per TRAI, there were 930 million wireless connections in the country as on 31st December, 2014. With the growing importance of mobile phones and variety of new applications, consumers are using them for storing a number of personal details like phone contacts, bank account details, PIN etc. The handset has become a valuable item particularly in terms of the personal data/information stored in it. Moreover, the mobile phone handsets, with new technologies such as 3G/ Smart phones with advanced features and applications, are still expensive in the market.

In year 2009, it was observed that a large number of low cost mobile handsets without having a unique identifier called International Mobile Equipment Identity (IMEI) number prescribed by Global System for Mobile Association (GSMA) were getting imported. Besides the taxation issues, such handsets pose potential security threats and health hazards. Taking cognizance of the situation, the Directorate General of Foreign Trade (DGFT) issued the NOTIFICATION No. 14/ 2009-2014 dated 14th OCTOBER, 2009 prohibiting import of 'Mobile Handsets' (classified under ITC (HS) Code '8517') without International Mobile Equipment Identity (IMEI) Numbers or with all Zeroes IMEI and Import of 'CDMA mobile phones' (classified under ITC (HS) Code '8517') without Electronic Serial Number (ESN) / Mobile Equipment Identifier (MEID) or with all Zeroes as ESN / MEID.

Recently, it has come to notice that the importance & associated cost of mobile handsets has also resulted into import of duplicate, fake and non-genuine Mobile handsets. Also M/s Micromax Informatics limited filed a Writ Petition in the Hon'ble High Court of Delhi against the Union of India and others. In this writ petition, M/s Micromax inter-alia requested the Hon'ble High Court to direct the Respondents to prohibit the entry/ import of mobile phone with duplicate or fake IMEI Numbers by modifying the notification no. 112 dated 16/06/2009 and Notification no. 14 dated 14/10/2009 and to further direct destroying such counterfeit mobile phones. Hon'ble High court of Delhi directed for necessary decision and notifications on fake/Duplicate IMEI. After due consultations with Ministry of Home Affairs, DGFT, Department of Customs and Industry, the amended Notification has been issued vide Notification No. 107/(RE-2013)/2009-2014 dated 16th Jan, 2015 which inter-alia states as follows:

(i) *Import of 'GSM Mobile Handsets' (classified under ITC (HS) code '8517') without International Mobile Equipment Identity (IMEI) No. , with all zeroes IMEI, duplicate IMEI or fake IMEI is prohibited with immediate effect.*

(ii) *Import of 'CDMA mobile phones '(classified under ITS (HS) code '8517') without Electronic Serial Number (ESN)/ Mobile Equipment Identifier (MEID), with all Zeroes as ESN/MEID, duplicate ESN/MEID or fake ESN/MEID is prohibited with Immediate effect.*

Hon'ble High Court of Delhi has directed Directorate General of Foreign Trade (DGFT) to draw out a mechanism in consultation with Commissioner of Customs, as to how and by what mechanism the notification dated 16th January 2015 will be implemented. Accordingly, these Standard Operating Procedures have been drawn to implement the said notification.

2.0 PURPOSE OF SOP:

1) To ensure that directive issued by the DGFT is converted into actionable points by virtue of Standard Operating Procedures (SOPs) to which various stakeholders adhere to in a uniform standard format.
2) To outline a clear procedure for formulating steps for import and customs clearance of the mobile handsets in the country.
3) To ensure that all the stakeholders have a clear understanding about control Mechanism to prevent import of mobile handsets with all Zero, Null, duplicate and fake IMEI.
4) To outline the process of disseminating relevant instructions to internal and external staff as needed.

3.0 OBJECTIVE:

These Standard Operating Procedures (SOPs) describe the process of getting IMEI/TAC allocation from GSMA, mechanism to get Import Certificate for specific lot while importing into India, mechanism for Customs officials to handle the Mobile handset import complying with the requirements of Notification No. 107/(RE-2013)/2009-2014 dated 16th Jan, 2015 and to ascertain that the GSM Handset bearing with all zeroes IMEI, duplicate IMEI or fake IMEI is 'Prohibited' in the interest of national security.

The SOP outlines the process for the issuance, intake, processing, investigation, monitoring and conclusion of IMEI of the mobile handset shipment lots submitted for clearance to Customs at various borders of the country. Investigations of possible prohibition(s) are flagged, logged and monitored on a Pan India Level. Procedures are also outlined for handling Requests for Assistance (RFAs) raised by customs officials from across the states and other Government LEA agencies.

4.0 STAKEHOLDERS:

These SOPs apply to all concerned dealing with various functions/ roles of the IMEI numbers of the mobile handsets to be imported into India through various customs borders. The stakeholders are as follows:

(1) Department of Telecommunications (DoT) and DGFT for policy framework and its notification related to import of Mobile handsets.

