



NEPAL TELECOMMUNICATIONS AUTHORITY

Kathmandu, Nepal

MOBILE DEVICE MANAGEMENT SYSTEM BYLAWS, 2079 (2022)

Mobile Device Management System Bylaws, 2079 (2022)

In exercise of the powers conferred by Section 62 of the Telecommunication Act, 2053 (1997) Nepal Telecommunications Authority (NTA) has framed these Bylaws for the implementation of Equipment Identity Register (EIR) system to ensure national and consumer security, to identify the genuine mobile handsets and make the fake and non-genuine handsets inoperable in Nepal, to enable tracking/blocking of mobile handset that is lost/stolen, to encourage import and sell of genuine mobile handsets and to eradicate grey market.

Chapter- 1 Preliminary

1. **Short title and commencement:** (1) These Bylaws is called as the "Mobile Device Management System Bylaws, 2079 (2022)".
(2) These Bylaws shall come into force immediately.

2. **Definitions:** Unless the subject or context otherwise requires, in these Bylaws,-
 - (a) "Act" means the Telecommunication Act, 2053 (1996).
 - (b) "Authority" means Nepal Telecommunications Authority established under the Telecommunication Act, 2053 (1997).
 - (c) "Authorized Distributer" means an entity authorized by the manufacturer/ Brand owner for distribution and sale of mobile devices in Nepal and holding a valid Type Approval certificate issued by the Authority under the Type Approval Working Procedure.
 - (d) "Black List" means a list of IMEIs/ESNs/MEIDs that are associated with mobile devices that have been denied service on mobile networks because they have been reported as lost or stolen, have an invalid IMEI/ESN/MEID number(s) or are not registered for use in Nepal by the Authority.
 - (e) "Blocking Intimation" means a message to alert subscribers that their mobile devices will be blocked along with a reason for blocking.
 - (f) "Compliant Mobile Device" is a device meeting the following criteria; having valid IMEI/ESN/MEID number; not in the stolen/lost list; Type Approved by the Authority;

and registered in the Mobile Device Management System (MDMS) and imported into Nepal.

- (g) “Device Blocking” means denial of service to a mobile device by an MNO.
- (h) “Device Import Interface” means a web interface to Authorized Distributors/OEMs/ Individuals for registration of IMEI/ESN/MEID number of devices for commercial import/personal use.
- (i) “EIR” means Equipment Identity Register which is a database that contains a record of the all IMEI/ESN/MEID numbers of mobile stations (MS) that are allowed in a network as well as database of all IMEI/ESN/MEID numbers of equipment that are banned in the network, e.g. because it is lost or stolen.
- (j) “ESN” means Electronic Serial Number which is uniquely identifies equipment and is embedded electronically by the manufacturer.
- (k) “GoN” means Government of Nepal.
- (l) "IMEI" means an International Mobile Equipment Identity allocated by the GSM Association. It is a unique 15-digit decimal number required to identify a mobile device on mobile networks.
- (m) "Illegal Mobile Device" the mobile device either having non-genuine/Fake/Null IMEI/MEID/ESN or imported through illegal means, or reported as lost/stolen and decided as illegal by the Authority
- (n) “MEID” means Mobile Equipment Identifier; similar to an ESN; is a globally unique number for a piece of mobile equipment.
- (o) “Mobile Device” is a device identified by an IMEI/ESN/MEID numbers.
- (p) "MDMS" is Mobile Device Management System installed for registration of the IMEI/ESN/MEID numbers of mobile devices that may be used for tracing and/or blocking of non-compliant mobile devices.
- (q) “MNO” means Mobile Network Operator licensed by NTA to operate mobile service.
- (r) “Notification List” means a list of mobile devices with certain authentication issues such as having a valid IMEI/ESN/MEID number but not of a device model Type Approved by the Authority or not being registered for importation with the Authority.
- (s) “OEM” means an Original Equipment Manufacturer which is a company that produces parts and equipment.
- (t) “Registration” means submission of IMEI/ESN/MEID number of mobile devices by

importers or individual to the MDMS.

