VIL Comments to the TRAI Consultation Paper on "Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India"

At the outset, we are thankful to the Authority for giving us this opportunity to provide our comments to the TRAI Consultation Paper on "Licensing Framework and Regulatory Mechanism for Submarine Cable Landing in India" dated 23.12.2022.

In this regard, please find below our comments on the questions raised in the above said consultation paper for kind consideration of the Authority.

Key Submissions

1. The undersea cable sector has become one of the key sectors shaping the global economy and will continue to be the chief driver of internet growth. The Indo-Pacific region is home to the fastest growing undersea communication cable networks, making it **imperative for India to be flexible and engage in international collaborations** when it comes to subsea cable infrastructure expansion.

2. Due to policy push from Government and TRAI in tune with Digital India mission, Indian market is poised to experience significant market potential with huge growth of data centres as well as data consumption by telecom users with advent of 5G. Such huge growth would have to be backed up by availability of sufficient capacity through international submarine cable networks.

3. The cable laying and repair services should be classified as 'Critical & Essential Services' and have priority for 'Permits-In-Principle' and clearances from Government agencies. This should be in line with 'Essentiality Certificate (EC)' issued in E&P sector by DGH (Under Ministry of Petroleum & Natural Gas).

4. Thus, to encourage the timely deployment and repair of submarine cables, it is important that the processes related to lay, repair and maintain submarine cables, and set up Cable Landing Stations (CLS), are streamlined, fast-tracked, along with time-bound and single-window clearances. Presently, existing processes take lot of time and lead to extensive delays. In many cases, some of the clearances even take years to process.

5. Further, it is imperative that licensing and regulatory norms **provide flexibility to encourage deployment and use of global infrastructure** in terms of international submarine cable systems. **Thus, we recommend that both (i) and (ii) condition, as stated in Para 2.10 be made applicable for an ILD licensee to seek permission/security clearance for laying and maintaining the submarine cable and setting up CLS in India.**

6. An undersea cable repair vessel owned by Indian entity would be helpful, however, the proposed Indian entity must have its own cable depot and technical know-how of laying, repairing and maintaining submarine cable systems. Till the time, a sufficient ecosystem is built, there should be no mandate on Cable and CLS owners/consortium members to use the ship owned by the Indian entity to lay/repair submarine cables in Indian waters.

7. **To ensure financial viability for undersea cable repair vessel to be owned by an Indian entity, it is recommended that the said entity should be Government backed and funded Public Private Consortium. Government involvement will also provide carrier/competition neutral and un-prejudiced nature of operations as well as help reduce lead time of approval processes.**

8. **Laying of Submarine Cables is a capital intensive exercise hence, to promote laying of submarine cables to connect coastal cities, we recommend that Government should facilitate a participative platform for interested parties to (a) Impart Technical Knowledge and competencies and (b) Basic Infra and statutory approval facilitation as well as (c) an investment model with Government backed and funded public-private consortium, which enables Equitable Participation and Rights.**

9. Lastly, to encourage investment and utilization of the submarine cable systems and CLS, we recommend that the **charges paid by a TSP to other TSP in this regard, be allowed as pass through/deduction for License Fees/SUC payments.** Thus, following should be allowed as eligible deductions for TSPs:

    a. Charges paid by one TSP to another TSP for sharing of its network.
    b. Annual Access Facilitation Charges at CLS / Alternative Locations.
    c. Annual Operation & Maintenance Charges at CLS / Alternative Locations.
    d. Co-location charges.

Further, kindly find below our question-wise comments for Authority's kind consideration:

Question-wise Comments

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.

VIL Comments to Q. no. 1

1. With a fast growing interconnected world, the importance and criticality of submarine cable systems is understood and acknowledged globally. As the world is moving rapidly towards more and more digitized state of lifestyle and economy, it is putting prime focus on the fast growing Internet requirements and consumption, pooling in more investments in this domain, especially from tech giants across the world. Majority of international internet data including cloud and digital communication is being transmitted through undersea fibre-optic cables.

