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Shri Anshu Prakash
Secretary
Department of Telecommunications

Subject: Request for Industry Meeting w.r.t the regulatory overlap on certain ICT Products

Respected Sir,

Greetings from MAIT!

At the outset, we appreciate the Department of Telecommunications for ensuring the global standards for regulating the highest level of product safety and quality. We would also like to congratulate you and your department on the successful launch and implementation of PLI for the telecom equipment. Such initiatives will help India position itself as a manufacturing hub of the world.

MAIT is representing the Electronic Hardware sector in the country. Today, we represent all major Information Technology, Data Communication, Networking products and Technology companies. We would like to acknowledge the fact that the collaboration of MAIT with DoT has been steadily increasing in the last few years.

We appreciate and acknowledge the steps Department of Telecommunications has taken to ensure that Telecom Equipment do not degrade the performance of existing network to which it is connected or hinder the safety of users and complies with national and international regulatory standards. We align with DoT's vision and extend our full cooperation in developing and implementing a regulatory governance system which meets the above objective. However, over the last few years, DoT has developed and imposed a heap of regulations on the industry which has led to many challenges for "Ease of Doing Business" in the country.

We support the regulatory approaches, still the challenges and issues if remained unaddressed then could undermine the development and inadvertently harm the economic growth after 17 months of slowdown due to the pandemic and may also erode the confidence of the global investors. Hence, we suggest that DoT should encourage such policies/regulations that promote trade and investment, instead of forming a stumbling block in industry and country's growth.

1. Scope of products covered under MTCTE:

In line with the MTCTE's objective, our recommendation to DoT and TEC is to limit the MTCTE product scope to only **core telecom products** which constitutes the part of the Indian Telecom Network. The ICT equipment which do not comprise the core telecom functions should be kept out of the domain of the MTCTE regulation, as these products do not affect the performance of the telecom network.

To add further, ICT products and equipment are already governed by **the Ministry of Electronics and Information Technology (MeitY)** under the Compulsory Registration Scheme 2012. Bringing non-core telecom products under the domain of the MTCTE regulation will make it more complex to introduce products to the Indian market. It will also create redundancies of certificate which would only increase the cost of compliance, restrict market access, cause import delays and will be against the Government of India's philosophy of "Ease of Doing Business".

Also, too many regulatory compliances, may even discourage the industry from launching new products in the Indian market owing to complex certifications, procedures and their ensuing compliance cost, thereby depriving the consumer from the access of latest technology products.

Hence, we strongly recommend DoT to **review and reduce the list of equipment** covered under MTCTE and **limit it only to the core telecom equipment**. The end-user devices and devices

owned and managed by Enterprise IT that connect to an enterprise network **should also not to be brought under the realm of this regulation.**

2. Industry Concern with respect to the Regulatory overlap on certain ICT Products:

- We would also like to bring to your notice that there are certain ICT products which have been listed under MTCTE procedure which are getting covered under multiple regulatory regimes for the similar test requirements, such products are required to obtain following certificates:
 - (a) ETA certificate from the WPC wing of DoT
 - (b) MTCTE certificate from the TEC wing of DoT and
 - (c) BIS certificate under the Compulsory Registration Scheme (CRS).

So, there are some clear overlaps in the testing and certification requirements in all the above regulatory schemes.

For example, CRS mandates testing and registration of ICT products under a specified safety standard i.e. IS 13252 and MTCTE also requires the same product to be tested and certified against the same safety standard. Similarly, WPC requires to get ETA certificate for all the wireless products for its radio frequency parameters and TEC also duplicates the radio frequency parameters under the MTCTE certification.

- Further, different certification schemes have their unique labelling requirements as well as have independent Market surveillances for the registered products. These requirements further complicate the compliance processes. The overlapping certifications only increases the compliance cost, time and effort and do not add any further value in terms of the product safety or quality to the Indian customer.

Some of the products currently covered under the MTCTE includes Servers, Point of Sales (POS), Mobile Phones, Smart Watches, CCTV Camera, etc. The same products, as mentioned above, are also covered under the CRS scheme of MeitY. Similarly, overlapping of products included in WPC's ETA certification scheme and MTCTE includes Access Points, Routers with wireless functions, Cordless Phone, PABX, Point of Sale, etc.

We request DoT to **avoid duplication of certification requirements** for such products. DoT should take measures to avoid redundant and repeated certifications. These duplications discourage the ease of doing business for the ICT and Telecom industry in India. It also puts a humongous compliance burden on the industry. If these regulatory overlaps are not addressed immediately, we fear may cause deterring impact on the economy and would cripple the ICT industry which is already overburdened with regulatory and policy interventions.

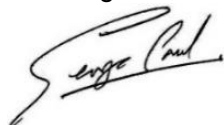
Finally, we would like to re-emphasize that there is a need for light-touch regulation in place of a stringent regulatory regime, which if not addressed properly could result in imbalance for the industry and erode the ease of doing business significantly.

We are optimistic that the honourable Prime Minister's vision of making India a \$ 5 trillion economy can materialise if we focus to cut down the duplicating regulatory compliances and its related operational issues.

We request you to kindly consider our submissions in reducing the regulatory burden.

We look forward to an opportunity to meet with you on a day and time convenient to enable us to share industry views to finalise a smooth and effective regulatory framework in the country.

With regards,



George Paul
Chief Executive Officer