**BY E-MAIL / COURIER**

**File No.127/2023-Opinion**

13.06.2023

M/s. Kone Elevator India Pvt. Ltd.,

Plot No.A-28, SIPCOT Industrial Park,

Pillaipakkam Village,

Sriperumbudur Taluk,

Kanchipuram District – 602 105.

Attn.: Ms. L. Bhuvaneswari, General Manager – Sourcing - l.bhuvaneswari@kone.com

**Mobile:**  **9791043915**

Madam,

**Sub.: Import of 4G Device.**

1. In connection with the above, find attached the following.

(a) Opinion.

(b) Our Bill towards professional charges.

2. Should you need any further clarification in this regard, please feel free to contact me. Kindly arrange for payment of the attached bill.

Yours faithfully,

**S. MURUGAPPAN**

Attached: as above.

sm/ss

**OPINION**

**1. QUERIST:**

M/s. Kone Elevator India Pvt. Ltd.,

Plot No.A-28, SIPCOT Industrial Park,

Pillaipakkam Village,

Sriperumbudur Taluk,

Kanchipuram District – 602 105.

**2. FACTS:**

2.1 The querist intends to import 4G data transmission unit which is called as “KONE 4G”. This device is designed to transmit the equipment data received from the elevator to KONE IoT Cloud through wireless network. It is reported that KONE 4G package will contain the following.

* KONE 4G device (includes PCBA, 4G Modem Quectel, Integrated RF Antenna and SIM card inside the type labeled black plastic box)
* Metal fixing plate
* 2 pcs. screws and 2 pcs. wall plugs

2.2 The querist also indicated the frequency ranges for the product as mentioned below.

* GSM: B3/ B8
* WCDMA: B1/ B5/ B8
* FDD-LTE: B1/ B3/ B5/ B7/ B8/ B20
* TDD-LTE: B38/ B40/ B41

2.3 It is also indicated that this device will be exported to the customers of the querist in Asia Pacific countries.

**3. QUERY:**

 In the above context, the querist would like to know the procedure for import of the above device with SIM card.

**4. OPINION:**

4.1 From the information provided, it is clear that the product under reference is a data transmission device that is designed to transmit data received from the elevator to cloud server through a wireless network. Such equipment will be covered appropriately under the product

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description “Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus”. At eight-digit level the relevant heading will be “**8517 6290**”. Currently, for these goods, the statutory rate of basic Customs duty is 20%. In addition to the above, Social Welfare Cess at 10% and IGST at 18% will be applicable.

4.2 It is noticed that the 4G device is supplied with a SIM card, metal fixing plate and screws along with wall plugs. These are for installation and obviously without any separate charges and the entire package will be assessed as 4G device in terms of Accessories (Condition) Rules, 1963. In case, there are separate charges indicated for the screws and fixing plate etc. then all these will be classifiable separately under appropriate headings and will attract different rates of duty.

4.3 With regard to the importability of the above device, it may be noted that in terms of relevant instructions issued by WPC Wing of Department of Telecommunications, devices operating under certain bandwidth are exempted from the need for obtaining wireless license. Apart from that, it is also necessary that equipment type approval is obtained from the department of telecommunications for wireless equipment.

4.4 In this regard, we are attaching the complete set of instructions covering the various orders / circulars / guidelines issued by WPC wing consolidated in one place by the Central Board of Excise & Customs in the form of an Instruction No.16/2022-Customs dated 21.07.2022. This instruction covers the various stipulations and exemptions provided by the WPC Wing of DoT.

4.5 Based on the above and the exemptions, if any available, you can obtain equipment type approval before proceeding with the import.

**S. MURUGAPPAN**

sm/ss

**Disclaimer:-** The above opinion is provided based on the information and documents made available to us by the queriest and further based on the laws and rules prevalent as on date and the understanding of such provisions by the author and is meant for the private use of the person to whom it is provided without assuming any liability for any consequential action taken based on the views expressed here.