- (u) “RUIM” means Removable User Identity Module is a card developed for CDMA.
- (v) “Secure File Interface” means the secure interface for transfer of data between a mobile network and the MDMS.
- (w) “SIM” means Subscriber Identity Module is a card developed for GSM.
- (x) “Subscriber/Consumer” means any natural person who enters into a contract with an MNO for acquiring mobile communication service.
- (y) “Verification Interface” is an interface (web/SMS) and application for stakeholders to verify the status of mobile devices.
- (z) SIMBOX means the device which is used in illegal call bypassing.

Chapter - 2

Provisions Related to Mobile Communication Service and Device

3. **Provision of Mobile Communication Services:** (1) Mobile Communication Services shall be activated by MNO(s) only to compliant mobile devices.
 - (2) All Type Approval Certificate holders/ mobile device importers shall ensure that non-compliant mobile devices shall not be imported, sold, marketed.
 - (3) Illegal mobile devices shall be blocked by MNO(s) from use in Nepal as instructed from MDMS.
 - (4) Notwithstanding anything contained in Sub-bylaw (4) of Bylaw 3, the Mobile devices detected in illegal SIMBOX operation as call bypass shall be blocked as soon as the MDMS instructs to the MNOs.
4. **Establishment of MDMS:** (1) The Authority shall establish an MDMS by authorizing to an MDMSSP.
 - (2) The Authority will authorize to operate and maintain the MDMS system to the third party for five (5) years duration. The Authority shall prescribe Standard Operating Procedures for MDMS’s implementation on technical, management and operational matters.
 - (3) The MDMS shall be installed with the necessary hardware and software to implement MDMS service. The service will enable the registration of mobile devices, verification of IMEIs/ESNs/MEIDs and identification of non-compliant mobile devices.
 - (4) The MDMS shall collect the data of cloned/fake/null IMEIs/ESNs/MEIDs of mobile handsets that are already in use and submit the report to the Authority and also notify

the concerned mobile user through SMS and IVR for awareness/warning notifying the status of the unique ID of mobile handset. The MDMS shall have intelligence to segregate cloned/fake IMEI based upon the data provided by MNOs through interface with Operator EIR Solution.

(5) The MDMS shall make provisions to make the mobile devices operable even when those devices are having cloned/fake/null IMEIs/ESNs/MEIDs and imported/used into Nepal prior to the commencement of operation of MDMS.

(6) Notwithstanding anything contained in sub-bylaw (5) of Bylaw (4), the Authority may instruct the MDMSSP to block such devices.

5. Obligations of NTA: (1) NTA shall register, identify and verify the new IMEI/ESN/MEID provided from importers and individuals.

(2) NTA shall receive application to track/block the IMEI/ESN/MEID of lost/stolen mobile devices.

(3) NTA shall provide the verified list of IMEI/ESN/MEID to the custom office for custom clearance purpose

(4) NTA shall provide the access to the MDMS system to the MNOs for implementation of EIR function.

(5) NTA shall segregate cloned/fake IMEI from the data provided by MNOs

(6) The NTA shall also have secure connectivity with operators' SMS gateways using industry standard protocol and interface like SMPP.

(7) The NTA shall maintain the business confidentiality of the MNOs as applicable.

6. Roles and responsibilities of NTA: The MDMSSP shall abide by the following terms and conditions:

(1) To provide the inter-operable interface to MNOs, Type Approval Certificate holders/ Mobile Device Importers and individuals, Customs, Security Agency etc.

(2) To operate the MDMS in conformity with the minimum International Standards prescribed by the 3GPP/ITU-T.

7. Charges of Registration/Management: One time registration fees..... for each mobile device imported into Nepal either by the Authorized importers or by individuals brought for personal use may be applicable as prescribed by the Authority.

(2)

8. Registration of Mobile Devices: (1) A Device Verification Interface shall be provided to verify whether a device is a compliant mobile device.

(2) Authorized distributors and OEMs who are Type Approval certificate holders will be required to register online the IMEI/ESN/MEID numbers of mobile devices to MDMS prior to import.

