

## Introduction

Ensuring ease of doing business is one of the key initiatives our government has embarked upon and is pursuing aggressively. EoDB is directly linked to bringing efficiencies, predictability, building competitiveness, ensuring speed of approvals and innovation. A business environment which is built on ensuring EoDB if implemented will result in GDP growth, more jobs, investments and transforming economy. Keeping the above in view, the policies should be carved out. The approval process should not be seen in isolation. Instead, this should be viewed from the perspective of larger benefit it will accrue to the economy. While numerous compliance obligations have been removed and few introduced one thing which has not changed is the unpredictability of timelines. There is no certainty attached as to when an application will be approved.

## There is an urgent need for prescribing a predictable and definitive time frame for approvals / clearances like BIS, WPC etc

The delay in grant of timely approvals has become a critical issue impacting the ease of doing business. The current process of obtaining prior approval has proved to be extensively time consuming. There have been continued inordinate delays in obtaining approvals. This delay is a barrier in efficiently operating the business and creating uncertainty. The existing process to be made more transparent and responsive from timelines perspective. There is an urgent need to reform the timelines for a stable and predictable policy compliance environment. There is no prescribed timelines and the approvals which were earlier granted in a week now take more than a month. There is a need to define specific timelines in the approval process. Delay in grant of approvals severely impact ability of companies to roll out products in a timely manner. The delay impedes the ability to operate in the market efficiently.

## Concept of Deemed Approval

Considering the numerous compliances and regulatory filings needed to be done by a manufacturing unit, the need of the hour is to permit deemed approval of the documents/permits/filings, especially by large firms and corporations.

Ease in regulatory permits and filings is the need of the hour to enable a conducive business environment for the industry in India and to enhance the attractiveness of India as a credible manufacturing destination. Deemed approval shall go a long way in this endeavour and shall further assist the EoDB.

1. Whether the present system of licenses/permissions/registrations is mentioned in para no. 2.40 or any other permissions granted by MIB, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
  - a. Simple, online and well-defined processes
  - b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
  - c. Precise and well-documented timelines along with the possibility of deemed approval
  - d. Well-defined and time-bound query system in place
  - e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
  - f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of license/permission/registration

Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.

<b>Industry Response</b>
<p>The process of getting licenses and permissions has to be prompt and must be time bound. One of such license which is needed by the wireless manufacturers and suppliers in India is Dealer Possession License (DPL) which is issued to the prospective dealers and distributors of wireless products. DPL forbids people and companies from possessing, transferring or selling any wireless devices or similar telegraphy apparatus to any other person or organization also not holding a valid license. Obtaining DPL is a tedious task and is a time consuming process.</p> <p>Following is the process to obtain DPL/NDPL License</p> <ul style="list-style-type: none"> <li>● Prepare documentation</li> <li>● Fill the application form</li> <li>● Submit the application</li> <li>● Wait for the analysis</li> <li>● Obtain the DPL License</li> </ul> <p>In the interest of ease of doing business, this long and time consuming process should be made OEM friendly with shorter TAT (turnaround time) and introduction of a Tracker to check the status of the application.</p>

2. Whether the present system of licenses/permissions/registrations is mentioned in para no. 3.81 or any other permissions granted by DoT, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
  - a. Simple, online and well-defined processes
  - b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
  - c. Precise and well-documented timelines along with the possibility of deemed approval
  - d. Well-defined and time-bound query system in place
  - e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
  - f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of license/permission/registration



Give your suggestions with justification for each license/permission/ registration separately with detailed reasons along with examples of best practices if any.

<b>Industry Response</b>
No Comments

3. What are the issues being faced in the existing processes of granting registration to IP-I providers? Identify and suggest measures to address the same.

<b>Industry Response</b>
No Comments

4. What measures should be taken to promote small and medium telecom infrastructure providers with ownership of the network created by them for maintaining the quality of services?

<b>Industry Response</b>
No Comments

5. Please provide your response with suggestions to improve the present system of operations and maintenance of the undersea cable network in respect of:

- a. What procedure should be followed to facilitate O&M agencies for smooth operations and maintenance of undersea cables/cable networks and restoration of faults within a definite timeline?
- b. What additional support is needed in terms of import and export of equipment, measurement tools and accessories etc., vessel conversion and various other clearances for expediting repair and operations of submarine cables by ship/vessel at cable landing stations within Indian maritime zones?

