

To be Published in the Gazette of India Extraordinary
Part-I, Section - I
Government of India
Ministry of Commerce & Industry
Department of Commerce
Udyog Bhawan
Public Notice No. 74 (RE-2013)/2009-2014
New Delhi, Dated 19 November, 2014

Subject: India's Import/export regulation for items under Crime Control (CC) & Regional Security (RS) of USA.

In exercise of powers conferred under paragraph 2.4 of the Foreign Trade Policy, 2009-14, the Director General of Foreign Trade hereby makes the following addition in para 2.11 of the of the Handbook of Procedures (HBP) under 2.11 (c), to be read as 2.11(d); 2.11 (e) and 2.11(f) with immediate effect:-

2. (d) India's import and export with regard to USA's unilateral export control items [**Crime Control (CC)** Items as listed in **Appendix 31(iia)** and **Regional Security (RS)** items as listed in **Appendix 31(iib)**] will be governed by the following regulations:

Items listed at both Appendix 31(iia) and Appendix 31(iib) will be allowed by DGFT for import from USA provided the importer submits the following documents in **Appendix 31**:

- I. documentary proof of Bill of Lading indicating Port of USA,
- II. legal undertaking that goods shall not be exported/ alienated; **and**
- III. Import is with Actual User condition.

(e) In case the importer wants to subsequently export the imported items, or any part thereof, from USA, such export will require an authorization from DGFT.

(f) Import /export of such items shall be allowed only through EDI enabled ports of India.

3. **Effect of the Public Notice:**

As per the Indo-US bilateral understanding, Crime Control (CC) Items and Regional Security (RS) items will be governed as per the guidelines in para 2 above. This will not be applicable for import from any other country.

Sd/-
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APPENDIX 31 (i a)

FORMAT OF IMPORT CERTIFICATE UNDER INDO US MEMORANDUM

No. DGFT/20..

GOVERNMENT OF INDIA
Import Certificate

1. Importer (Name & Address with IEC Number):
2. Exporter (Name & Address):
3. Details of Items being imported:

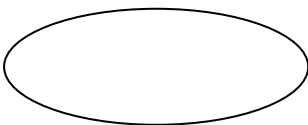
Description of Goods	ECCN Code*	Quantity	Value

* Export Control Classification Number of the item under US Department of Commerce Regulations (ECCN)

4. The importer has submitted:
 - I. the Bill of Lading No.....datedindicating the port of USA as
 - II. the legal undertaking that the said goods will not be exported/alienated.
5. It is certified that the importer named above has further undertaken:
 - I. To import the item into India and not to redirect it or any part thereof, to another destination before its arrival in India.
 - II. Not to export the item or any part thereof without the written permission of the Certificate Issuing Authority.
 - III. To abide by actual user condition, i.e., not to re-transfer within India the item(s) specified in this Certificate without the written approval of the Certificate Issuing Authority

Date.....

Seal:



Signature.....

Designation.....

NB: This import certificate is not a substitute for import Licence in respect of the items mentioned as restricted under ITC (HS) and an import licence, in addition to this Certificate, will have to be obtained, wherever required for such items.

APPENDIX 31(i b)

FORMAT OF EXPORT CERTIFICATE UNDER INDO-US MEMORANDUM

No. DGFT/2014

GOVERNMENT OF INDIA
Export Certificate

1. Exporter (Name & Address with IEC number):
2. Importer in third country (Name & Address):
3. Export Order Nodated
4. Details of items being exported:

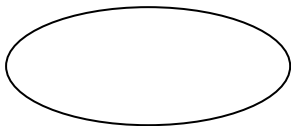
Description of Goods	*ECCN Code	Quantity	Value	Bill of entry No & date by which import was made	ITC(HS) code, if available.

* Export Control Classification Number of the item under US Department of Commerce Regulations (ECCN)

5. It is certified that the above Exporter has submitted that:
 - I. The above goods were imported fromUSA under due permission from DGFT vide Import Certificate No:..... dated.....
 - II. The above goods are being exported to(consignee in third country) in(country's name)
 - III. The subject goods will not be utilised for non-civilian purposes.

