**COMMENTS OF RAKESH KUMAR BHATNAGAR, DIRECTOR GENERAL, VoICE**

Presently in the absence of DoT’s Gazette Notification as a follow up of DPIIT’s recent orders, some of the PSUs and Government Ministries were facing challenges as equipment and products to be covered were not notified. Hopefully, with the issuance of notification at an early date, this should not be an issue. There are some positives also like applicability on USOF funded projects, PLI awardees with (possibility of domestic PLI can also be labelled as Class I and others) as Class II, all state government projects where there is even part funding from central government. At least a new beginning is there and chances of success of Indian Global lead vision will depend on the final order of gazette notification. Hopefully that should be better structured.

However, there are some reservations on the covering letter. The first observation is on the covering letter’s reference on the consultation process with suggestion that any comments regarding local capacity, competition of any product is required to be supported by **verifiable data covering companies, value of local content, production capacity, domestic sales, export, import, sales of public entities. Local content further needs research reports and verifiable data.** These data is not generally available in public domain. If at all available, Government only has access to verifiable data such as imports, exports at customs. Production and sales will happen only after an order is there and these can be outsourced also. Across the world, manufacturing in telecom and electronics is being outsourced. Telecom Equipment is procured only by service providers and other stakeholders like PSUs operating in these areas. Allowing or denying Market access is the most important issue. It will be almost impossible to get any additional products included or added in the list of 36 items if conditions on verifiable inputs are strictly adhered. These types of strict requirements are not there even in DPIIT orders.

Table A does not have any 5G Equipment. Government is talking of Indian 4G 5G stack, Rip and Replacement programs in USA and EU through Indian stacks. How that can happen if we have notification missing new technology solutions on 5G. When there is no chance of domestic procurement, how Indian stack will succeed and how global vision of Indian solutions succeed.

All PLI awardees will be treated as deemed class II players. Many MNCs are PLI awardees also and they will be able to participate in all tenders and domestic players run the risk of predatory pricing as MNCs would be already enjoying economies of scale and are more likely be get their bids successful.

Self-certification is allowed on value addition and generally these types of certificates are not correct. One is required to pay upto Rs. 5 lakhs to challenge. Further more transparency on local content calculation is required to be added. Generally, complaints of challenge of Local Content are likely to take very long time based on previous experiences and by the time order comes out, it may be too late. Penal actions also in earlier cases did not go beyond the jurisdiction of DoT as similar complaints had resulted in companies being blacklisted by DoT but continued to get orders as DoT blacklisting did not go beyond its jurisdiction unless it is specifically stated in Gazette notification.

TEC standards are not National standards and Railways, Defence, Power sector do not go by TEC GR/ IR. Somewhere, National standards are also required to be defined that could be applicable across the entire telecom products used in the country.

Though reference is made about POC as a substitute for qualifying experience, it in practice does not work. Right now, many private players are doing 5G test trials in Delhi with no funding support, but later, they have no chance of going anywhere near the orders as 5G itself is not included in the draft notification. New technology products including on Security, quantum communication, Artificial Intelligence, Software relate solutions are not included and based on the verifiable conditions as above, will never get a chance for inclusion.

Turnkey projects etc which have many new clauses in the DPIIT 2024 order are not finding any reference in the DoT draft notification. Explicitly stating some of the key takes from latest DPIIT order will be helpful to improve DoT notification and eliminating elements of doubt.