<b>Industry Response</b>
No Comments

6. Please suggest changes needed to simplify the following clearance/ permit procedures by various Government Authorities: a. In-transit permits

- a. Pre-repair permits
- b. Post-repair permits

Provide your suggestions for each activity separately.

<b>Industry Response</b>
No Comments

7. Please provide your response with proper justification to improve the present system of EMF radiation compliance in terms of:

- a. Relevance of EMF radiation audit and its impact for a quick roll-out of the network
- b. Measures to safeguard the public interest and build confidence in public against the propaganda of hazardous EMF radiations in the field

- c. Issues are being faced in the existing processes related to the self-certification, audit and penalty scheme of the EMF radiation compliance process on the Tarang Sanchar portal.

<b>Industry Response</b>
No Comments

- 8. What mechanism do you think should be followed in DoT to facilitate investors in exploring possibilities of business opportunities in the field of telecom? Provide your comments with justifications. Also, provide best international practices and adoption of new technologies for various processes and suggested process flow that could be adopted for further facilitating ease of doing business in India.

<b>Industry Response</b>
<p>Some of the best International practices that and adoption of new technologies for various processes might be as follows:</p> <ul style="list-style-type: none"> <li>o <b>Dedicated G2G line of credit for emerging markets</b>- Government to Government (G2G) projects or project activities may employ G2G line of credit ie is a flexible loan from a financial institution that consists of a defined amount of money that one can access as needed and repay either immediately or over time. Interest is charged on a line of credit as soon as money is borrowed. More and more Telecom projects using domestically manufactured products must be promoted using G2G line of Credit.</li> <li>o <b>Only Indian telecom equipment should be used in Indian LoC</b>-Govt should be promoting more of Telecom projects in the overseas G2G projects. E.g replica of Bharatnet, Railway/power signaling etc. Further Govt should mandate the usage of Indian telecom equipment in these projects. This would surely help towards ease of doing business in India as has been done in South Korea, China and Other Countries.</li> <li>o <b>Provide long-term lines-of-credit to domestic manufacturers so that they can offer the same to Indian telecom operators to achieve import substitution.</b>  <b>Deemed export status will allow domestic manufacturers</b> to avail working capital finance and other export-linked incentives. The cost of producing telecom products locally is on an average 18-22% more than in overseas markets like China. The local producers are "handicapped" against global suppliers who are backed by EXIM banks in their respective countries with low-cost working capital financing.</li> </ul> <p>It is recommended that a financial institution (e.g., EXIM bank) should extend low cost "buyers credit" (LIBOR + 1%) to Indian companies so that they can extend the same to Indian telecom service providers to incentivize domestic procurement of telecom equipment. All domestic sales of telecom products to qualified Indian telecom service providers may be treated as deemed exports under this scheme.</p>

- 9. Whether the present system of licenses/clearances/certificates is mentioned in para no. 3.94 or any other permissions granted by WPC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
  - a. Simple, online and well-defined processes
  - b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time-bound query system in place
- e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
- f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of license/clearance/certificate

Give your suggestions with justification for each license/ clearance/certificate separately with detailed reasons along with examples of best practices if any.