Date.....

Seal



Signature.....

Designation.....

NB: This export certificate is not a substitute for Export Licence in respect of the items mentioned as restricted under ITC(HS) and an Export licence, in addition to this Certificate, will have to be obtained wherever required for such items.

Appendix 31(iia)

**UNILATERAL "CRIME CONTROLLED" ITEMS ON THE
U.S. DEPARTMENT OF COMMERCE CONTROL LIST**

<u>S. No.</u>	<u>CC ECCNs</u>	<u>Description</u>
1.	0A978	Law enforcement striking weapons, including saps, police batons, side handle batons, tonfas, sjamboks, and whips
2.	0A979	Police Helmets, Shields
3.	0A981	Equipment designed for the execution of human beings
4.	0A982	Restraint Devices
5.	0E982	Technology for Restraint Devices and discharge type arms
6.	0A983	Specially Designed Implements of Torture
7.	0A984	Shotguns
8.	0E984	Technology for Shotguns
9.	0A985	Discharge Type Arms
10.	0A987	Optical Sighting Devices
11.	1A984	Chemical Agents, Tear Gas
12.	1A985	Fingerprinting Powders, Dyes, Inks
13.	3A980	Voice Print Identification equipment
14.	3A981	Polygraphs, Fingerprints Analyzers
15.	3D980	Software for Voice Print ID
16.	3E980	Technology for Voice Print ID
17.	4A003	Digital Computers for computerised finger-print equipment
18.	4A980	Computers for Fingerprint equipment
19.	4D001	Software for Digital Computers controlled by 4A003
20.	4E001	Technology for Digital Computers controlled by 4A003
21.	4D980	Software for 4A980 Fingerprint Computers
22.	4E980	Technology for Computer for Fingerprint
23.	6A002.c.	Police-Model Infrared Viewers
24.	6E001	Technology for Police Viewer development
25.	6E002	Technology for Police View Production
26.	9A980	Mobile Crime Labs

**UNILATERAL "REGIONAL SECURITY" CONTROLLED ITEMS ON THE
U.S. DEPARTMENT OF COMMERCE CONTROL LIST**

<u>S. No.</u>	<u>RS2 ECCNs</u>	<u>Description</u>
1.	0A606.b.	Ground vehicles, parts and components, as follows:
		1. Unarmed vehicles that are derived from civilian vehicles and that have all of the following:
		a. Manufactured or fitted with materials or components other than reactive or electromagnetic armour to provide ballistic protection to level III (National Institute of Justice Standard 0108.01, September 1985) or better;
		b. A transmission to provide drive to both front and rear wheels simultaneously, including those vehicles having additional wheels for load bearing purposes whether driven or not;
		c. Gross vehicles weight rating (GVWR) greater than 4,500 kg; and
		d. Designed or modified for off-road use.
		2. Parts and components having all of the following:
		a. Specially designed for vehicles specified in paragraph b.1 of this entry; and
		b. Providing ballistic protection to level III (National Institute of Justice Standard 0108.01, September 1985) or better
		2.
3.	0E918	"Technology" for the "development", "production" or "use" of bayonets.
4.	1A004	Protective and detection equipment and components, not specially designed for military use, as follows (see List of Items Controlled).
		a. Gas masks, filter canisters and decontamination equipment therefore designed or modified for defence against any of the following, and specially designed components therefor:
		a.1. Biological agents 'adapted for use in war';
		a.2. Radioactive materials 'adapted for use in war';
		a.3. Chemical warfare (CW) agents; or
		a.4. 'Riot control agents',
		b. Protective suits, gloves and shoes, specially designed or modified for defense against any of the following:
		b.1. Biological agents 'adapted for use in war';
		b.2. Radioactive materials 'adapted for use in war'; or
		b.3. Chemical warfare (CW) agents;
		c. Nuclear, biological and chemical (NBC) detection

