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###### **BY E-MAIL**

#### File No.271/2022 (General)

03.02.2024

M/s. Konica Minolta Business Solutions India Pvt. Ltd.

Attn.: Mr. Arun Kumar Ghosh <arun.ghosh@konicaminolta.com>

C.C.: <abhinav.thakur@konicaminolta.com> / <reji.bhaskaran@konicaminolta.com>

Dear Mr. Arun,

1. The current policy for import of second-hand goods, including their spare parts/accessories is provided in para 2.31 of the Foreign Trade Policy. An extract of the same is attached to this mail.

2. As can be seen from the policy, for second-hand goods, all electronics and IT goods notified under the Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order 2012, as amended from time to time (sub-clause 1(b) of 2.31), are restricted for import and they can be imported only against a specific authorisation. The following products covered in the list attached to your mail are basically Web cameras, Video cameras and similar IT goods covered by the above order and hence, cannot be imported without a specific authorisation issued by DGFT.

“C220, C470, Innex C570, Innex C830, Innex Cube, Ideao Hub with Stand, Ideao DC400”

3. Camera table stand will not be covered under the Electronics and IT Goods (Requirement of Compulsory Registration) Order 2012. At the same time, depending upon its intended use by the customer, it may not fall under “capital goods” also. Following is the definition of ‘Capital Goods’.

*“Capital Goods” means any plant, machinery, equipment or accessories required for manufacture or production, either directly or indirectly, of goods or for rendering services, including those required for replacement, modernisation, technological up-gradation or expansion. It includes packaging machinery and equipment, refrigeration equipment, power generating sets, machine tools, equipment and instruments for testing, research and development, quality and pollution control.*

*Capital goods may be for use in manufacturing, mining, agriculture, aquaculture, animal husbandry, floriculture, horticulture, pisciculture, poultry, sericulture and viticulture as well as for use in services sector.*

4. While all second-hand capital goods, other than those mentioned against Sl.Nos.1(a), 1(b) and 1(c) to para 2.31 are freely importable, all second-hand goods other than capital goods are restricted for import. As such, the camera table stand will also be covered under (II) of para 2.31, if it doesn’t fall under ‘capital goods’ (based on its intended use) and consequently, will be restricted for import without an authorisation.

5. Ideao Pen will be an accessory / component for Touch pad / Laptop / PC (to enable writing). Refurbished / reconditioned spares of PCs are covered under clause 1(a) of para 2.31 of the policy mentioned above and restricted for import. Specific authorisation is required for their import.

6. In case, the spares are permitted without any specific authorisation as per the conditions enumerated in para 2.31 above, then, it is necessary that a chartered engineer certificate is obtained in the load-port and produced to customs here in India. However, that will not preclude the customs authorities here to engage another chartered engineer and ascertain its valuation as well as condition with regard to residual life and take an independent opinion for permitting clearance under para 2.31 of the policy.

Regards,

Murugappan

Attached: as above.

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.