2. The undersea cable sector has become one of the key sectors shaping the global economy and will continue to be the chief driver of internet growth. Due to speed of exchange of information through this medium in between countries and continents, it has proved itself as a catalyst for globalization and international engagement.

3. The Indo-Pacific region is home to the fastest growing undersea communication cable networks, making it **imperative for India to be flexible and engage in international collaborations** when it comes to subsea cable infrastructure expansion. Due to policy push from Government and TRAI in tune with Digital India mission, Indian market is poised to experience significant market potential with huge growth of data centres as well as data consumption by telecom users with advent of 5G. Such huge growth would have to be backed up by availability of sufficient capacity through international submarine cable networks.

4. We also agree with the TRAI's views, mentioned in its Consultation Paper, that India is set to register the highest growth in the Asia Pacific submarine cables industry, and the market size is expected to reach US$ 78.6 Mn by 2030. Further, as global reliance is growing on the data carried by undersea cables, India's security interests have also strategically converged with submarine cables and space, and opened opportunities for international cooperation.

5. Keeping above opportunities and potential in mind, it should be a continued endeavor to utilize global infrastructure being created to cater to such global requirements, and

Government policy push should be to support growth and ease of doing business without restrictive policies.

6. While there are certain measures being taken to ease the approvals/clearances processes however, there is still substantial way to go. In this regard, we would like to highlight various processes of approvals/clearances required from Indian authorities, for laying and repairing of submarine cable systems, which needs to be reduced, streamlined and made time-bound.

    a. Different ministries like Ministry of Communications, Ministry of Home Affairs and Ministry of Defense are involved in granting permission to the TSPs regarding regular operations and maintenance, laying and restoration of the submarine cables. It takes a lot of time to get the requisite permissions which directly impacts the business continuity of such projects.

    b. The processes pertaining to crew of the cable laying ship to work in Indian waters and the ship itself to enter Indian waters are quite onerous and time consuming and require approvals from MHA and MOD.

    c. Maximum time is consumed in customs import, conversion, re- export & reversion formalities and the vessels are held at ports for such clearances.

    d. For example:

        i. A substantial bond needs to be placed for the ship before it can enter Indian waters.
        ii. Due to the variability in time taken to obtain visas from MoD and MHA, and crew rotations, the entire crew of the cable laying company need to get visas to work in Indian waters, which in turn can make the process even more time consuming.
        iii. Process pertaining to import of vessels at customs is too long & vessel is held up at port for Import/ Export formalities. Also, this process varies across different ports.
        iv. Many times, port clearances from Indian customs department are delayed due to non – availability of custom Officials.

    e. Detailed list of the existing processes along with relevant recommendations for easing process of cable laying and repair, is enclosed herewith at ***Annexure-A***.

7. **Therefore, we would like to submit that the existing processes are very slow leading to extensive delays and in many cases the approvals take years to process. The process needs to be streamlined and fast tracked with time-bound approval processes.**

8. Submarine cables form the basis of modern telecommunications and the Internet. The United Nations General Assembly (UNGA) has described submarine cables as 'critical communications infrastructure' as they carry majority of communication data across the world by using fibre-optic technology and is very important to the global economy.

9. We would urge that the cable laying and its repair/maintenance be classified as 'Critical Service' and should have priority for 'Permits- In -Principle' and Clearances from Government agencies.

10. Further, these services should be considered to be accorded 'Critical & Essential Services' certificate in line with 'Essentiality Certificate (EC)' issued in E&P sector by DGH (Under Ministry of Petroleum & Natural Gas). With EC, the goods & services are exempted from Customs Duty & IGST on vessel (on submission of Charter agreement between Vessel Owners & operators). Similar certification needs to be considered for Cable repair and laying jobs, being 'Critical & essential services'. Further, the Department of Telecommunications (DoT) should be nodal agency for issuance of such Certificate in case of Submarine cable systems.

