

**Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
Vanijya Bhawan, New Delhi**

Dated: 01 March, 2024

Sub:- Circulation of proposed General Authorisation for Export of Telecommunication related items (GAET) and General Authorisation for Export of Information Security items (GAEIS) for public/Industry comments.

To simplify the policy of Telecommunication and Networking items and Information Security items covered under category 8A5 of the SCOMET list, a draft policy on General Authorisation for the Export of Telecommunication items (GAET) and General Authorisation for the Export of Information Security items (GAEIS) is proposed. The same is being circulated for the public/Industry comments and feedback.

The comments, if any, may be brought to the notice of this directorate by 07th March 2024 at **scomet-dgft@nic.in**


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General Authorization for Export of Telecommunication-related items(GAET)

Export of indigenous SCOMET items (Telecommunication and Networking items under SCOMET Category 8A5 Part 1) will be allowed based on a one-time General Authorization (GAET) subject to the following conditions:

- 1. Policy & Eligibility:** SCOMET authorization will not be required, for the export and/or re-export of Telecommunication and Networking related items (excluding technology and software) covered under SCOMET Category 8A5 Part 1 (except items listed in *Annexure-I*) subject to the following conditions:
 - a. The applicant exporter shall submit an application for getting a one-time license under GAET through the online SCOMET portal and attach the information in the prescribed proforma.;
 - b. The application would be reviewed/examined for the issuance of GAET by the Inter-Ministerial Working Group (IMWG) based on the submitted application and other supporting documents submitted by the applicant exporter in the prescribed proforma including:
 - i. Detailed description of the items that are intended to be exported under this authorization with relevant technical details/specifications;
 - ii. End-user certificate(EUC) from all the entities involved in the supply chain (buyer, consignee, end user, and any other intermediary) on the letterhead duly signed and stamped for first-time issuance of authorization. Subsequent EUC submissions for other entities will be subject to post-reporting requirements.
 - iii. The list of countries where the export is expected to be done under GAET is to be provided by the applicant at the time of submission of the application.
 - iv. Undertaking on the letterhead of the firm duly signed and stamped by the authorized signatory stating the following:

1. Any on-site inspection will be allowed by the applicant exporter if required by the DGFT or authorized representatives of the Government of India;
 2. The applicant exporter declares that the items that are intended to be exported shall not be used for any purpose other than the purpose(s) stated in the EUC and that such use shall not be changed nor the items modified or replicated without the prior consent of the Government of India.;
 3. The applicant exporter declares that subsequent to the issuance of export authorization, if the licensee has been notified in writing by DGFT or if they know or has reason to believe that an item may be intended for military end use or has a potential risk of use in or diversion to weapons of mass destruction (WMD) or in delivery of their missile system, the exporter would not be eligible for GAET for export of that/those item(s) and would apply separately to DGFT for a fresh authorization in terms of regular policy.
 4. Action will be taken against the exporter under FT (D & R) Act, 1992 for any mis-declaration.
- v. Certified/Approved Internal Compliance Programme by the Compliance Manager of the Company.
- vi. Authorized Economic Operator (AEO) T2 Certification of CBIC.
- vii. After issuance of GAET authorization and before actual export, the applicant exporter must ensure the following:
1. They shall notify the relevant government authorities in the online portal of DGFT, quarterly of such export in the prescribed format [Aayat Niryat Form (ANF)], along with the End-Use Certificate (EUC).
 2. The EUCs in prescribed proforma to be filled by all the entities involved in the chain of supply e.g. foreign buyer/consignee / end-user / intermediary (ies) on the letterhead of the respective entity, duly signed in ink and stamped by the authorized signatory of the company. In case of any additional sheet used along with the EUC, the same must be on the letterhead of the company and signed by the same person who signs the EUC
 3. They have an agreement or purchase order, an excerpt of a contract from the entity (buyer/consignee/end-user) receiving

- the items which state that the export is for a permitted use / an end-use as declared in the EUC before the actual export;
4. The submitting documents by the exporter must include the name, contact number and email ID of the authority signing the EUC before actual export.
 5. Additional details, if any sought by DGFT

2. Post reporting for export / re-export of items under GAET

- a. The Indian exporter shall submit post-shipment details of each export/ re-export of SCOMET items under the above Categories/ sub-categories under GAET for 3 years, as mentioned above and within the timelines specified therein;
- b. Failure to do so may entail imposition of penalty and/or suspension/revocation of GAET.

