

RJIL/TRAI/2022-23/415

10th February 2023

To,

Sh. Sanjeev Kumar Sharma

Advisor (Broadband and Policy Analysis)

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan

Jawaharlal Nehru Marg, New Delhi - 110002

Subject: RJIL's Comments on TRAI's Consultation Paper dated 23.12.2022 on "Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India"

Dear Sir,

Please find enclosed the comments of Reliance Jio Infocomm Limited on the consultation paper dated 23.12.2022 on **"Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India"**.

Thanking you,

Yours Sincerely,

For **Reliance Jio Infocomm Limited**

Kapoor Singh Guliani

Authorized Signatory

Enclosure: As above

**Reliance Jio Infocomm Limited's comments on TRAI's Consultation Paper on
"Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India"
dated 23rd December 2022.**

Preface:

1. Reliance Jio Infocomm Limited (RJIL) thanks the Authority for issuing this consultation paper to deliberate on the Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India.
2. At the outset, we submit that RJIL had submitted detailed measures to improve the **ease of doing business (EODB)** for international communication through submarine cables under our response to the Authority's consultation paper on "**Ease of Doing Business in Telecom and Broadcasting Sector**" dated **8th December 2021** and request you to treat said submissions as part and parcel of our response.
3. The Authority has already recognized that there is no effective substitute for submarine cables in providing international telecommunication links between countries across the world. **Thus, it is imperative that effective measures should be taken to ensure that there is no dearth of international bandwidth capacities to meet the ever-expanding demand.**
4. The Authority is aware that there are massive challenges in setting up new cable landing station (CLS) facilities, in the country. We submit considering its import, it is ironic that this segment of communication sector remains fraught with multiple approval requirements resulting into massive delays. The current process for approval of CLS is very slow leading to extensive delays and in many cases the approvals take years to process. Thus, the most important agenda should be to **streamline the CLS approval process and make it a fast track with time-bound approval process.**
5. **We submit to further bring EODB in this sector, Cable laying & repair services should be designated as 'Critical & Essential Services' and should have priority for 'Permits- In - Principle' and Clearances from Government agencies.**
6. Further, in order to fast-track the approvals, we reiterate our previous submission that the Authority should take a leaf from the '**Essentiality Certificate' (EC) issued to offshore sector vessels engaged in Oil exploration projects by DGH (Ministry of Petroleum & Natural Gas) to grant this 'Critical & Essential Services' status to CLS and associated activities.** The Critical and Essential Services' certification will help boost the submarine data cable infrastructure and will considerably enhance international connectivity and consequently Indian economy.

7. **We also submit that facilities like exemption of goods and services from Customs Duty & IGST on vessel (on submission of Charter agreement between Vessel Owners & operators) should also be extended to submarine cable repair related activities.**
8. We appreciate the Authority's initiative to explore the possibility of **domestic sub marine cable for connectivity between major coastal cities. However, we do not agree with the suggestions that the domestic cables may be permitted to go slightly beyond the Indian territorial water, to improve Mean Time Between Failures (MTBF).**
9. We submit that such an exception will make the cable an international submarine cable and once the cable is beyond 12 nautical miles from the coast, there will be no control to ensure that there is no handshake with other international cables at high sea and only domestic traffic is carried on the cable. Therefore, **we submit that for being acceptable and viable, the domestic cable should be completely domestic i.e. never go beyond Indian territorial water and carry strictly domestic traffic. In all other cases, the cable would cease to be domestic and would be required to comply with international cable and cable landing requirements thereby negating any benefits accruable from making the cable domestic.**
10. We further submit that Submarine Cable Landing station act as an interconnect gateway exchange among various submarine cable systems of different consortia and **it is neither possible nor feasible for International long-distance (ILD) licensee owning the cable landing station, to have ownership or membership of the consortia in each and every cable system.** It is also not feasible also from business perspective to invest heavily in entire cable system by becoming consortium member. **However, the applicant ILD operator (ILDO) will certainly be responsible for establishment and maintenance of such systems and cable within the territorial jurisdiction of India.** Nevertheless, it is also important to ensure that only serious ILDOs should apply for CLS and it will be appropriate to introduce additionally requirements of networth and experience in telecom operations for seeking CLS and related permissions.
11. Therefore, with regards to the issue of who can seek permission for cable landing station (CLS), we feel that the requirement for the applicant **ILDO to have a stake in the submarine cable is quite onerous, as the cables have multinational ownership and pass through multiple tax regimes and will also have AGR implications, so the ownership may not be commercially viable. Accordingly, we submit that the well-established practice of permitting Indian ILDOs, having an agreement with the consortia to land cable in India and seek all related permissions may be continued and no additional cable ownership requirements be implemented.**

