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Ref. No.MAIT/PY/2559

October 13, 2022

Shri K. Rajaraman, IAS
Chairman, Digital Communication Commission & Secretary
Department of Telecommunications

Subject: MAIT's Recommendations on simplifying the procedures for samples Imported for Testing & Certifications in India

Reference: F.No.16-15/2021-IP dated 18-10-2021 (copy enclosed)

Respected Sir,

Greetings from MAIT, India's apex body empowering IT, Telecom & Electronics Hardware Sectors!

At the outset, we take this opportunity to appreciate your support to the Electronic and Telecom industry. MAIT reiterates its strong commitment to promoting the Telecom & Electronics industry and aligns itself with the Govt's vision for the growth of this sector in India.

We are also thankful to you for considering the industry's request for duty free import of certain Telecom equipment for testing & certification purposes under ATA Carnet for a period of 12 months (6 months + 6 months extendable).

While the ATA Carnet Scheme does allow for the import of samples, however, the structure of the scheme does not cover product samples import for testing & certification purposes. The list of products covered under ATA Carnet can be assessed using the link: https://www.atacarnet.in/pdf/Notification-4_2018_Professional-equipment_ATA_System.pdf
Hence, challenges that the industry is facing w.r.t. import of samples has not been addressed. The following is, therefore, suggested:

- (a) ATA Carnet scheme should be made applicable for Telecom equipment imported for testing across different schemes – MTCTE, COMSEC & BIS, etc.
- (b) There should not be any limit on the time the products are in India, considering the uncertainty on the timelines of testing (across different parameters). If not, a minimum of two years (18 months + 6 months) is recommended.
- (c) Considering that the products may get damaged, the OEM should have the freedom to do the following:
 - I. Export to origin within the timeline prescribed
 - II. Destroy the product and share a destruction certification from the relevant authority/recycler
 - III. Retain the product within the country after paying the said duty.

We sincerely hope that our request will be considered positively in line with the aspirations of the Industry. If you need further clarification, MAIT will be happy to connect with you and address the same.

Look forward to your continued support

With regards,

Col AA Jafri, Retd
Acting Director General - MAIT

CC: Dr. Mahesh Shukla, Member (Services), DoT
CC: Ms. Limatula Yaden, Joint Secretary TRU-II, CBIC
CC: Shri Rahul Dwivedi, Under Secretary (IP), DoT

F.No.16-15/2021-IP
Government of India
Ministry of Communications
Department of Telecommunications
(Investment Promotion Cell)
20, Ashoka Road, Sanchar Bhawan

New Delhi, Dated 18th October, 2021

OFFICE MEMORANDUM

Subject: Import of product samples/test equipment's for EMI/EMC, safety, technical and security testing in India – mandatory testing and certification scheme - reg

The undersigned is directed to draw your attention regarding Department of Revenue's Notification No.4/2018-Customs dated 18.01.2018 which inter-alia included equipment for testing or measuring or calibration. Duration allowed for the goods covered under these categories is 2 months, extendable for 2 months.

2. DoT has received a reference from Cellular Operator Association of India (COAI) (copy enclosed) in respect to import of product sample/test equipment for EMI/EMC, safety, technical and security testing in India to comply with mandatory testing and certification scheme.
3. The matter has been examined and DoT is of the view that Department of Revenue may consider import of Telecom equipment for testing & certification purpose without payment of duty under ATA Carnet to retain in India for a period of 12 months (6 months + extendable for 6 months).
4. This issues with the approval of Secretary(T).

Encl : As above



(Rahul Dwivedi)
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To
Secretary, Department of Revenue
Ministry of Finance

Copy to:
Sr. DDG(TEC)