Industry Response
<p><u>WPC ETA approval delays from DoT for BIS CRS products</u></p> <p>There are certain products which are exempted from import licensing requirements as per EXIM policy of DGFT AND operate in de-licensed frequency bands such as Bluetooth, Wi-Fi, NFC etc. These require Wireless and Planning Co-ordination Cell (WPC) approval called “ETA (Equipment Type Approval) through self -certification” under a process instituted in 2018. This is for speedy faceless approvals through an online portal which was very efficient. Since February 2020, WPC approval timelines changed from one week to several weeks and no expected Turn Around Time (TAT). This has started impacting the business significantly.</p> <p>Therefore, this requires the processes to be responsive in order to meet the requirements of companies.</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none"> <li>• The approval / certification process needs to clearly define the timelines for processing of applications including grant of certification.</li> <li>• The process should introduce a concept of “Deemed Approval” wherein the application will be considered deemed approval and certification granted, if the application is not processed within a clearly defined time frame.</li> <li>• The competent authority may determine the timelines. However, any delay beyond the stipulated timelines, deemed approval should be granted to the application and BIS number granted / WPC ETA.</li> <li>• Applications will be filed as per the existing process and requirements including responding to clarifications.</li> </ul> <p>Without these much-needed reforms in the times lines, such approvals will remain a major hindrance for ease of doing business.</p> <p><u>Reference for Specific Timelines and Deemed Approval which exists.</u></p> <p>Please find attached the TS-iPASS-Rules-Telangana State Industrial project approval and self-certification system (TS-iPass) Rules,2015 – Amendment dated 28-07-2017, wherein the time bound clearances are mandated. If, no clearance is given in the stipulated manner, then it is the case for deemed approval. The relevant para from the TS-iPass rule is given below:</p> <p>".....The government may notify the clearances in respect of which the failure of the competent authority to pass final orders on the application within the stipulated time shall result in deemed approval. Certificate so issued to the units shall be binding on all concerned departments."</p>

Conclusion

The above is for reference purposes only to suggest similar certainty needs to be instituted by way of defining specific timelines and deemed approval in the approval / certification process. Processes may differ basis specific requirements, however certainty needs to be instituted from timelines perspective. This will go a long way in supporting ease of doing business by bringing certainty, predictability to the business environment dependent on approvals.

if yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time bound query system in place
  - Well defined timelines for approval of application at each stage should be made available to the applicant at the time of submission and subsequent updates.
  - WPC ETA approvals were made online in 2019 with the objective of faster turnaround time. On the basis of self-declaration, currently lead time of granting certificate sometimes exceeds 4 weeks. Approval timelines in any case should not exceed 1 week after submission of application
  - On expiry of the defined timeline, the step of deemed approval may be activated and certificate issued to the applicant.

10. Whether the present system of permission/approval is mentioned in para no. 3.101 or any other permissions granted by NOCC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes
- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time-bound query system in place
- e. Seamless integration and approvals across various ministries/departments with the end-to-end online system
- f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

<b>Industry Response</b>
No Comments

11. Whether the present system of permissions/approvals is mentioned in para no. 3.107 or any other permissions granted by TEC, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:

- a. Simple, online and well-defined processes

- b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
- c. Precise and well-documented timelines along with the possibility of deemed approval
- d. Well-defined and time-bound query system in place
- e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system
- f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval

Give your suggestions with justification for each permission/approval separately with detailed reasons along with examples of best practices if any.

Industry Response
<p>With respect to easy of doing business following point could be considered in MTCTE (Mandatory Testing and Certification of Telecommunication Equipment (<b>MTCTE</b>)) guidelines:</p> <ul style="list-style-type: none"> <li>• TEC should be promoting those labs for the MTCTE which has international accreditation as well so that same certification can be used by TEC and other international bodies, this will help the OEMs to save hefty cost of retesting, time and effort.</li> </ul> <p>Further, with respect to MTCTE certification, the following points could be noted:</p> <ul style="list-style-type: none"> <li>• In spite of the fact that clear cut guidelines have been issued from Ministry of Finance and as per the new TEC MTCTE procedure dated May 2021 the provisions for enforcement and surveillance has been defined, many companies (ISP/TSP/Traders) are still importing these equipment without MTCTE certificates, mainly by changing HSS code, mis-declaring SKD/SKD/finished good etc. Further none of these products has clearance from Trusted Source agency NSCS. This needs to be stopped immediately to promote domestic genuine manufacturers.</li> <li>• Test reports to be acceptable from Outside India labs till the time there is availability of Indian lab accredited by TEC for doing the testing of RF (Technical parameters)</li> <li>• Security testing to be limited only to critical network elements, overlapping requirement across different authorities to be unified like MTCTE/NSCS, testing cycle to be reasonable, time bound and commensurate with testing infrastructure.</li> <li>• There is no clarity with respect to products which were imported before the applicability of the rule. OEM to be allowed to replace the same in field as part of AMC/O&amp;M without having MTCTE certification.</li> </ul> <p>a. Simple, online and well-defined processes</p> <ul style="list-style-type: none"> <li>• Processes need to be well defined. Within TEC, the various departments or sections involved and the stages the application is being currently processed need to be made transparent to the applicants.</li> <li>• The current process of getting stakeholder inputs for the MTCTE scheme and technical inputs for ERs is archaic and currently not fruitful. A formal process of involving stakeholders is required to enable the industry and TEC to understand and contribute together. Views of the industry are important for any scheme to succeed. Any ill thought and untimely certification scheme will cause a severe impact to the industry.</li> <li>• The entire process application should be online without any requirement of printed hard copies.</li> <li>• Option of Digital Signatures should be available.</li> <li>• Any new phase of MTCTE scheme should have minimum one-year timeline for implementation after the phase is notified. This will help OEMs to gear up for the certification in multiple areas-</li> </ul>