12. We appreciate the proposal and thought process for a domestic submarine cable maintenance ship, however, we understand that commercial viability will be challenge in this case. We have provided assumption-based calculations in subsequent sections. Nevertheless, we believe that this proposal should be explored by Authorities and all service providers.
13. Further, regarding stub cables, we submit that while such ideas appear good at face value, these may not be ideally suited for India. For one the technological developments often render the idle installations unusable in future. **Furthermore, this solution is suitable for smaller coastlines and for large coastlines like India, we should be focusing on diversifying the CLS availability and not increasing congestion in existing CLS centres.**
14. We take this opportunity for suggesting another EODB measure concerning submarine cables. We submit that the mandatory requirement of physical presence of DOT officials on-board on all days for cable link related onshore surveys is an unnecessary requirement and can be done away with. We submit that the permissions for carrying out survey from various agencies are time barred and therefore any deviation due to unavailability of DoT officials leads to unnecessary and avoidable delays instead the requirement of mapping GPS coordinates should be entrusted with the TSPs or their authorized representatives. DoT can specify the time intervals for capturing GPS coordinates and submit a map with GPS plotting, if required. In view of this, we request your good office to recommend dispensing with this requirement.

15. Conclusions

1. All approvals and permissions pertaining to cable landing stations and repair and maintenance work of cables should be moved to end-to-end digital paperless process with fixed timelines and online tracking mechanism.
2. The redundant and repetitive permission requirements should be removed.
3. Submarine Cable laying & repair services should be designated as 'Critical & Essential Services'
4. There should not be any requirement of holding a stake in submarine cable in order to apply for CLS and related permissions and existing process should be continued.
5. Only ILDOs with suitable financial stability and experience and agreement with international submarine cable systems consortiums should be given permission to set-up CLS.
6. The domestic submarine cables should be permitted subject to the condition that these cables remain completely domestic.

7. The mandatory requirement of DoT official's physical presence for Naval onshore surveys should be dispensed with and instead TSPs or its authorized representative should be required to collect the required GPS data.
8. Stub cables are not required and instead diversity of CLS installations should be promoted.

Issue wise response:

Q.1 What limitations are being posed by existing licensing and regulatory provisions for laying submarine cables and setting up of CLS in India? Please answer with the detailed justification for changes required, if any.

RJIL Response:

1. The Authority is aware that the Submarine cables form the backbone of modern telecommunications and the Internet. **The United Nations General Assembly (UNGA) has described submarine cables as 'critical communications infrastructure' which carry about 99% of communication data across the world by using fibre-optic technology and is very important to the global economy.**
2. The critical infrastructural aspect of these services is **the cable laying and operation and maintenance of submarine cable and cable landing stations.** We submit that considering the importance of this section of telecommunication services, it is imperative that **these should be considered as 'Critical Service' and be given top priority for approvals and clearances.** However, contrary to this, this sector is laden with multiple levels of overlapping requirements and is governed by long-drawn permit-approval system.
3. We submit that the first step to deliver EODB measures for **this section of the telecommunication services should be to classify the Cable laying & repair Services as 'Critical & essential Services' and these services should have priority for 'Permits-In -Principle' and Clearances from Government agencies.**
4. As mentioned in preface, the 'Critical & Essential Services' certificate should be accorded in line with 'Essentiality Certificate'(EC) issued in Exploration, Development and Production (E&P) sector by the Directorate General of Hydrocarbon (DGH) under Ministry of Petroleum & Natural Gas. In case of Submarine cable laying and Repair Services the Department of Telecommunication (DOT), Ministry of Communication should be nodal agency for issuance of such Certificate.

5. With EC the goods & services are exempted from Customs Duty & IGST on vessel (on submission of Charter agreement between Vessel Owners & operators) and same benefits should be extended to CLS and activities related to Cable repair as well, being Critical & essential services.
6. In addition to these requirements, we have compiled a table indicating existing practices/procedures for obtaining various permits/ compliance with regulation and our recommendation to bring in EODB. The table is enclosed as Annexure-A. It is evident from the table that the improvements are primarily required with regards to following common issues:
 - a. **'End to End' online application process with a facility to monitor/track the application and do corrections/modifications wherever required.**
 - b. **Well defined and reasonable timelines considering the critical requirements.**
 - c. **Removal of redundant and duplicate requirements.**
 - d. **Simplification in documentation and processes.**

Q.2 Which of the conditions, as stated in Para 2.10 be made applicable on the ILD licensee for applying permission /security clearance for laying and maintaining the submarine cable and setting up CLS in India? Please answer with the detailed justification.