(3) An application has to be submitted to NTA in the format specified in Schedule-1 for registration pursuant to sub-bylaw (2) of bylaw (9).

(4) Individuals importing a device for personal use complying the custom regulation will be required to register online the IMEI/ESN/MEID numbers of the device to MDMS with the application in the format as specified in Schedule-2.

(5) Un-registered mobile device brought by individual for non-commercial/personal usage through SIM/RUIM cards of Nepali MNOs will be notified to register as per sub-bylaw (4) of bylaw (9) with notification of denial of service by MNOs after 15 days from first detection on MNOs network as per instruction from MDMS.

(6) NTA shall be responsible to register, verify, facilitate for the import of the mobile device either through web based online system or any other methods as specified by the Authority.

9. Blocking/Un-Blocking of Devices: (1) The MDMS shall generate a black list which will

use to block mobile devices and a notification list which will be used by MNOs for

intimation to subscribers as required. The lists as of sub-bylaw (1) of this bylaw (10) will be generated and provided to MNOs on a daily basis.

(2) If a mobile device is lost or stolen, the concerned person/owner has to apply an online application in the format as specified in Schedule-3 to track/block that mobile handset use with any SIM/RUIM card as applicable.

(3) Tracking and blocking of IMEIs/ESNs/MEIDs of lost or stolen mobile handsets shall be carried out by the MDMSSP as per the procedure prescribed by the Authority.

10. Roamers: (1) Bylaws shall not apply to the mobile devices of subscribers to non-Nepali mobile network operators while roaming in Nepal.

(2) Whatsoever stated in sub-bylaw (1) of this bylaw (11), if the Mobile Device used by a roamer is suspected as threat to national security or used in criminal activity, the MDMS can be used to track/block the device in special circumstance.

Chapter - 3

Provisions Related to Rights and Obligations

11. Obligations of MNOs: (1) All MNOs shall ensure implementation of an EIR or any other related system in their networks as specified by the Authority.

(2) MNOs shall ensure that their system is capable of facilitating the implementation and smooth functioning of the MDMS.

(3) MNOs shall upgrade their EIR system at their own cost in order to support the functioning of the MDMS.

(4) All MNOs shall setup, operate and maintain a Secure File Interface to the MDMS as well as provide secure connectivity between MDMS SMS gateway and their SMSC at their own cost as specified by the Authority.

(5) MNOs shall disseminate the awareness/warning message to the user free of cost as specified by the Authority.

(6) All MNOs shall ensure integration and connectivity of the EIR at all times to the MDMS for the transmission of blocking and unblocking requests

(7) All MNOs shall ensure the redundancy of the EIR and its connectivity to the MDMS, in order to maintain continuous availability of the MDMS.

(8) All MNOs shall ensure that all blocking and unblocking instructions from the MDMS are updated to the EIR

(9) All MNOs shall provide report as required by the Authority.

(10) MNOs shall Block SIM/RUIM of the lost/stolen mobile device as reported by the subscriber and/or generated by the MDMS

12. Obligations of Importers of Mobile Devices: (1) All Type Approval Certificate

holders/Mobile Device Importers shall register accurate information of Mobile devices to maintain the list of IMEI/ESN/MEID/IMEISV numbers of devices in the MDMS.

(2) All Type Approval Certificate holders/ Mobile Device Importers shall not in any way import/allow/sell any unauthorized phone/device. They shall import and sell only the mobile handsets type approved by the NTA.

(3) All Type Approval Certificate holders/ Mobile Device Importers shall take their required responsibilities regarding MDMS and any other provisions regarding these Bylaws.

(4) All Type Approval Certificate holders/ Mobile Device Importers shall submit the IMEIs/ESNs/MEIDs of mobile handset to MDMS as mentioned in sub-by-law (2) of bylaw (9).

13. Obligations of Customs Offices: (1) Custom Office shall release only those mobile devices which are already type approved by NTA and ensure that IMEI/ESN/MEID numbers of

imported mobile devices are registered in MDMS and verified by accessing the MDMS.

(2) Custom Offices shall assist and coordinate with the NTA to ensure the import of genuine/authentic mobile devices.