3. Record Keeping

The exporter will be required to keep records of all the export documents, in manual or electronic form, in terms of Para 10.18 of HBP, for a period of 5 years from the date of GAET issued by DGFT.

4. General Conditions & Exclusions

- a. GAET would not be issued in case of items to be used to design, develop, acquire, or manufacture, possess, transport, transfer and/or used for military applications. explosives, chemical, biological, nuclear weapons or for missiles capable of delivering weapons of mass destruction and their delivery system;
- b. GAET would not be issued for countries or entities covered under UNSC embargo or sanctions list or on assessment of proliferation concerns, or national security and foreign policy considerations, etc.:
- c. In case of inclusion of new countries or amendment to the existing list of countries where the export is expected to be done under GAET the applicant exporter will obtain prior permission of DGFT with relevant details;
- d. IMWG shall reserve the right to deny the issue of GAET without assigning any reason(s).

5. Validity

- a. GAET issued for export / re-export of SCOMET items under the above Categories / Sub Categories shall be valid for **Three years** from the date of issue of GAET subject to subsequent post reporting(s) on quarterly basis to be reported within 30 days from the last quarter;
- b. GAET cannot be revalidated in terms of Paragraph 10.20 of **HBP 2023**.

6. Suspension / Revocation

GAET issued shall be liable to be suspended/revoked by the DGFT on receipt of an adverse report on proliferation concern or for non-submission of mandatory post-shipment details/reports / documents within the prescribed timelines or non-compliance with the conditions of the proposed policy.

General Authorisation for Export of Information Security items under SCOMET
Category 8A5 Part 2.

Export of indigenous SCOMET items (Information Security items under SCOMET Category 8A5 Part 2) will be allowed based on a one-time General Authorization (GAEIS) subject to the following conditions:

1. **Policy & Eligibility:** SCOMET authorization will not be required, for the export and/or re-export of Information Security items (excluding technology) under SCOMET Category 8A5 Part 2 (except items listed in *Annexure - I*) subject to the following conditions:
 - I. The applicant exporter shall submit an application for getting a one-time license under GAEIS through the online SCOMET portal and attach the information in prescribed performa.
 - II. The application would be reviewed/examined for the issuance of GAEIS by the Inter-Ministerial Working Group (IMWG) based on the submitted application and other supporting documents submitted by the applicant exporter in the prescribed proforma including:
 - a) Detailed description of the items that are intended to be exported under this authorization with relevant technical details/specifications;
 - b) End-user certificate(EUC) from all the entities involved in the supply chain (buyer, consignee, end user and any other intermediary) on the letterhead duly signed and stamped for first-time issuance of authorization. Subsequent EUC submissions for other entities will be subject to post-reporting requirements.
 - c) The list of countries where the export is expected to be done under GAEIS is to be provided by the applicant at the time of submission of the application.
 - d) Undertaking on the letterhead of the firm duly signed and stamped by the authorized signatory stating the following:

- A. Any on-site inspection will be allowed by the applicant exporter if required by the DGFT or authorized representatives of the Government of India;
- B. The applicant exporter declares that the items that are intended to be exported shall not be used for any purpose other than the purpose(s) stated in the EUC and that such use shall not be changed nor the items modified or replicated without the prior consent of the Government of India.;
- C. The applicant exporter declares that subsequent to the issuance of export authorization, if the licensee has been notified in writing by DGFT or if they know or has reason to believe that an item may be intended for military end use or has a potential risk of use in or diversion to weapons of mass destruction (WMD) or in delivery of their missile system, the exporter would not be eligible for GAEIS for export of that/those item(s) and would apply separately to DGFT for a fresh authorization in terms of regular policy.
- D. Action will be taken against the exporter under FT (D & R) Act, 1992 for any mis-declaration.