RJIL Response:

1. We submit that the licensing framework for applying permission /security clearance for laying and maintaining the submarine cable and setting up CLS in India needs to be examined at holistic levels.
2. Submarine cables are traditionally sponsored by consortium of owners and mainly dominant or monopoly operators from various countries are the founding members of such consortia or cable clubs. These cables land in various countries and CLS is owned/ maintained generally by a party incorporated in that country and holding a relevant telecom licensee as prescribed by that country. Since as submarine cable covers multiple continents and countries, the Consortium Partners executes among themselves necessary legal agreements for laying of the submarine cable and landing of the same in different countries. **For the purpose of landing of submarine cables in different countries, the Consortium Members make necessary arrangements either within consortia members themselves through their affiliates to provide cable landing facility in any particular country where their affiliates have necessary license or through an arrangement with any third party who is willing to take responsibility to land the cable in its country.**

3. Considering all this, the **established practice in India has been to permit Indian ILDO having an agreement with the consortia to land cable in India and seek all related permissions. This position has been well acknowledged by the Authority, vide its recommendations dated 16.12.2005 on “Measures To Promote Competition In International Private Leased Circuits (IPLC) In India” & consultation paper dated 13.04 2007 seeking comments for “Access to Essential Facilities (Including Landing Facilities for Submarine Cables) at Cable Landing Stations”.** The Authority has acknowledged that there is no requirement that submarine cable in Indian Territorial waters should necessarily be owned by ILD Licensee and only a commercial arrangement between the Cable Landing Station owner and the cable owner / cable consortia facilitates landing of the cable should suffice.
4. We submit that **this position should be continued and there should not be a requirement for a CLS owner to also necessarily own the submarine cable. An ILD licensee who owns CLS should be responsible for making all arrangements which inter-alia include necessary permission/approval for establishment and maintenance of various submarine cable systems through commercial arrangement between Cable Landing Station owners and cable owner / consortia.**
5. Further, we submit that it is also important to ensure that the **permissions are not sought by fly-by-night operators and proxies for ineligible or parties unwilling to comply with Indian regulatory regime.** Therefore, it is important that certain thresholds and safeguards are built in the permission approval process.
6. We submit that in order to **protect national interests and to ensure that our booming digital economy is not impacted by unwanted and unsavory elements, the Government may include a minimum networth and experience requirements in addition to the existing regulatory requirements, wherein only asset (equipment + cable) for landing and maintaining submarine cable in Indian territorial waters and territory of India should necessarily be owned by ILDO licensee.**
7. In view of the above, we reiterate that due to the **multiple technical and commercial issues, including and not limited to AGR implications, owning some interest in entire cable length of the cable system may not be feasible. Therefore, such mandatory condition to own the interest in consortium would restrict Indian ILDO to land submarine cable in India since it may not make any business case and be a setback to India’s digital economy.**

Q.3 Would an undersea cable repair vessel owned by an Indian entity help overcome the issues related to delays in undersea cable maintenance? Please provide justification for your answer.

RJIL Response:

1. As of today, Indian operators marine repair needs are served by two Marine maintenance agencies as detailed below:

Maintenance Agency	Vessel Base Location	No of Vessels	Vessel Flag	Area of operation	Average response time to repair in Indian waters
E-marine	Hamirayah (UAE) and Salalah (Oman)	5	Non-Indian	Middle East (Egypt) to Andaman Nicobar Islands (India)	3-5 months
SEAIOCMA	Singapore and Indonesia	3	Non-Indian	South East Asia and Indian Ocean region	4-5 Months

2. We submit that **all these repair vessels are foreign flagged which leads to additional importation needs into the Indian waters which make the process more complicated and time consuming. This complicated process combined with the GST requirement in the water in EEZ (as per the new requirement effective 2020) has also made repair operations exorbitant.**
3. Additionally, the repair vessels have to come all the way from their base depots to India which requires 10-12 additional days (bothway) transit time thereby increasing cost of operations. **Further, the foreign crew members need to apply for MOHA on annual basis which is again a time-consuming process.**
4. **Therefore, an undersea cable repair ship owned by an Indian entity would be an excellent solution subject to economic viability.** We understand that a Joint Venture (JV) with an existing international operator would also ensure the required transfer of skills over time, which will enable the ships to be operated by an all-Indian crew in near future.
5. Nevertheless, this solution will definitely reduce the delays in undersea cable maintenance and would also reduce transit times, import/export procedures, MOHA clearances etc. **However, we understand that considerable time will be required to implement this solution and multiple facets need to be explored in detail.**

6. For instance, waters around India would need to be considered as the depth of water would impact the type of vessel. Shallow water vessels generally cannot perform deep-sea repairs. **Therefore, depending on the viability, which seems unlikely at present, a two-ship solution in East and West of India would be ideal.**
7. Notwithstanding the above, we submit yes, definitely, **an Indian vessel owned by Indian parties will reduce the repair response time considerably and will also have great potential for cost saving in longer run.** Further, it will not only help to repair the cable in shortest possible time, but it will also help to lay the cable in the region in minimum possible time.

Q.4 If the answer to the above question is yes, then please suggest possible mechanisms along with detailed justification and financial viability analysis for implementing this proposal.