14. Subscriber Rights: Subscribers may report their lost or stolen mobile devices to the MDMS in order to track or block the device.

Chapter- 5

Relationship among Stakeholders

15. MNOs & Subscribers: (1) MNOs will make sure that they send intimation to all those subscribers who are using non-compliant mobile devices as triggered by MDMS.

(2) Subscribers may contact the concerned MNO for guidance.

(3) MNOs shall train their customer support staff to handle MDMS related queries received from subscribers.

16. Authorized Distributers/Mobile Device Importers/OEMs & Authority:

Authorized Distributers/ Mobile Device Importers/OEMs shall ensure that their devices are Type Approved by the Authority according to the Type Approval Working Procedure.

17. Public Education & Awareness Campaigns: (1) All MNOs shall carry out campaigns at their own cost to educate consumers of the MDMS; the requirements for mobile devices to be Type Approved and registered on the MDMS and tools for checking the status of mobile devices.

(2) MNOs shall train their Customer Service and Call Center staff to guide customers on MDMS.

(3) MNOs shall train their customer service representatives and provide brochures for consumers instructing them on how to check the authenticity of a mobile device by means of field verification interface.

18. Monitoring and Inspection: NTA shall be responsible to ensure the compliance of these Bylaws through regular monitoring and inspection. .

19. Complaints System: (1) MNOs, Authorized Dealers and Type Approval Certificate Holders shall establish an efficient mechanism to promptly receive, process and respond to complaints by subscribers regarding their devices.

(2) The Authority may assign a portal for complaint handling and any other activities associated with MDMS.

(3) It shall be the duty of all the stakeholders to address the consumer complaints.

20. Data Privacy: (1) All the concerned parties involved (Authority, MNOs, Importer, Distributer and all who are concerned and connected with MDMS) shall not disclose the contents of any data being transmitted or received from the MDMS. It must remain under their control except to the extent permitted by the Authority in writing or through any instruction/directive.

(2) MNOs shall take all reasonable measures to safeguard the databases from unauthorized interception or unauthorized access.

(3) Authority shall take all reasonable measures to safeguard the databases from unauthorized interception or unauthorized access to MDMS database and user information. No business related confidential information shall be shared to MNOs.

21. Directions of the Authority: All directives, notifications, standard operating procedures and orders issued by the Authority from time to time shall be binding upon and applicable to the MNOs, importers and individuals.

22. Confidentiality of Information: (1) Without prejudice to the provisions of any law for the time being in force, Authority/all MNOs/MDMS shall ensure the confidentiality of all information disclosed by Consumers under the provisions of this Bylaws.

23. Power to Settle Dispute: (1) The Authority shall have the power to settle disputes between and among the MNO(s) / importer(s)/individual relating to the MDMS service.

(2) The method and procedure of the settlement of disputes pursuant to sub-bylaw (1) shall be as prescribed by the Authority.

Chapter -6

Miscellaneous

24. Maintain of Up-to-date Records: The Authority shall prepare and maintain records of all transactions on the MDMS service in an up to date manner and shall present the said records to the Authority as and when required in the course of inspection or inquiry.

25. Power to Remove Difficulties: If any difficulty arises in the implementation of this bylaw, the Authority may take necessary decision to remove such difficulties.

26. Notice by the Authority: The Authority may issue written notices from time to time in relation to the MDMS.

27. Repeal: (1) The Mobile Device Management System Bylaws, 2015 is repealed effective from the date of establishment and commencement of this bylaw.

(2) Notwithstanding anything contained in this act, any acts and actions performed pursuant to the MDMS Bye-Laws, 2018 shall be deemed to have performed under this Act.

Schedule-1: Format of Application (Importer)
(Relating to Sub-bylaw (3) of the Bylaw 12)

To,
The Authority Kathmandu,
Nepal.

Subject:- Registration of IMEI/ESN/MEID Nos Mobile Device

I/we have attached the details of Unique Identifiers/IMEI of mobile handset of Brand [Brand Name], Model No. [Model No.] in the format given below in softcopy form. I/We would like to request you to register those Unique Identifiers/IMEI numbers in MDMS and also recommend to [Name and Address of Custom Office] to release the mobile handsets and also provide the information to all MNOs in Nepal to make the Mobile Devices Operable.