III. Certified/Approved Internal Compliance Programme by the Compliance Manager of the Company.

IV. Authorized Economic Operator (AEO) T2 Certification of CBIC.

V. After issuance of GAEIS authorization and before actual export, the applicant exporter must ensure the following:

- a) They shall notify the relevant government authorities in the online portal of DGFT, on a quarterly basis of such export in the prescribed format [Aayat Niryat Form (ANF)], along with the End-Use Certificate (EUC).
- b) The EUCs in prescribed proforma [Appendix] are to be filled by all the entities involved in the chain of supply e.g. foreign buyer/consignee / end-user/intermediary (ies) on the letterhead of the respective entity, duly signed in ink and stamped by the authorized signatory of the company. In case of

any additional sheet used along with the EUC, the same must be on the letterhead of the company and signed by the same person who signs the EUC

- c) They have an agreement or purchase order, an excerpt of a contract from the entity (buyer/consignee / end-user) receiving the items which state that the export is for a permitted use / an end-use as declared in the EUC before the actual export;
- d) The submitting documents by the exporter must include the name, contact number and email ID of the authority signing the EUC before actual export.
- e) Additional details, if any sought by DGFT.

2. **Post reporting for export / re-export of items under GAEIS**

- I. The Indian exporter shall submit post-shipment details of each export/ re-export of SCOMET items under the above Categories/ sub-categories under GAEIS for 3 years, as mentioned above and within the timelines specified therein;
- II. Failure to do so may entail imposition of penalty and/or suspension/revocation of GAEIS.

3. **Record Keeping**

The exporter will be required to keep records of all the export documents, in manual or electronic form, in terms of Para 10.18 of HBP, for 5 years from the date of GAEIS issued by DGFT.

4. **General Conditions & Exclusions**

- I. GAEIS would not be issued in case of items to be used to design, develop, acquire, or manufacture. possess, transport, transfer and/or used for military applications. explosives, chemical, biological, nuclear weapons or for missiles capable of delivering weapons of mass destruction and their delivery system;
- II. GAEIS would not be issued for countries or entities covered under UNSC embargo or sanctions list or on assessment of proliferation concerns, or national security and foreign policy considerations, etc.:

- III. In case of inclusion of new countries or amendment to the existing list of countries where the export is expected to be done under GAEIS the applicant exporter will obtain prior permission from DGFT with relevant details;
- IV. IMWG shall reserve the right to deny the issuance of GAEIS without assigning any reason(s).

5. **Validity**

- I. GAEIS issued for export / re-export of SCOMET items under the above Categories / Sub Categories shall be valid for **Three years** from the date of issue of GAEIS subject to subsequent post reporting(s) on a quarterly basis to be reported within 30 days from the last quarter;
- II. GAEIS cannot be revalidated in terms of Paragraph 10.20 of **HBP 2023**.

6. **Suspension / Revocation**

GAEIS issued shall be liable to be suspended/revoked by the DGFT on receipt of an adverse report on proliferation concern or for non-submission of mandatory post-shipment details/reports/documents within the prescribed timelines or non-compliance with the conditions of the proposed policy.

S.No	SCOMET Category/ Sub Category	Description [Please refer updated SCOMET list (URL : shorturl.at/dgyJR) for full text and details]
(1)	(2)	(4)
1.	8A102.a.1	"Composite" structures or laminates, as follows: a. Made from any of the following: 1. An organic "matrix" and "fibrous or filamentary materials" specified by 8C110.c, 8C110.d or
2.	8C101	Materials specially designed for absorbing electromagnetic radiation...
3.	8C107.c	Ceramic-"matrix" "composite" materials...
4.	8C107.d	Reserved
5.	8C110.c. & 8C110.d.	"Fibrous or filamentary materials"...
6.	8C112	Materials as follows...
7.	8D102	"Software" for the "development" of organic "matrix", metal "matrix" or carbon "matrix" laminates or "composites" specified by this List.
8.	8E101	"Technology" according to the General Technology Note for the "development" or "production" of equipment or materials specified by 8A102 to 8A105, 8A106.b, 8A107, 8B1 or 8C.
9.	8E102.e. & 8E102.f.	Other "technology"...
10.	8B201.a.	Machine tools for turning having two or more axes which can be coordinated simultaneously for "contouring control" having any of the following:.....