RJIL Response:

1. As mentioned above, the possible model would have to be a JV. There are international precedents of such JVs, for instance the SEAIOCMA model is a JV between Singtel and Global Marine. We submit that a similar model would be suitable for India as well. **However, it is pertinent to note that while several operators have the experience in international telecommunications cable maintenance and some even have experience operating vessels, none has experience of operating a cables ship and teething issues are inevitable.**
2. From financial viability analysis perspective, we have carried out following cost analysis (approximation based) for your ready reference.
3. The initial cost would include the following
 - a. **Vessel cost (leased or procured) (approx. cost ~USD60-80M plus cable handling equipment and an ROV for cable burial).**
 - b. **Cost of port facilities and other running costs would need to be included.**
 - c. **Cost to finance.**
4. As per existing practices, the cost to maintain cables is shared on a per KM basis. In this case, since the repair solution would initially be targeted at India EEZ cables, the cost is approximated on that basis.

5. **Assuming the USD15M as per annum finance and operating costs for repair and maintenance of 23 cables [old + new] x 200km [EEZ] = 4,600km, would come out to be USD 3,261 per km. Pertinently, this cost is considerably higher than SEIOCMA or EMarine.**
6. In view of this, we submit that while the time saved to repair cable systems would be a massive incentive to pay a small premium, however, in a cost-conscious market this premium appears to be too much. **Therefore, the cables ship would certainly have to target cables beyond the Indian EEZ, perhaps meeting other cable maintenance zones half-way or competing directly with them to become financially viable while at the same time addressing the current issues for Indian cables.**
7. **As an alternative, existing cable ship operators could be encouraged to relocate and reflag existing vessels, rather than add to existing solutions.**
8. **Another easier alternate option could be that all the submarine cable operators in India should form a consortium which can collectively build and operate submarine cable repair vessel. This vessel can also work for outside assignments (cable laying /repair for other countries) to make them profitable in the long run.**

Q.5 What measures should be undertaken for promoting Domestic submarine cables for connecting coastal cities in India? What limitations are being posed by existing licensing and regulatory provisions for laying domestic submarine cables in India? What are the changes required in the existing licensing and regulatory framework? Please answer in detail with the supporting document, if any.

RJIL Response:

1. We submit that the domestic submarine cables for connecting coastal cities in India is a welcome proposal, **however, it has not been attempted so far due to massive cost implications, although there exist a few international submarine cables that are connecting to two Indian cities (say Mumbai and Chennai).**
2. Indian submarine cable operators have not considered using submarine cable for domestic connectivity for following reasons:
 - a. Building and maintaining submarine cables is a costly affair and using this capacity for NLD traffic might not recover the cost.
 - b. In opinion of many stakeholders, Regulatory framework is not very clear on treatment of this traffic. It is felt that it will be treated as international traffic and

will require same guidelines. This will eventually increase cost of this bandwidth and make such use unviable.

- c. As most of the data traffic is content by Cloud Providers and Global Content Providers and their networks are already interconnected with outside India locations, the domesticity of cable system is a moot point.
 - d. Further, the submarine cables being non-terrestrial (and in the water) and requiring international vessels and expertise for laying, repair and maintenance would make it almost impossible to have a purely domestic submarine cable.
3. Notwithstanding the above, we agree that the domestic cables will be a good alternative to connectivity through “Terrestrial fibre cables in a mesh topology”. **Terrestrial fibers face many issues like multiple cuts due to work of various agencies, and a submarine cable for the backbone network will definitely address these issues and improve quality.**
 4. However, **the challenges would come in the terms of keeping the cable and associated CLS completely domestic. In order to remain completely domestic, it would be imperative that these cables do not go beyond Indian territorial waters (i.e. 12 nautical miles from base line) in any scenario and no ILD cable is terminated at such domestic CLS. Further, it should not be connected to an international leg through branching at high sea as in such scenarios this will become an international cable and current regulations for the same will be applicable. Additionally, the applicants for domestic CLS should be compliant with security requirements including but not limited to Lawful Interception and Monitoring (LIM).**

Q.6 Are any limitations being envisaged in respect of getting permissions and/or associated charges/ fee for laying domestic submarine cable and its Cable Landing Station? What are the suggested measures to overcome limitations, if any?

RJIL Response:

1. We submit that under the current regulatory framework, there is no specific provision barring the National long Distance (NLD) service authorization holders from connecting two or more cities on the coastal line through domestic submarine cable and setting up of cable landing station for handling purely NLD traffic. **Therefore, there is no need to permit the same explicitly, however, it is pertinent to mention that being a new service, it would be critical to ensure that the service is compliant with of LIM (Lawful Interception Monitoring) requirements.**

2. Further, it will also be important to ensure that the cable remains completely domestic and to ensure the same, **the Government will be required to mandate that in no case the cable should go beyond 12 nautical miles of Indian coast. Further, the cable should have no handshake with international cables at high sea or at CLS.** Only NLD traffic can be permitted to be handled by domestic cables, in line with scope of NLD authorization, there should be strict prohibition on catering to ILD traffic.

Q.7 Will it be beneficial to lay Stub-Cables in India? If yes, what should be the policy, licensing, and regulatory framework for laying, operationalizing, and maintaining the stub cable in India? Please answer in detail with the supporting documents, if any.

