

Instruction No. 03/2018 – Customs

F.No. 394/21/2018-Cus (AS)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
(Anti-Smuggling Unit)

New Delhi, dated 16th February 2018

To

All Principal Chief Commissioners/Chief Commissioners of Customs / Customs (Preventive),
All Principal Chief Commissioners/Chief Commissioners of Customs & CGST,
All Principal Commissioners/Commissioners of Customs / Customs (Preventive),
All Principal Commissioners/Commissioners of Customs & CGST,
The Director General, Directorate General of Revenue Intelligence

Madam / Sir,

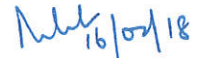
Subject: Providing the CDR & customer Details - regarding

It has been brought to the notice of the Board that field formations are approaching DRI for seeking CDRs and Customer details of phone numbers from telecom service providers.

2. This is reportedly being done as telecom service providers are not providing these details to the field formations since they are not a designated 'Law Enforcement Agency' like DRI under the provisions of Section 5(2) of Indian Telegraph Act, 1885.

3. In view of the above, it is clarified that field formations can obtain the SDR/CDR details directly from telecom service providers under the provisions of Section 108 of the Customs Act, 1962 which empowers any Gazetted Officer of Customs to summon any person to give evidence or to produce documents. For investigation purposes, DRI also obtains SDR/CDR details from telecom service providers under the provisions of Section 108 of the Customs Act, 1962. Hence, field formations may not refer such matters to DRI and seek the required details directly from the telecom service providers under the provisions stated above.

Yours faithfully,


(Rohit Anand)

Under Secretary to the Government of India