S.No.	IMEI

I/We hereby declare & Commit to abide the terms and conditions set by the Authority for Registration & Management of the aforementioned Mobile Devices. [I/We] hereby would like to declare that the information and documents submitted by [me/us] in this application form are true and correct .

Thank you.

Regards,

Name:

Designation:

Signature:

Date:

Schedule-2: Format of Application to Register (Individual)

(Relating to Sub-bylaw (4) of the Bylaw 12)

To,

The Nepal Telecommunications

Authority Kathmandu, Nepal.

Subject:- **About Registration of IMEI/ESN/IMEI Mobile Handset**

I/we would like to request to register the IMEI/ESN/MEID number(s) of mobile handset having the following details.

1) Details of Mobile Handset:

- Brand Name:
- Model No:
- IMEI/ESN/MEID:

.....

2) Name of Applicant:

- Citizenship No. or Other ID Card No.:
- Address of Applicant:
- Contact No. of Applicant:
- Email ID of Applicant:
- Tel. No:

3) Country of Import:

4) Declaration & Commitment:

a. Upon Registration in MDMS, [I/ we] fully commit to abide by the Terms and Conditions set by the Authority.

b. [I/we] hereby declare that the information and documents submitted by [me/us] in this application form are true and correct.

Name of Applicant:

Signature of Applicant:

Date:

Schedule-3: Format of Application to request to track/block the mobile device

(Relating to Sub-bylaw (3) of the Bylaw 13)

To,

The MDMS Service Provider

Kathmandu, Nepal

Subject:-**About stolen/stolen Mobile Handset**

In connection to the subject, I/we have lost the mobile handset having the following details. I would like to request to track/block this mobile handset from all the Mobile operators of Nepal.

a. Details of Mobile Handset:

- IMEI/ESN/MEID:
- Mobile Phone No.:
- Name of Applicant:.....
- Citizenship No. or Other ID Card No.:
- Address of Applicant:
- Contact No. of Applicant:
- Email ID of Applicant:

b. I/We have attached the following document with this application.

1. Copy of Citizenship or Other ID Card.
2. Copy of Invoice of mobile handset

c. Declaration/Commitment

[I/ we] fully commit to abide by the actions taken by the Authority.

[I/we] hereby declare that the information and documents submitted by [me/us] in this application form are true and correct.

Name of Applicant:

Signature of Applicant:

Date:

Schedule-4

**(Relating to Sub-bylaw (3. f) of the Bylaw 15)
Provisions Related to Establishing MDMS**

IMEI Format

Type Allocation Code (TAC)	Serial Number	Check Digit
NNXXXXXX	<i>ZZZZZZ</i>	A

TAC	Type Allocation Code, formerly known as Type Approval Code	
NN	Reporting Body Identifier	
XXXXX X	Mobile Equipment (ME) Model Identifier defined by Reporting Body	
<i>ZZZZZZ</i>	Allocated by the Reporting Body but assigned per ME by the Type Allocation Holder	
A	Check digit, defined as a function of all other IMEI digits	
	IMEI status	
	White	
	Grey	
	Black	
	Date of record creation	
	Date of last record update	
	IMEI status reason (valid invalid, stolen, tempered, cloned)	

ESN/MEID Format

Type Allocation Code (TAC)	Serial Number	Check Digit
RRXXXXXX	<i>ZZZZZZ</i>	A

TAC	Type Allocation Code, formerly known as Type Approval Code	
NN	Regional code	
XXXXX X	Manufacturer code	

ZZZZZZ	Allocated by the Reporting Body but assigned per ME by the Type Allocation Holder	
A	Check digit, defined as a function of all other ESN/MEID digits	
	ESN/MEID status	
	White	
	Grey	
	Black	
	Date of record creation	
	Date of last record update	
	ESN/MEID status reason (valid invalid, stolen, tempered, cloned)	