RJIL Response:

1. Considering the fact that 99.9% of all India's international traffic enters India through Mumbai or Chennai, **the need of the hour is to increase more International gateways rather than promoting stub cables to further dense the CLS cluster at limited locations.** The Authority has itself noted the need for diversity of CLS and also highlighted the risks of disrupting events, in case multiple cable landings are constructed in mutual proximity.
2. Therefore, stub-cable will not be beneficial for India. It was useful for Singapore as it is a small country with limited coastline, so Singapore manages this coastline with dedicated cable corridors and therefore, they encourage stub cables. **India with a coastline of 7,516km, does not fit the same bill and our requirement is to encourage diversity in cable landing rather than further congesting.**
3. We further bring to your attention that even in the past a few of the older submarine cables did build stub cables but none of them were ever utilized due to rapid change in technology. **Therefore, we submit that instead of pushing for stub cables, the Authority should strive for CLS diversity.**

Q.8 What challenges are being posed by existing telecom licensing and /or any other framework for establishing terrestrial connectivity between different CLSs in India? What are possible solutions to such challenges? Please support your answer with detailed justification.

RJIL Response:

1. As mentioned in our previous comments, we are in favour of increasing diversity and redundancy of CLS. **However, we understand that there are no regulatory hurdles in connecting one CLS with another. Only requirement is that the connectivity should be**

through an NLD authorization and ILDOs are enabled to take such connectivity from NLDs.

2. In addition, there are the perennial ROW related issues in connecting CLSs over terrestrial networks and the Authority and Government are well aware of these issues and we are not repeating the same for the sake of brevity.

Q.9 In comparison with other leading countries, what further measures must be undertaken in India for promoting investment to bring submarine cable in India? Please answer in detail with the supporting documents, if any.

RJIL Response:

1. We submit that India lacks a conducive regulatory regime to bring in more investments in the submarine cables. **As explained in previous comments, the permission and approval systems are onerous, extremely time consuming and costly and there is a requirement to deliver EODB in this sector.** Our suggestions are reiterated in following paras.
2. Cable laying & repair services should be designated as **‘Critical & Essential Services’ and should have priority for ‘Permits- In -Principle’ and Clearances from Government agencies.** This will also safeguard submarine cable operators from any time-consuming litigation from various local bodies like NGO’s, fishermen communities, etc
3. Having Cable Landing Station (CLS) near to the beach is very important so as to avoid interruptions from cable cuts on land route between Beach Man Hole (BMH) and CLS. However, securing area for CLS near beach becomes very time consuming & costly process forcing CLS to be built away from landing site, thus increasing risk to connectivity. **Authorities should help telecom operators for clearance of necessary approvals from local bodies. If possible, plots / land parcels to be reserved for building cable landing stations (CLS) near to shore and incentives to be given for building CLS.**
4. **Separate dedicated “Submarine cable Corridor” should be defined by regulator, so that the corridor can be informed to Vessel to avoid any anchorage and warning signal can be sent to Fisherman. Fishing and anchoring should be strictly prohibited in these areas.**
5. Permit approval timelines to be improved and the maximum timeline for any permission shouldn't exceed 30 days in-line with global precedents.
6. The permit approval process should be taken completely online with a tracking mechanism and should be made more transparent. Currently, it is not possible for

operators to track the status of the approval. It will be good if the movement of approvals from one department to other can be shared transparently to the Applicant.

7. The requirement of physical presence of DoT official onboard for onshore Naval survey should be dispensed with and instead the service provider should be required to provide data to DoT. The activity of capturing of GPS co-ordinates currently performed by the DoT official can be included in the work scope of the service provider. The service providers and/or their authorized representative are certified, have credible experience and qualified professionals who are trained for long duration travel in sea/oceans. DoT may specify fixed time intervals for capturing of GPS co-ordinates and service provider may be asked to submit a map by plotting the captured GPS co-ordinates along with an undertaking and other requisite document with DoT.
8. We submit that marine cable route survey normally may take 3.5/4 months in Indian territorial waters with no pit stop once the survey work starts. The next port of call can be as far as 2 months once the survey starts. Further, we reiterate that the permissions for carrying out survey from various agencies are time barred and therefore any deviation due to unavailability of DoT officials leads to unnecessary and avoidable delays which also effect the contractual obligations between the service provider, vessel company and other stake holders which may also lead to incremental costs. It is also pertinent to mention that DoT officials are also not trained and equipped for this survey work and will not add any value. Thus, additional expenses incurred by service provider for training, insurance etc. as well as the risk attached with travel on high seas for the DoT official would also be saved on removing this requirement and therefore the request for dispensing with the requirement of physical presence of DoT official for onshore survey should be considered favorably.
9. Notwithstanding the above and despite of all the hurdles in place, several new cable systems are expected in the next few years therefore significant investment is already happening. **However, we submit that these approvals should be accorded only as per prevailing requirements, and only ILDOs complying with financial requirements should be permitted to set-up CLS.**

