

This mail sent on 11th April 2016 by president_cmai@cmai.asia

Subject - Minutes of TEMA/CMAI (Cellular Mobile Association of India) Meeting with Dr. Aruna Sharma, IAS Secretary DeITY on 11.4.2016 and Sh. SK Marwaha, Sr. Director DeITY on 06.4.2016

Dear Sir,

We append below minutes of meeting held on 11.4.2016 with secretary DeTY and 6.4.2016 with Sh SK Marwaha, Sr Director DeITY for your information lease

1. In meeting with Sh. SK Marwaha, various points as being mentioned here under were discussed. One important input is that Government is planning to bring the custom duties zero on components and higher on finished on accessories in a planned way. During 2017 we can expect the same treatment for mechanical parts. During 2018 we can hope for same treatment for populated PCBs and all electrical/mechanical parts. During 2019 display may also be brought in with same treatment.

2. Now minutes of meeting with Secretary on 11.4.2016.

3. Compliments were given on Government initiatives of Make in India, Digital India, Skill India. It was informed that CMAI along with SMCA, China is putting up Mobile Manufacturing Hub at Hyderabad Telengana (Around 8 Kms from airport) on 300 acres of land for which MOU has already been signed.

4 TEMA is the only telecom sector association dedicated to local manufacturing of electronics, mobiles, telecom and celebrating its golden jubilee this year being established on 1st June, 1990

5. On the question of budget and duties on accessories, the thinking is that BCD and SAD may be made ZERO and CVD shall remain.

6. On IMEI, it was brought to her notice that

- There is only one private entity giving IMEI numbers in India, which is second largest market in world.
- The said entity is charging 1,400 USD per TAC, against their own rate of 400 USD. The other 1,000 USD is in the name of UAP, which is shown as mandatory, even though there is no Government orders for that.
- There is also need for smaller TAC numbers against 10 lac numbers as on date.
- World over entities giving IMEI numbers are not engaged in consultancy or paid services, whereas Indian entity is doing various consultancy and other paid services.
- It has been suggested that at least one more Government agency be get nominated for this purpose.
- The Indian entity is not answerable to CIC, CAG, CVC, Indian parliament, DOT, DeITY etc.
- Detailed representation was submitted.

7. On BIS, the attention was drawn on

- delays in approvals,
- nonworking of sites

- exorbitant rates charged in the name of urgency (TATKAL),
- non transparent testing procedures
- Being private labs, they are not answerable to CIC, CAG, CVC, Indian parliament scrutiny.
- Overall lack of support from BIS office
- and difficulty for test marketing.

The Government will look into the matter. Detailed representation will be submitted. Inputs solicited.

8. On IPR detailed representation was submitted and attention was drawn on the issue of
- nondisclosures of SEP/Patents at the time of formation by SSO and adoption in India,
 - non submission legal requirement of monopoly and anticompetitive patents adoption to CCI
 - Dominance, Monopoly and anti competitive behavior of patent holder as has been prima facie found by CCI
 - Lack of clarity worldwide on SEP,FRAND
 - Indian courts allowing royalty on entire cost of product rather than on the patented technology/chip/component
 - The technology is used by foreign component manufacturers, where as royalty is claimed form Indian assemblers/manufacturers.
 - Need for compulsory licensing which is permitted as per National and International Laws.
 - No way to find out by any Indian manufacturers, as to what patents are to be followed and negotiated for royalties.

Detailed submissions were made with request to forward the same to DIPP

9. On the question of fake/counterfeit mobiles issue, attention was drawn for making mandatory the Excise certificate. They will consider our request.

10. It was also raised that for MSIP expansion, the manufacturers be allowed to expand by taking new land, if needed. This would be favorably considered. Detailed representation is needed to be given. Inputs solicited.

11. The mandatory implementation of PMA, TEC standards was also raised

Thanks to industry for their support.

Regards,

*Prof N K Goyal
 President CMAI Association of India, Chairman Ementus TEMA
 Member Governing Council Telecom Equipment & Services Export Promotion Council, Govt. of India
 Vice Chairman, ITU APT India, Adviser Gujarat Technological University
 Chairman India Trade Promotion Services, Dubai UAE,
 Director NFL National Fertilizers Ltd. Govt. of India
 +91 98 111 29879. president_cmai@cmai.asia, www.cmai.asia*