		systems, specially designed or modified for detection or identification of any of the following, and specially designed components therefor:
	c.1.	Biological agents 'adapted for use in war';
	c.2.	Radioactive materials 'adapted for use in war'; or
	c.3.	Chemical warfare (CW) agents;
	d.	Electronic equipment designed for automatically detecting or identifying the presence of "explosives" residues and utilizing 'trace detection' techniques (e.g. Surface acoustic wave, ion mobility spectrometry, differential mobility spectrometry, mass spectrometry).
5.	1D003	"Software" specially designed or modified to enable equipment to perform the functions of equipment controlled under 1A004.c. and 1A004.d.
6.	1E001	"Technology" according to the General Technology Note for the "development" or "production" of items controlled by 1A004.d.
7.	2A983	Explosives or detonator detection equipment, both bulk and trace based, consisting of an automated device, or combination of devices for automated decision making to detect the presence of different types of explosives, explosive residue, or detonators; and parts and components, n.e.s.
8.	2A984	Concealed object detection equipment operating in the frequency range from 30 GHz to 3000 GHz and having a spatial resolution of 0.5 milliradian up to and including 1 milliradian at a standoff distance of 100 meters; and parts and components, not elsewhere specified.
9.	2B018	Equipment as follows:
		Specialized machinery, equipment, gear and specially designed parts and accessories therefor, including but not limited to the following, that are specially designed for the examination, manufacture, testing and checking of arms, appliances, machines and implements of war:
	a.	Armor plate drilling machines, other than radial drilling machines;
	b.	Armor plate planing machines;
	c.	Armor plate quenching presses;
	d.	Centrifugal casting machines capable of casting tubes 6 feet (183 cm) or more in length, with a wall thickness of 2 inches (5 cm) and over;
	e.	Gun barrel rifling and broaching machines, and tools therefor;
	f.	Gun barrel rifling machines;
	g.	Gun barrel trepanning machines;
	h.	Gun boring and turning machines;
	i.	Gun honing machines of 6 feet (183 cm) stroke or more;
	j.	Gun jump screw lathes;
	k.	Gun rifling machines;
	l.	Gun straightening presses;

		m.	Induction hardening machines for tank turret rings and sprockets;
		n.	Jigs and fixtures and other metal-working implements or accessories of the kinds exclusively designed for use in the manufacture of firearms, ordnance and other stores and appliances for land, sea or aerial warfare;
		o.	Small arms chambering machines;
		p.	Small arms deep hole drilling machines and drills therefor;
		q.	Small arms rifling machines;
		r.	Small arms spill boring machines;
		s.	Tank turret bearing grinding machines.
10.	2D983		Software specially designed or modified for the development, production, or use of equipment controlled by 2A983.
11.	2D984		Software required for the development, production, or use of concealed object detection equipment controlled by 2A984.
12.	2E983		Technology specially designed or modified for the development, production, or use of equipment controlled by 2A983, or the development of software controlled by 2D983.
13.	2E984		Technology required for the development, production, or use of equipment controlled by 2A984 or required for the development of software controlled by 2D984.
14.	6A003.b.4.b		Uncooled thermal imaging cameras
15.	6A998.c.		Millimetre wave enhanced vision radar imaging systems specially designed for rotary wing aircraft and having all of the following:
		1.	Operates at a frequency of 94 GHz;
		2.	An average output power of less than 20 mW;
		3.	Radar beam width of 1 degree; and
		4.	Operating range equal to or greater than 1500 m
16.	6A999.c.		Seismic intrusion detection systems that detect, classify and determine the bearing on the source of a detected signal.
17.	6D991		Software not elsewhere specified specially designed for the development, production, or use of commodities controlled by 6A998.c.
18.	6D993.b.		Software specially designed for seismic intrusion detection systems controlled by 6A999.c.
19.	9A515.e.		Microelectronic circuits (e.g. integrated circuits and micro-circuits) that are rated, certified, or otherwise specified or described as meeting or exceeding all the following characteristics and that are specially designed for defence articles controlled by Unites States Munitions List.