Annexure-A

Sl. No.	Permit	Authority	Existing Practices / Procedures	Recommendations
1.	MOHA (Ministry of Home Affairs)- Clearance for the Foreign national crew members	<ul style="list-style-type: none"> • MHA (Ministry of Home Affairs) • applications routed through DOT, Ministry of Communication, Delhi) 	<p>Submission to DOT for MOHA through on-line URL link. DOT has given the User ID & Password to Telecommunication companies to upload the foreign national's details in the MHA portal for their MOHA clearances</p> <p>Documents required -</p> <ol style="list-style-type: none"> 1. Photographs of foreign national crew members in JPG format under 2MB 2. Colour Passport copy of the foreign national crew members 3. Personal-Passport Details 4. Advance Information Sheet <p>DOT issues MOHA clearances upon receipt of MHA/IB clearances from Ministry,</p> <p>Timeline – Minimum 3-4 Months</p>	<ol style="list-style-type: none"> 1. The time taken is too long and should be reduced. 2. The process should be completely online with a tracking mechanism 3. The landing parties authorized agents should be permitted to approach directly to DOT for approval in addition to landing party/ Telcom agencies 4. Even if one crew in the application is having issues from Embassy, whole application gets held up. 5. Utilisation of Technical / project crew, once cleared by MOHA, should be permitted to be used in other projects also.

Sl. No.	Permit	Authority	Existing Practices / Procedures	Recommendations
2.	MOD (Ministry of Defence) clearance for vessels deployed in Indian waters for project	<ul style="list-style-type: none"> • MOD (Ministry of Defence)/ Navy • Applications routed through DOT 	<ol style="list-style-type: none"> 1. Application through 'on line' portal of DOT 2. DOT has provided User ID & Password to Telecom companies 3. Documents required to upload in DOT SCP Online Portal 4. Vessels statutory certificates including H&M Insurance certificate copy 5. Letter to DOT from landing parties for MOD clearance for vessel. 6. The RSEE Form and related documents should sign & stamp by the respective landing parties 7. Project related documents 8. Contract copy 9. Map & coordinates of project/ laying/ repair area <p>On scrutiny the MOD/ Navy issues confirmation to DOT</p> <p>DOT issues MOD clearance on their letterhead</p>	<ol style="list-style-type: none"> 1. The time taken is too long and should be reduced. 2. The process should be completely online with a tracking mechanism 3. The landing parties authorized agents should be permitted to approach directly to DOT for approval in addition to landing party/ Telcom agencies

Sl. No.	Permit	Authority	Existing Practices / Procedures	Recommendations
			<p>Timeline – Approx. 2-3 Months</p>	
3	<p>SPL (Specified Period License) for Vessels</p>	<p>Directorate General of Shipping (DG Shipping)</p>	<p>SPL necessary as per section 407 of MS Act 1958 for any Foreign Flag Vessel to do Coastal engagement.</p> <p>INSA NOC is presently waived off view no Indian Flag Cable Ship available with Indian Vessel Owners.</p> <p>Documents required with SPL letter duly signed & stamped by the landing party or vessel owner :-</p> <ol style="list-style-type: none"> 1. Statutory certificates 2. Copy of Valid P&I Insurance 3. Copy of Hull & Machinery Insurance 4. Complete contracts copy between landing party and Vessel 5. Copy of Crew list 6. Form “E” -duly filed and signed with seal by Applicant 	<ol style="list-style-type: none"> 1. There should be no requirement for INSA NOC – The competitive edge needs to be ‘quality based’ and on availability of best resources worldwide. 2. Applications process should be completely online with a tracking mechanism 3. Human Interface should be minimized. 4. Requirement of employment of Indian Crew/ trainees on cable project ships should be waived off. The crew & Technicians on these ships are highly technical and are employed accordingly.

Sl. No.	Permit	Authority	Existing Practices / Procedures	Recommendations
			<p>7. DG Shipping administrative fee to be paid</p> <p>Vessel owner or Indian landing party operator needs to deploy the Indian crew and trainee cadets as per DGS guidelines.</p> <p>SPL application submitted prior minimum three working days from the date of laycan. The late submission causes Late Fee.</p> <p>Timeline – Minimum 4 to 5 Working Days.</p>	
4	NED (Non-Employee Duty Pass) clearance from ONGC for the onboard crew of Vessels	ONGC / ILD (Indian Landing Party)	<p>All onboard crew to have the NED Passes</p> <p>Documents required: -</p> <ol style="list-style-type: none"> 1. NED application form 2. Crew's details 3. Copies Seaman book <p>Clearance time: 02 - 3 working days.</p>	<p>Requirement should be Waived off for Cable Ships employments as the crew / technicians are not being employed on ONGC or other oil exploration installations.</p> <p>The crew are employed exclusively for particular Cable project and do not engage in ONGC platforms.</p> <p>This is only requirement of ODAG for NSC</p>