11.	8B201.b.	Machine tools for milling having any of the following:.....
12.	8B201.d.	Electrical discharge machines (EDM) of the non-wire type which have two or more rotary axes which can be coordinated simultaneously for "contouring control"
13.	8B201.f.	Deep-hole-drilling machines and turning machines modified for deep-hole-drilling, having a maximum depth-of-bore capability exceeding 5 m.....
14.	8B203	"Numerically controlled" or manual machine tools, and specially designed components, controls and accessories therefor, specially designed for.....
15.	8D201	"Software", other than that specified by 8D202 as follows: a. "Software" specially designed or modified for the "development" or "production" of equipment specified by 8A2 or 8B2; b. "Software" specially designed or modified for the "use" of equipment specified by 8A201.c, 8B201, or 8B203 to 8B209. <i>Note 8D201 does not apply to part programming "software" that generates "numerical control" codes for machining various parts.</i>
16.	8E201	"Technology" according to the General Technology Note for the "development" of equipment or "software" specified by 8A2, 8B2 or 8D2. <i>Note 8E201 includes "technology" for the integration of probe systems into coordinate measurement machines specified by 8B206.a.</i>
17.	8E202	"Technology" according to the General Technology Note for the "production" of equipment specified by 8A2 or 8B2
18.	8A301 b.2.	"Monolithic Microwave Integrated Circuit" ("MMIC") amplifiers that are any of the following:.....
19.	8A301 b.3.	Discrete microwave transistors that are any of the following:....
20.	8A302 g.1	Atomic frequency standards... "Space-qualified"
21.	8B301 a.2.	Equipment designed for epitaxial growth as follows :..... Metal Organic Chemical Vapour Deposition (MOCVD) reactors designed for compound semiconductor epitaxial growth of material having two or more of the following elements: aluminium, gallium, indium, arsenic, phosphorus, antimony, or nitrogen;
22.	8D301	"Software" specially designed for the "development" or "production" of equipment specified by 8A301.b to 8A302.h or 8B3.
23.	8 E301	"Technology" according to the General Technology Note for the "development" or "production" of equipment or materials specified by 8A3, 8B3 or 8C3;
24.	8A401.a.2.	Electronic computers... Radiation hardened to exceed any of the following specifications:...
25.	8A403.b.	" Digital computers" having an 'Adjusted Peak Performance' ('APP') exceeding 29 Weighted TeraFLOPS (WT)....

26.	8A403.c.	"Electronic assemblies" specially designed or modified for enhancing performance by aggregation of processors so that the 'APP' of the aggregation exceeds the limit specified by 8A403.b....
27.	8D401	Software" as follows: .. software" specified by 8A4 or 8D4....
28.	8E401	"Technology" according to the General Technology Note for the "development" or "production" of any of the following equipment or "software specified by 8A4 or 8D4... specified by 8E401.a.,
29.	8A501 b.3	Being radio equipment...
30.	8A501 b. 5.	Being digitally controlled radio receivers...
31.	8A501 h.	Counter Improvised Explosive Device (IED) equipment and related equipment...
32.	8B501.a.	Equipment and specially designed components or accessories therefor, specially designed for the "development" or "production" of equipment, functions or features, specified by 8A501;
33.	8D501.a.	"Software" specially designed or modified for the "development", "production" or "use" of equipment, functions or features, specified by 8A501;
34.	8D501.b.	Reserved
35.	8E501.a.	"Technology" according to the General Technology Note for the "development", "production" or "use" (excluding operation) of equipment, functions or features specified by 8A501 or "software" specified by 8D501.a. or 8D501.e.;
36.	8A601 a. 1. b.	Systems or transmitting and receiving arrays, designed for object detection or location, having any of the following:.... 1. A transmitting..... 2. Sound pressure level exceeding 224 dB... 3 an operating frequency in the ... 4. Forming beams of less than 1.. 5. Designed to operate with... 6. Designed to and a. Dynamic compensation b. Incorporating other than
37.	8A601 a. 1. b.1	Systems or transmitting and receiving arrays, designed for object detection or location, having any of the following: 1. A transmitting frequency below 10 kHz;...
38.	8A601 a. 1. e.	Active individual sonars...