arrange the required samples that in many cases need to be imported, do trial testing in the accredited labs to prepare for the requirements, address short comings, seek clarity and give adequate window for supply chain and sales functions.

- Maintaining the confidentiality of a product before it is launched need to be built within the application system. Applicants should be allowed to choose the date of publication of the Certificate after the due process of scrutiny and grant of the application has been completed. This will prevent leakage of product details to the competition before the official launch of the product/model.
- Inclusion of High-volume products in any phase of MTCTE scheme needs to be taken keeping in view the following aspects:
  - Readiness of TEC (manpower, portal, etc.)
  - Readiness of Labs (competence, number of labs having facility to cover full scope of MTCTE ERs)
  - Coverage under any existing certification scheme. Any product that falls in some other scheme needs to be left out.
- Acceptance of International standards and reports-  
Acceptance of MRA ILAC reports- The International Telecommunications Union (ITU), the International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC) have signed a Memorandum of Understanding (MoU). Accreditation bodies independently evaluate the compliance of conformity assessment bodies against recognized international standards, verifying their competence and impartiality. TEC can continue to accept ILAC reports as long as it is meeting the required standards. This will help OEMs to comply with the requirements in a flexible manner leveraging Local labs and international labs as suitable for one requirement.

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any.

- Format for any scheme needs to be discussed with wider industry stakeholders, inputs for improvements considered and explained. Many a times, OEMs have to struggle to understand the fields that have been asked for and the information to be provided.
- Adequate file size for test reports and other documents needs to be enabled. File may contain drawings and pictures which require larger file sizes.

c. Precise and well-documented timelines along with the possibility of deemed approval

- Timelines should be published and known to the applicant for each stage of the application with well-marked SLAs and reasonable timelines. On completion of each stage, the actual date of completion should also be highlighted.
- Certificate grant should not exceed 2 weeks, after applying at the portal.
- Timelines may be shown as follows for Scrutiny and Review at each stage and each department if more than one department is involved

Example –



Department	Expected date	(Actual) Completion date	Remarks
A			
B			

- The timelines should be visible on the portal for an applicant at each stage. This will avoid ambiguous information like Application under process. The applicant needs to be aware which department or section is handling the application or query at each stage. This will enable transparency in the entire process of the grant of certificate.
- If the processing of an application crosses the defined timeline threshold, there need to be a provision of Deemed Approval. This will ensure that the OEM is not penalised for delay at the TEC end.

d. Well-defined and time bound query system in place

- The query resolution details may be made available in the following format at the portal.

Query raised on----

Query details .....

Query response submitted on...

Department	Expected date	(Actual) Completion date	Remarks
A			
B			

- There need to be an adequate space for submitting the response and each stage should be visible online.
- If response to a query is found inadequate, sufficient reason and explanation should be given to enable the respondent to understand and modify the response.

e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system

f. Procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/approval

- If more information is required, adequate reason for query should be clear. If at any stage, if applicant is not satisfied, an escalation matrix should be provided with clear SLA and timelines.

12. What measures should be taken to ensure that there is no duplicity in standards or testing at BIS, WPC, NCCS, and TEC? Which agency is more appropriate for carrying out various testing approvals? Justify your reply.