1) Global System for Mobile Association (GSMA) and its reporting bodies for the allocation of the IMEI numbers of the mobile handsets.
2) Manufacturers, brand owners and importers of the mobile handsets for requisite compliance to said notification.
3) Department of Customs for complying to said notifications at customs borders e.g. Sea, Air and Dry ports

5.0 International Mobile Equipment Identity (IMEI):

International Mobile Equipment Identity (IMEI) is a unique identification code for each mobile device used in Global System for Mobile (GSM) network. The IMEI is a 15 digit number that is used to identify the device. The format of IMEI consist of 8 digits Type Allocation Code (TAC), 6 digits Serial Number (SNR) and last digit for check. All digits have the range of 0 to 9 coded as binary coded decimal. Values outside this range are not permitted. The IMEI also reveals the manufacturer, make & model, type approval details and country of production. A typical IMEI depicts as below:

TAC (8 digit)	**Serial No (6 digit)**	**Check Digit (1 digit)**
NNXXXX YY	ZZZZZZ	A
TAC	Type Allocation Code, formerly known as Type Approval Code	
NN	Reporting Body Identifier	
XXXXYY	Mobile Equipment (ME) Type Identifier defined by the Reporting Body	
ZZZZZZ	Allocated by the Reporting Body but assigned per ME by the manufacturer	
A	Check digit, defined as a function of all other IMEI digits	

6.0 Agency for allocation of TAC/IMEI:

The IMEI numbers are allocated to the Mobile Equipment manufacturers or Brand owners (Type allocation Holder) by GSMA, which is an international body representing the interests of worldwide telecom operators. It performs its role through its authorized representatives (Reporting Bodies) and keeps records of the IMEIs that are allocated to mobile device manufactures/Brand owners including information on some of the technical capabilities (e.g. Frequency bands supported by device, device power level class etc) of the mobile device associated with the allocated IMEI in the IMEI Data Base. Presently the reporting bodies authorized by the GSMA are as following:

Reporting Body Identifier	**Reported Body Agency**
01	IMEI allocated by *Cellular Telecommunications Industry Association* (CTIA), *U.S.A.*

35	British Approvals Board for Telecommunications (BABT)UK
86	Telecommunications Terminal Testing & Approval Forum (TAF) China
91	Mobile Standard Alliance of India (MSAI)
99	Global Hexadecimal Administrator (GHA) USA

7.0 TAC/IMEI Allocation Process:

To obtain the TAC/IMEI, the Mobile Equipment manufacturers or Brand owners (Type allocation Holder) have to get registered with GSMA Database using link: http://imeidb.gsm.org/imei/login.jsp and then click on "Manufacturers Registration Form". After receipt of complete submitted form, it is sent by GSMA via the IMEI Database to the appropriate Reporting Body (RB) for processing. The RB carry out the necessary verification of the form, if positive, the application gets approved and the manufacturer/Brand owner is provided with an ID & Password via email. In the event of a negative review the RB will contact the Mobile Equipment manufacturer or Brand owner to explain the reasons for rejection of the application.

When the Type Allocation Holder has the ID & Password, they are able to enter the IMEI Database via this link: - http://imeidb.gsm.org/imei/login.jsp and click on "Application for TAC" and enter the ID & Password details. The further, details of GSMA TAC/IMEI allocation process are available on GSMA website.

8.0 **IMEI Certificate by GSMA/MSAI for Import in India:**

8.1 The Type Allocation Holder logs on to the online panel using its User-ID and password and submits the application duly filled for the IMEI certificate for the Mobile handset IMEI lot to be imported into Indian market.

8.2 On receipt of such application, GSMA/MSAI automated system called IMEI Cloning and Duplication Restriction (ICDR), which operates on Internet with https protocol and accepts the information and validates the information against the worldwide GSMA Reporting Bodies generated TAC's and if the validated information is found to be correct then it registers the IMEI number lot for the mobile handsets to be imported into the Indian market.

8.3 The registered information is then further processed by conducting additional check by algorithmic toll gate to ensure approval review. If the approval review is successful then ICDR will automatically issue the IMEI certificate. The ICDR system issues the IMEI certificate with encryption,

control numbers and Qcode along with the additional important attributes about the mobile handset as illustrated in appendix.

8.4 If the TAC/IMEI information is found to be nulls, fake or duplicated or incorrect information or the application is flagged at the algorithmic tollgate then the application is rejected and the information is stored for intimation to the respective brand owner for a possible violation/correction with message. The Brand owner is not issued any IMEI certificate in this case.