39.	8A601 a. 2.a.1 8A601 a. 2.a.1 8A601 a. 2.a.3 8A601 a. 2.a.5 8A601 a. 2.a.6	Hydrophones...Incorporating... Hydrophones...Incorporating flexible assemblies... Hydrophones...Having any... Hydrophones...Designed to operate... Hydrophones...Designed for...
40.	8A601 a. 2. b.	Towed acoustic hydrophone arrays...
41.	8A601 a. 2. c.	Processing equipment, specially designed for real time application with towed acoustic hydrophone arrays, having "user-accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes;
42.	8A601 a. 2. d.	Heading sensors...
43.	8A601 a. 2. e.	Bottom or bay-cable hydrophone arrays having any of the following: 1. Incorporating hydrophones... <u>or</u> 2. Incorporating multiplexed hydrophone group signal modules...
44.	8A601 a. 2. f.	Processing equipment, specially designed for real time application with bottom or bay cable systems, having "user-accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes.
45.	8A602 a. 1. a.b. &c	"Space-qualified" solid-state detectors...
46.	8A602 a. 1. d.	"Space-qualified" "focal plane arrays"....
47.	8A602 a. 2.a	Image intensifier tubes having all of the following:... 1. A peak response in the wavelength range exceeding 400 nm but not exceeding 1,050 nm; 2. Electron image amplification using any of the following: a. A microchannel plate with a hole pitch... less; or b. An electron sensing device with a ... 3. Any of the following photocathodes: a. Multialkali photocathodes (e.g, S-20 and S-25) exceeding 350 $\mu\text{A}/\text{lm}$; b. GaAs or GaInAs photocathodes; or c. Other "III/V compound" semiconductor photocathodes
48.	8A602 a. 2.b	Image intensifier tubes...
49.	8A602 a. 3.	Non-"space-qualified" "focal plane arrays"....;
50.	8A602 b.	"Monospectral imaging sensors" and "multispectral imaging sensors"...
51.	8A602 c.	Direct view' imaging equipment incorporating any of the following: 1. Image intensifier tubes having the characteristics listed in 8A602.a.2.a or 8A602.a.2.b;

		2. "Focal plane arrays" having the characteristics...
52.	8A602 e.	(Reserved)
53.	8A603 b.3.	Imaging cameras incorporating image intensifier tubes having the characteristics listed in 8A602.a.2.a or 8A602.a.2.b;
54.	8A603 b.4.	Imaging cameras incorporating "focal plane arrays" having any of the following: a. Incorporating "focal plane arrays" specified by 8A602.a.3.a to 8A602.a.3.e; b. Incorporating "focal plane arrays" specified by 8A602.a.3.f; or.....
55.	8A603 b.5.	Imaging cameras incorporating solid-state detectors specified by 8A602.a.1.
56.	8A604 c.	"Space-qualified" components for optical systems, as follows:...
57.	8A604 d.	Optical control equipment as follows:...
58.	8A606 a.	"Magnetometers" and subsystems,....
59.	8A606 a.1.	"Magnetometers" using "superconductive" (SQUID) "technology" and having any of the following:.....
60.	8A606 a.2.	<u>"Magnetometers" ... Using optically pumped or nuclear precession (proton/Overhauser) "technology" having a 'sensitivity' lower (better) than 2pT rms per square root Hz;</u>
61.	8A606 c.1.	"Magnetic gradiometers" as follows: 1. "Magnetic gradiometers" using multiple "magnetometers" specified by 8A606.a;
62.	8A606 d	"Compensation systems" for magnetic or underwater electric field sensors resulting in a performance equal to or better than the specified parameters of 8A606.a, 8A606.b, or 8A606.c;
63.	8A606 e	Underwater electromagnetic receivers incorporating magnetic field sensors specified by 8A606.a or underwater electric field sensors specified by 8A606.b.
64.	8A608 d	Radar systems...Capable of...
65.	8A608 h	Radar systems...Employing processing...
66.	8A608 k	Radar systems...Having "signal processing"...
67.	8A608 l.3	(Reserved) ;
68.	8B608	Pulse radar cross-section...
69.	8D601	"Software" specially designed for the "development" or "production" of equipment specified by 8A604, 8A605, 8A608 or 8B608.