Industry Response
Measures to be taken to ensure that there is no duplicity in standards or in testing at BIS, WPC, NCCS and TEC

- Inter-ministerial/departmental dialogue is necessary to ensure that no more than one ministry/department/authority is working on standards or certification on any specific area.
- Even if standards have been framed, before issuing/publishing the standard document to the industry and public, the departments should discuss and finalise which standard is to be issued instead of publishing conflicting standards and thereby increasing the burden on the OEMs.
- One glaring example is the Certification of ICT/IT products like Smart Cameras. MeitY/BIS had included Smart Watch as part the existing CRO process through Gazette Notification No S.O. 2742(E) dated 17<sup>th</sup> August, 2017. As a result of the notification, Testing and Certification started and many brands and models have been certified successfully. The CRO Scheme is now running for the last four years for Smart Watch and the industry including labs and OEMs are fully aware of the process and the requirements. The end consumer is also now fully aware of the BIS registration number for Smart Watch. Surprisingly and to the dismay of the industry, Smart Watch is being included in the TEC notification for MTCTE Phase-3 dated 22 Sept, 2021. This has created an unprecedented scenario wherein a single product is now going to be tested and certified by two separate government agencies. The TEC notification comes at a time when there are several lacunae in the MTCTE certification process itself- Adequate and competent labs are not available to test all the functionalities asked in the TEC MTCTE ER requirements. As on date, to the best of our knowledge, not a single lab exists which can test all the functionalities under one roof. The end result is that a OEM has to run to multiple labs for carrying the mandatory testing increasing the time, resources and money for testing and submission of application. This brings an undue pressure and complexity on an OEM who has been so far meeting all the required certification needs of the government. The Time to Market, Number of Samples to be arranged, Number of resources to allocated for the project and the uncertainty of meeting the requirements of a new regulator puts an unnecessary and undue pressure on the industry leading to severe EoDB challenges.
- Another pertinent example is the Security testing of mobile devices. BIS LITD-17 has published Mobile security testing requirements while at the same time DoT-NCCS wing has also published another set of documents for the same product. It is a case of the left hand not knowing what the right hand is doing.
- What is required for the authorities is to let existing certification scheme continue for such products which are already under a government scheme. New products and product categories not already undergoing certification within an existing scheme may be put under a new scheme such as the TEC MTCTE scheme. This will avoid EoDB challenges to the industry and help prevent confusion to the end consumer for redressal if required.

Which agency is more appropriate for carrying out various testing approvals-

- In a world of convergence where Telecom , IT and media are merging rapidly, all end user consumer products like Smart Watch, Phones should be under the Ministry Electronics/BIS certification scheme as these products have a heavy dependency on applications, Software, Safety and Security much beyond the hardware and connectivity of the device. All the core telecom nodes and equipment like the Mobile Switching elements, Gateways, Radio and access products which talk directly to the Core switching nodes like Radio Base Stations etc can be tested and certified by TEC which has got adequate experience and know-how of the intricacies of such telecom and wireless core and radio products and solutions, a knowledge which has been built

up over the decades. The expertise and knowledge of a department needs to be factored in while deciding the certification ownership of a Product.

- Consumer ICT end products- MeitY/BIS
- Telecom Core nodes and equipment- DoT/TEC

- The need is to ensure that
  - Fragmentation
  - Duplicity and
  - Overlap
 is avoided for the certification of a single product to ensure EoDB.

13. Whether the present system of getting fresh and additional space segment capacity on Indian and foreign satellites for various services mentioned in para no. 4.15 or any other new service from DOS, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of
- a. Simple, online and well-defined processes
  - b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
  - c. Precise and well-documented timelines along with the possibility of deemed approval
  - d. Well-defined and time-bound query system in place
  - e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system
  - f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of space segment capacity

Give your suggestions with justification for allocation of space segment capacity for each service separately with detailed reasons along with examples of best practices if any.

<b>Industry Response</b>
No Comments

14. Whether the existing procedures to acquire a license for providing satellite-based services in the existing framework is convenient, fast, and end-to-end online for the applicants? If not, what other measures are required to simplify the various processes to enable ease of doing business in India for satellite-based services? Give details along with justification.