11. **Hence, we would request the Authority to recommend according status of 'Critical and Essential Services' for Submarine Cable systems laying and repair work, and also for issuance of 'Essentiality Certificate' as is issued in E&P sector by DGH.**

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.

VIL Comments to Q. no. 2

1. Almost a decade ago, OTTs accounted for a fraction of global traffic only, and now, they carry more than half of all Internet data and are the biggest investors in new cable systems. The major factors driving the market are increase in data traffic and investments by OTT providers to suffice their requirements. Companies such as Amazon, Apple, Meta, Google and Microsoft are influencing much of the investment in these cables. In particular, Google and Meta, whose global businesses require low latency, are the most aggressive in rolling out subsea capacity.

2. All this transformation of Internet, the international communications that enable every form of globalization, and the data transport superhighways that connect countries,

regions and continents would not have been possible without rapid development of submarine cables, in the last two decades. OTT service providers and hyper-scalers are driving the evolution of finance models for new submarine cable systems.

3. Once submarine cable system is laid, the landing provider either provides the terrestrial landing infrastructure such as the cable station and the front haul ducts, OR it may provide a full landing service, which would include being the license holder/owner of the cable in territorial waters. Both the scenarios have to be in compliance with the landing country's licensing, regulatory and security requirements, which gets met with an ILD licensee taking responsibility of such compliance.

4. The licensing and regulatory framework has to be flexible enough, to allow fair play of all the commercial arrangements which can ensure the security and interception requirements through an ILD license and establishing cable landing station with adequate interception systems.

5. Also, we would like to highlight that India is a vital connectivity point for submarine telecommunications infrastructure connecting points around the globe, and the Government should work collectively with the stakeholders, towards expanding its position as a global communications hub, by encouraging additional submarine cable landings and facilitating repairs.

6. It would be counter-productive to take a protectionist approach that focuses on Indian ownership instead, Government should ensure that cable owners, operators, and maintenance service providers are able to deploy and maintain their infrastructure expeditiously, leveraging existing time-tested zone arrangements with highly experienced specialized crews.

7. **The conditions mentioned in the para 2.10 have been articulated in a way, with a presumption that only one condition should apply whereas there would be scenarios which would fall in each of the said conditions. Our comments in this regard as given below:**

    a. Condition (i) states:

    "ILDOs should have X% or greater interest in the submarine cable system for laying cable in the Indian territorial waters, terminating the international cable and should also own or control the Cable Landing Station in India."

i. Yes, there are certain cases where ILDOs would have x% or greater interest in the submarine cable system and this condition would help them to apply for clearances for laying/repair of submarine cable system.

ii. However, imposing only condition (i) would mean that only those ILDOs who have deep-pockets and have invested in laying of submarine cables would be able to lay submarine cables in Indian territorial waters and also put up a cable landing station. This would greatly hamper competition in the country.

iii. Further, it would put onerous condition for the investors of submarine cable system as well as discourage and restrict use of existing and future cables being built to India.

iv. The submarine data cable which is primarily being aided by investments from tech giants/OTT players, provides boost to international connectivity and directly aids digitization in Indian economy. Imposing only condition (i) for ILD licensee shall hamper growth of global connectivity from India to outside world, isolate India from global infrastructure being laid and hence, would be counter-productive for the growth of nation.

v. In our view, condition number (i) should not be mandated.

b. Condition (ii) states:

"ILDOs not having any stake in consortium but signing agreement of ownership of submarine cable in Indian waters and submitting undertaking that they are owning the asset in Indian territorial waters."

i. Yes, there are certain cases where ILDOs do not have stake in consortium but, are owners of the submarine cables in Indian territorial waters through signing of ownership agreements. They can declare this through an undertaking to the DoT that they are owning the asset in Indian territorial waters.

ii. This condition should also be allowed because it provides opportunity to the submarine cable systems being laid by global investors/tech giants, to enter into partnership with Indian ILDO and provide connectivity to India through their submarine cable systems connecting world. This would help other ILDOs also enter competitive activity through partnerships and collaboration, without investing huge sums of money in acquiring ownership in the global submarine cable systems.

c. Therefore, to provide flexibility and encourage use of global infrastructure, all the eligibility conditions especially (i) and (ii) as stated in Para 2.10 be made applicable. **This means that the ILD licensee fulfilling either of the said conditions, be allowed to seek permission/security clearance for laying and maintaining the submarine cable and setting up CLS in India.**

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.