9.0 Customs Clearance:

9.1 The brand owner or the importer of the mobile handset lot submits the consignment-wise (Bill of Entry wise) IMEI certificate to the customs officials and other relevant import documents such as packing list, invoice etc for the mobile handset IMEI lot to be imported into the Indian market.

9.2 For the verification of the IMEI certificate, the customs official needs to log-in into the ICDR system using pre-allocated user-id & password. The ICDR system is also available on Android/IOS devices.

9.3 Once customs official logs in, the online portal ICDR system shall validate that

(a) The IMEI numbers of the lot under import are Genuine and have been allocated to the right entity (Type Allocation Holder who is the rightful owner for IMEI).
(b) The importer details are as mentioned by the Type Allocation Holder.
(c) The IMEI numbers belong to the same make and model which is being imported.
(d) The IMEI numbers belong to same form Factor e.g. Mobile phone, Tablet, M2M device etc.
(e) The IMEI numbers have not been recorded entry into the Indian borders prior to this inspection.

9.4 The Custom Officer shall validate the physical IMEI certificates vide ICDR system on 100% basis for the whole consignment under import. Considering the volume of imports, in case of green channel marking by ICDR System 5-10% of the total consignments coming to a particular port may be randomly selected for examination. Further, out of each consignment selected for examination 5-10 ‰ (per thousand) of the mobile sets, on random basis, may be taken up for verifying the IMEI number with reference to the list submitted by the importer by physically switching on the device and entering the code to reveal the IMEI number of the device. However, in case of Red Channel marking by ICDR System, the import of such shipment may be treated as improper imports involving prohibition and may attract penal provisions as well as lead to absolute confiscation as per Customs Laws.

9.5 Self certification by the individual that Mobile handset carried/imported has genuine IMEI will suffice for the following:

- Mobile phones (new/used) imported as passenger baggage.
- Import of Mobile phones on repair and return basis.
- Online sale of Mobile Phones (new/used) across borders, such through eBay, etc.
- Mobile phones (new/being used) carried by the passenger while coming into India or going out of India.

10. Overall supervision and monitoring ICDR mechanism:

DoT officials or its delegated person is issued a separate supervisory log-in account with adequate security measures. The validation of ICDR system developed by MSAI shall be done by DoT in consultation with Department of Customs. The jurisdictional Customs Commissionerate is to identity and recommend certain officers to DoT for creation of User id and password. The user accounts for the Department of Customs shall be created by DoT.

Certain officers may be given privilege to update the ICDR system by making appropriate entries in respect of consignment /IMEI Certificate. For example, the officer may mark that certain series/ nos. of IMEI as used for imports, thereby making same series/nos. as invalid for all imports thereafter. In other words, a module may be incorporated to deface the IMEI certificate once it is used for imports so that it cannot be used again. In addition, certain other officers may be given view only, privilege to view details including audit trail, make queries and generate reports.

MSAI representing GSMA will be responsible for overall operation and maintenance of the ICDR system. Periodic audit of audit trails of the ICDR system will be performed by DoT. Further, DOT can supervise and monitor the issuance of the IMEI Certificate by logging into the supervisor's account which shall have additional facilities including validation of IMEI certificates, on specific request of Department of Customs. DoT can also monitor the applications which have been rejected by the online ICDR mechanism, to understand the dynamics or the trends of the rejected applications.

DoT also shall carry out/facilitate necessary investigation in case of any observation/complaints from any of the stakeholders or any Law Enforcement Agency.