<b>Industry Response</b>
No Comments

15. Whether the present system of permissions/registrations is mentioned in para no. 5.10 or any other permissions granted by MeitY along with BIS, requires improvement in any respect from the point of view of Ease of Doing Business (EoDB)? If yes, what steps are required to be taken in terms of:
- a. Simple, online and well-defined processes
  - b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any
  - c. Precise and well-documented timelines along with the possibility of deemed approval

- d. Well-defined and time-bound query system in place
- e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system
- f. The procedure, timelines and online system of notice/appeal for rejection/cancellation of permission/registration

Give your suggestions with justification for each permission/ registration separately with detailed reasons along with examples of best practices if any.

Industry Response
<p>The existing certification process under the Compulsory Registration Scheme (CRS) has been operational since 2013. The certification lead time got reduced to 1 to 5 days which was 4 to 6 weeks till the end of 2019. The remarkable reduction in the certification time was achieved through concerted efforts of BIS over the past several years. However, for last few months there has been a drastic increase in the BIS certification time leading to delays with no clear Turn Around Time (TAT). When a product under CRS requires certification from BIS, the following steps must be undertaken:</p> <ol style="list-style-type: none"> <li>1. Testing of a product in BIS accredited Indian Lab</li> <li>2. Report submitted to BIS with all documentation</li> <li>3. BIS reviewer scrutinizes the technical test report</li> <li>4. BIS reviewer raises query, if any</li> <li>5. BIS reviewer approves the technical report, if response to the query is accepted</li> <li>6. BIS reviewer changes status of the application to “Decision awaited from Granting Officer”</li> <li>7. Granting Officer grants the registration</li> <li>8. BIS certificate of product is available online for download.</li> </ol> <p>Manufacturers undertake Steps 1 and 2. BIS’ have control on steps 3 to 8 of which Steps 3 – 6, as described above, have been working smoothly. However, all applications that move into Step 6 do not seem to go beyond that stage and get the BIS certification.</p> <p>The above delays have also impacted the certification of products covered under the CRO. BIS approval delays have started impacted the product new launches, business losses. The delays in granting BIS certification is affecting the Indian consumers’ access to products and is significantly impacting the businesses of our member companies.</p> <p>in the time bound clearances are mandated. If, no clearance is given in the stipulated manner, then it is the case for deemed approval. The relevant para from the TS-iPass rule is given below:</p> <p>".....The government may notify the clearances in respect of which the failure of the competent authority to pass final orders on the application within the stipulated time shall result in deemed approval. Certificate so issued to the units shall be binding on all concerned departments."</p> <p><u>Conclusion</u></p> <p>The above is for reference purposes only to suggest similar certainty needs to be instituted by way of defining specific timelines and deemed approval in the approval / certification process. Processes may differ basis specific requirements, however certainty needs to be instituted from timelines</p>

perspective. This will go a long way in supporting ease of doing business by bringing certainty, predictability to the business environment dependent on approvals.

a. Simple, online and well-defined processes

- Any change in the online process and tool need to be informed well in advance to the stakeholders and applicants.

Example: LIMS process/ tool was introduced by BIS in August 2021 for labs and OEMs without any prior intimation to the stakeholders and impacted parties. This created issues both to the labs as well as applicant OEMs. Labs were not having experience in using the new tool and unaware of the data to be uploaded in the portal. The result was delay in generating test requests and uploading the test reports. The overall impact was delay in issuing certificates to applicant OEMs.

- Any maintenance or upgrade in the online portal or existing process should be informed to stakeholders well in advance in the portal.
- New phases are to be announced only after ensuring that lab infrastructure and accreditation is in place. On the day of notification- FAQs and TRF both should be published. Delay in releasing the TRF means that OEMs cannot start the certification/changeover process
- Considering the advancements and to reduce timelines, Digital signature may be accepted as an option in addition to physical signatures.
- For change in Management information for an applicant, the process needs to incorporate acceptance of soft copies and online payment instead of the current requirement of submitting Demand Drafts.

b. Simple application format with a need to review of archaic fields, information, and online submission of documents if any

- The BIS portal crsbis.in has one login for each factory. In the current manufacturing ecosystem, one factory is producing models for different brands. Within the master login, one more level of login should be made available for each brand. Persons who are working on one brand then cannot access the information pertaining to some other brand preventing leakage of confidential information.

c. Precise and well-documented timelines along with the possibility of deemed approval

- Currently there is no timeline defined for the scrutiny and approval stages. A well-defined timeline for each stage needs to be made available to the applicant in the portal to show the lifecycle of the application from submission to approval including all intermediate steps.