And

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.

VIL Comments to Q. no. 3 and 4

1. Submarine Cable Capacities are critical digital connectivity resources used by various TSPs, OTT entities, hyper-scalers and different enterprises (BFSI, SME, start-ups etc.). The tides of submarine cable trends are changing rapidly amidst new investments and development and trends are increasingly shifting away from operator consortiums and more towards cable projects being led by Over-The-Top (OTT) hyper-scalers.

2. Monitoring and repairing commercial undersea telecommunication has generally been the responsibility of the private sector owner/operator(s) of those cables. When a cable is damaged, phone and internet service may be disrupted in certain regions on either end of the cable.

3. Considering the risks to submarine cables from human activities, natural calamities, etc., timely repairs are particularly critical, for which generally there are global contractual arrangements to ensure specialized skilled manpower and scalable/cost optimized resources. Numerous ships are built specifically for cable-related operations and are crewed by highly trained and experienced personnel. However, the ability of these cable ships to deploy quickly in India is hampered significantly by complex and time-consuming permitting processes.

4. We all are well aware of the fact that whenever a cable system goes down, the market loses a sizable chunk of international connectivity bandwidth and any sort of procedural delay in getting all the statutory government approvals poses following major risks:

    a. The delay in restoring any cable capacity potentially may lead to a situation where some other cable may also go down during that period, further aggravating the capacity availability.

    b. Submarine cable systems are unprotected fiber and higher restoration time necessitates users to build parallel capacities on other cable systems which leads to massive cost overrun.

    c. Higher cable down times, mainly due to approval process delays, hampers investors' sentiments to build more cable landing systems in India.

5. In most parts of the world, this is a straightforward process which does not cause any delay to the repair process. The marine cable maintenance companies tend to have number of ships with specialist crews. The easing of restrictions on the ships and their crews to conduct repairs, would enable the industry to take better advantage of this expertise.

6. Therefore, it is critical that measures must be taken to resolve above issues and as explained above at comments to question no. 1. We request TRAI to look into and recommend simplifying current statutory and approval processes, which are too long and time consuming.

7. **At the same time, an undersea cable repair vessel owned by an Indian entity would be helpful provided that there is no obligation on Cable and CLS owners/consortium members to mandatorily use the ship owned by the Indian entity to do cable repairs in Indian waters. Thus, this could be a useful supplement to existing arrangements (i.e. as an option), but not as a mandate. The proposed Indian Entity must have its own cable depot and technical know-how of submarine build and repair process.**

8. **Regarding the financial viability, it is recommended that the proposed Indian vessel entity can be a Government backed and funded consortium (public-private partnership). Such involvement of Government in the consortium shall help reduce lead time of approval processes substantially and provide carrier/competition neutral and un-prejudiced nature of operations.**

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.

VIL Comments to Q. no. 5

1. Domestic submarine cables connecting the coastal cities are beneficial in terms of higher availability and provide a reliable alternate NLD paths for bulk usages such as Data Centre Connectivity, NLD Backbone Capacities etc.

2. In our view, NLD license which provides for laying cables in domestic geography, should also cover laying of domestic submarine cables in between coastal cities.

3. Laying of Submarine Cables is a capital intensive exercise hence, to promote laying of submarine cables to connect coastal cities, we recommend that Government should facilitate a participative platform for interested parties to (a) Impart Technical Knowledge and competencies and (b) Basic Infra and statutory approval facilitation as well as (c) an investment model with Government backed and funded Public Private Consortium, which enables Equitable Participation and Rights.

