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Ref. No.MAIT/PY/2545

October 06, 2022

Shri P. K. Singh
Dy. Director General (Security Assurance)
Department of Telecommunications

Subject: Request for Clarifications regarding Mobile Device Equipment Identification Number (Amendment) Rules, 2022. (“IMEI Amendment 2022”)

Reference: G.S.R. 728(E) dated 26th September 2022

Respected Sir,

Greetings from **MAIT**, the apex industry body, empowering IT, Telecom & Electronic Hardware Sectors!

Regarding the subject mentioned above, we would like to request certain clarifications from DoT and take the opportunity to recommend specific measures to enhance and make the implementation and operation process smooth.

Industry Queries:

1. The GSR asks Indian manufacturers to register on the ICDR portal. Currently the ICDR portal is designed for imported products. We request you to kindly let us know the plan and timeline for the required changes to reflect on Portal the viz. introducing updated new tab for locally manufactured Mobile phone IMEI registration etc.
2. We request that the Standard Operating Procedure (SOP) for manufacturing site/ Contract Manufacturer (CM) to register IMEI in the portal may kindly be shared and consulted with the Industry in advance of its notification. While we await the SOP, an important aspect we hope the SOP will capture is the need & ability of the Industry participants to seek cancellation/correction of IMEI registration(s) in ICDR at anytime before their final sale to consumers. As you would appreciate, such. Technical capability will be warranted to remediate any inadvertent errors during the registration process.
3. The GSR mentions that every phone manufactured in India needs to be registered. For phones manufactured in India and meant for exports, such registration would be gated by the country importing the phones, if any. We understand that the intent of DoT is for phones manufactured in India and meant for sales in India and there is no requirement for registering phones meant for exports. Accordingly, to avoid ambiguity, we request you to kindly confirm that the mobile devices meant for exports do not come under the purview of the IMEI 2022 Amendment.
4. Since the ICDR portal will be now handling both imported as well as locally manufactured IMEI series leading to high volumes, we hope that the ICDR system has inbuilt redundancy, capability and robustness to ensure 24X7 operations, 365 days a year. This is particularly important for manufacturers as outbound logistics to warehouses, distribution centres etc. are run on extremely tight schedules. Any system downtime will lead to disruption in the supply chain and marketing and sales plans potentially leading to loss of business. We request DoT for assurance on these aspects and also by arranging dry runs before actual implementation. Further, we request your kind offices to publish contact details of officials, including an escalation matrix for the industry to collaborate on any concerns with respect to the ICDR Portal.

5. For imported phone IMEI registration, IMEI certificate is generated for Customs clearance purpose. In situ, it is unclear if the Industry is also expected to generate and record IMEI certificates for locally manufactured IMEI registration as well. We request your kind offices to clarify this aspect, test the operational feasibility of this on the ICDR portal and set clear compliance guidelines for the Industry to avoid misunderstandings.

In addition to the above, we would kindly request DoT the following:

- As your esteemed offices are aware, Brand owners of EEE Products work closely with independent third-party contract manufacturers for the production/assembly of mobile devices. Accordingly, to ensure the smooth and effective implementation of the requirement of registration under the IMEI 2022 Amendment, authorized third parties of brand owners should be allowed access to the ICDR portal to complete compliance. The Industry humbly requests that DoT kindly allow independent third parties such as contract manufacturers, logistic service providers, clearance agents, etc bearing due authorisation from brand owners are enabled to independently handle day-to-day registration of IMEIs by giving separate login credentials and access to the ICDR portal. The brand owners can recognise such third parties by providing authorisations letters/such other means.
- As your kind offices are aware, confidentiality and protection of trade secrets/information are of paramount importance for brand owners/manufacturers of electronic products. Further, as part of product development cycle, brand owners/manufacturers import test devices for in-country testing and certification much before commercial launches. Mandating registration of such devices may have adverse impact of disclosure of trade sensitive confidential information with the potential to place brand owners/manufacturers in a competitive disadvantage vis-à-vis each other among other concerns with respect to brand reputation. It is, therefore, humbly requested that IMEI registration should be exempted during the testing or research phase of the product life cycle until the products are commercially launched. We request you to kindly exempt the samples imported to support manufacturing and testing from the requirement of IMEI registration. Brand (AEO Tier 3) can authorise Contract manufacturers/EMS partners to import samples supporting manufacturing in India on the basis of self-declaration without registering IMEI and also to import by Brand owners directly to meet in-country testing and certification. You may appreciate the fact that BIS and WPC have already implemented product confidentiality in their application processes to prevent leakages of new product information before the commercial launch.
- Finally, while the Industry prepares itself to comply with IMEI 2022 Amendment, you would appreciate clarifications on the above matters, an operational ICDR portal and Industry aligned SOP documents would be of critical importance for the Industry to lean forward on the initiative of the government.
- Considering the above, we request DoT to allow a clear preparation period of a minimum of 3 months from the date of clarifying the above queries, updated SOP and ICDR portal readiness for domestic IMEI registration, whichever is later, to implement the requirements under the Amendment. Compliance should only be mandated after the above aspects have been duly addressed with the Industry through extensive consultation, training of industry members, and test and validation of the ICDR Portal, among other engagements. As your kind offices would appreciate, these measures and engagements will be critical to avoid any inadvertent trade disruptions and ensuring smooth & successful implementation of the IMEI 2022 Amendment rules.

We hope that the DoT considers the above representation favourably and look forward to engaging with your good office on the subject keenly.

With regards,



Col. AA Jafri, Retd.
Dy. COO
(Acting Director General – MAIT)