Sl. No.	Permit	Authority	Existing Practices / Procedures	Recommendations
				inspections and requirement should be reconsidered.
5	<p>Navigational Warning (NAVAREA) clearance for the Vessels working in Indian Waters</p> <p>(Provided for navigational warnings to Ships in Indian waters)</p> <p>NAVAREA issued by National Hydrographic Office, Govt. of India</p>	<p>Indian Navy / HQ ODAG</p> <p>And Directorate General of Shipping (DG Shipping) (In case of Safety Fairways)</p>	<p>Application submitted to Navy by letter providing details as follows: -</p> <ol style="list-style-type: none"> 1. Block coordinates with cable fault coordinates 2. Details of other coordinates which vessel operating during subsea cable route survey or repairs. <p>If the area coordinate do not come under Safety Fairways, HQ ODAG/Navy forwards to NHO (National Hydrographic Office) at Dehradun for issuance of navigational warning message. Clearance Time: 05 to 07 working days.</p> <p>If the coordinates come under Safety Fairways (TSS) then Navarea has to be routed through DG Shipping for their NOC first. Thereafter it goes to Navy / ODAG and then NHO Dehradun for</p>	<p>The NAVAREA warning and NSC can be merged requirement and once NSC is done, NAVAREA should follow. It can be joint application processed through an online system.</p>

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			issuance of warning messages. Clearance Time: 10 to 15 working days.	
6	Naval Security Clearance (NSC)	HQ ODAG/Navy	<p>Carried out by Navy team once MOD clearance signal is received. Application needs to be submitted to ODAG with following documents: -</p> <ol style="list-style-type: none"> 1. Naval Inspection and Clearance application letter from ILD 2. MOD clearance letter copy for vessel from DOT 3. MOHA Clearance copy for vessel from DOT. 4. SPL clearance letter from DGS 5. NOC from ONGC (only for Western Region) 6. NED passes 7. Copy of Hull & Machinery Insurance 8. Contract copy 9. Copy of Crew list 10. Compliance of V-SAT System Compliance certification. 	<ul style="list-style-type: none"> • NED Passes requirement needs to be waived off. • Combined application can be made for NAVAREA • Statutory clearance requirement only should be checked.

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			<ul style="list-style-type: none"> • NSC application (file) to be submitted one-week prior planned inspection date. • NSC teams (ODAG) board the vessel at Port of c <p>Clearance Time: 02 working days.</p>	
7	ONGC NOC (No Objection Certificate) – applicable only for West Coast of India	ONGC	<p>Applied to ONGC once MOD clearance is obtained with project details. Primarily to verify no project clashes of pipe lines occur in area.</p> <p>Documents required to be submitted by Landing Party</p> <ol style="list-style-type: none"> 1. Request letter from Indian landing party with Appendix (indicating Route Position List, Straight Line Diagram, Work Area Chart /Area Coordinate diagram / Map, Work Area Coordinates & Duration of Repair Work/Plan of Work) 2. Methodology of Submarine Fiber Optic Cable Repair Operation 	<ol style="list-style-type: none"> 1. Time taken is too long and should be considered for application and approval by e – mail. 2. ONGC should chart their assets and share with operators so that cable route can be planned accordingly 3. It is suggested the distance of 250 m from an oil rig/ platform should be sufficient for safety of cable and their assets. 4. ONGC should also inform all the operators about the pipeline positions on the west coast since optical fibre cables have to cross oil and

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			3. Certificate of Class 4. Anchorage pattern 5. MOD clearance letter of DOT Clearance Time: 15 to 20 working days	gas pipeline before coming ashore.
8	Customs - Vessel Importation	Indian Customs / CBEC (Ministry of Finance, Government of India)	<p>In compliance with Section 46 of Custom Act 1962 an Importer needs to present Bill of Entry for goods for home consumption. In addition as per Customs Notification No. 34 / 2019 dated 30 Sep 2019 the Custom duty & IGST on the cable laying/ repair ops vessels are NIL subject to Condition 105 submitting bond by the Importer reg. requirement of Importation of Cable Ship work in Indian Customs waters.</p> <p>Documents required:-</p> <ol style="list-style-type: none"> IEC (Import Export Code) – of Importer GST Registration certificate of Importer AD (Bank Authorization dealer code) from Importer Bank – from ILD 	<ol style="list-style-type: none"> Process is too long & vessel is held up at port for Import/ Export formalities. Varying process at various ports. On East coast Conversion / Reversion are done prior Import/ Export. Faceless assessment takes longer and many times outstation assessing officers do not fully understand vessel's role and avoidable queries are raised, which pertain to general 'goods'. This causes delay in getting assessments. <p>Proposal: -</p> <ol style="list-style-type: none"> Need for adopting uniform process at all Indian ports May consider waiving off 'Faceless assessment' for cable ships, in view of technical nature of