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?

VIL Comments to Q. no. 6

1. The limitation in respect of laying domestic submarine cable system are similar to that for international cables, where multiple window approvals and clearances cause most of the delays and hence, increased project cost.

2. It is pertinent to again highlight that domestic cable capacity require quick restoration in case of any planned/unplanned outages. Hence, entire process of approvals and permissions to mobilize repair vessel, equipment and manpower have to be streamlined and eased. An Indian vessel would come handy here subject to most of the “must-have” approvals could be done away with.

3. The existing process are very slow leading to extensive delays and in many cases the approvals take years to process. The process needs to be streamlined and fast tracked with time-bound approval processes. Hence, it is critical for the Government to establish clear, stable, and transparent regulatory regimes that enhance regulatory certainty and ultimately encourage the timely deployment and repair of domestic submarine cables.

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.

VIL Comments to Q. no. 7

1. Laying stub-cables in India could be helpful however, they have not come out as efficient or cost-effective.

2. These stub cables are thought to be useful for O&M activities in any future projects, but maintenance of stub cable is a cost as RoV- Remote Operated Vehicles are required to manage and locate stub cables. Also, it is not a practice that is used or considered necessary, in most of the other leading countries.

3. In our view, there should not be any obligation on planned new cable systems to India to use these stub cables as this could severely limit competition to provide access to submarine cable capability in India.

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.

VIL Comments to Q. no. 8

1. Although a lot of progress has been made in reducing the access charges to submarine cable systems in India (the RIO charges), the cost of accessing cable capacity remains very high compared to rest of the world. This more than anything has limited the attractiveness of India as a hub for International cable capacity. Connecting cable capacity from Europe and/or the Middle East to cables from Asia is prohibitively expensive in a very competitive global market, where the cost of international capacity is reducing

substantially year on year. Based on its geographic location, and its abundance of relevant technical expertise, India should be one the world's leading hubs for international telecom traffic.

2. Inter CLS connectivity within India shall help manage international traffic better and shall provide an alternate exit in case of a particular cable going down. However, this access needs to be regulated in line with "RIO/AFC" policy ensuring hassle-free access at a competitive price.

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.

VIL Comments to Q. no. 9

1. Kindly refer to our above comments to question number 1 and 2. It is important that the licensing and regulatory conditions are kept light-touch and flexible as well as processes to seek clearances are streamlined and fast tracked with time-bound approval processes.

2. Also, to encourage investment and utilization of the submarine cable systems and CLS, we recommend that the **charges paid by a TSP to other TSP in this regard, be allowed as pass through/deduction for License Fees/SUC payments.** Thus, following should be allowed as eligible deductions for TSPs:

   a. Charges paid by one TSP to another TSP for sharing of its network.
   b. Annual Access Facilitation Charges at CLS / Alternative Locations.
   c. Annual Operation & Maintenance Charges at CLS / Alternative Locations.
   d. Co-location charges.

