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Shri Uma Shanker Pandey  
Member (Services)  
Department of Telecommunications

**Subject: Scenarios and suggested approaches during the enforcement of MTCTE regulations by CBIC**

Respected Sir,

**Greetings from MAIT!**


This is in further reference to MAIT's meeting dated 22 June 2023. As per the discussion in the meeting, please find below the Draft scenarios and suggested approaches on the enforcement of MTCTE Regulations by CBIC:

Draft Scenarios – Enforcement of MTCTE Regulations by CBIC		
S. No.	Scenarios	Suggested Approach
1	Products under testing at test labs as on the mandatory date, yet to be certified ( <i>date for MTCTE certification becoming mandatory for phases, as notified by government</i> )	Imports to be permitted basis undertaking from importer to duly submit the certificate as soon as issued (to be allowed till Dec 31, 2023)
2	Products where testing is completed by test labs, certification under progress as on mandatory date ( <i>date for MTCTE certification becoming mandatory for phases, as notified by government</i> )	Imports to be permitted basis undertaking from importer to duly submit the certificate as soon as issued (to be allowed till Dec 31, 2023)
3	Products which are End of Life / End of Sale	Imports to be permitted basis the EOL acknowledgment submitted by importer - Imports of End of Life/ End of Sale whole unit warranty replacement products be permitted under the Mandatory Testing and Certification of Telecom Equipment (MTCTE) scheme, as per clarification issued on 16.11.2022 (File no 6-6/2021-TC/TEC/(Pt. II), basis an acknowledgment by designated authority of self-declaration submitted by importer
4	Products where ERs are not yet published by TEC and/ or yet to be notified under the MTCTE scheme	Imports of products whose Essential Requirement (ERs) are not yet published and/ or yet to be notified by TEC under the MTCTE scheme will be allowed and do not require a certification, till notified
5	New Products/ Models Introduction which happens from time to time by OEM	If the new model is within the same product family, imports to be permitted with an undertaking from importer to duly submit the certificate as soon as issued (till Dec 31, 2023). A new product will still need to be tested and certified.

6	Parts exported for repair temporarily and re-imported after repair (including parts which are exported for repair, which had been imported originally before implementation of MTCTE regulations)	Do not need MTCTE certificate
7	Parts imported temporarily for repair and re-exported after repair	Do not need MTCTE certificate
8	Any products where re-certification is in progress due to multiple valid reasons	Imports to be permitted basis undertaking from importer to duly submit the certificate as soon as issued (to be allowed till Dec 31, 2023)
9	If a product is purchased by a customer before the implementation of MTCTE regulations and shipped to India post the implementation without the TEC logo.	If the importer is able to show the MTCTE Certificate for the product it should be cleared.
10.	Products sold to a reseller (having an identified end customer prior to the shipment/import) prior to the certification deadline but shipped/imported to India after the deadline.	The certification requirement does not apply to products sold and delivered to a reseller prior to the certification deadline but sold to the end customer by the reseller after the certification deadline.
11.	Products sold to a reseller under a valid purchase order (with end customer(s) not identified at the time of shipment/import) prior to the certification deadline but shipped/imported to India after the deadline.	The certification requirement does not apply to products sold to a reseller prior to the certification deadline, and delivered and sold further to end customer(s) by the reseller after the certification deadline.
12.	Products sold to a reseller and imported into India under a valid purchase order for stock-and-sell purposes (i.e. end customer(s) not identified at the time of shipment/import) prior to the certification deadline.	Since the products are considered sold and also imported into India before the certification deadline, the certification requirement does not apply. The reseller may therefore sell to the end customer after the certification deadline.

We are hopeful that our request on the subject matter would be addressed in a positive manner by your good office.

Warm regards,

  
Col Suhail Zaidi (Retd)  
Director General