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			<p>4. PAN (Permanent Account Number) of Importer – from ILD/ importer</p> <p>5. Import Invoice Cum Packing List – from vessel owner</p> <p>6. Vessel Invoice along with Appendix giving Specification of Vessel & onboard equipment, spares, and consumables etc.</p> <p>7. Invoice for onboard Bunker/Fuels and consumables/ Oil, Thinners Assorted, Grease & Chemicals, onboard Provision etc.</p> <p>8. Invoice for onboard Marine Gas Oil (MGO)</p> <p>9. Bill of Landing -</p> <p>10. Technical Write-up/ Catalogue etc</p> <p>11. Contract Copy – from ILD</p> <p>12. Chartered Engineer Certificate</p> <p>The importer needs to submit bond to Customs for condition 105 of the notification.</p> <p>Procedure:</p> <ul style="list-style-type: none"> • Bill of Entry submission with documents in Customs EDI system 	<p>work done by the vessels</p> <p>3. Else if Faceless assessment is mandatory requirement, it should be done at any other station dealing with vessels and not general goods.</p> <p>4. Need to combine process of Import + conversion or Re-Export + Reversion together in order to cut time of vessel long stay at ports.</p> <p>5. At Many ports only Conversion or Reversion activities are done as the vessel call is for project period only. Import / Re-Export process can be cut to minimum.</p> <p>6. Process needs to be simplified with aim to provide opportunity to trade towards ‘ease of doing business’.</p> <p>7. May consider process of Vessel’s Conversion and Bill of Entry on basis of Self – declaration from the vessel and Bill of</p>

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			<ul style="list-style-type: none"> • Bill of Entry scrutiny • Faceless assessment • Duty finalization • Duty payment • Examination & approval • Out of Charges <p>Clearance Time: 05 to 10 working days.</p>	<p>Entry can be filed prior vessel's arrival in port for Custom Examination</p> <ul style="list-style-type: none"> • Vessel may be permitted make self-declaration(same may be accepted by Customs) on completion of cable laying / repair work. On basis of declaration of consumable goods onboard, the Shipping Bill may be processed. This may reduce vessel's stay in port and the vessel may come only for one day for Customs Examination.
9.	Customs – Vessel Conversion	Indian Customs / CBEC (Ministry of Finance, Government of India)	<p>All vessels deployed in Indian waters are also required to be converted to coastal run after importation. On the West Coast this exercise is carried out. Conversion is completed only after the Importation process is completed and Out of Charge Bill of Entry is obtained.</p> <p>The documents required: -</p> <ol style="list-style-type: none"> 1. Complete Inventory of the vessel (6 copies) 2. Valid SPL Copy 3. Import Bill of Entry – Duty Paid and Out of Charge 	<ul style="list-style-type: none"> • Notification 34/2019 dtd 30 Sep2019 indicates applicability in Indian Customs Waters which may be considered only for Territorial waters , as definition of India, as per Customs Act 1962, includes only Territorial Waters.

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			<p>Procedure: -</p> <ol style="list-style-type: none"> 1. Conversion permission from DC(PG) 2. Processing Bill of Entry for consumables/ goods 3. Custom Boarding & Examination 4. Conversion approval & Certificate Issue <p>Clearance Time: 02 -3 working days.</p>	
<p><u>10</u></p>	<p>Customs – Vessel re-Export & Reversion to Foreign going status</p>	<p>Indian Customs / CBEC (Ministry of Finance, Government of India)</p>	<p>Vessel needs to come back to Port for Re-Export and Reversion Process</p> <p>Re- Export Processed at Export dept. in Customs. Reversion process done at DC(PG)</p> <p>The documents required: -</p> <ol style="list-style-type: none"> 1. Re- export Invoices 2. GR Waiver from Bank 3. Import Bill of Entry – Duty Paid Challan <p>Procedure: -</p>	

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			<ol style="list-style-type: none"> 1. Processing of Shipping Bill through Customs EDI system 2. Shipping Bill no. generated in System 3. Re-export permission from DC(Export) 4. Custom Boarding & Examination 5. Issue of Let Export Order. 6. Reversion process Scrutiny at DC(PG) once LEO issued. 7. Certificate Issue <p>Clearance Time: 01 -2 working days.</p>	
<u>11</u>	Port Clearance	Indian Customs	Issued by Customs Export dept. after vessel's Re-export / Reversion process once vessel is ready for departure	Needs to be available 24x7 basis. At times PC are delayed due non – availability of Custom Officials.
<u>12</u>	Remote Access (RA)	DoT license	Remote Access (RA) Permissions guidelines state that, such access should be provided only to approved location (s) abroad.	Remote Access is mostly required by suppliers / vendors operating from outside of India. Post Corona Pandemic, work from home/anywhere culture has become a norm. In such a scenario restricting vendors to a specific location (s) has been challenging. These guidelines need to be reviewed and if possible be removed or at least

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				substituted by appropriate mechanism (e.g. vendor to first access his in-house gateway physical /cloud server and from that server he should access the Indian network