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Annexure-A

Sl. No.	PERMIT	AUTHORITY	EXISTING PRACTICES/ PROCEDURES	RECOMMENDATIONS
1.	**MHA (Ministry of Home Affairs)- Clearance for the Foreign national crew members**	• MHA (Ministry of Home Affairs) • Applications routed through DoT, Ministry of Communications, New Delhi)	Submission to DoT for MHA 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 MHA clearances Documents required - 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 DoT issues MHA clearances upon receipt of MHA/IB clearances from Ministry, **Timeline – Minimum 3-4 Months**	1. Time taken is too long. 2. No visibility of progress of application process 3. No access to Agents. Only landing party/ Telecom agencies can apply to DoT. 4. No visits allowed for checking with DoT. 5. If one crew application is having issues from Embassy, whole application gets held up. 6. The 'On line' process should give access to verify progress / status. 7. Utilization of Technical / project crew, once cleared by MHA, should be permitted to be used in other projects also.
2.	**MoD (Ministry of Defense) clearance for vessels deployed in Indian waters for project**	• MoD (Ministry of Defense)/ Navy • Applications routed through DoT	1. Application through ' on line' portal of DoT 2. DoT has provided User ID & Password to Telecom companies **Documents required to upload in DoT SCP Online Portal** 1. Vessels statutory certificates including H&M Insurance certificate copy 2. Letter to DoT from landing parties for MoD clearance for vessel.	1. Time taken is too long. 2. No access to Agents. Only landing party/ Telecom agencies can apply to DoT. The landing parties' agents should be able to approach directly to DoT. 3. DoT does not provide any access to know progress of clearances. Needs to be considered. 4. On – Line status should be available for applications in Portal.

			3. The RSEE Form and related documents should sign & stamp by the respective landing parties 4. Project related documents 5. Contract copy 6. Map & coordinates of project/ laying/ repair area On scrutiny the MoD/ Navy issues confirmation to DoT DoT issues MoD clearance on their letterhead **Timeline – Approx. 2-3 Months**	
3	**SPL (Specified Period License) for Vessels**	**Directorate General of Shipping (DG Shipping)**	SPL necessary as per section 407 of MS Act 1958 for any Foreign Flag Vessel to do Coastal engagement. INSA NOC is presently waived off view no Indian Flag Cable Ship available with Indian Vessel Owners. **Documents required with** SPL letter duly signed & stamped by the landing party or vessel owner :- 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 7. DG Shipping administrative fee to be paid Vessel owner or Indian landing party operator needs to deploy the Indian crew and trainee cadets as per DGS guidelines.	1. No need to INSA NOC – The competitive edge needs to be 'quality based' and on availability of best resources worldwide. 2. Applications being submitted by E mail at present. Needs e- governance module and should be 'on – line' submission with all documents. 3. Human Interface should be minimized. 4. Vessel owners need to ensure that all Vessel certificates are valid for the project duration and there is no need of extensions. Application has to be once for all. 5. Need 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.

			SPL application submitted prior minimum three working days from the date of laycan. The late submission causes Late Fee. **Timeline – Minimum 4 to 5 Working Days.**	
4	NED (Non-Employee Duty Pass) clearance from ONGC for the onboard crew of Vessels	ONGC / ILD (Indian Landing Party)	All onboard crew to have the NED Passes Documents required: 1. NED application form 2. Crew's details 3. Copies Seaman book **Clearance time: 02-03 working days.**	1. Requirement should be waived off for Cable Ships employments as the crew / technicians are not being employed on ONGC or other oil exploration installations. 2. The crew are employed exclusively for particular Cable project and do not engage in ONGC platforms. 3. **This is only requirement of ODAG for NSC inspections and requirement should be reconsidered**.
5	Navigational Warning **(NAVAREA)** clearance for the Vessels working in Indian Waters (Provided for navigation	Indian Navy / HQ ODAG And Directorate General of Shipping (DG Shipping) (In case of Safety Fairways)	Application submitted to Navy by letter providing details as follows :- 1. Block coordinates with cable fault coordinates 2. Details of other coordinates which vessel operating during subsea cable route survey or repairs. 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.	The NAVAREA warning and NSC can be merged requirement and once NSC is done, NAVAREA should follow. It can be joint application.

	al warnings to Ships in Indian waters) **NAVAREA issued by National Hydrographic Office, Govt. of India**		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 issuance of warning messages. **Clearance Time: 10 to 15 working days.**	
6	Naval Security Clearance (NSC)	HQ ODAG/Navy	Carried out by Navy team once MoD clearance signal is received. Application needs to be submitted to ODAG with following documents :- 1. Naval Inspection and Clearance application letter from ILD 2. MoD clearance letter copy for vessel from DoT 3. MHA 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.	1. NED Passes requirement needs to be waived off. 2. Combined application can be made for NAVAREA 3. Statutory clearance requirement only should be checked.