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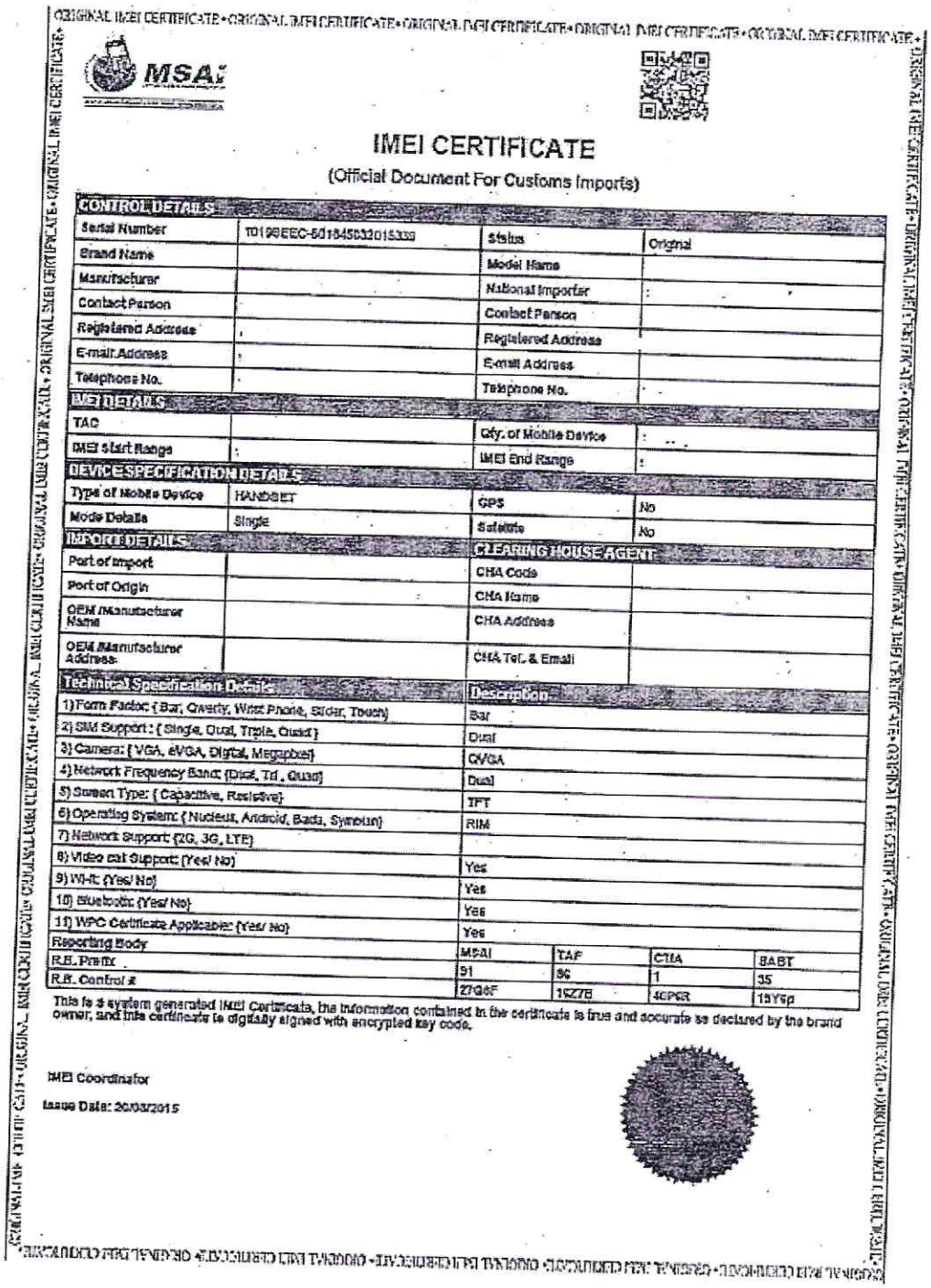
Appendix



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MSAI

IMEI CERTIFICATE

(Official Document For Customs Imports)

CONTROL DETAILS			
Serial Number	T0196EEC-50184533015333	Status	Original
Brand Name		Model Name	
Manufacturer		National Importer	
Contact Person		Contact Person	
Registered Address		Registered Address	
E-mail Address		E-mail Address	
Telephone No.		Telephone No.	
IMEI DETAILS			
TAC		Qty. of Mobile Device	
IMEI Start Range		IMEI End Range	
DEVICE SPECIFICATION DETAILS			
Type of Mobile Device	HANDSET	GPS	No
Mode Details	Single	Satellite	No
IMPORT DETAILS		**CLEARING HOUSE AGENT**	
Port of Import		CHA Code	
Port of Origin		CHA Name	
OEM /Manufacturer Name		CHA Address	
OEM Manufacturer Address		CHA Tel. & Email	

Technical Specification Details	Description			
1) Form Factor: (Bar, Qwerty, Wrist Phone, Slider, Touch)	Bar			
2) SIM Support : (Single, Dual, Triple, Quad)	Dual			
3) Camera: (VGA, eVGA, Digital, Megapixel)	QVGA			
4) Network Frequency Band: (Dual, Tri , Quad)	Dual			
5) Screen Type: (Capacitive, Resistive)	TFT			
6) Operating System: (Nucleus, Android, Bada, Symbian)	RIM			
7) Network Support: (2G, 3G, LTE)				
8) Video call Support: (Yes/ No)	Yes			
9) Wi-fi: (Yes/ No)	Yes			
10) Bluetooth: (Yes/ No)	Yes			
11) WPC Certificate Applicable: (Yes/ No)	Yes			
Reporting Body	MSAI	TAF	CTIA	BABT
R.B. Prefix	91	86	1	35
R.B. Control #	Z7G6F	1RZ7B	4GP6R	19Y6p

This is a system generated IMEI Certificate, the information contained in the certificate is true and accurate as declared by the brand owner, and this certificate is digitally signed with encrypted key code.

IMEI Coordinator

Issue Date: 20/03/2015

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Note: Details of CHA is optional.