70.	8D603.a.	"Software", as follows:...
71.	8E601	"Technology" according to...
72.	8E602	"Technology" according to the General Technology Note for the "production" of equipment or materials specified by 8A6, 8B6 or 8C6.
73.	8D702	"Source code" for the operation or maintenance...
74.	8D703.a.	"Software" specially designed or modified to...
75.	8D703.b.	"Source code" for...
76.	8D703.c.	(Reserved)
77.	8D703 d.1-4 & 7	(Reserved)
78.	8D704 a.to d. & g	"Source code" incorporating "development" "technology" specified by...
79.	8E701 & 8E702	"Technology" according to the General Technology Note...
80.	8A801.b.	Manned, untethered submersible vehicles...
81.	8A801.c.	Unmanned submersible vehicles...
82.	8A801.c.1	Unmanned submersible vehicles...
83.	8A801.d.	(Reserved)
84.	8A802.b.	Systems specially designed or modified for the automated control of the motion of submersible vehicles specified by 8A801, using navigation data, having closed loop servo-controls and having any of the following: 1. Enabling... 2. Maintaining... 3. Maintaining...
85.	8A802.h.	"Robots" specially designed for underwater use...
86.	8A802.j.	Air independent power systems...
87.	8A802.o.3	Noise reduction systems for use on vessels...
88.	8A802.o.3.b	'Active noise reduction or cancellation systems' or magnetic bearings, specially designed for power transmission systems
89.	8A802.p	Pumpjet propulsion systems...
90.	8D801	"Software" specially designed or modified for the "development", "production" or "use" of equipment or materials, specified by 8A8, 8B8

		or 8C8.
91.	8D802	Specific "software"...
92.	8E801	"Technology" according to the General Technology Note for the "development" or "production" of equipment or materials, specified by 8A8, 8B8 or 8C8.
93.	8E802.a.	Other "technology"...
94.	8A911	Ramjet, scramjet or combined cycle engines...
95.	8B901	Equipment, tooling or fixtures, specially designed for manufacturing gas turbine engine blades, vanes or "tip shrouds", as follows: a. Directional-solidification or single-crystal casting equipment; b. Casting tooling, manufactured from refractory metals or ceramics, as follows: 1. Cores; 2. Shells (moulds); 3. Combined core and shell (mould) units; c. Directional-solidification...
96.	8D901	"Software", not specified in 8D903 or 8D904, specially designed or modified for the "development" of equipment or "technology", specified by 8A9, 8B9 or 8E903.
97.	8D902	"Software", not specified in 8D903 or 8D904, specially designed or modified for the "production" of equipment specified by 8A9 or 8B9.
98.	8D904.a.	2D or 3D viscous "software", validated with wind tunnel or flight test data required for detailed engine flow modelling;
99.	8D904.c.	"Software" specially designed to control directional-solidification or single-crystal material growth in equipment specified by 8B901.a or 8B901.c;
100.	8E901	"Technology" according to the General Technology Note...
101.	8E902	"Technology" according to the General Technology Note...
102.	8E903 a. 1. to 5	"Technology" "required" for...
103.	8E903 a. 3. a	"Technology" "required" for... Components... Manufactured from organic "composite" materials designed to operate above 588 K (315°C).
104.	8E903.h	"Technology" "required" for gas turbine "FADEC systems"...