			• NSC application (file) to be submitted one week prior planned inspection date. • NSC teams (ODAG) board the vessel at Port of c **Clearance Time: 02 working days.**	
7	ONGC NOC (No Objection Certificate) – applicable only for West Coast of India	ONGC	Applied to ONGC once MOD clearance is obtained with project details. Primarily to verify no project clashes of pipe lines occur in area. **Documents required to be submitted by Landing Party:** 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 3. Certificate of Class 4. Anchorage pattern 5. MoD clearance letter of DoT **Clearance Time: 15-20 working days**	Time taken is too long and should be considered for application and approval by e – mail.

8	**Customs - Vessel Importation**	**Indian Customs / CBEC (Ministry of Finance, Government of India)**	**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.** Documents required: 1. IEC (Import Export Code) – of Importer 2. GST Registration certificate of Importer 3. AD (Bank Authorization dealer code) from Importer Bank – from ILD 4. PAN (Permanent Account Number) of Importer – from ILD/ importer 5. Import Invoice Cum Packing List – from vessel owner 6. Vessel Invoice along with Appendix giving Specification of Vessel & onboard equipment, spares, and consumables etc. 7. Invoice for onboard Bunker/Fuels and consumables/ Oil, Thinners Assorted, Grease & Chemicals, onboard Provision etc. 8. Invoice for onboard Marine Gas Oil (MGO) 9. Bill of Lading - 10. Technical Write-up/ Catalogue etc 11. Contract Copy – from ILD 12. Chartered Engineer Certificate The importer needs to submit bond to Customs for condition 105 of the notification. Procedure :	1. Process is too long & vessel is held up at port for Import/ Export formalities. 2. Varying process at various ports. On East coast Conversion / Reversion are done prior Import/ Export. 3. 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. **Proposal:** **1. Need for adopt uniform process at all Indian ports** **2. May consider waiving off 'Faceless assessment' for cable ships, in view of technical nature of work done by the vessels** **3. Else if Faceless assessment is mandatory requirement, it should be done at any other station dealing with vessels and not general goods.** **4. Need to combine process of Import + conversion or Re- Export + Reversion together in order to cut time of vessel long stay at ports.** **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.**

			• Bill of Entry submission with documents in Customs EDI system • Bill of Entry scrutiny • Faceless assessment • Duty finalization • Duty payment • Examination & approval • Out of Charges **Clearance Time: 05-10 working days**	**6. Process needs to be simplified with aim to provide opportunity to trade towards 'ease of doing business'.** **7. May consider process of Vessel's Conversion and Bill of Entry on basis of Self – declaration from the vessel and Bill of Entry can be filed prior vessel's arrival in port for Custom Examination** **8. 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. Notification 34/2019 dated 30 Sep, 2019 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.**

9.	**Customs – Vessel Conversion**	**Indian Customs / CBEC (Ministry of Finance, Government of India)**	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. **Documents required:** 1. Complete Inventory of the vessel (6 copies) 2. Valid SPL Copy 3. Import Bill of Entry – Duty Paid and Out of Charge **Procedure:** 1. Conversion permission from DC(PG) 2. Processing Bill of Entry for consumables/ goods 3. Custom Boarding & Examination 4. Conversion approval & Certificate Issue **Clearance Time: 02-03 working days.**	

10	**Customs – Vessel re-Export & Reversion to Foreign going status**	**Indian Customs / CBEC (Ministry of Finance, Government of India)**	Vessel needs to come back to Port for Re-Export and Reversion Process Re- Export Processed at Export dept. in Customs. Reversion process done at DC(PG) **Documents required:** 1. Re- export Invoices 2. GR Waiver from Bank 3. Import Bill of Entry – Duty Paid Challan **Procedure:** 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 **Clearance Time: 01-02 working days.**	
11	**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.