Department	Expected date	(Actual) Completion date	Remarks
A			
B			

- Certificate grant should not be more than 1 week, after applying at the portal.

- If the processing of an application crosses the defined timeline threshold, there need to be a provision of Deemed Approval. This will ensure that the OEM is not penalised for delay at the MeitY/BIS end.
  - Other applications viz. Change of Authorised Indian Representative, Management details need also have well defined timelines. Sometimes it is observed that such changes take 30-45 days. This needs to be reduced to 1 week at the maximum.
- d. Well-defined and time bound query system in place
- The query system needs to have more clarity and information to the applicant. It is observed that similar queries are asked for different products/ factory when the response had already been submitted and accepted. The queries and responses for a particular product/model/factory needs to be synced.
- The query resolution details may be made available in the following format at the portal.  
Query raised on----, Query details .....  
Query response submitted on...  
Query resolution handled by Department A, Expected date of completion. Y days, Actual completion date-
  - There need to be an adequate space for submitting the response and each stage should be visible online.
  - If response to a query is found inadequate, sufficient reason and explanation should be given to enable the respondent to understand and modify the response.
- e. Seamless integration and approvals across various ministries/ departments with the end-to-end online system
- Status of an application across departments/ministries should be available to the applicant in the portal with well-defined timelines for each stage.
  - Surveillance Challenges:
    - Lead-time for sample collection is less
    - Lab competency to test the complex products
    - No predictability of overall process timelines for final completion of MS Order
- For Ease of Doing Business, the current process of targeting compliant OEMs with the additional burden of repeat testing which is good as testing the entire product once again needs to be modified. If MeitY grants Compliant companies relaxation in Market Surveillance, it will encourage other OEMs also to come to get added to the List of Compliant Companies.

16. What are the issues being faced by various service providers in seeking stable and committed quality power supply connections from power DISCOMS? For statewide operations whether it is feasible to get power supply in a time-bound manner for various locations from a single-window contact or has to be made region-wise. What measures do you suggest to improve the same?

<b>Industry Response</b>
No Comments



17. Whether the extant mechanism of reporting and filing at the SARAS portal and the offices of Controller of Communication Accounts (CCA) simple and user-friendly? If not, what measures are required to make it simple, transparent, and robust? Justify your comments.

<b>Industry Response</b>
No Comments

18. Whether any issues are being faced by the telecom service providers during declaration and verification of documents for deduction claimed from the Gross Revenue and special audits of revenue? If yes, provide your comments with the reasons thereof.

<b>Industry Response</b>
No Comments

19. What improvements do you suggest in the various extant audit processes conducted by DoT LSAs? How the process of the Customer Acquisition Form (CAF) audit can be further simplified? Provide your comments with justifications.

<b>Industry Response</b>
No Comments

20. What measures are required to be taken to simplify the various submissions/filings made by teleport operators, DTH operators, MSOs, and other stakeholders at MIB? Provide your detailed reply with justifications.

<b>Industry Response</b>
No Comments

21. TRAI seeks multiple reports through its multiple divisions at predefined frequency intervals. Reports submitted by operators are examined and for non-compliances, show cause notices are issued and financial disincentives are imposed, wherever applicable. Do you think there is a need to improve reporting and compliance system in TRAI? Please elaborate your response with justifications.

<b>Industry Response</b>
No Comments

22. Identify those redundant items which require deletions and at the same time the items that need to be included in the reporting and regulatory compliance systems due to the technological advancements. Suggest such changes with due justifications.

<b>Industry Response</b>
No Comments



23. What kind of IT-based reports and compliance submission processes do you suggest in TRAI? Provide your comments.

<b>Industry Response</b>
No Comments

24. Are there any other issues in the present system of licenses/ permissions/registrations granted by MIB/DoT/WPC/NOCC/TEC/DOS/ MeitY/MoP that can be identified as relevant from the perspective of ease of doing business in the telecom and broadcasting sector? If yes, provide a list of those processes and suggest ways for their improvement.

<b>Industry Response</b>
No Comments



Additional Points

**1. Inputs on Non- Network Licenses**

1. Certificate/license approvals should have a reduced lead time or some TAT assigned to the approval mechanism to expedite overall process. E.g.

	<b>Present Scenario</b>	<b>Expected</b>
Import License	15 days or more	Less than 7 days
Dealer Possession License	15-20 days	Less than 7 days

2. DPL holders should be exempted from the experimental license, non-radiating type required for in-house Demo and testing purposes, especially business locations covered under license. Under existing DPL rules, the DPL holder submits these details at the time of yearly DPL renewal in form 5.
3. Mandatory requirement of attaching a valid frequency letter to DoT when equipment are sold/supplied to TSPs (as per existing DPL rules) should be removed as OEM do not have access to such authorized frequency letters issued to operators.

**2. With respect to Chapter III para 3.2 of promotion of standardization, research and development (R&D)**

**in telecommunications**, Government must ensure to give 200% R&D weighted tax deduction under Section 35(2AB) for another five years, for all DSIR certified R&D organizations as was given prior to 2015. Currently all DSIR certified R&D organizations get a R&D weighted deduction of 100% .

R&D and manpower expense does not get any support in other schemes of Govt. Telecom is important strategic sector which is important from national security point of view. Hence Govt must promote more and more indigenization of the products in the form of R&D, IPR creation and product development so that telecom industry can increase their R&D investment and create long-term economic value. Moreover, since manpower expenses form a large portion of R&D expenditure in the telecom sector it is critical to include these for weighted tax deductions.

3. With reference to Structural and Process reforms granted by Union Government on 15 September 2021 for the Telecom sector rationalization of AGR has been proposed. **We suggest along with AGR rationalization, promotion of domestic manufactured goods can also be suggested with in Telecom sector.** It might be noted that DPIIT “Make in India” Public Procurement Order is applicable to Central Govt procurement only. But in the field of Telecom and Networking the procurement by the central Govt is even less than 5% procurement. As a result, domestic manufactures are being deprived of market access within our own country even if they have world class products. It is recommended that license conditions of telecom operators be modified to give them incentive for using Made-in-India telecom products in line with DOT PMI (Preference to Make in India) policy dated 29th Aug 2018. All licensed telecom operators, whether in the private or public sector, should be eligible to avail this benefit as an option to reduce their AGR as license fee obligations in a non-discriminatory manner.

Some of the Other important points (not covered in Consultation Paper but are important Telecom industry with respect to ease of doing business)

1. For many of the Telecom Equipment Component Manufacturers BCD (basic customs duty) is levied which are used in the manufacturing of Telecom equipment products. As a result, many of the ITA 1 products gets imported under Nil duty and if the same products are manufactured in India, full BCD is levied on some of

the components used in the manufacturing of the same products, thus making Indian Make products costlier than imported equipment.

Further, Omission of IGCR (Import of Goods at Concessional Rate) rules on HS Codes 85176100, 85 176290 and 85176990 from 1st Feb 2021 is a big setback to Indian Telecom manufacturers. If Indian manufacturers have to pay 20% duty on components, they will have no incentive for carrying out manufacturing in India. In the view of the above, till the time there is proper setup of telecom equipment component industry in India, no duty should be levied on the components for goods falling under 851762 or 851769, for the domestic manufacturers who own the finished products' IPR in India or companies whose R&D is DSIR certified. For the same Government may continue to grant exemption "If the importer follows the procedure set out in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017".

- 2. Payment Cycle from Government Departments**- Most of the times payment from Government Departments and PSU gets delayed. A significant portion of the working capital requirement of a domestic Telecom OEM arises due to long receivables realization cycles.

Government must come out with a policy and guidelines for Govt department and PSU to pay domestic manufacturers well within stipulated timelines. After the submission of invoices, the payments must be disbursed in a timely manner as per agreement and/or procurement conditions. In the event of a delay, vendors should be paid interest on the pending amount.